



Victoria Government Gazette

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No. G 27 Thursday 2 July 2009

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GENERAL

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As from 2 July 2009

The last Special Gazette was No. 229 dated 1 July 2009.

The last Periodical Gazette was No. 1 dated 3 June 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)
-

VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

DISSOLUTION OF PARTNERSHIP

de ja view Media

In accordance with section 41 of the **Partnership Act 1958**, notice is hereby given that the partnership which existed between Jason Cuy, Dean Gangell, Paul McCarthy and Mark Horpinitch of de ja view Media is dissolved as of 30 June 2009.

Re: SYDNEY MELBOURNE BRISBANE, late of 3/63 Balwyn Road, Balwyn, Victoria, retired industrial chemist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 February 2009, are required by the trustee, Julie Ann Hayhoe, to send particulars to her, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date she will convey or distribute the assets, having regard only to the claims of which she has notice.

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

Re: Estate of HOWARD ANTHONY STALLMAN.

Creditors, next-of-kin and others having claims in respect of the estate of HOWARD ANTHONY STALLMAN, late of 3 Lydia Court, Balwyn 3103, in the State of Victoria, the deceased, who died on 13 November 2008, are required by Suzanne Elizabeth Betts and Ian Roth, the executors named in the Will of the said HOWARD ANTHONY STALLMAN, to send particulars thereof to the undermentioned solicitors, by 15 September 2009, after which date they will distribute the assets, having regard only to the claims of which notice has been received.

CELINA ROTH, solicitor,
146 Church Street, Brighton 3186.

Creditors, next-of-kin and others having claims against the estate of LESLIE KEITH GHILLOTI, also known as Keith Ghilloti, late of Fred Cambridge House, 1a Campbell Grove, Northcote, Victoria, who died on 21

February 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 9 September 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: KATHLEEN IRENE SIM, late of 29–33 Chesterville Road, Glen Waverley, Victoria.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 25 February 2009, are required by the trustees, Perpetual Trustees Victoria Limited of Level 28, 360 Collins Street, Melbourne, Victoria, and Julie Bernadette Harrison, the executors named in the Will, the substituted executor, James Vance Sim, having predeceased the deceased, to send particulars to the trustees by 1 September 2009, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

MADDOCKS, lawyers,
140 William Street, Melbourne 3000.

ALBERTS DULEVSKIS, late of 118 Somers Avenue, Macleod, in the State of Victoria.

Creditors, next-of-kin and others having claim in respect of the estate of the above deceased, who died at Macleod on 17 November 2008, are required by the executors and trustees of the said deceased, Victor Dulevskis and Inese Edwards, both care of McNab McNab & Starke of 21 Keilor Road, Essendon, to send particulars to them by 3 September 2009, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

McNAB McNAB & STARKE, solicitors,
21 Keilor Road, Essendon 3040.
Telephone 9379 2819

Re: SHIRLEY JOYCE CHATTERTON, late of 48 Inkerman Street, Maidstone, Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 October 2008, are required by the executor, Lawrence Charles Chatterton, to send particulars of their claim to him, care of the undermentioned solicitors, by 2 September 2009, after which date the executor may convey or distribute the assets, having regard only to the claims of which he may then have notice.

PATRICK CASH & ASSOCIATES, solicitors,
161 Nicholson Street, Footscray 3011.

Re: SAMUEL WALTER WRIGHT, late of
50 Pickett Street, Footscray, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 February 2009, are required by the executor, Deborah June Wright, to send particulars of their claim to her, care of the undermentioned solicitors, by 2 September 2009, after which date the executor may convey or distribute the assets, having regard only to the claims of which she may then have notice.

PATRICK CASH & ASSOCIATES, solicitors,
161 Nicholson Street, Footscray 3011.

Re: ELVIE VIOLET McDONALD,
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 trustee, Glenn Alexander McDonald, care of the undermentioned solicitor, to send particulars to the trustee by 30 September 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: NORMA IRENE RIGBY, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 April 2009, are required by the trustee, Geoffrey Lawrence Rigby, care of the undermentioned solicitors, to send particulars to the trustee by 30 September 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

MATHIAS MATTERN, late of 16 Deakin Street, Bell Park, Victoria, gentleman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 13 October 2008, are required by the trustees, Erika Anna Newland and Richard Michael Stefan Mattern, to send particulars of their claims to the trustees, in the care of the under mentioned legal practitioner, by 10 September 2009, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

RALPH JAMES SMITH, solicitor,
6 The Centreway, Lara, Victoria 3212.

Creditors, next-of-kin and others having claims against the estate of MIODRAG BLAGOJEVIC, late of 25 Margaret Street, North Geelong, who died on 7 May 2009, are required to send particulars of their claims to the legal representative of the deceased, care of Randall Bell Lawyer, Level 4, 117 Myers Street, Geelong, Victoria 3220, on or before 20 October 2009, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

RANDALL BELL, lawyer,
Level 4, 117 Myers Street,
Geelong, Victoria 3220.

Re: IRMA MARY WINTON, deceased.

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

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

Re: ANNE MARGARET KELLY, late of 93 Botanic Road, Warrnambool, Victoria, teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 March 2008, are required by the executors, Patrick Anthony Kelly and Brendan John Kelly, to send particulars to them, care of the undermentioned solicitors, by 2 September 2009, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

TAIT LEISHMAN TAYLOR, lawyers,
121 Kepler Street, Warrnambool 3280.

DAVID WILLIAM JAMES ROYLE, late of 20 River Road, Bundamba, in the State of Queensland, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 10 December 2006, are required to send particulars of their claims to the executor, John Royle, care of the undermentioned solicitors, by 3 September 2009, after which date the said executor will distribute the assets, having regard only to the claims of which he then has notice.

T.J. MULVANY & CO., lawyers,
2nd Floor, 51 Queen Street, Melbourne 3000.

Re: WILLIAM PATRICK HUTCHINSON, late of 3 Downland Place, Dingley Village, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 April 2009, are required by the executor, Kevin Stanley Tragear, to send particulars to him, care of the undermentioned solicitors, by 7 September 2009, after which date the executor may convey and distribute the assets, having regard only to the claims of which he then has notice.

TRAGEAR & ASSOCIATES PTY,
legal practitioners,
1/23 Melrose Street, Sandringham 3191.

Re: JEAN LESLEY NICHOL, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 December 2008, are required by the trustees, Garry William Biggs and Annie Agnes Brown, to send particulars to the trustees,

care of the undermentioned solicitors, by 31 August 2009, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

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

On Wednesday 29 July 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 Christopher Tough of 6 O'Keefe Terrace, Sandhurst, as shown on Certificate of Title as Christopher Robert Tough, joint proprietor with Laura Kathleen Taylor of an estate in fee simple in the land described on Certificate of Title Volume 10700 Folio 292, upon which is erected a residential dwelling known as 6 O'Keefe Terrace, Sandhurst.

Registered Mortgage No. AD665324P, Covenant No. PS500745K and Section 173 **Planning and Environment Act 1987** Agreement Nos. AB688953T, AB689039V, AB689324W and AB691928Y affect the said estate and interest.

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

There are no exceptions to these arrangements.

SW090007942

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

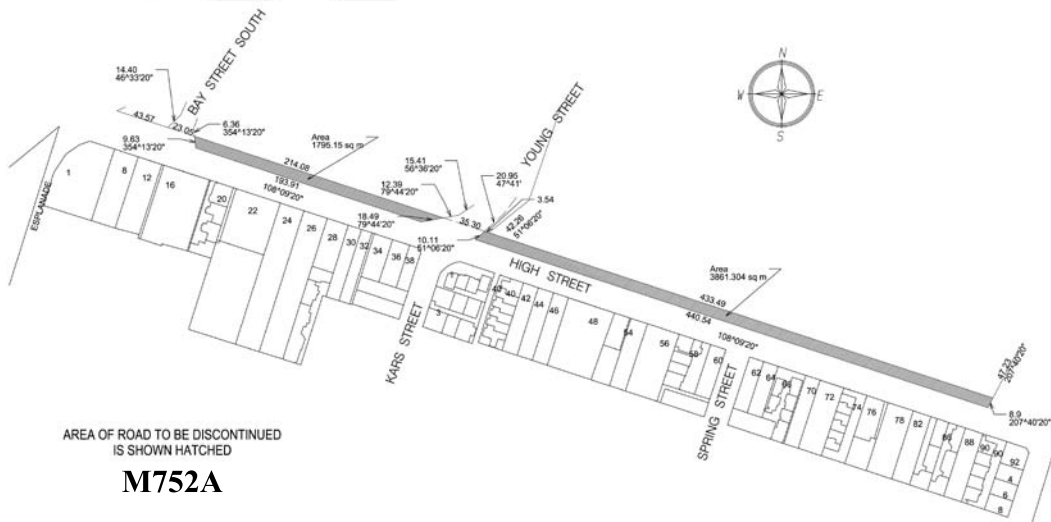
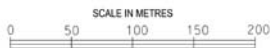
**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**



Discontinuance of Part of High Street Road Reserve, Frankston

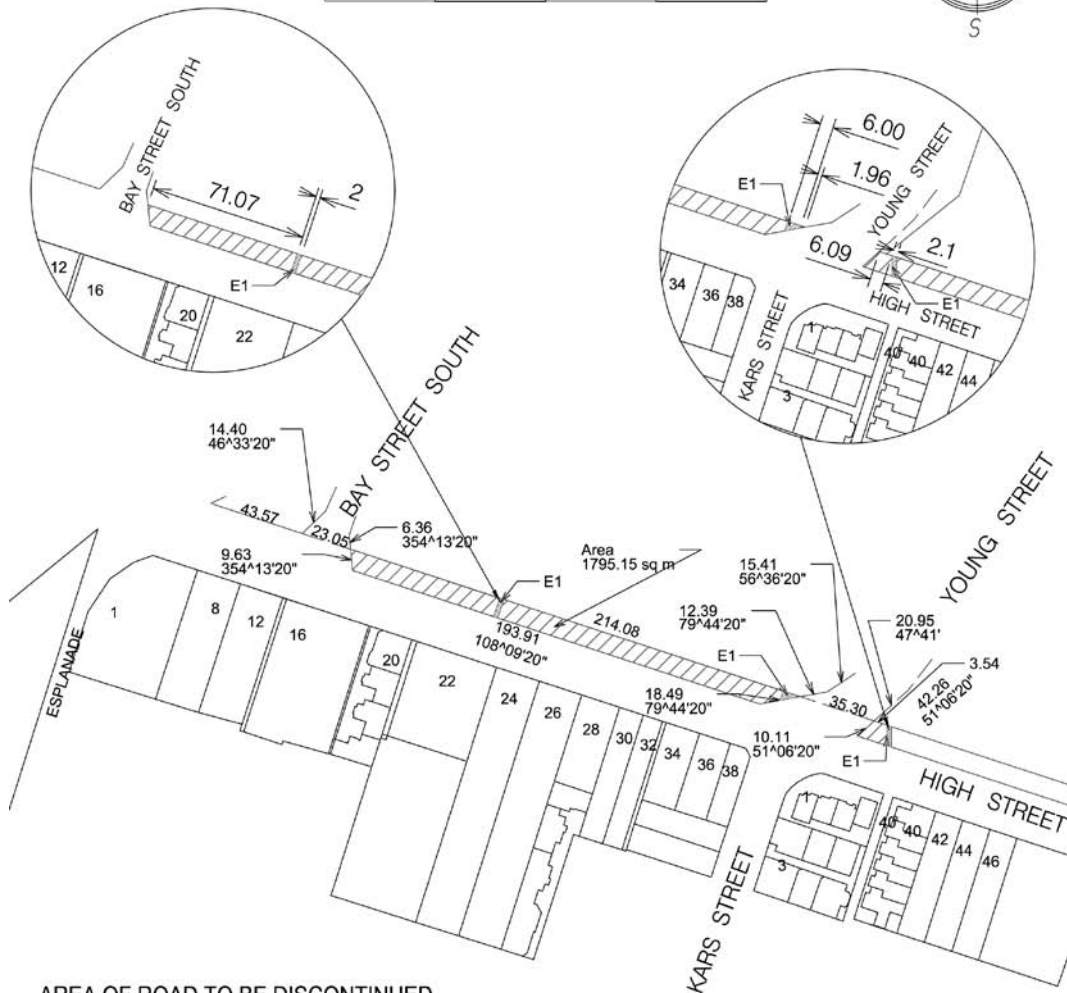
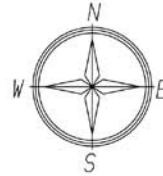
Notice is hereby given that the Frankston City Council, at its ordinary meeting on Monday 1 June 2009, being of the opinion that the part of the High Street road reserve, Frankston, between Bay Street South and Yuille Street, shown hatched on Council Plan M752A, and in more detail on Council Plans M752B 1/2 and M752B 2/2, is no longer reasonably required as a road for public use and having complied with the provisions of clause 3 of schedule 10 of the **Local Government Act 1989** (The Act) resolved that the part of the road reserve be discontinued.

**DISCONTINUANCE OF PART OF
HIGH STREET ROAD RESERVE, FRANKSTON
BETWEEN BAY ST SOUTH AND YUILLE STREET**
High Street, Government Road
TOWNSHIP OF FRANKSTON



DISCONTINUANCE OF PART OF HIGH STREET ROAD RESERVE, FRANKSTON BETWEEN BAY ST SOUTH AND YUILLE STREET

High Street, Government Road
TOWNSHIP OF FRANKSTON

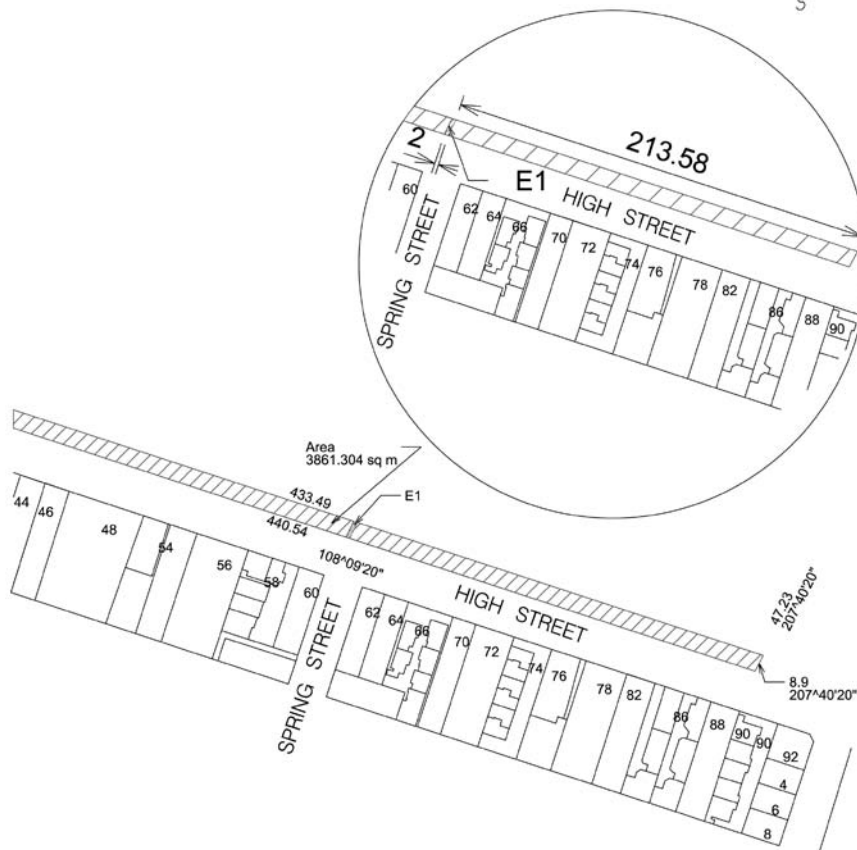
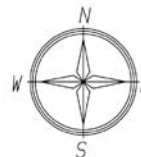
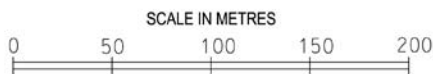


AREA OF ROAD TO BE DISCONTINUED
IS SHOWN HATCHED

M752B-1/2

DISCONTINUANCE OF PART OF HIGH STREET ROAD RESERVE, FRANKSTON BETWEEN BAY ST SOUTH AND YUILLE STREET

High Street, Government Road
TOWNSHIP OF FRANKSTON



AREA OF ROAD TO BE DISCONTINUED
IS SHOWN HATCHED

M752B-2/2

United Energy Distribution will continue to have and possess the same power, authority or interest in or in relation to the full width of the section of road reserve between Bay Street South and Young Street shown hatched on Plan M752A, as it had or possessed prior to the said discontinuance, with respect to or in connection with any services laid in, on or over such land for electricity purposes.

South East Water Ltd will continue to have and possess the same power, authority or interest in or in relation to the area marked and annotated as 'E1' on Plans M752B 1/2 and M752 2/2, as it had or possessed prior to the said discontinuance, with respect to or in connection with any services laid in, on or over such land for sewerage and water purposes.

GEORGE MODRICH
Chief Executive Officer

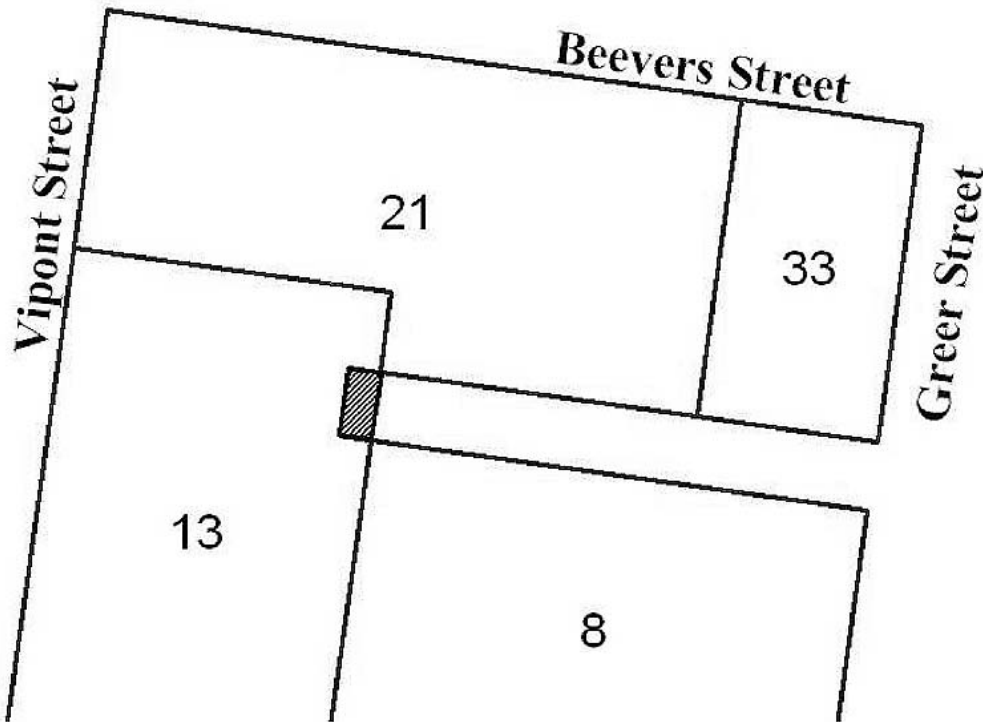
MARIBYRNONG CITY COUNCIL

Local Government Act 1989

Discontinuance of Road

Section 206, Schedule 10, Clause 3

The Maribyrnong City Council declares that by this notice it discontinues the part of the road at the rear of 13 Vipont Street, Footscray, as shown in the marked area on the plan below.



Published with the authority of the Chief Executive Officer of the Maribyrnong City Council, Council Offices, corner Napier and Hyde Streets, Footscray 3011.

Dated 24 June 2009

JOHN LUPINNO
Acting Chief Executive Officer
Maribyrnong City Council

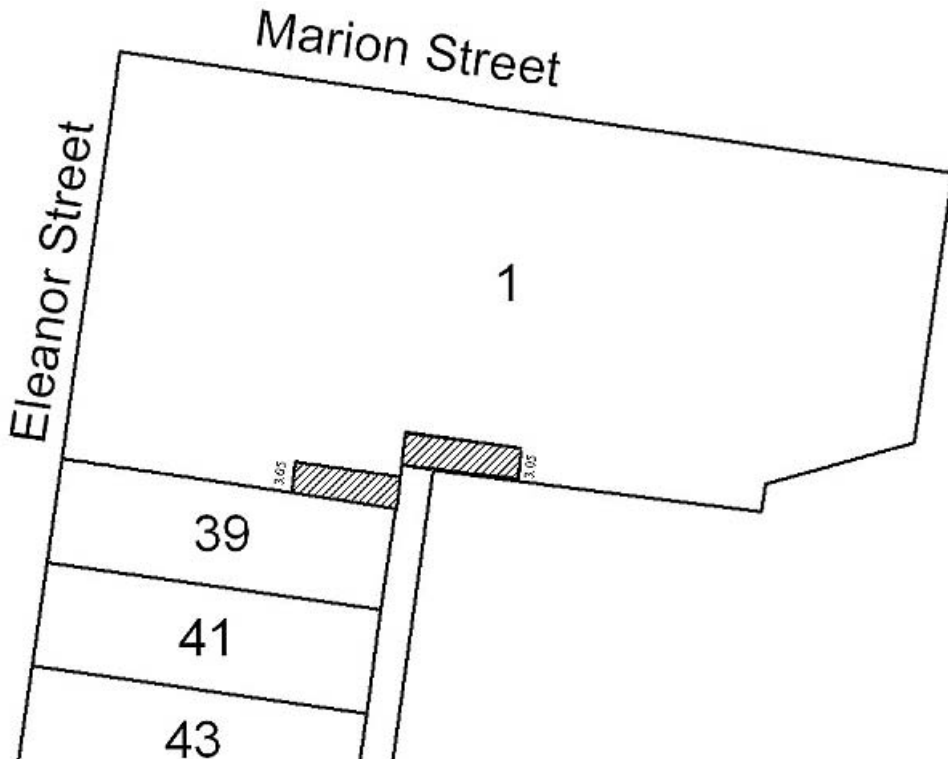
MARIBYRNONG CITY COUNCIL

Local Government Act 1989

Discontinuance of Road

Section 206, Schedule 10, Clause 3

The Maribyrnong City Council declares that by this notice it discontinues the part of the road at the rear of 1-9 Marion Street, Footscray, as shown in the marked area on the plan below.



Published with the authority of the Chief Executive Officer of the Maribyrnong City Council, Council Offices, corner Napier and Hyde Streets, Footscray 3011.

Dated 24 June 2009

JOHN LUPINNO
Acting Chief Executive Officer
Maribyrnong City Council

MARIBYRNONG CITY COUNCIL

Local Government Act 1989

Discontinuance of Road

Section 206, Schedule 10, Clause 3

The Maribyrnong City Council declares that by this notice it discontinues the part of the road at the rear of 26–28 Maddock Street, Footscray, as shown in the marked area on the plan below



Published with the authority of the Chief Executive Officer of the Maribyrnong City Council, Council Offices, corner Napier and Hyde Streets, Footscray 3011.

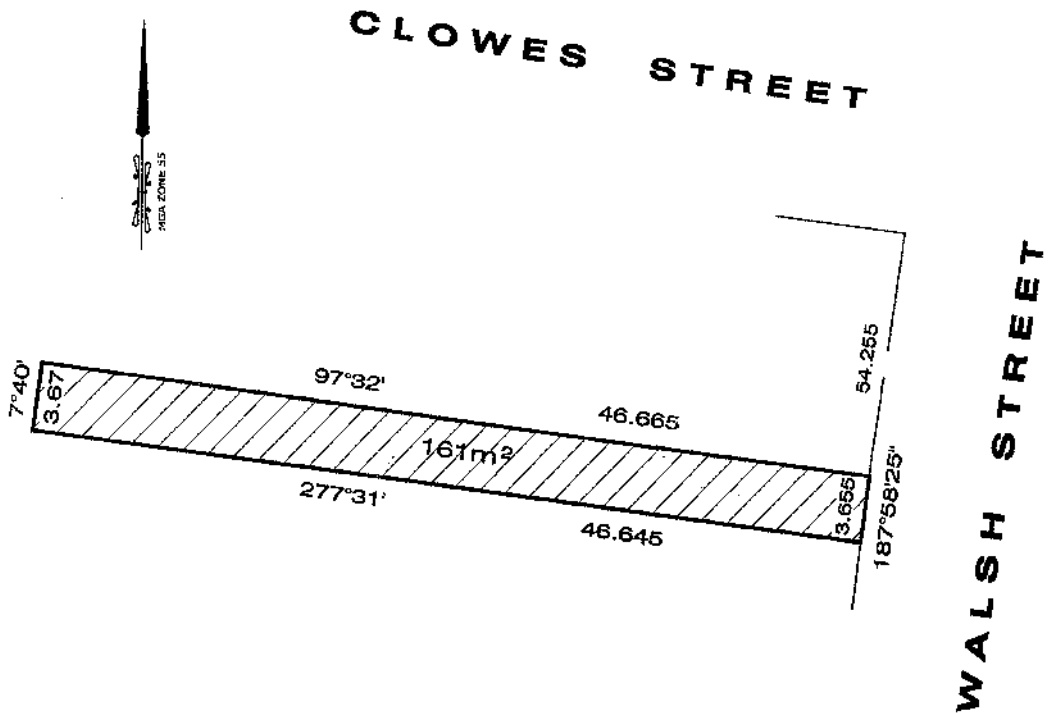
Dated 25 June 2009

JOHN LUPINNO
Acting Chief Executive Officer
Maribyrnong City Council



Discontinuance of a Road

Pursuant to section 206(1) and clause 3(a) of schedule 10 of the **Local Government Act 1989**, Melbourne City Council, declares as discontinued Corporation Lane No. 1697, South Yarra, as shown hatched on the plan hereunder.



DR KATHY ALEXANDER
Chief Executive Officer

WHITTLESEA CITY COUNCIL

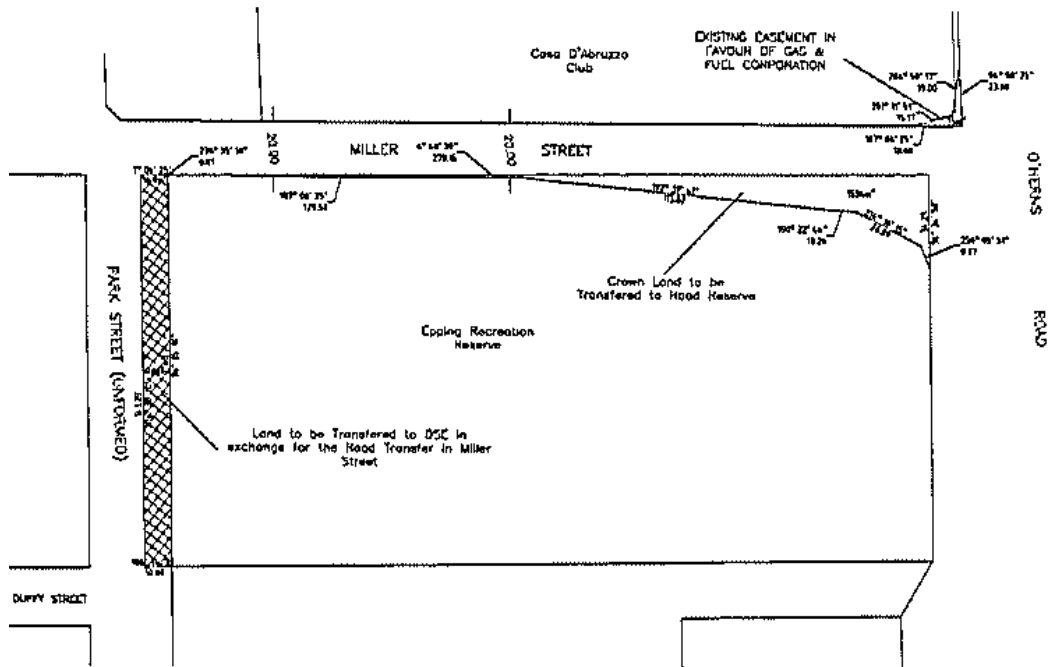
Discontinuance of Road

Epping Recreation Reserve

Pursuant of section 206 and clause 3 of schedule 10 to the **Local Government Act 1989**, Whittlesea City Council, at its Ordinary Meeting on 12 May 2009, has resolved to formally discontinue that section of road marked 'hatched' on the Land Acquisition and Transfer Plan shown below.

The road will be discontinued and transferred to the Department of Sustainability and Environment to offset the open space lost in the future road widening of Miller Street, Epping.

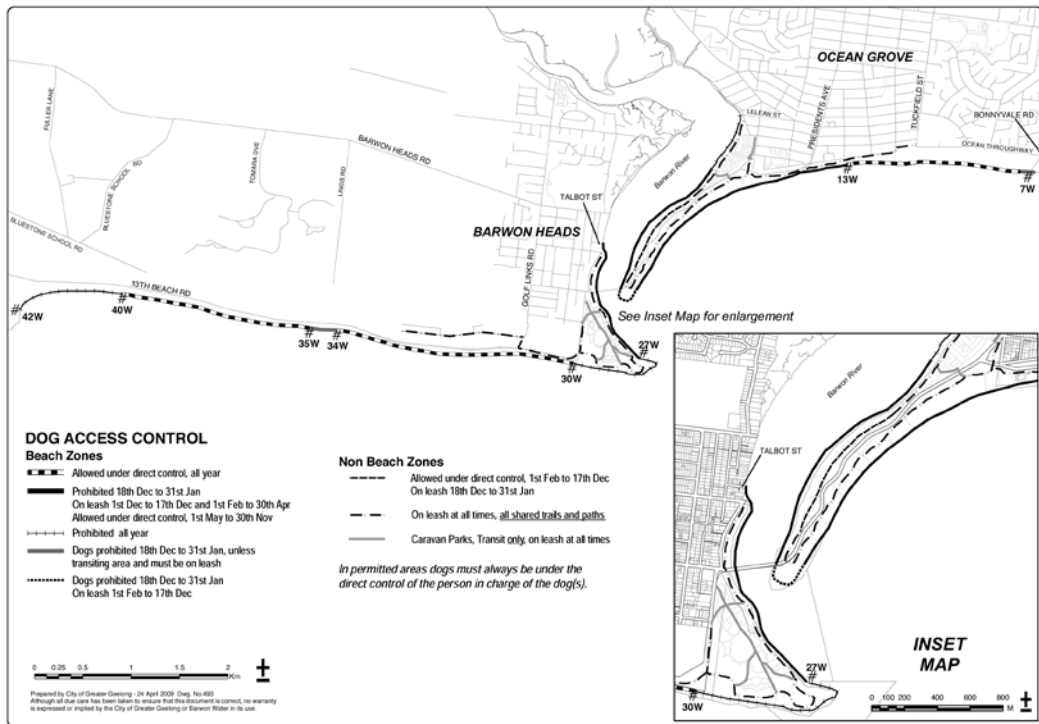
No submissions were received by the public or relevant statutory authorities in response to the article published in the Whittlesea Leader on Tuesday 29 May 2009.



ROD WILKINSON
Acting Chief Executive Officer

CITY OF GREATER GEELONG
Domestic (Feral and Nuisance) Animals Act 1994
Dog Control Order

By agreement between Barwon Coast Committee of Management Inc. and Greater Geelong City Council under section 26 (2A) of the above Act and subsequently by an Order under the Act. This order applies to Barwon Coast Committee of Management land along the Barwon Heads foreshore extending from location area 42W to location area 7W in Ocean Grove.



Council has resolved that all dogs that enter land managed by the Barwon Coast Committee of Management Inc., at certain times of the year be prohibited, restrained by chain cord or leash, and/or under effective control within the dog access control and non beach zone areas of the land.

The areas will be signed appropriately. The Order comes into effect the day after this notice is published in the Victoria Government Gazette.



Adoption of Road Management Plan

In accordance with section 54 of the **Road Management Act 2004** and Part Three of the Road Management (General) Regulations 2005, the City of Ballarat has completed a review of its Road Management Plan. The revised version of the Plan was adopted by Council on 24 June 2009.

A copy of the revised Road Management Plan may be viewed at Council's website: <http://www.ballarat.vic.gov.au>

Please follow the links 'Engineering,' 'Roads' and then 'Road Ownership and Responsibilities' to access the Road Management Plan.

Alternatively, copies may be viewed or obtained in person from Council's offices at 'The Phoenix' – 25 Armstrong Street South, Ballarat, Victoria 3350.

Any inquiries about the Road Management Plan should be directed to Peter Bate, Team Leader Asset Management on (03) 5320 5588 or via email to peterbate@ballarat.vic.gov.au

ANTHONY SCHINCK
Chief Executive Officer

CARDINIA SHIRE COUNCIL

Road Management Plan

Cardinia Shire Council ('Council') is proposing to:

1. revoke the Road Management Plan which it made on 13 December 2004; and
2. make a new Road Management Plan ('the proposed RMP').

The purpose of the proposed RMP is to detail the management systems for Council's road management functions, set relevant standards for the discharge of duties in the performance of these functions, base the standards on policy and operational objectives within the resources available and ensure the provisions of the safe and efficient road network for use by road users and the community more generally.

If made, the proposed RMP will:

- set out a schedule of maintenance standards;
- describe a work flow process concerning inspections, work planning, scheduling of repairs and maintenance and monitoring; and
- refer to Council's register of public roads in relation to road pavements and surfaces, pathways, bridges, traffic signs and drainage infrastructure.

Copies of the proposed RMP are available from Council Offices in Henty Way, Pakenham, or accessed on-line from the Council's website (www.cardinia.vic.gov.au) – under the section for 'Current Issues'.

Any person aggrieved by the proposed RMP has a right to make a submission on the proposed RMP. Any submission must be made within 28 days of the publication of this notice, and should be addressed to Asset Management Co-ordinator, Cardinia Shire Council, PO Box 7, Pakenham, Victoria 3810.

CASEY CITY COUNCIL

Proposed Amendment to a Road Management Plan

Public Notice Inviting Submissions

In accordance with the provisions of the **Road Management Act 2004** and the Road Management (General) Regulations 2005, the City of Casey gives notice of its intention to amend its Road Management (RM) Plan and invites public submissions on the proposed amendments. The proposed amendments result from Council's review of its RM Plan completed on 16 June 2009.

The City of Casey RM Plan applies to all roads within the City of Casey's boundaries for which the Council is the Responsible Road Authority, as identified in the Council's register of public roads.

The purposes of the amendments are to:

- a) increase response times for activities where it is necessary to get a Memorandum of Consent to reduce speed;
- b) revise condition survey frequency for bridges and various response times and intervention levels, to reflect current priorities and strategies and improve consistency; and
- c) clarify policies.

The following documents are available from the Council Offices on the corner of Magid Drive and Princes Highway, Narre Warren 3805, or from the Council's website (www.casey.vic.gov.au/publicnotices):

- Review of Road Management Plan
- Draft proposed Road Management Plan 2009
- City of Casey Public Roads Register.

Any person who is aggrieved by the proposed amendments may make a submission on the proposed amendments by 3 August 2009. Submissions should be addressed to the Chief Executive Officer, Casey City Council, PO Box 1000, Narre Warren, Victoria 3805.

MIKE TYLER
Chief Executive Officer



Road Management Act 2004

Adoption of Road Management Plan

Central Goldfields Shire Council adopted the amended Road Management Plan, in accordance with the provisions of the **Road Management Act 2004**, at its meeting on 26 June 2009.

The purpose of the Road Management Plan is to establish a management system for the road management functions for which Council is the road authority and to set the relevant standard in relation to the discharge of duties in the performance of those road management functions.

A copy of the Road Management Plan, and relevant documents, may be inspected during office hours at Shire Offices located 12–22 Nolan Street, Maryborough, or alternatively the documents can be located on the council's website, <http://www.centralgoldfields.com.au> under Roads and Streets.

Dated 29 June 2009

MARK JOHNSTON
Chief Executive Officer

HEPBURN SHIRE COUNCIL

Adoption of a Road Management Plan

Notice is hereby given that a 'Road Management Plan – Version 03', drafted in accordance with the requirements of Division 5 of the **Road Management Act 2004** has been made by the Hepburn Shire Council.

As required by section 55 of the **Road Management Act 2004**:

- a) 'Road Management Plan – Version 03' has been adopted on 16 June 2009;
- b) 'Road Management Plan – Version 03' may be inspected or obtained at the Hepburn Shire Council Customer Service Offices located at the corner of Duke and Albert Streets, Daylesford, between 9.00 am and 5.00 pm Monday to Friday; and
- c) the Code of Practices, any incorporated document or any amendment to an incorporated document, as the case may be, may be inspected at the Hepburn Shire Council Customer Service Offices located at the corner of Duke and Albert Streets, Daylesford.

KAYLENE CONRICK
Chief Executive Officer

MOONEE VALLEY CITY COUNCIL

Review of Road Management Plan

Notice is hereby given that Moonee Valley City Council resolved on 19 May 2009 to review its Municipal Road Management Plan in accordance with section 55 of the **Road Management Act 2004** and section 301 of the Road Management (General) Regulations 2005.

The purpose of the Road Management Plan is to detail the systems for the road management functions under control of Moonee Valley City Council and to set relevant standards in relation to the discharge of duties in performance of those road management functions.

Copies of the revised Road Management Plan 2009 may be inspected or obtained free of charge during office hours at Moonee Valley City Council Civic Centre, 9 Kellaway Avenue, Moonee Ponds. The plan may also be viewed on our website at mvcc.vic.gov.au

Any person who would like to make comment regarding the review can do so in writing, addressing all correspondence to David Fricke, Manager Assets and Engineering Services, Moonee Valley City Council, PO Box 126, Moonee Ponds 3039. All submissions must be received by 5 pm Friday 31 July 2009.

MOONEE VALLEY CITY COUNCIL

Notice of Proposed Local Law
Governance Local Law 2009

Notice is hereby given that Council at its meeting on 16 June 2009, resolved to give public notice of its proposed Governance Local Law 2009.

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

- provide a mechanism to facilitate the good governance of Moonee Valley City Council through its formal meetings procedure;
- promote and encourage community leadership by the Council consistent with the community's views and expectations;
- promote and encourage community participation in local government;
- provide for the election of the Mayor and Deputy Mayor;
- regulate and control the use of the Council's Common Seal; and
- repeal Council's Meeting Procedures Local Law 2003.

A copy of the proposed Local Law is available from the Moonee Valley Civic Centre, 9 Kellaway Avenue, Moonee Ponds or from Council's website at www.mvcc.vic.gov.au

Any person affected by the proposed Local Law may make a submission under the provisions of section 223 of the **Local Government Act 1989**. Submissions must be in writing and addressed to the Chief Executive, Moonee Valley City Council, PO Box 126, Moonee Ponds 3039, and be received by the close of business on Friday 31 July 2009. A person making a written submission and requested that they be heard in support of their submission is entitled to appear in person or by a person acting on their behalf before Council on 11 August 2009 at 6.00 pm at the Moonee Valley Civic Centre.

For further enquiries, please contact Council's Manager Council Business on 9243 8718.

RASIAH DEV
Chief Executive

SURF COAST SHIRE COUNCIL

New Dog Control Regulations

Bob Pettitt Recreation Reserve, Jan Juc

At its meeting held on 24 June 2009, Surf Coast Shire Council resolved to amend the current Dog Regulations relating to Bob Pettitt Recreation Reserve, Jan Juc.

Dogs are now prohibited within playground areas in the reserve, including the main playground to the east of the pavilion and the small playground beside the pavilion.

These changes have been made under section 26 of the **Domestic (Feral and Nuisance) Animals Act 1994**.

Maps illustrating the designated areas can be viewed on Council's website, www.surfcoast.vic.gov.au, or at the council offices, 25 Grossmans Road, Torquay.

Proposed Amendment of
Road Management PlanNotice Pursuant to Section 54 of the
Road Management Act 2004

Swan Hill Rural City Council has resolved to amend its Road Management Plan.

The Swan Hill Rural City Council Road Management Plan sets out Council's standards in relation to inspection, maintenance and repair of Municipal roads within the Municipality, with regard to the type of road, the resources available and Council's policy and budgetary priorities.

The amendments apply to all public roads managed by Council within the Municipality and relate to:

- The standards for inspections and maintenance.
- The road hierarchy for inspections and maintenance.
- Update the plan to take into account changes in Council's road management policies and practices.

A copy of Council's amended Road Management Plan may be obtained from the Municipal offices at 45 Splatt Street, Swan Hill, the Robinvale Resource Centre at Herbert Street, Robinvale, or from Council's website www.swanhill.vic.gov.au

Persons wishing to comment on the amended Road Management Plan may make a submission to Council. A submission is a public document and must be in writing and forwarded to the Director Infrastructure, Swan Hill Rural City Council, PO Box 488, Swan Hill 3585. All submissions must be received by, or on, Friday 14 August 2009.

Further information may be obtained from Roger Lambert, Asset Manager by phoning 5036 2324 or emailing rlambert@swanhill.vic.gov.au

ROGER LAMBERT
Asset Manager



Adoption of Murray to the Mountains Rail Trail
Local Law No. 3

Notice is hereby given that pursuant to section 119(3) of the **Local Government Act 1989**, the Rural City of Wangaratta, at its Ordinary Meeting of 16 June 2009, resolved to adopt the Murray to the Mountains Rail Trail Local Law No. 3.

The purpose of the Murray to the Mountains Rail Trail Local Law No. 3 of 2009 is to:

- a) prohibit, regulate and control activities which may be dangerous or unsafe or detrimental to the enjoyment and use of the Rail Trail;
- b) prohibit, regulate and control access to, behaviour on and use of, the Rail Trail; and
- c) provide for the peace, order and good governance of the municipal district.

A copy of the Murray to the Mountains Rail Trail Local Law No. 3 of 2009 can be obtained from the Wangaratta Government Centre, 62–68 Ovens Street, Wangaratta, during normal business hours.

Further details on the Murray to the Mountains Rail Trail Local Law No. 3 can be obtained by contacting Mr Graham Nickless, Executive Manager – Economic Development, Wangaratta Government Centre, 62–68 Ovens Street, Wangaratta, (03) 5722 0888.

DOUG SHARP
Chief Executive Officer

WHITTLESEA CITY COUNCIL
Lease – Whittlesea City Council to
Telstra Corporation Ltd
W. A. Smith Reserve

Pursuant of section 190(3) of the **Local Government Act 1989**, Whittlesea City Council, at its Ordinary Meeting on 12 May 2009, has resolved to formally offer a lease to Telstra Corporation Ltd for part of the land at W. A. Smith Reserve.

The proposed lease will enable the design and construction of a new monopole telecommunication tower to improve mobile phone coverage in the Lalor area. The tower and cabinet shelters will be built within small footprints of the oval and be bordered by appropriate screens and landscaping works to protect the current and future amenity of the reserve. The lease will be for an initial term of ten years subject to two further terms of five years each. An annual rental of \$18,000 (plus GST) will be charged, subject to fixed 5% increments at the anniversary date of the lease.

No submissions were received by the public or relevant statutory authorities in response to the article published in the Whittlesea Leader on Tuesday 29 May 2009.

ROD WILKINSON
Acting Chief Executive Officer

WHITTLESEA CITY COUNCIL
Lease – Whittlesea City Council to
3GIS Pty Ltd

Epping Recreation Reserve

Pursuant of section 190(3) of the **Local Government Act 1989**, Whittlesea City Council, at its Ordinary Meeting on 12 May 2009, has resolved to formally offer a lease to 3GIS Pty Ltd for part of the land at Epping Recreation Reserve.

The proposed lease will enable the design and construction of a new monopole telecommunication tower to improve mobile phone coverage in the Epping area. The tower and equipment shelter will be built within a small footprint of the oval and be bordered by appropriate screens and landscaping works to protect the current and future amenity of the reserve. The lease will be for an initial term of ten years subject to two further terms of five years each. An annual rental of \$18,000 (plus GST) will be charged, subject to fixed 5% increments at the anniversary date of the lease.

No submissions were received by the public or relevant statutory authorities in response to the article published in the Whittlesea Leader on Tuesday 29 May 2009.

ROD WILKINSON
Acting Chief Executive Officer

Planning and Environment Act 1987

BRIMBANK PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C86

Authorisation A0198

Brimbank City Council has prepared Amendment C86 to the Brimbank Planning Scheme.

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

The land affected by the Amendment is 32–50 Overnewton Road, Keilor North.

The Amendment proposes to:

- Rezone the Keilor Campus land from the Rural Conservation Zone (RCZ) to the Special Use Zone (SUZ).
- Include a new Schedule to the zone (Schedule 6). This Schedule will require that use and development of the land at the Keilor Campus site occur in accordance with a Master plan to be approved by the Council.
- It is also proposed to include the site in the Schedule to Clause 57 Metropolitan Green Wedge Land.
- Amends the schedule to Clause 81 to include the Lowther Hall Grammar School (Keilor Campus) Master Plan, June 2009 in the list of incorporated documents.

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, Brimbank City Council, Keilor Office Customer Service Centre, Old Calder Highway, Keilor 3036, Sunshine Harvester Customer Service Centre (part of Sunshine Library Complex), 301 Hampshire Road, Sunshine 3020, 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 7 August 2009. A submission must be sent to: Attention: Catherine Hunichen, Strategic Planning, City of Brimbank, PO Box 70, Sunshine, Victoria 3020.

Please note that if you do lodge a submission, it will be available to the applicant and other interested persons. This is a requirement under the **Planning and Environment Act 1987** that Council must comply with. Confidential submissions cannot be accepted.

NICHOLAS FOA
Chief Executive Officer

Planning and Environment Act 1987

CASEY PLANNING SCHEME

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

Planning and Environment Act 1987

Amendment C119

Authorisation No. A01217

Planning Permit Applications P914/08, P915/08, P917/08, P918/08,
P919/08, P920/08 and P921/08

The Amendment applies to land in Cranbourne East and Clyde North affected by and abutting the Cranbourne East Precinct Structure Plan (CEPSP).

The parcels of land affected by these applications include:

- 305, 415 and 425 Berwick–Cranbourne Road, Clyde North.
- 150 Berwick–Cranbourne Road and 11 Nelson Street, Cranbourne East.

- 545 Berwick–Cranbourne Road, Clyde North and 65S Wild Scotsman Way and 12S Wesson Way, Cranbourne East.
- 291 Berwick–Cranbourne Road, Clyde North.
- 245 Berwick–Cranbourne Road, Cranbourne East.
- 280 Berwick–Cranbourne Road, Cranbourne East.
- 415 Clyde–Five Ways Road, Clyde North.

The Amendment proposes to:

- rezone the Cranbourne East Precinct Structure Plan area (the Plan area) to Urban Growth Zone 2 except land around Collison Road. Land around Collison Road that is currently Low Density Residential Zone is proposed to be rezoned to Urban Growth Zone;
- incorporate the Cranbourne East Precinct Structure Plan (including a Native Vegetation Precinct Plan) and a Development Contributions Plan at Clause 81.01;
- introduce Schedule 2 to the Urban Growth Zone specifying the relevant zone provisions for land use and development proposed in the Cranbourne East Structure Plan and other application requirements;
- replace the schedule in the Business 1 Zone to facilitate the development of neighbourhood and local shops and offices;
- include requirements for public open space contributions from land in the Plan area in the schedule to Clause 52.01;
- apply a new Development Contributions Plan Overlay to the Plan area;
- apply an Environmental Audit Overlay and Public Acquisition Overlay to selected properties;
- delete the Development Plan Overlay in the Plan area; and
- make changes to the City of Casey’s Municipal Strategic Statement (Clause 21) and other local planning policies (Clause 22) to give effect to the Cranbourne East Precinct Structure Plan.

The applications for permits seek the following:

Planning application number	Address	Proposal
P914/08	291 Berwick–Cranbourne Road, Clyde North	Subdivision of land.
P915/08	545 Berwick–Cranbourne Road, Clyde North 65S Wild Scotsman Way, Cranbourne East 12S Wesson Way, Cranbourne East	Subdivision of land including land adjacent to a road in a Road Zone Category 1 (Berwick–Cranbourne Road) and creation of access to a road in a Road Zone Category 1 (Berwick–Cranbourne Road).
P917/08	150 Berwick–Cranbourne Road and 11 Nelson Street, Cranbourne East	Subdivision of land including land adjacent to a road in a Road Zone Category 1 (Berwick–Cranbourne Road), creation of access to a road in a Road Zone Category 1 (Berwick–Cranbourne Road).
P918/08	280 Berwick–Cranbourne Road, Cranbourne East	Subdivision of land and associated works.

Planning application number	Address	Proposal
P919/08	305, 415 and 425 Berwick–Cranbourne Road, Clyde North	Subdivision of land, creation and alteration of access to a road in a Road Zone Category 1, demolition of buildings and pruning of trees in a Heritage Overlay, and display of signs advertising the sale of land and/or dwellings.
P920/08	415 Clyde–Five Ways Road, Clyde North	Subdivision of land, creation of access to a road in a Road Zone Category 1 and the removal of vegetation and demolition of buildings within a Heritage Overlay.
P921/08	245 Berwick–Cranbourne Road, Cranbourne East	Subdivision of land including land adjacent to a road in a Road Zone Category 1 (Berwick–Cranbourne Road), creation of access to a road in a Road Zone Category 1 (Berwick–Cranbourne Road).

The person who requested the Amendment is the Cranbourne East Fundees Group.

The applicants for the permits include:

- Application No. P914/08 – Pasquale Sofra, care of Beverage Williams & Co. Pty Ltd
- Application No. P915/08 – GEO Properties, care of Taylors Development Strategists
- Application No. P917/08 – Devine, care of Taylors Development Strategists
- Application No. P918/08 – Clarkson Developments Pty Ltd, care of Graeme Dickson Partners Pty Ltd
- Application No. P919/08 – Stockland, care of Urbis
- Application No. P920/08 – Villawood Properties Pty Ltd, care of Beveridge Williams
- Application No. P921/08 – Marvelli, care of Beverage Williams & Co. Pty Ltd.

You may inspect the Amendment, the explanatory report about the Amendment, the application, and any documents that support the Amendment and the application, including the proposed permit, free of charge, at the following locations: during office hours, Customer Service Centre, Casey City Council, Magid Drive, Narre Warren; during office hours, Customer Service Centre, Shop 8 (Bendigo Bank building), Amberly Park Shopping Centre, 101 Seebeck Drive, Narre Warren South; during office hours, Customer Service Centre, Cranbourne Park Shopping Centre (opposite Post Office) Cranbourne; during office hours, Growth Areas Authority, Level 6, 35 Spring Street, Melbourne; the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection; the City of Casey website at www.casey.vic.gov.au/planningexhibition; and the Growth Areas Authority website at www.gaa.vic.gov.au

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

The closing date for submissions is 3 August 2009. A submission must be sent to the Growth Areas Authority, Level 6, 35 Spring Street, Melbourne 3000.

PETER SEAMER
Chief Executive Officer

Planning and Environment Act 1987
GREATER GEELONG PLANNING SCHEME
Notice of the Preparation of an
Amendment to a Planning Scheme and
Notice of an Application for Planning Permit
Given under S96C of the
Planning and Environment Act 1987
Amendment C185
Authorisation No. A1348
Planning Permit Application 1511/2008

The land affected by the Amendment is 142–144 and 146–158 Torquay Road, Grovedale.

The land affected by the application is 142–144 Torquay Road, Grovedale.

The Amendment proposes to rezone the subject land from Business 4 Zone to Business 1 Zone.

The application is for a permit to develop land at 142–144 Torquay Road, Grovedale, as a shop (ALDI supermarket) with associated car parking, signage and landscaping.

The applicant for the Amendment is Urbis on behalf of ALDI Stores Pty Ltd.

The applicant for the permit is Urbis on behalf of ALDI Stores Pty Ltd.

You may inspect the Amendment, the explanatory report about the Amendment, the application, and any documents that support the Amendment and the application, including the proposed permit, free of charge, at the following locations: during office hours at the office of the planning authority, City of Greater Geelong, Ground Floor, 131 Myers Street, Geelong; electronically via the *Have your Say* section of the City's website at www.geelongaustralia.com.au/Accessing_Council/Public_Comment_-_Your_Say; and electronically via the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Monday 3 August 2009. Submissions must be in writing and sent to The Coordinator, Strategic Implementation Unit, City of Greater Geelong, either by mail to PO Box 104, Geelong, Victoria 3220; or by email to strategicplanning@geelongcity.vic.gov.au

PETER SMITH
Coordinator Strategic Implementation

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

Planning and Environment Act 1987
WYNDHAM PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C123
Authorisation A01217

The Growth Areas Authority has prepared Amendment C123 to the Wyndham Planning Scheme.

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

The land affected by the Amendment is the land included in the Truganina South Community Precinct Structure Plan which is generally bounded by Leakes Road, Palmers Road, Sayers Road and Marquands Road, Truganina.

The Amendment proposes to incorporate the Truganina South Community Precinct Structure Plan, the Truganina South Native Vegetation Plan and the Truganina South Community Development Contributions Plan, introduce Schedule 1 to the Urban Growth Zone and Schedule 8 to the Development Contributions Overlay, update the Municipal Strategic Statement and the Schedules to Clause 52.01, 52.16, 61.03 and 81.01 to reflect the new incorporated documents and apply the Environmental Audit Overlay to land at Lot 8 LP 130043.

You may inspect the Amendment and supporting documentation free of charge, during office hours at the following locations from 2 July 2009: The Growth Areas Authority, Level 6, 35 Spring Street, Melbourne; and the City of Wyndham, 45 Princes Highway, Werribee.

In addition, the Amendment documents and information can be viewed at: the Growth

Area Authority website, www.gaa.vic.gov.au; the City of Wyndham website, www.wyndham.vic.gov.au; and the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority. The closing date for submissions is 3 August 2009. A submission must be sent to Mr Simon Cotterill, Growth Areas Authority, Level 6, 35 Spring Street, Melbourne 3000.

PETER SEAMER
Chief Executive Officer

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 2 September 2009, after which date State Trustees Limited may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

BEATTY, Gwendoline Thelma, also known as Gwendaline Thelma Beatty, late of Homewood Residential Aged Care, 8 Young Street, Hallam, Victoria 3803, who died on 21 March 2009.

EDWARDS, Barry Alan, late of 29–31 Dalry Avenue, Park Orchards, Victoria 3114, personal aide, who died on 25 January 2009.

HOWELL, Eileen May, late of 1A First Avenue, Melton South, Victoria 3338, who died on 27 December 2008.

KUPSCH, Edna, late of 10 Avalon Street, Mooroolbark, Victoria 3138, pensioner, who died on 24 February 2009.

ROBB, Grace Nellwynne, late of 9 Fintonia Street, Balwyn North, Victoria 3104, pensioner, who died on 3 February 2009.

TOWNSHEND, Ronald Stewart, late of Flat 4, 32 Ellendale Road, Noble Park, Victoria 3174, retired, who died on 1 February 2009.

Dated 24 June 2009

ROD SKILBECK
Manager
Executor and Trustee Services

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 1 September 2009, after which date State Trustees Limited may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

BENN, Ivy May, late of Elizabeth Gardens, 2–8 Elizabeth Street, Burwood, Victoria 3125, agricultural nursery hand, who died on 24 February 2009.

CAMPBELL, John Charles, formerly of 6 Keets Court, Springvale, Victoria 3171, but late of Ripplebrook Nursing Home, 21–25 Inverness Street, Clarinda, Victoria 3169, who died on 15 March 2009.

CLARKE, June, late of Unit 17, Yernga Retirement Village, 32–34 Larch Crescent, Mount Waverley, Victoria 3149, who died on 25 April 2009.

EVANS, Phillip John, late of 8 Burch Street, Blackburn, Victoria 3130, who died on 24 May 2005.

GREENSMITH, Jessie Eleanor, late of Room 30, Carrum Downs Private Nursing Home, 1135 Frankston–Dandenong Road, Carrum Downs, Victoria 3201, retired, who died on 2 June 2009.

SMITH, Maxwell Bryan, late of Belvedere Aged Care, 41–43 Fintonia Road, Noble Park, Victoria 3174, pensioner, who died on 10 February 2009.

THOMPSON, Audrey, also known as Audrey Joan Thompson, late of RSL Park Hostel, 85 Overport Road, Frankston South, Victoria 3199, station assistant, who died on 9 January 2009.

WINSLETT, Linda Maree, late of 7 Hampton Court, Officer, Victoria 3809, who died on 14 February 2009.

WOLF, Frank, late of 23 Timberline Road, Launching Place, Victoria 3139, who died on 23 May 2009.

Dated 23 June 2009

ROD SKILBECK
Manager
Executor and Trustee Services

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 4 September 2009, after which date State Trustees Limited may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

COWLEY, Dorothy Patricia, late of Regis Amaroo Aged Care, 294 Maroondah Highway, Ringwood, Victoria 3134, pensioner, who died on 2 April 2009.

DALTON, Eric Neil, late of Creswick Nursing Home, 1 Napier Street, Creswick, Victoria 3363, who died on 3 April 2009.

JOHNSTON, Norman Channon, late of Unit 1, 3 Cascade Street, Frankston, Victoria 3199, who died on 25 May 2009.

KAVAKCI, Fevziye, late of Anzac Lodge Nursing Home, 6-12 Anzac Avenue, Coburg North, Victoria 3058, who died on 20 March 2009.

LOGAN, June Edith Alexandra, late of Aboriginal Community Elders Services, 5 Parkview Avenue, Brunswick East, Victoria 3057, pensioner, who died on 3 May 2009.

TURVEY, Jack Albert, late of Hawthorn Village, Cobden Street, Bright, Victoria 3741, maritime inspector, who died on 9 April 2009.

Dated 26 June 2009

ROD SKILBECK
Manager
Executor and Trustee Services

EXEMPTION

Application No. A133/2009

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by the Catholic Education Commission of Victoria Ltd and the Catholic Education Office Melbourne. The application for exemption is to enable the applicants to allow a class of people, namely Aboriginal and Torres Strait Islander people only, to be employed in the position of Koorie Education Worker in Victorian Catholic Schools and to allow the publishing of advertisements for such positions (the exempt conduct).

Upon reading the material submitted in support of the application, including an affidavit by Stephen Elder, Director of the Catholic Education Commission of Victoria Ltd and Director of the Catholic Education Office Melbourne, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 100 and 195 of the Act to enable the applicants to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- Previous exemptions in similar terms were granted in May 2000, June 2003 and June 2006.
- The roles and responsibilities of Koorie Education workers as contained in the Catholic Education Commission of Victoria's Draft Guidelines for the Employment of Koorie Education Workers in Victorian Catholic Primary and Secondary Schools include:
 - (a) assist and support indigenous students to achieve improved educational outcomes;
 - (b) participation in school activities to assist in creating a culturally inclusive environment; and
 - (c) encourage indigenous community participation in school education through liaison with individuals and groups.
- The Catholic Education Commission of Victoria Ltd has agreed with the Commonwealth of Australia to support its national priorities for Indigenous education. Those priorities include improving Indigenous educational outcomes, increasing Indigenous educational enrolments and education related employment, and increasing the role of Indigenous communities in education related decision-making. This exemption will help to promote these priorities.
- It is considered that Aboriginal and Torres Strait Islander people would be better suited to these positions as they would have extensive knowledge of Indigenous cultural values and issues, would be accepted by the Koorie community, would be able to communicate in culturally appropriate ways through recognition of shared experiences and understandings of those matters that affect Koorie people, and would be a strong and positive role model for Koorie students.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 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 July 2012.

Dated 25 June 2009

C. McKENZIE
Deputy President

EXEMPTION

Application No. A134/2009

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by Women's Health East. The application for exemption is to enable the applicant to:

1. employ women only at Women's Health East;
2. restrict individual membership of Women's Health East to women only;
3. to employ women of a specified race or ethnic origin, or whose first language is a specified language other than English, to work on specific projects targeted at groups of women of that race or ethnic origin or whose first language is that language

(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, 59, 60, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- The applicant has been granted a similar exemption which expired in July 2006 and a further exemption which expires on 13 July 2009.
- The applicant is a community based women's health service established to protect and promote the independence, health and wellbeing of women in the eastern metropolitan region of Melbourne by providing services, advocacy, research and information to women.

- It is a community based organisation and wishes to be able to provide a non-threatening, comfortable and accessible environment for women, particularly women at risk. To this end, it is run for women, by women.
- The service provides an environment where women from diverse backgrounds can discuss their health issues in an accessible, non-threatening and confidential setting with female health service providers. The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 59, 60, 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 July 2012.

Dated 25 June 2009

C. McKENZIE
Deputy President

Building Act 1993

Pursuant to section 188(1)(a) of the **Building Act 1993** ('the Act'), I hereby issue the following guideline concerning discretion under section 10 of the Act to apply to new building regulations or an amendment to a building regulation. Section 188(7) of the Act provides that municipal building surveyors and private building surveyors must have regard to a relevant guideline in carrying out a function under the Act.

Minister's Guideline MG/13 dated June 2006 is revoked as of the date of publication of this Gazette and this Guideline, MG/13 dated May 2009, takes effect on the same day.

MINISTER'S GUIDELINE MG/13
MAY 2009

Exercise of discretion when applying a new building regulation or an amendment to a building regulation

This updates previous Minister's Guideline MG/13 issued June 2006.

Pursuant to section 188(1)(a) of the **Building Act 1993** ('the Act'), I hereby issue the following guideline concerning discretion under section 10 of the Act to apply to new building regulations or an amendment to a

building regulation. Section 188(7) of the Act provides that municipal building surveyors and private building surveyors must have regard to a relevant guideline in carrying out a function under the Act.

1. Section 10 and the purpose of this Guideline

Section 10(2) relates to the application of a building regulation or an amendment to a building regulation where substantial progress in the design of the building was made prior to the commencement of the operation of the regulation or amendment. The purpose of this Guideline is to provide guidance to the relevant building surveyor in the operation of section 10(2).

2. Section 10 in relation to schedules to planning schemes

Section 11 of the Act gives primacy to a provision of a planning scheme over a building regulation that regulates the same matter. Where a planning permit has been issued, the relevant building surveyor is not required to assess those regulations that are equivalent to, or are 'the same matter' as contained in the planning scheme.

Schedules to planning schemes are adopted under Schedule 5 of the Building Regulations 2006 ('the Regulations'). A schedule to a zone in a planning scheme does not have to be complied with in the building system until it is referenced in Schedule 5 of the Regulations.

Once referenced in Schedule 5 of the Regulations, section 10 of the Act may apply. One of the effects of section 10 is that if the relevant building surveyor is satisfied and certifies in writing that substantial progress was made on the design of the building before the amendment commenced, the regulations, as they existed before the amendment will apply to that building work.

3. Section 10(2)

Section 10(2) provides that if a building surveyor is satisfied and certifies in writing that substantial progress was made on the design of a building prior to a building regulation or amendment commencing, then the building regulation or amendment does not apply to the carrying out of the relevant building work. Section 10(2) provides discretion for a relevant building surveyor to determine what

constitutes substantial progress in a particular case. In exercising that discretion regarding the application of the regulation, the relevant building surveyor must be satisfied that the design relates to the proposed building on a particular allotment.

Section 10(2) is not intended to apply to a design for a building on an allotment which was previously built but has since been demolished or otherwise destroyed. In the case of a design which has been the subject of a building permit or other prior building approval, and where the building subject of that design was built, section 10(2) does not apply to any proposal to reuse the original design. Where the original design is reproduced for reuse in a new building permit application, there is no new design which has been substantially progressed for the purpose that application. Therefore, section 10(2) of the Act will not apply.

In the case of 'stock' or 'standard' designs commonly offered by volume builders, the relevant building surveyor should not certify that substantial progress has been made on the design unless the 'stock' or 'standard' design relates to the particular allotment on which the building is proposed to be constructed. This may be evidenced by:

- (a) a contract having been signed to have the building of that design constructed on the allotment, or
- (b) by a deposit having been paid for the construction of a building of that design on the relevant allotment prior to the commencement of the regulation or amendment.

In the case of an individual, 'one off' design, the relevant building surveyor must be satisfied that the design relates to the proposed building to be constructed on the relevant allotment and that substantial progress was made on the design prior to the coming into operation of the new regulation or amendment to the regulations. This may be evidenced by the dating mechanism used by architects and draftspersons on their drawings or by a payment for a completed stage of design development.

JUSTIN MADDEN MLC
Minister for Planning

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

In accordance with section 104Y of the **Corrections Act 1986**, notice is given that an award of damages has been made to the prisoner Toni Vodopic in a claim against the State. The award money, excluding legal costs and medical expenses, has been paid into the Prisoner Compensation Quarantine Fund, where it will be held for a period of 12 months from 2 July 2009.

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

Dated 23 June 2009

Occupational Health and Safety Act 2004

VICTORIAN WORKCOVER AUTHORITY

Notice of Surrender of Major Hazard Licence

On 18 June 2009, the Authority accepted the surrender of BOC Gases Australia Pty Ltd, 90 Bell Street, Preston 3072, MHF licence under Part 5.2 (Major Hazard Facilities) of the Occupational Health and Safety Regulations 2007.

BOC Gases Australia Pty Ltd no longer holds the quantity of materials required to be a Major Hazard Facility.

GREG TWEEDLY
Chief Executive

VICTORIAN WORKCOVER AUTHORITY

Exemption

On 1 July 2009, under Regulation 7.2.2 of the Occupational Health and Safety Regulations 2007, S.R. No. 54/2007, The Bendigo Trust trading as Central Deborah Gold Mine at 76 Violet Street, Bendigo 3550, were granted an exemption from Regulation 3.6.2(a) of the Occupational Health and Safety Regulations 2007.

This exemption shall apply from 1 July 2009 until revoked by the Victorian Workcover Authority (VWA) in writing.

This exemption is issued with the following conditions:

1. This exemption shall only apply to employees, employed by The Bendigo Trust, operating the manual Roberts & Sons Winding Engine at the Central Deborah Mine at 76 Violet Street, Bendigo 3550.
2. This exemption shall only apply to manual winder driver operators authorised by The Bendigo Trust having completed the manual winder driver training prescribed by The Bendigo Trust and submitted to the VWA by The Bendigo Trust.
3. In order for these employees to operate the manual Roberts & Sons Winding Engine under this exemption, The Bendigo Trust must ensure that:
 - a. each manual winder driver operator holds, and provides evidence of, a winder driver licence or certificate of competency issued by The Bendigo Trust;
 - b. documentation of all manual winder driver training and the outcome of such training conducted by The Bendigo Trust is retained by The Bendigo Trust for the duration of that person's employment with The Bendigo Trust;
 - c. all manual winder driver training includes, but is not limited to, all of the criteria in the Training and Assessment Program written and prepared by Mr Karl Penrose and submitted to the VWA on 27 January 2009;
 - d. upon request by VWA copies of this documentation and training records are readily available and provided to the VWA for review.

**Victorian Urban Development
Authority Act 2003**

VICTORIAN URBAN

DEVELOPMENT AUTHORITY

PART 3, DIVISION 5A – CHARGES

Notice of Amendment to the Infrastructure
Recovery Charge Threshold Amount

In accordance with section 51B(5) of the **Victorian Urban Development Authority Act 2003** ('the Act'), I hereby specify that the amount to apply as the threshold amount

within the meaning of section 51A of the Act for the Infrastructure Recovery Charge levied under section 51M of the Act in the project area declared by an order published in the Government Gazette dated 26 September 2005, known as the Central Dandenong Revitalisation Project, for the financial year beginning on 1 July 2009 is now set at \$273,960. The amount was previously set at \$265,583.

JUSTIN MADDEN MP
Minister for Planning

Water Industry Act 1994
NOTICE OF STATEMENT OF
OBLIGATIONS

I, Tim Holding, Minister for Water, pursuant to sections 41(6)(a) and 8(4)(a) of the **Water Industry Act 1994**, give notice that I have made and issued Statements of Obligations for the purpose of imposing obligations in relation to the performance of their functions and the exercise of their powers, for the following authorities:

- City West Water Limited;
- Melbourne Water Corporation;
- South East Water Limited;
- Yarra Valley Water Limited.

The Statements of Obligations were made on 26 June 2009 and commenced on 1 July 2009.

The Statements of Obligations are additional to and operate concurrently with the Statements of Obligations that commenced on 1 July 2007 (as amended at 30 October 2008).

Copies of all the Statements of Obligations are available on the Department of Sustainability and Environment's website – <http://www.dse.vic.gov.au>. Copies of an individual authority's Statement of Obligations are also available on their respective websites or may be inspected during office hours at the office of the respective authority.

Dated 26 June 2009

TIM HOLDING MP
Minister for Water

Land Acquisition and Compensation Act 1986
FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Minister for Environment and Climate Change, the Hon Gavin Jennings MLC (the

Minister) declares that by this notice he acquires the following interest in the land described as Lot 432 on Plan of Subdivision 31245, contained in Certificate of Title Volume 11114 Folio 712.

Interest Acquired: That of Martin Phillip Heine, and all other interests.

Published with the authority of the Minister.

Dated 2 July 2009

For and on behalf of the Minister
WAYNE MALONE
Group Manager
Public Land Services
Department of Sustainability and Environment

Land Acquisition and Compensation Act 1986
FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Minister for Environment and Climate Change, the Hon Gavin Jennings MLC (the Minister) declares that by this notice he acquires the following interest in the land described as Lot 37 on Plan of Subdivision 13744, contained in Certificate of Title Volume 8795 Folio 321.

Interest Acquired: That of Maya Wagner, and all other interests.

Published with the authority of the Minister.

Dated 2 July 2009

For and on behalf of the Minister
WAYNE MALONE
Group Manager
Public Land Services
Department of Sustainability and Environment

Land Acquisition and Compensation Act 1986

FORM 7

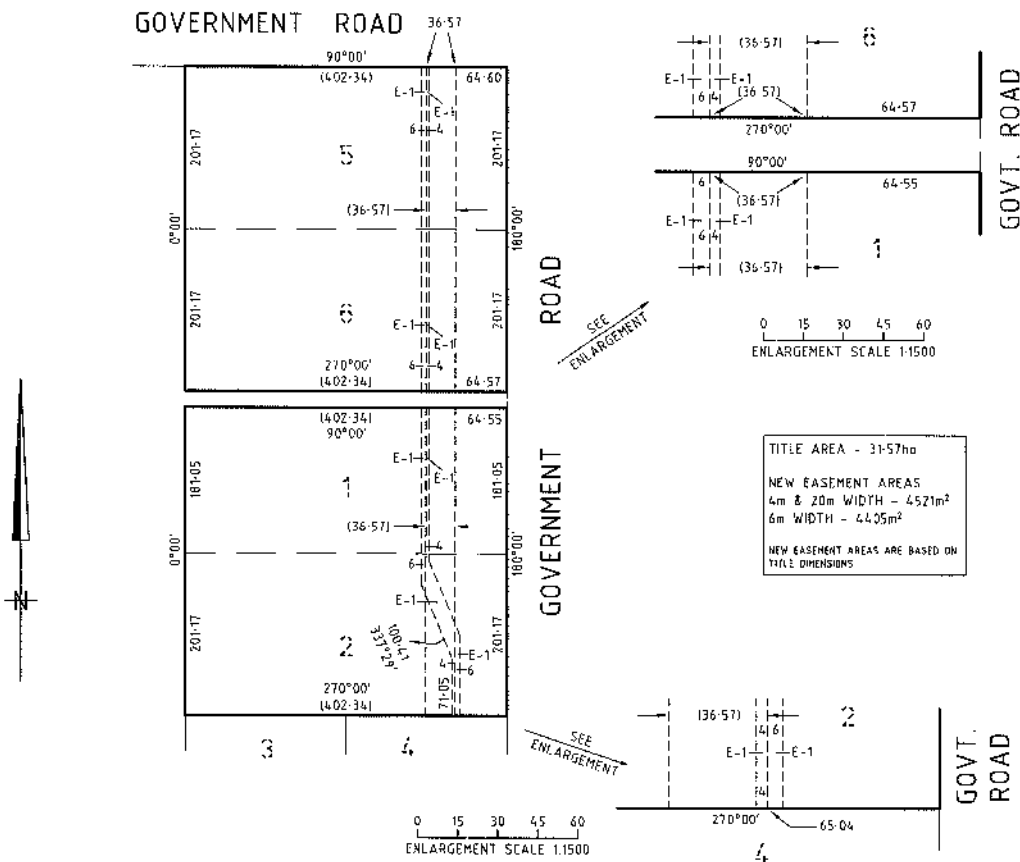
S. 21
Reg. 16

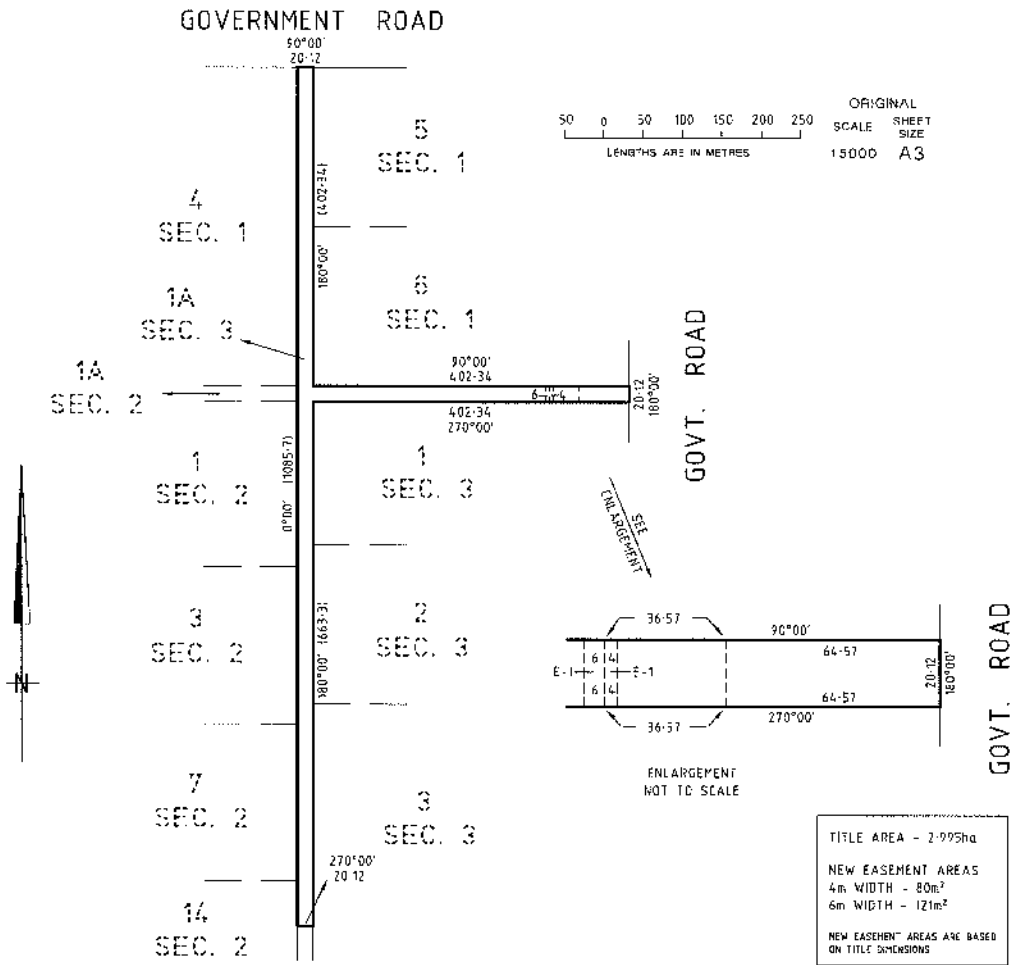
Notice of Acquisition

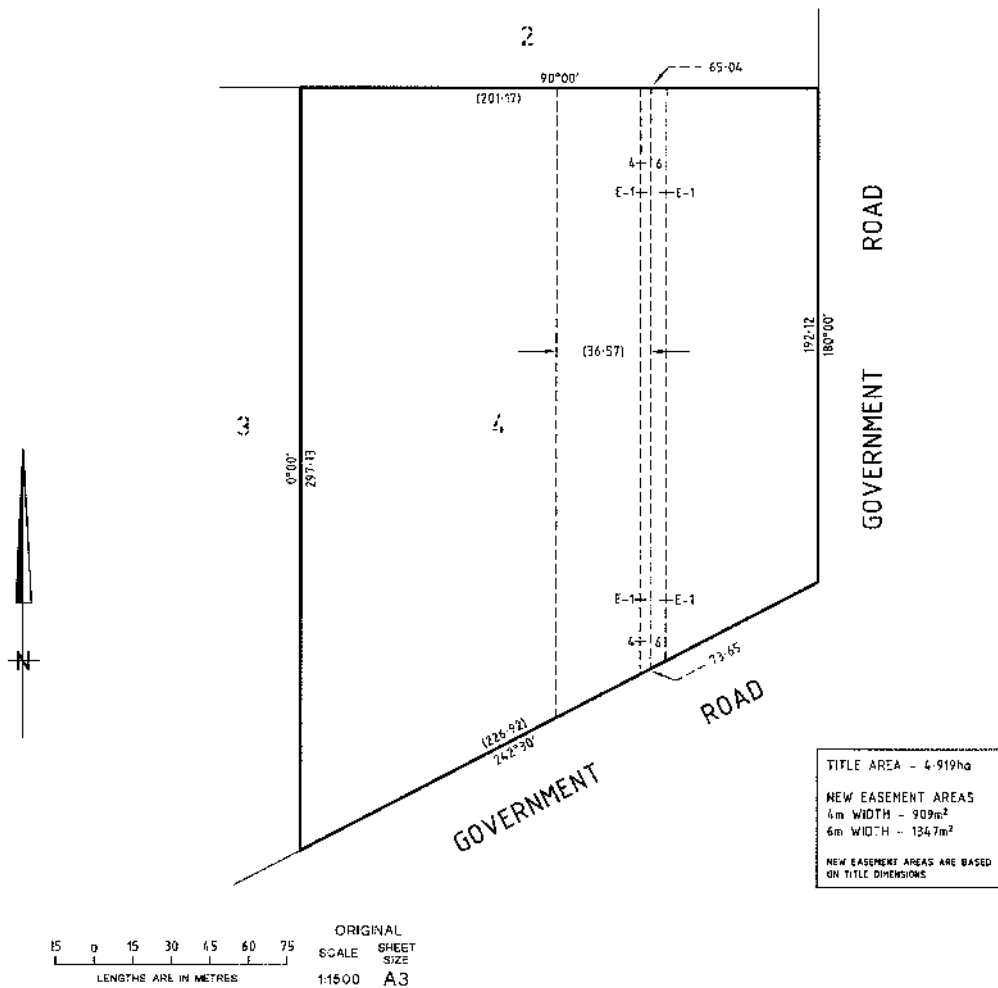
Compulsory Acquisition of Interest in Land

Central Highlands Region Water Corporation, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Victoria 3353, declares that by this notice it acquires the following interest in the land described in Certificates of Title Volume 03955 Folio 859, Volume 08560 Folio 873 and Volume 00517 Folio 305 ('Land'):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked 'E-1' on the attached plan.







Published with the authority of Central Highlands Region Water Corporation.
Dated 2 July 2009

For and on behalf of
Central Highlands Region Water Corporation
PETER DARVENIZA
CHW Project Director
Goldfields Superpipe

Land Acquisition and Compensation Act 1986

FORM 7

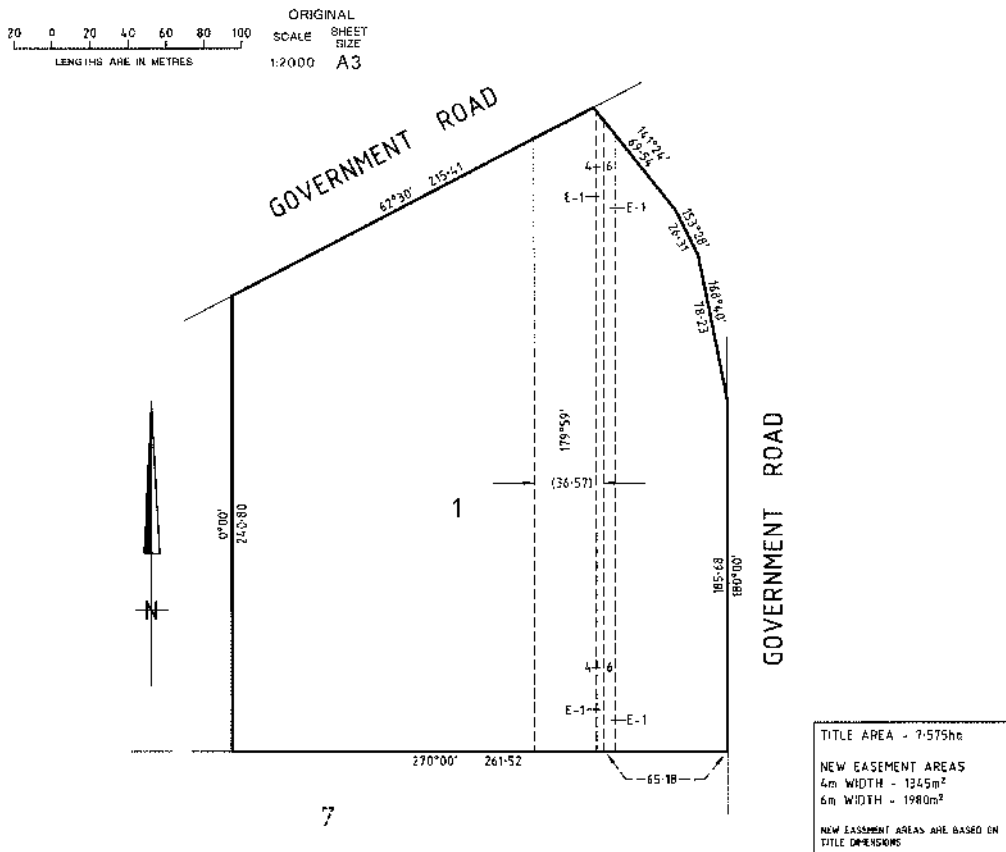
S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Central Highlands Region Water Corporation, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Victoria 3353, declares that by this notice it acquires the following interest in the land described in Certificate of Title Volume 09595 Folio 805 ('Land'):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked 'E-1' on the attached plan.



Published with the authority of Central Highlands Region Water Corporation.
Dated 2 July 2009

For and on behalf of
Central Highlands Region Water Corporation
PETER DARVENIZA
CHW Project Director
Goldfields Superpipe

Land Acquisition and Compensation Act 1986

FORM 7

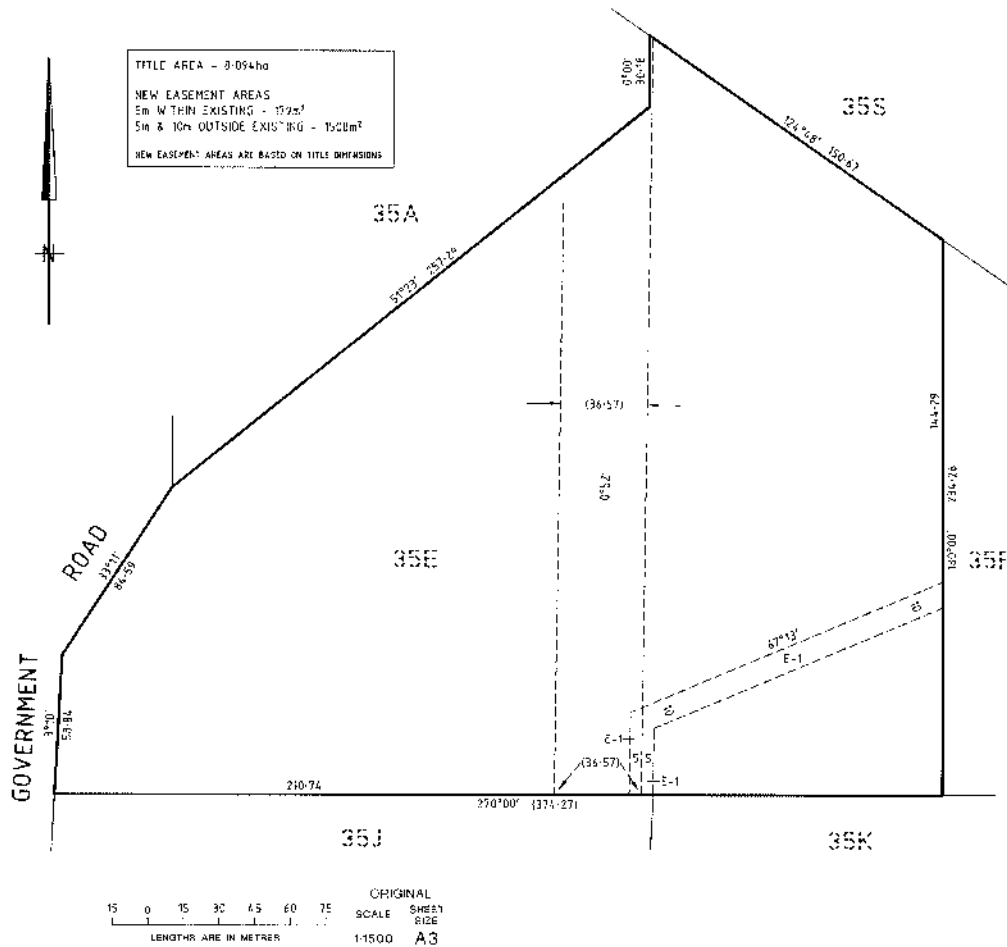
S. 21
Reg. 16

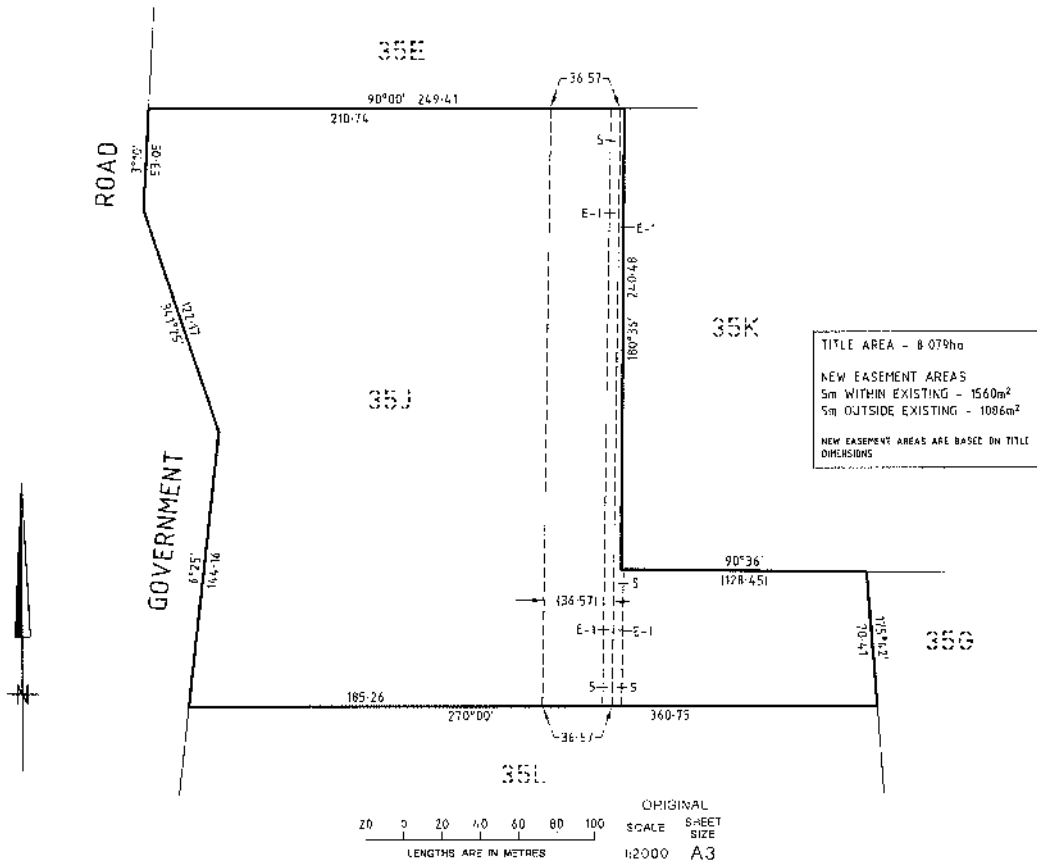
Notice of Acquisition

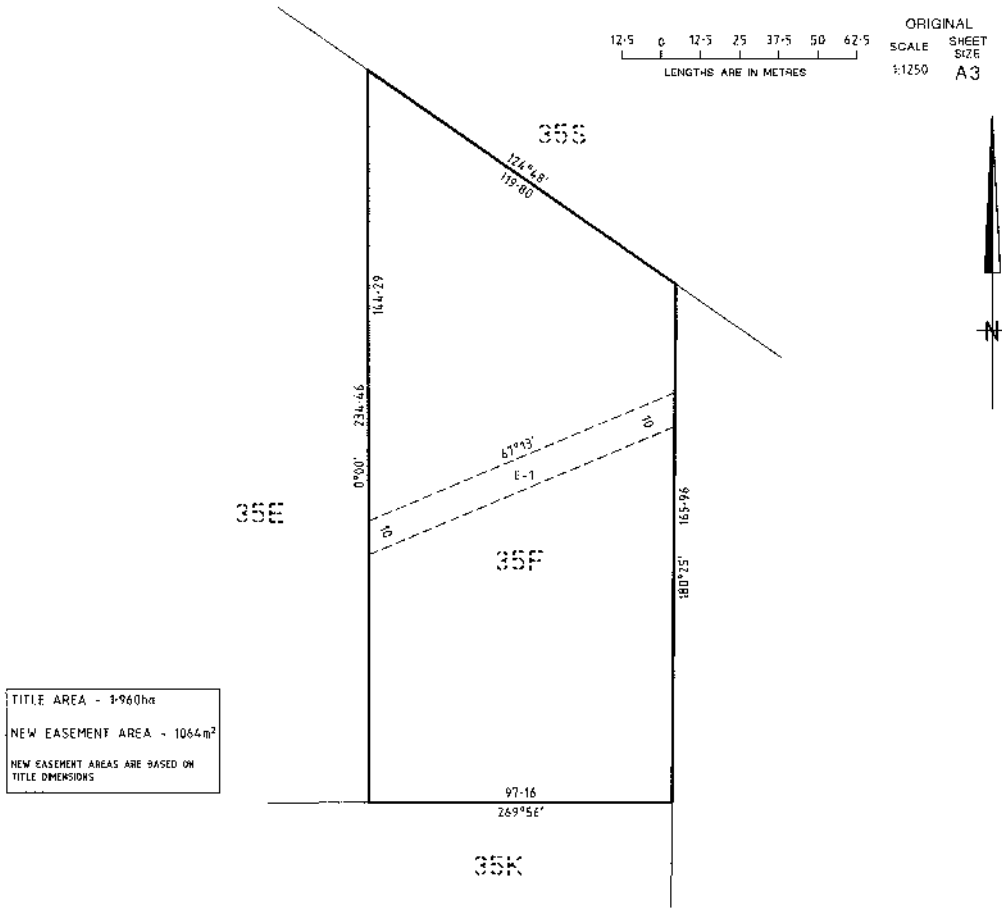
Compulsory Acquisition of Interest in Land

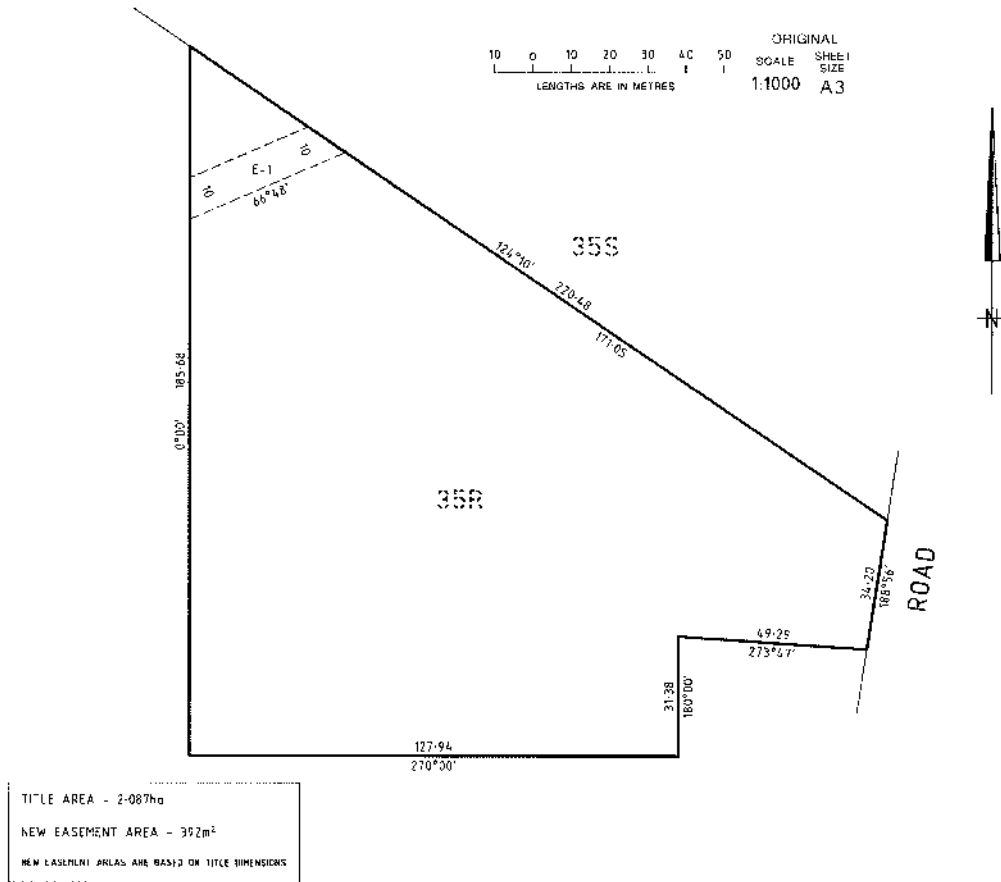
Central Highlands Region Water Corporation, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Victoria 3353, declares that by this notice it acquires the following interest in the land described in Certificates of Title Volume 04797 Folio 255, Volume 06122 Folio 318, Volume 08085 Folio 976, Volume 06426 Folio 041 and Volume 02164 Folio 731 ('Land'):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked 'E-1' on the attached plan.



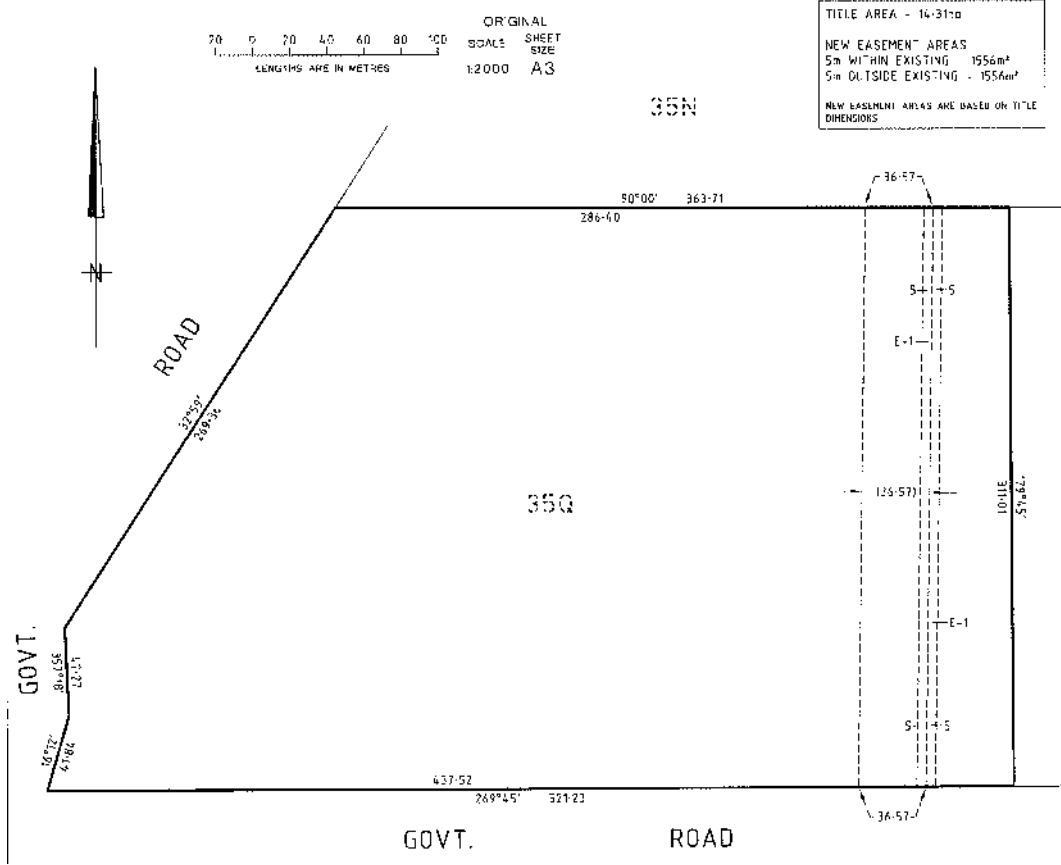


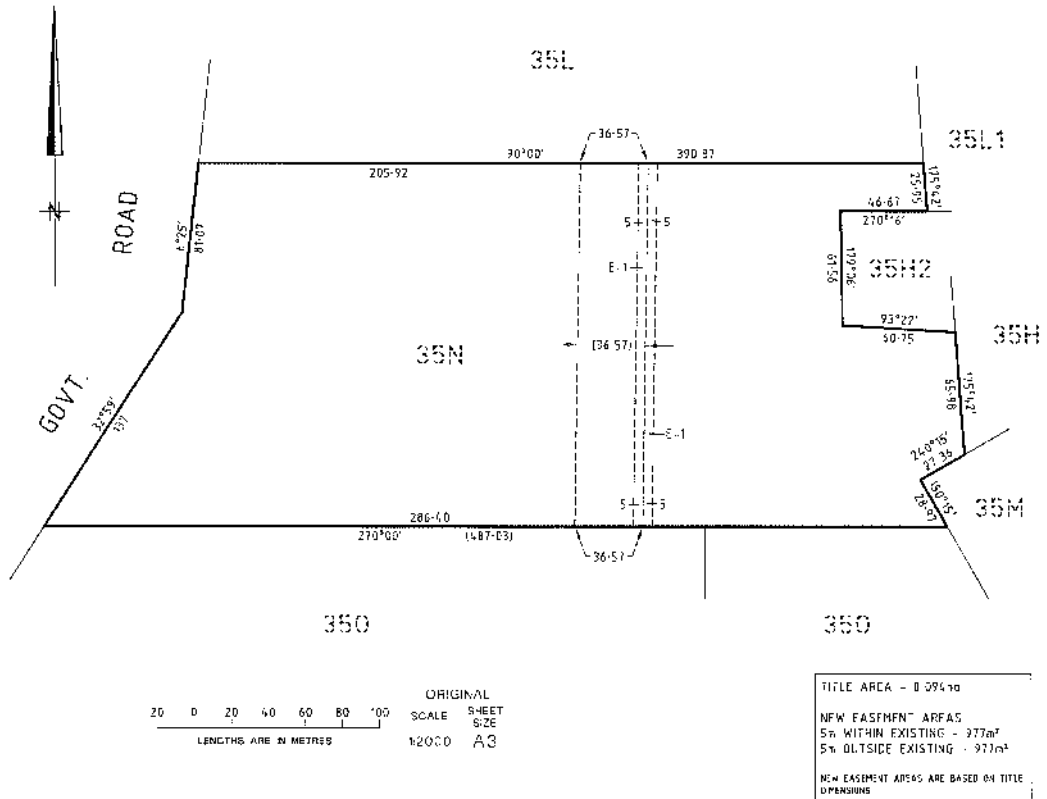




Published with the authority of Central Highlands Region Water Corporation.
Dated 2 July 2009

For and on behalf of
Central Highlands Region Water Corporation
PETER DARVENIZA
CHW Project Director
Goldfields Superpipe





Published with the authority of Central Highlands Region Water Corporation.
 Dated 2 July 2009

For and on behalf of
 Central Highlands Region Water Corporation
 PETER DARVENIZA
 CHW Project Director
 Goldfields Superpipe

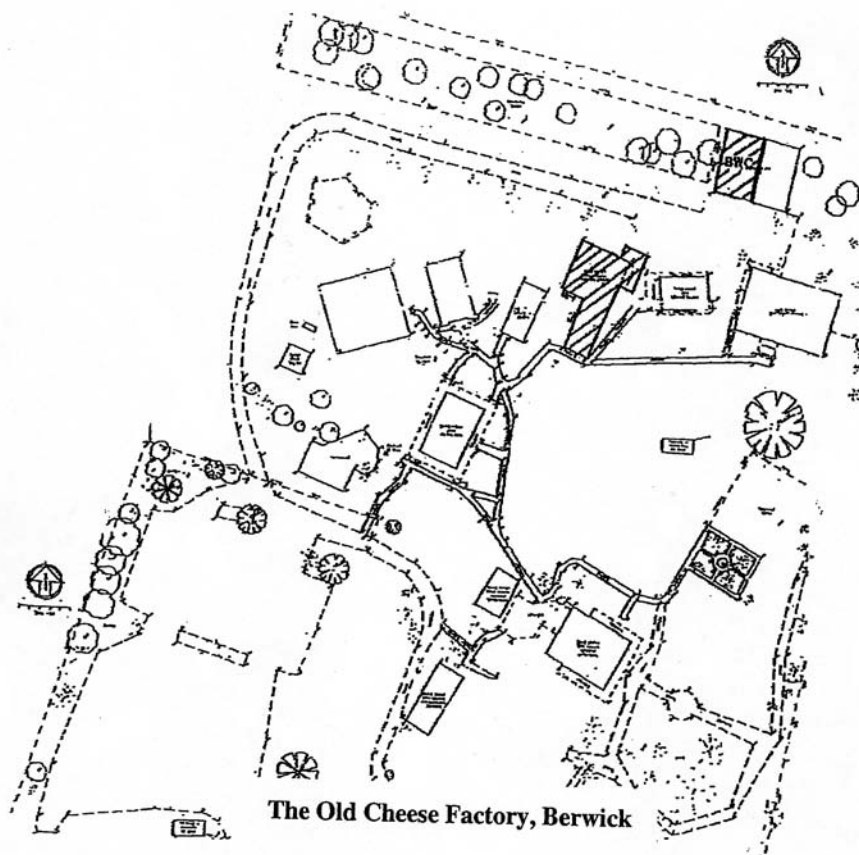
Crown Land (Reserves) Act 1978**ORDER GIVING APPROVAL TO GRANT
A LEASE UNDER SECTIONS 17D AND 17DA**

Under sections 17D and 17DA of the **Crown Land (Reserves) Act 1978**, I, Gavin Jennings MLC, Minister for Environment and Climate Change, being satisfied that there are special reasons which make the granting of a lease reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a lease by the Casey City Council for the purposes normally associated with the activities of a woodworking club over part of the Old Springfield Cheese Factory Reserve described in the Schedule below and, in accordance with section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, state that:

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

SCHEDULE

The areas of land shown hatched on the following plan, being part of the land temporarily reserved for Conservation of an Area of Historic Interest by Order in Council of 9 August 1983 (vide Government Gazette 17 August 1983, page 2582).



1201918

GAVIN JENNINGS MLC
Minister for Environment and Climate Change
Dated 19 June 2009

Electricity Industry Act 2000

EnergyAustralia (ABN 67 505 337 385)

Conditions for Purchase of Small Renewable Energy Generation Electricity

Pursuant to section 40G of the **Electricity Industry Act 2000**, EnergyAustralia, as the relevant licensee, publishes this offer comprising the prices at, and terms and conditions on which EnergyAustralia will purchase small renewable energy generation electricity from relevant generators.

ENERGYAUSTRALIA – FEED-IN CONDITIONS (VICTORIA)

The meaning of words printed *like this* and some other key words is explained at clause 15.

1 YOUR RENEWABLE ENERGY FEED-IN AGREEMENT**Content**

- 1.1 The terms and conditions under which we will purchase electricity from you for electricity generated and exported into the electricity network by your small renewable energy generator are set out in the *Schedule* and these *Feed-In Conditions* (together, the '*Feed-In Agreement*').
- 1.2 These *Feed-In Conditions* do not deal with supply of electricity to your *premises* and do not affect, limit, vary or exclude any term of your *Supply Agreement*.

Eligibility

- 1.3 You are eligible to enter into this *Feed-In Agreement* if:
- (a) you have a *Supply Agreement* with us for the *premises* where the *generator* is installed;
 - (b) you have a meter type and applicable tariff at the *premises* which does not make you ineligible (details of ineligible meter types and tariffs are available on request);
 - (c) you satisfy any other requirements under the *electricity laws*.
- 1.4 If you apply for a *Feed-In Agreement*, we will notify you if you are not eligible.

2 CONNECTION TO THE DISTRIBUTION NETWORK

- 2.1 If you request us to arrange for your *generator* to be connected to the *distribution network*:
- (a) we will make a request to the relevant *distributor* to connect your *generator* as soon as practicable after you satisfy clause 1 of the *Energy Retail Code* with respect to this agreement; and
 - (b) we will make the request by the day no later than the next business day after receiving from you all documentation required under the **Electricity Safety Act 1998** (Vic.) and all documentation reasonably required by us or the relevant *distributor*.

3 TERM

- 3.1 Your *Feed-In Agreement* commences on the last of the following to occur (as applicable):
- (a) if you are not yet our customer for the *premises*, the *effective transfer date*;
 - (b) the *generator* is connected to the *distribution network* and we have received confirmation from the relevant *distributor* of that connection and there being an acceptable *meter*; and
 - (c) the commencement date specified in the *Schedule*.
- 3.2 You acknowledge by signing this agreement that you have given us explicit informed consent to the commencement of this agreement in accordance with clause 3.1.
- 3.3 Unless otherwise specified in the *Schedule*, this agreement has the same expiry date as your *Supply Agreement*.

4 TERMINATION

- 4.1 Your *Feed-In Agreement* automatically terminates if you or we terminate your *Supply Agreement*.
- 4.2 We may not terminate your *Feed-In Agreement* unless you and we enter into a new feed-in agreement or you have transferred to another retailer for the supply of electricity to your *premises*.
- 4.3 Subject to clause 5.15, you may terminate this *Feed-In Agreement* without notice.
- 4.4 Despite 4.3, termination of your *Feed-In Agreement* will not become effective until the occurrence of any of the following:
- (a) you and we enter into a new feed-in agreement;
 - (b) you enter a feed-in agreement or electricity supply agreement with another retailer, and that agreement has commenced; or
 - (c) if the *premises* are disconnected, when you no longer have a right under the *Energy Retail Code* to be reconnected.
- 4.5 If your *Feed-In Agreement* is a fixed term contract:
- (a) between one and two months before the expiry date, we will notify you of the date that your *Feed-In Agreement* is due to expire, the options available to you and the tariff and terms and conditions that will apply after that date if you do not exercise any other option; and
 - (b) your *Feed-In Agreement* will continue after the expiry date under the tariff and terms and conditions notified, without further need for written agreement, provided the tariff and terms and conditions have taken effect in accordance with section 40H of the *EI Act*.

5 PAYMENT

Payment amount

- 5.1 The *payment* for each *billing period* that you will receive for the electricity generated by your *generator* is calculated according to the following formula:

$$\text{Feed-In Rate} \times \text{Electricity Exported}$$

Where:

Feed-In Rate means the same rate as the rate you purchase electricity from us under the *Supply Agreement* from time to time (excluding GST and supply charges). [Unless the Schedule specifies otherwise, the *Feed-In Rate* excludes GST.]

Electricity Exported means the quantity of electricity exported to the *distribution network* by the *generator* in the relevant *billing period*, as recorded by the *meter* (in kilowatt hours) and read or otherwise determined according to clauses 5.8–5.13.

- 5.2 Any changes to the rates under your *Supply Agreement* will apply equally to the rates under this *Feed-In Agreement*. We will give you notice of any variation to our rates that will affect the *payment* under this *Feed-In Agreement* as soon as practicable, and in any event, no later than the next billing cycle. A notice of a variation to our rates under your *Supply Agreement* is taken to be a notice under this *Feed-In Agreement*.

Payment terms

- 5.3 In every *billing period*, we will credit the amount of the *payment* against your *bill* for that period. To avoid doubt, we will credit the *payment* with the same frequency as you are billed under your *Supply Agreement*.
- 5.4 If the amount you owe us for a *billing period* is less than the *payment*, the balance of the *payment* will remain as a credit on your *bill* (but will not carry interest).
- 5.5 If we have under-credited you for the electricity you supplied to the *distribution network*, we will credit the amount on your next *bill*.

5.6 If we seek to bill you to make up for an over-credit of your *bill* under this agreement, we will do so in accordance with clause 6.2 of the *Energy Retail Code*.

5.7 You can request us to review any *payments* applied to your account. We will do so in accordance with clause 6.1 of the *Energy Retail Code*.

Measuring energy exported and meter testing

5.8 You must arrange a *meter* that meets the requirements of *electricity laws* and any requirements reasonably imposed by us or your *distributor*.

5.9 Unless you and we agree otherwise, we will measure the amount of energy exported by your *generator*, using readings from your *meter*.

5.10 We will use our best endeavours to ensure that your *meter* is read at least once in any 12 month period. We do not breach this clause 5.10 if we are unable to read your *meter* in any relevant period as a result a breach of clause 5.12(a) by you or some other event outside of our control.

5.11 If we are unable to reasonably or reliably base a *payment* on a reading of your *meter*, we will not make a credit unless the *distributor* estimates the electricity exported in accordance with *electricity laws*.

5.12 In relation to the *meter*:

(a) you must allow us, the *responsible person*, or our or the *responsible person's* representative safe, convenient and unhindered access to the *premises* and to the *meter*, for the purpose of reading the *meter* and for connection, disconnection, reconnection, maintenance and repair. The person who requires access must carry or wear official identification and on request will show that identification to you;

(b) you must inform us promptly if there is a change in:

(i) access to the *meter*; or

(ii) your *generator*; and

(c) you must not tamper with the *meter*, or permit anyone else to do so.

5.13 Your other rights and obligations in the *Supply Agreement* that relate to metering and meters will also apply to your *meter* under this *Feed-In Agreement*.

Charges

5.14 We can charge you:

(a) any additional retail charges (including our costs for arranging connection under clause 2) as notified to you prior to entering this agreement; and

(b) on a pass through basis, any charges imposed by the *distributor* or metering service provider,

associated with your *generator*.

5.15 If your *Feed-In Agreement* is a fixed term contract or an evergreen contract (that is, a contract which has a maturity date) and you terminate this agreement early under clause 4.3, we may impose an *early termination fee* in accordance with clause 24.1(d) of the *Energy Retail Code*.

Electricity account to contain information about energy exported

5.16 We will separately itemise in your *bill* for each *billing period*:

(a) the amount and value of the electricity exported by your *generator* to the *distribution network*;

(b) the *payment* due to you for that electricity;

(c) any additional retail charges and *distributor* imposed charges associated with your *generator*; and

(d) any adjustments for undercharging or overcharging in previous *billing periods*.

6 TITLE TO ENERGY AND GREEN CREDITS

Title to energy

- 6.1 Title to electricity exported to the *distribution network* from your *generator* will pass to us at the point the electricity enters the *distribution network*.

Green credits

- 6.2 You retain any *green credits* created through the generation of electricity by your *generator*, unless you have assigned them to someone else.

7 GST

- 7.1 Any consideration or amount payable under your *Feed-In Agreement*, including any non-monetary consideration, is inclusive of GST unless stated otherwise.
- 7.2 The clauses under the *Supply Agreement* that relate to GST also apply under this *Feed-In Agreement*.

8 YOUR OBLIGATIONS

- 8.1 You must comply with applicable *electricity laws* relating to the *generator* and export of electricity.
- 8.2 In addition, you have the same obligations under this agreement as you have under your *Supply Agreement* in relation to safety, emergencies and confidentiality.
- 8.3 You must let us know as soon as possible of any changes to your contact details.

9 YOUR RIGHTS

- 9.1 You may request us to provide you with information regarding:
- (a) the calculation of the *payment*, including the applicable rate;
 - (b) load profiles and power factors (if applicable) in relation to your *generator*;
 - (c) meter readings for the *meter* at your *premises*; and
 - (d) your *bill*.
- 9.2 We will process your request and provide this information to the extent it is reasonably available to us.
- 9.3 You may also request the historical data relating to your *Feed-In Agreement* going back for at least 2 years. We will process your request in accordance with the clause 27.2 of the *Energy Retail Code*.
- 9.4 You must pay our reasonable costs of providing any information that you have asked for, unless that information relates to account or metering information within the last 12 months, which will be provided free of charge.
- 9.5 In addition, you have the same rights in relation to privacy and how we use or collect your personal information under this agreement as under your *Supply Agreement*.

10 INTERRUPTION, REDUCTION OR DISCONNECTION

- 10.1 All of the terms under the *Supply Agreement* that relate to the interruption, disruption, reduction or disconnection of the supply of electricity to you also apply to this agreement. To avoid doubt, we do not control the delivery, quality, or reliability of the supply of electricity to the *premises*. This is the responsibility of the *distributor*.
- 10.2 You agree that the connection of your *generator*, and your ability to export electricity, to the *distribution network* may be interrupted, discontinued or restricted for the same reasons set out in your *Supply Agreement*.
- 10.3 You are not entitled to any payment or other compensation from us for any period during which you are unable to export electricity to the distribution network because your connection is interrupted, limited or disconnected.

11 UNCONTROLLABLE EVENTS

- 11.1 Your or our obligations under this agreement are suspended to the extent to which they are affected by an event outside your or our control (this does not include an inability to pay money).
- 11.2 The person affected must give prompt notice of the event outside their control, to the other, in accordance with any applicable *electricity laws*.

12 VARIATION

- 12.1 Subject to clause 12.2, any variations to your *Feed-In Agreement* must be agreed by both us and you in writing, except where otherwise provided for in your *Supply Agreement* or where a variation of any term of this *Feed-In Agreement* is permitted under, or required to reflect changes to, *electricity laws*.
- 12.2 Any changes to the rates under your *Supply Agreement* will apply equally to the rates under this *Feed-In Agreement*. We will give you notice of any variation to our rates that will affect the *Payment* under this *Feed-In Agreement*. A notice of a variation to our rates under your *Supply Agreement* is taken to be a notice under this *Feed-In Agreement*.

13 CONTACT DETAILS

- 13.1 If you have any questions regarding this agreement, contact:

EnergyAustralia

Mail: 570 George Street, Sydney NSW 2000

Phone: 13 15 02

14 MISCELLANEOUS**Liability**

- 14.1 We are not responsible for, and you accept all risks in respect of, your *generator* including its control, use, maintenance, connection to the *distribution network* and the electricity generated.

Assignment

- 14.2 You may not assign your rights or obligations under your *Feed-In Agreement* without our consent.
- 14.3 We may only assign this agreement with your consent, unless the assignment forms part of the transfer to the same third party of all or substantially all of our retail business.

Notices

- 14.4 We will give a notice, consent, document or other communication under this agreement in the manner specified in clause 32 of the *Energy Retail Code*.

Governing law

- 14.5 This agreement is governed by the laws of the State of Victoria.

Complaints

- 14.6 A complaint may be in writing or made orally and must include the reasons for seeking a review of our actions.
- 14.7 We will handle any complaint by you in accordance with the relevant Australian Standard on Complaints Handling or the 'Benchmark for Industry Based Customer Dispute Resolution Schemes' published by the Department of Industry, Tourism and Resources (Cth). We will proceed with any complaint in the manner specified in clause 28.2 of the *Energy Retail Code*.

Waiver

- 14.8 The variation or waiver of a provision of this agreement, or our or your consent to a departure from a provision by the other party, will be ineffective unless in writing, signed by us and you.

Severability

14.9 If the whole or any part of a provision of this agreement is void, unenforceable or illegal in a jurisdiction it is severed for that jurisdiction. The remainder of this agreement has full force and effect and the validity or enforceability of that provision in any other jurisdiction is not affected. This clause has no effect if the severance alters the basic nature of this agreement or is contrary to public policy.

Inconsistency

14.10 To the extent of any inconsistency between this *Feed-In Agreement* and the *Supply Agreement*, this agreement prevails.

15 INTERPRETATION**Definition**

bill means the bill issued to you under your *Supply Agreement*.

billing period has the meaning given under your *Supply Agreement*.

distributor means the distributor that operates the *distribution network* which the *generator* is connected to.

distribution network means a system of electric lines and associated equipment which the distributor is licensed to use to distribute or supply electricity.

early termination fee means the fee set out in the *Schedule* as payable by you where this agreement is terminated before a certain date.

effective transfer date has the meaning given in your *Supply Agreement*.

EI Act means the *Electricity Industry Act 2000* (Vic.).

Electricity Exported means the quantity of electricity exported to the *distribution network* by the *generator* in the relevant *billing period*, as recorded by the *meter* (in kilowatt hours) and read or otherwise determined according to clauses 5.8–5.13.

electricity laws means the *EI Act*, the *Electricity Safety Act 1998* (Vic.), the *RE Act*, the *Energy Retail Code* (Vic.), the *National Electricity Rules* and any other applicable market, industry or technical code or rules, utilities licence, and any other applicable statute, regulation, ordinance, code or other law, whether territory, state or federal, including any lawfully binding determination, decree, edict, declaration, ruling, order or other similar pronouncement validly issued by any government or authority.

EnergyAustralia means EnergyAustralia (ABN 67 505 337 385) in its capacity as a holder of a retail licence under the relevant *Electricity Law*.

Energy Retail Code means the code determined by the Essential Services Commission pursuant to the *Electricity Industry Act 2000* (Vic.) and the *Gas Industry Act 2001* (Vic.).

Feed-In Agreement means the *Schedule* and these *Feed-In Conditions*.

Feed-In Conditions means the terms and conditions under which we will purchase electricity from you for electricity generated and exported into the electricity network by your small renewable energy generator as set out in this document.

Feed-In Rate means the same rate as the rate you purchase electricity from us under the *Supply Agreement* from time to time (excluding GST and supply charges).

generator means a ‘small renewable energy generation facility’ as defined in the *EI Act* and includes all equipment associated with it to make the *generator* operate.

green credit means all RECs, *green power rights* or any other rights, interests, credits or benefits associated with the electricity generated by the *generator* that is created by a law with a purpose of abating, controlling, measuring or limiting greenhouse gases or otherwise dealing with climate change.

green power right means a green power right under the National Green Power Accreditation Program established by the State governments of ACT, NSW, SA, QLD, Vic. and WA in November 2000, or any successor or similar scheme.

liability includes loss, damage, consequential damage, claim, cost (including legal fees on a solicitor own client basis), charge, demand, expense.

meter means a meter that measures the quantity of electricity exported by the *generator* to the *distribution network*.

National Electricity Law means the National Electricity Law set out in the Schedule to the *National Electricity (South Australia) Act 1996* (SA).

National Electricity Rules means the rules made under the *National Electricity Law*.

online acceptance form means our internet-based process for the acceptance of relevant offers.

payment means the amount payable to you for the electricity fed into the *distribution network* from your *generator*, calculated in accordance with clause 5.1.

premises has the meaning given under your *Supply Agreement*.

REC means a renewable energy certificate created under the *RE Act* from the operation of the *generator*.

RE Act means the *Renewable Energy (Electricity) Act 2000* (Cth) and the *Renewable Energy (Electricity) Regulation 2001* (Cth).

responsible person means the person who has responsibility for the meter reading for a particular connection point, being either the retailer or the relevant distributor.

Schedule means the *Feed-In Offer* signed by you or the *verbal consent documents* (if this agreement is entered into over the telephone or the *online acceptance form* (if this agreement is entered into over the internet).

Supply Agreement means the agreement between you and *EnergyAustralia* for the supply of electricity to the *premises* where the *generator* is located.

verbal consent documents means the documents we provide to you subsequent to your verbal consent to enter into a *Feed-In Agreement*.

Interpretation

In this *Feed-In Agreement*:

- (a) 'we', 'our', and 'us' are references to EnergyAustralia unless the context indicates otherwise;
 - (b) the singular includes the plural and vice versa;
 - (c) a reference to an agreement, code or another instrument includes any consolidation, amendment, variation or replacement of them;
 - (d) a reference to a statute, ordinance, code or other law, including anything which comprises the electricity law, includes regulations and other instruments under it and includes all consolidations, amendments, re-enactments or replacements;
 - (e) if an event must occur on a stipulated day which is not a business day, then the stipulated day will be taken to be the next business day;
 - (f) if a period of time is specified and dates from a given day or the day of an act or event, it is to be calculated exclusive of that day;
 - (g) a reference to a day is to be interpreted as the period of time commencing at midnight and ending 24 hours later;
 - (h) 'including', 'includes', 'such as' and 'in particular' do not limit the generality of the words which precede them or to which they refer; and
 - (i) headings are included for convenience and do not affect the interpretation of this *Feed-In Agreement*.
-

Plant Health and Plant Products Act 1995**ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION OF EUROPEAN HOUSE BORER HOST MATERIAL INTO VICTORIA**

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

Dated 30 June 2009

PATRICK SHARKEY
Manager Plant Standards

1. Objective

The objective of this Order is to prevent the entry or importation of the exotic pest European house borer into Victoria.

2. Authorising Provision

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

3. Revocation

The Order made on 9 July 2008 under section 24 of the Act, and published in Government Gazette S198 on 10 July 2008, is revoked.

4. Definitions

In this Order –

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

'authorised inspector' means a person authorised as an inspector under the Act;

'European house borer' means the exotic pest *Hylotrupes bajulus* (Linnaeus);

'European house borer host material' means any timber of pinewood, including seasoned pinewood, or any item made from timber of pinewood which is 100 cm³ or more in size, and includes furniture, pallets and structural pinewood;

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

'pinewood' means any wood from trees of the genera *Abies* Mill, *Picea* A. Dietr., *Pinus* L. or *Pseudotsuga* Carriere;

'seasoned pinewood' means pinewood that has a moisture content of 20% or less when tested in accordance with Australian Standard AS1080.1–1997 Timber: methods of test – moisture content;

'structural pinewood' means any pinewood which is part of an existing building or is to be used in the construction of a building.

5. Controls applying to European house borer host materials

(1) The entry or importation into Victoria of any European house borer host material is prohibited.

(2) Sub-clause (1) does not apply if the European house borer host material –

(a) was grown on, or sourced from a property, that is located in a State or Territory, or part of a State or Territory, for which an area freedom certificate, issued by an officer responsible for agriculture in the State or Territory where the host material was grown or sourced, is currently in force certifying that the State or Territory, or part of the State or Territory, is known to be free from European house borer; or

(b) is packed, labelled and certified in accordance with any conditions prescribed by an accreditation program, administered by the department responsible for agriculture in the affected State or Territory; or

- (c) is accompanied by a plant health declaration issued by an authorised person declaring that it has been treated in a manner approved by the Manager Plant Standards; or
- (d) is accompanied by a plant health certificate issued by an officer of the department responsible for agriculture in the affected State or Territory certifying that it has been treated in a manner approved by the Manager Plant Standards.

6. Verification of Consignments

Where requested by an authorised inspector, European house borer host material imported into Victoria which is required by clause 5(2) to be accompanied by a certificate or declaration must be:

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

Note: Section 25 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and a penalty not exceeding 50 penalty units in the case of a natural person, and 200 penalty units in the case of a body corporate, for knowingly breaching an Importation Order.

Veterinary Practice Act 1997

ENDORSEMENT OF REGISTRATION AS A SPECIALIST PRACTITIONER

Under section 8 of the **Veterinary Practice Act 1997**, the following veterinary practitioners have been granted endorsement of registration as specialist practitioners by the Veterinary Practitioners Registration Board of Victoria.

SPEC NO.	NAME	SPECIALISATION
106	HOUSE Arthur Kingsley	Veterinary Surgery – Small Animal
104	GERBER Karen Lee	Veterinary Pathobiology – Clinical

Dated 26 June 2009

M. B. WILSON
Registrar

Veterinary Practitioners Registration Board of Victoria

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>
Giuseppe Gulle	6 McGlone Street, Mitcham	Commercial Sub-Agents Licence	7 August 2009

Dated at Ringwood 26 June 2009

BRUCE HAMILTON
Deputy Registrar
Magistrates' Court of Victoria

Victorian Managed Insurance Authority Act 1996
DIRECTION MADE UNDER SECTION 25A OF THE
VICTORIAN MANAGED INSURANCE AUTHORITY ACT 1996 (VMIA ACT)
Government Rail Insurance Program (GRIP)

I hereby direct the Victorian Managed Insurance Authority (VMIA) to provide insurance to:

- (a) GRIP entities including, though not limited to, those listed in Schedule 1, but excluding Heritage and Tourist Rail Operators and Accredited Rail Operators – for public and products liability, industrial special risks and construction risks;
- (b) Heritage and Tourist Rail Operators and Accredited Rail Operators including, though not limited to, those listed in Schedule 2 – for public and products liabilities in excess of \$10 million up to \$250 million; and
- (c) GRIP entities listed in Schedule 3, in the event of a declared terrorist incident, as defined in section 6 of the **Terrorism Insurance Act 2003** (Cth).

On or about the date of this Direction the Treasurer has provided an indemnity to the VMIA for the full costs of administering the insurance for terrorism risks provided in accordance with this Direction. This indemnification is to be provided in accordance with the separate Deed of Indemnity provided by the Treasurer.

The VMIA is to determine the premiums payable by the entities for their insurance and any other terms and conditions.

This Direction is effective from 4.00 pm EST on 30 June 2009 to 4.00 pm EST on 30 June 2014.

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

SCHEDULE 1

	Entity	ACN
1.	Metlink Victoria Pty Ltd	105 274 904
2.	Puffing Billy Preservation Society	004 621 505
3.	Connex Melbourne Pty Ltd	087 516 210
4.	United Group Melbourne Transport Limited	088 888 555
5.	MainCo Melbourne Pty Ltd	107 925 673
6.	Siemens Rail Services Bayside Pty Ltd	088 116 974
7.	Any entity which is appointed to operate the Melbourne Metropolitan train network pursuant to the Invitation to Tender Melbourne Metropolitan Train Franchise issued by the Victorian Government in October 2008	
8.	MetroLink Victoria Pty Ltd	085 719 053
9.	Transfield MetroLink Pty Ltd	087 536 016
10.	Transdev Victoria Pty Ltd	087 546 889
11.	United Group Rail Pty Ltd	097 323 852
12.	Siemens Rail Services Swanston Pty Ltd	088 116 876
13.	Any entity which is appointed to operate the Melbourne Metropolitan tram network pursuant to the Invitation to Tender Melbourne Metropolitan Tram Franchise issued by the Victorian Government in October 2008	
14.	Any entity which is appointed to operate the Victorian regional rail and coach network as a successor operator to V/Line Passenger Pty Ltd and which is not a 'department' or a 'participating body' within the meaning ascribed to those terms in the Victorian Managed Insurance Authority Act 1996	
15.	Australian Rail Track Corporation Limited	081 455 754

SCHEDULE 2

	Entity	ACN
	Heritage and Tourist Rail Operators	
1.	Alexandra Timber Tramway & Museum Inc.	A0007722C
2.	Ballarat Tramway Museum Incorporated	A0031819K
3.	Castlemaine & Maldon Railway Preservation Society	005 621 581
4.	Geelong Steam Preservation Society	004 819 130
5.	GreenTrail Associates Group Inc.	A0039019C
6.	Melbourne Tramcar Preservation Association Inc.	A0001102T
7.	Mornington Railway Preservation Society Inc.	A0001935C
8.	Portland Cable Trams Inc.	A0033426A
9.	Red Cliffs Historical Steam Railway Inc.	A0031587M
10.	Seymour Railway Heritage Centre Inc.	A0007496T
11.	South Gippsland Tourist Railway Inc.	A0028135L
12.	The Central Highlands Tourist Railway	006 220 355
13.	The Tramway Museum Society of Victoria Inc.	A0001864E
14.	Walhalla Goldfields Railway Inc.	A0026304V
15.	Yarra Valley Tourist Railway Society Inc.	A0007627H
16.	Seven-O-Seven Operations Inc.	A0006499S
17.	Steamrail Victoria Inc.	A0026264J
18.	Diesel Electric Rail Motor Preservation Association of Victoria Inc.	A0017464R
	Accredited Rail Operators	
1.	G.J. K.M. McLeod & Associates Pty Ltd	067 232 759
2.	Speno Rail Maintenance Australia Pty Ltd	009 206 722
3.	ACN 119 884 669 Pty Ltd	119 884 669

SCHEDULE 3

	Entity	ACN
1.	Metlink Victoria Pty Ltd	105 274 904
2.	Connex Melbourne Pty Ltd	087 516 210
3.	United Group Melbourne Transport Ltd	088 888 555
4.	MainCo Melbourne Pty Ltd	107 925 673
5.	Siemens Rail Services Bayside Pty Ltd	088 116 974
6.	Any entity which is appointed to operate the Melbourne Metropolitan train network pursuant to the Invitation to Tender Melbourne Metropolitan Train Franchise issued by the Victorian Government in October 2008	
7.	MetroLink Victoria Pty Ltd	085 719 053
8.	Transfield MetroLink Pty Ltd	087 536 016
9.	Transdev Victoria Pty Ltd	087 546 889
10.	United Group Rail Pty Ltd	097 323 852
11.	Siemens Rail Services Swanston Pty Ltd	088 116 876
12.	Any entity which is appointed to operate the Melbourne Metropolitan tram network pursuant to the Invitation to Tender Melbourne Metropolitan Tram Franchise issued by the Victorian Government in October 2008	

Planning and Environment Act 1987

BENALLA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C4 Part 1

The Minister for Planning has approved Amendment C4 Part 1 to the Benalla Planning Scheme.

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

The Amendment replaces the Municipal Strategic Statement at Clause 21 and local planning policies at Clauses 22.01 to 22.05 inclusive, to implement the recommendations of the Benalla Planning Scheme review.

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

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

Planning and Environment Act 1987

GLENELG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C41

The Minister for Planning has approved Amendment C41 to the Glenelg Planning Scheme.

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

The Amendment:

- removes the Public Acquisition Overlay (PAO1) from a part of Cliff Street and from 15 Henty Highway, Portland;
- rezones the newly declared sections of Cliff Street and Henty Highway to Road Zone Category 1 (RDZ1);
- rezones the discontinued section of Cliff Street from Road Zone Category 1 to Special Use Zone Schedule 4 (SUZ4); and
- deletes clause 45.01 and associated schedule.

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

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

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C180

The Minister for Planning has approved Amendment C180 to the Greater Geelong Planning Scheme.

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

The Amendment removes the Public Acquisition Overlay 3 from land in Piccadilly Street, Leila Crescent, Ajax Street, Quinn Street and Rollins Road, Bell Post Hill.

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

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

Planning and Environment Act 1987

LATROBE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C42

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

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

The Amendment seeks to:

- reserve and acquire land for the construction of the Princes Freeway – Traralgon Bypass and other associated works;
- allow the construction of the Princes Freeway – Traralgon Bypass and other associated works without the need to obtain a planning permit for the use and development of land;
- update the Local Planning Policy Framework for the Latrobe Planning Scheme to reflect the outcomes of the Advisory Committee Report 2004, Advisory Committee Report 2007 and the approval process for the Traralgon Bypass to ensure consistency with the overlays and other requirements; and
- ensure consistency between the proposed alignment for the Princes Freeway – Traralgon Bypass and the coal resource planning controls, which provide for the protection of coal resources and the separation of the town and existing or future coal mining uses.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development web site at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the office of the Latrobe City Council, 141 Commercial Road, Morwell, Victoria 3840.

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

Planning and Environment Act 1987

MILDURA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C54

The Minister for Planning has approved Amendment C54 to the Mildura Planning Scheme.

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

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

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the Mildura Rural City Council, 108–116 Madden Avenue (between Ninth and Tenth Streets), Mildura.

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

Planning and Environment Act 1987

NORTHERN GRAMPIANS
PLANNING SCHEME

Notice of Approval of Amendment

Amendment C30

The Minister for Planning has approved Amendment C30 to the Northern Grampians Planning Scheme.

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

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

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development web site at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the Northern Grampians Shire Council, Town Hall, Stawell 3380.

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

Planning and Environment Act 1987

WHITTLESEA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C112

The Minister for Planning has approved Amendment C112 to the Whittlesea Planning Scheme.

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

The Amendment removes the floor space limits for offices and shops relating to Epping Plaza Shopping Centre from the Schedule to the Business 1 Zone and amends Development Plan Overlay 13 – Epping Plaza Shopping Centre to enable a planning permit to be issued prior to the approval of a Development Plan.

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

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

Planning and Environment Act 1987

WYNDHAM PLANNING SCHEME

Notice of Approval of Amendment

Amendment C118 Part 1

The Minister for Planning has approved Amendment C118 Part 1 to the Wyndham Planning Scheme.

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

The Amendment rezones land at 235 Sneydes Rd, PC 163116W and Lot 7A, Section C, Parish of Deutgam, Point Cook, from Farming Zone 2 to Residential 1 Zone and applies the Development Plan Overlay (Schedule 12).

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development web site at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Wyndham City Council, 45 Princes Highway, Werribee.

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

ORDERS IN COUNCIL

Eastlink Project Act 2004

ORDER UNDER SECTION 55 FOR THE
DIVESTMENT OF LAND FROM
THE SECRETARY TO
THE DEPARTMENT OF TRANSPORT

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 the Minister for Major Projects, given in accordance with section 55(5) of the Act, divests from the Secretary to the Department of Transport, the land shown as shaded on the plan numbered LEGL./08-139 and more particularly described by reference to the survey plan numbered SP 21538 as shown on the relevant LEGL plan lodged at the Central Plan Office of the Department of Sustainability and Environment.

Dated 30 June 2009

Responsible Minister

TIM PALLAS MP

Minister for Roads and Ports

TOBY HALLIGAN

Clerk of the Executive Council

Education and Training Reform Act 2006

REMUNERATION OF
MEMBERS AND CHAIRPERSON OF
THE VICTORIAN REGISTRATION AND
QUALIFICATIONS AUTHORITY

Order in Council

The Governor in Council under section 4.2.5 and schedule 2, clause 3(1) of the **Education and Training Reform Act 2006**:

- a) fix the remuneration for the following members and chairperson of the Victorian Registration and Qualifications Authority and a one off lump sum payment for the difference between 1 July 2008 and 31 March 2009:
- Mr Peter Annett
 - Mr Brian Boyd
 - Professor Wendy Brabham
 - Professor Gerald Burke
 - Mr Alan Frees

- Professor John (Jack) Keating

- Ms Janine Lake

- Ms Julie Moss

- Professor Pauline Nestor

- Mr John Parish

at \$14,698 per annum, from 1 July 2008 and a one off lump sum payment of \$321.

- Stuart Hamilton

at \$37,422 per annum and a one off lump sum payment of \$1,337.

- b) fix a maximum payment of \$4,600 per annum with \$2,300 per committee to the above members and chairperson for additional committee work undertaken in recognition of the extra commitment required and fix a one off lump sum payment of \$3,450 for the difference between 1 July 2008 and the 31 March 2009.

Dated 30 June 2009

Responsible Ministers

HON BRONWYN PIKE, MP

Minister for Education

HON JACINTA ALLAN, MP

Minister for Skills and

Workforce Participation

TOBY HALLIGAN

Clerk of the Executive Council

Project Development and Construction Management Act 1994

NOMINATION ORDER

Order in Council

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

- the Peninsula Link Project

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

- (a) the Minister for Roads and Ports is to be the responsible Minister for the nominated project; and

- (b) the Southern and Eastern Integrated Transport Authority, being a body corporate established under section 6 of the **Southern and Eastern Integrated Transport Authority Act 2003**, is to be the facilitating agency for the nominated project.

Dated 30 June 2009

Responsible Minister

HON JOHN BRUMBY MP

Premier of Victoria

TOBY HALLIGAN

Clerk of the Executive Council

**Project Development and
Construction Management Act 1994**

APPLICATION ORDER

Order in Council

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

- (a) the following provisions of Part 3 of the Act apply in relation to the Project; sections 14, 16, 17, 18, 18A, 19, 20, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 21, 22, 23, 24, 25 and 26.
- (b) the following provisions of Part 3 of the Act apply to the Southern and Eastern Integrated Transport Authority, which is the facilitating agency for the Project; sections 14, 16, 17, 18, 18A, 19, 20, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 21, 22, 23, 24, 25 and 26.
- (c) sections 19, 20 and 22 of the Act apply to the responsible Minister for the nominated project.

Dated 30 June 2009

Responsible Minister

HON JOHN BRUMBY MP

Premier of Victoria

TOBY HALLIGAN

Clerk of the Executive Council

LATE NOTICES



S. 224A(2) Local Government Act 1989

Pursuant to section 224A(2) of the **Local Government Act 1989** the Melbourne City Council gives notice that it has resolved that any police officer may enforce Part 3 of its Activities Local Law 2009 relating to the use, possession and consumption of liquor.

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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:

- | | | | |
|-----|---|-----|--|
| 69. | <p><i>Statutory Rule:</i> Crimes (Mental Impairment and Unfitness to be Tried) Regulations 2009</p> <p><i>Authorising Act:</i> Crimes (Mental Impairment and Unfitness to be Tried) Act 1997</p> <p><i>Date first obtainable:</i> 30 June 2009</p> <p><i>Code A</i></p> | 72. | <p><i>Statutory Rule:</i> Fundraising Regulations 2009</p> <p><i>Authorising Act:</i> Fundraising Act 1998</p> <p><i>Date first obtainable:</i> 30 June 2009</p> <p><i>Code A</i></p> |
| 70. | <p><i>Statutory Rule:</i> Supreme Court (Fees) Further Amendment Regulations 2009</p> <p><i>Authorising Act:</i> Supreme Court Act 1986</p> <p><i>Date first obtainable:</i> 30 June 2009</p> <p><i>Code A</i></p> | 73. | <p><i>Statutory Rule:</i> Road Safety (Drivers) Amendment (Fees) Regulations 2009</p> <p><i>Authorising Act:</i> Road Safety Act 1986</p> <p><i>Date first obtainable:</i> 30 June 2009</p> <p><i>Code A</i></p> |
| 71. | <p><i>Statutory Rule:</i> Trade Measurement Amendment Regulations 2009</p> <p><i>Authorising Acts:</i> Trade Measurement Act 1995
Trade Measurement (Administration) Act 1995</p> <p><i>Date first obtainable:</i> 30 June 2009</p> <p><i>Code A</i></p> | 74. | <p><i>Statutory Rule:</i> Road Safety (Vehicles) Amendment (Fees) Regulations 2009</p> <p><i>Authorising Act:</i> Road Safety Act 1986</p> <p><i>Date first obtainable:</i> 30 June 2009</p> <p><i>Code A</i></p> |
| | | 75. | <p><i>Statutory Rule:</i> Chattel Securities (Registration) Amendment Regulations 2009</p> <p><i>Authorising Act:</i> Chattel Securities Act 1987</p> <p><i>Date first obtainable:</i> 30 June 2009</p> <p><i>Code A</i></p> |

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