



Victoria Government Gazette

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GENERAL

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As from 3 February 2011

The last Special Gazette was No. 26 dated 1 February 2011.

The last Periodical Gazette was No. 1 dated 9 June 2010.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
 - or contact our office on 8523 4601
between 8.30 am and 5.30 pm Monday to Friday
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Copies of recent Special Gazettes can now be viewed at the following display cabinet:

- 1 Treasury Place, Melbourne (behind the Old Treasury Building)
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**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
LABOUR DAY WEEK 2011 (Monday 14 March 2011)**

Please Note:

The Victoria Government Gazette for Labour Day week (G11/11) will be published on **Thursday 17 March 2011**.

Copy deadlines:

Private Advertisements **9.30 am on Friday 11 March 2011**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Tuesday 15 March 2011**

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

JENNY NOAKES
Government Gazette Officer

VICTORIA GOVERNMENT GAZETTE

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS**VICTORIA POLICE****Homicide of Macchour Chaouk****\$100,000 Reward**

The co-operation of the public is sought to establish the identity of the person or persons responsible for the death of 63 year old Macchour Chaouk, who was killed at his home address in Brooklyn on 13 August 2010.

A reward of up to one hundred thousand dollars (\$100,000.00) will be paid at the discretion of the Chief Commissioner of Police, for information leading to the apprehension and subsequent conviction of the person or persons responsible for the death of Macchour Chaouk.

The Director of Public Prosecutions will consider, according to established guidelines, the granting of indemnification from prosecution to any person who provides information as to the identity of the principal offender or offenders in this matter.

Any information given will be treated as confidential and may be given at any time to Crime Stoppers via telephone number, Toll Free – 1800 333 000, or the Homicide Squad, 412 St Kilda Road, Melbourne, on telephone number (03) 9865 2770 during normal business hours.

SIMON OVERLAND
Chief Commissioner of Police

DISSOLUTION OF PARTNERSHIP

Notice is given that the partnership which formerly existed between Smith Dealership Pty Ltd, ACN 004 820 017, as trustee for the Smith Dealership Trust and Rau Holdings Pty Ltd, ACN 112 283 084, as trustee for the A. & L. Rau Family Trust and carrying on a business under the names 'Southern Grampians Auto Group', 'Grangeburn Holden' and 'Grangeburn Mitsubishi' has been dissolved effective from 12 November 2010. From that date, Rau Holdings Pty Ltd, ACN 112 283 084, in its capacity as trustee for the A. & L. Rau Family Trust and Andrew Gary Rau will continue to operate the business under the names 'Southern Grampians Auto Group', 'Grangeburn Holden' and 'Grangeburn Mitsubishi'.

HARWOOD ANDREWS LAWYERS,
70 Gheringhap Street, Geelong, Victoria 3220.

Re: BERY BABIC, deceased.

Creditors, next-of-kin and others having claims in respect of BERY BABIC, deceased, late of 143 Charles Street, Seddon, Victoria, retired restaurateur, who died on 7 November 2010, are required to send particulars of such claims to the executor, Antony Ivan Babic (in the Will called Anthony Babic), care of the undersigned, by 8 April 2011, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor then has notice.

ANTONY IVAN BABIC,
PO Box 6010, West Footscray, Victoria 3012.

DONALD KEITH CAIN, late of 9 Chappell Street, Thomastown, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 June 2010, are required by the executors, Keith Hugh Cain and Stephen Arthur Cain, care of Arthur J. Dines & Co., solicitors, 2A Highlands Road, Thomastown, in the said State, to send particulars to them by 28 March 2011, after which date the executors may convey or distribute the assets, having regard only to claims to which they have notice.

Dated 24 January 2011

ARTHUR J. DINES & CO., solicitors,
2A Highlands Road, Thomastown 3074.

Re: GABRIEL HALIM GABBOUR, late of 34 Henley Drive, Gladstone Park, Victoria, mail sorter, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 August 2010, are required by the trustee, Angela Nichol Gabbour, to send particulars to the trustee, care of the undermentioned solicitors, within sixty days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

DE MARCO LAWYERS,
794A Pascoe Vale Road, Glenroy 3046.

Re: VASELJ KALENJUK, late of 48 Bliburg Street, Broadmeadows, Victoria, painter and decorator, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 October 2010, are required by the trustee, Stephen Kalenjuk, to send particulars to the trustee, care of the undermentioned solicitors, within sixty days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

DE MARCO LAWYERS,
794A Pascoe Vale Road, Glenroy 3046.

Re: Estate of EUGENIE CARMICHAEL, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of EUGENIE CARMICHAEL, late of Alcheringa Hostel, 2–14 Boree Drive, Swan Hill, widow, deceased, who died on 14 October 2010, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 9 April 2011, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

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

Re: Estate of GWENDA MAY PHELAN, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of GWENDA MAY PHELAN, late of 3 Adams Road, Swan Hill, Victoria, widow, deceased, who died on 15 December 2010, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 9 April 2011, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

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

Creditors, next-of-kin and others who have claims in respect of the estate of FLORENCE KATHLEEN BUTCHER, late of 1 Martins Parade, Clifton Waters Village, Bairnsdale, in the State of Victoria, deceased, who died on 1 November 2010, are to send particulars of their claims to the administrators, care of Engel & Partners Pty of 109 Main Street, Bairnsdale, by 3 April 2011, after which date it will distribute the assets, having regard only to the claims of which it then has notice.

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

Creditors, next-of-kin and others who have claims in respect of the estate of CHRISTOPHER EDWARD CLANEY, late of 109 Dreverman Street, Bairnsdale, in the State of Victoria, deceased, who died on 17 December 2009, are to send particulars of their claims to the administrators, care of Engel & Partners Pty of 109 Main Street, Bairnsdale, by 3 April 2011, after which date it will distribute the assets, having regard only to the claims of which it then has notice.

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

Re: PAUL ANTHONY BURKE, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of PAUL ANTHONY BURKE, late of 42 Tormore Road, Boronia, Victoria, pensioner, deceased, who died on 8 May 2010, are to send particulars of their claims to the executors, care of the undermentioned solicitors, by 15 April 2011, after which date the executors will distribute the assets, having regard only to the claims of which they then have notice.

E. P. JOHNSON AND DAVIES,
52 Collins Street, Melbourne 3000.

Re: MARY RUBY MARSHALL (also known as Mary Ruby Lane), deceased.

Creditors, next-of-kin and others having claims in respect of the estate of MARY RUBY MARSHALL (also known as Mary Ruby Lane), deceased, late of 7 Pine Grove, Malvern, Victoria, who died on 21 July 2010, are required by the trustees, Stanford Chapman and Daryl Lindsay

Janes, to send particulars to them, care of the undermentioned solicitors, by 4 April 2011, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

KEMPSONS LAWYERS,
Level 3, 116 Hardware Street, Melbourne 3000.

Re: PATRICIA CRYSTAL LUDEKENS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of PATRICIA CRYSTAL LUDEKENS, deceased, late of 5/48 Orchard Crescent, Mont Albert Victoria, who died on 9 July 2010, are required by the trustee, Stanford Chapman, to send particulars to him, care of the undermentioned solicitors, by 18 April 2011, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

KEMPSONS LAWYERS,
Level 3, 116 Hardware Street, Melbourne 3000.

Creditors, next-of-kin and others having claims in respect of the estate of FLORA BETTY COLLINS (also known as Betty Collins), late of 52 Durham Street, Eaglemont, Victoria, pharmacist, deceased, who died on 19 July 2010, are required by Equity Trustees Limited (ACN 004 031 298), of Level 2, 575 Bourke Street, Melbourne, Victoria 3000, to send particulars of their claims to the said company by 4 April 2011, after which date it will convey or distribute the assets, having regard only to the claims of which the company then has notice.

LAWSON HUGHES PETER WALSH, lawyers,
Level 4, 91 William Street, Melbourne 3000.

Creditors, next-of-kin and others having claims in respect of the estate of PATRICIA MARY THOMSON, late of Unit 110, 'Penguin Resort', 48-80 Settlement Road, Cowes, Victoria, home maker, deceased, who died on 24 October 2010, are required by Equity Trustees Limited (ACN 004 031 298), of Level 2, 575 Bourke Street, Melbourne, Victoria 3000, to send particulars of their claims to the said company by 4 April 2011, after which date it will convey or distribute the assets, having regard only to the claims of which the company then has notice.

LAWSON HUGHES PETER WALSH,
lawyers,
Level 4, 91 William Street, Melbourne 3000.

PAMELA MARGARET FURLONG, late of 30 Plaza Crescent, Dingley Village, Victoria, retired nurse, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 September 2010, are required by the executor, Bryan Stephenson Marie Furlong, to send particulars to him, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

LYTTLETONS, solicitors,
53 Marcus Road, Dingley 3172.

Re: CONNIE JOYCE STRONG, deceased, late of Broughtonlea Aged Care Facility, 9-17 Broughton Road, Surrey Hills, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 October 2010, are required by the trustee, Dianne Joy Bertram, to send particulars to the trustee, care of the undermentioned solicitors, by 8 April 2011, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors,
178 Whitehorse Road, Blackburn 3130.
CD:2102119

Re: BERYL MAWDITT WILLIAMS, late of Emmavale Gardens, 7 Elberta Avenue, Lower Templestowe, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 November 2010, are required by the trustee, Robert John Grant, to send particulars to his solicitors at the address below, by 5 April 2011, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: MARGARET KATHLEEN SEGCEL, late of 1 Clayton Road, Balwyn, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 October 2010, are required by the trustee, Equity Trustees Limited of Level 2, 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee, care of the undermentioned solicitors, by 7 April 2011, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

McKEAN PARK, lawyers,
Level 11, 575 Bourke Street, Melbourne,
Victoria 3000.

NANCY MARY HAUGH, late of Cresthaven, 1A The Avenue, Malvern East, Victoria, but formerly of Unit 1, 36 The Avenue, Malvern East, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 October 2010, are required by the executor, ANZ Trustees Limited (ACN 006 132 332) of 55 Collins Street, Melbourne, Victoria, to send particulars to it by 6 April 2011, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

MILLS OAKLEY LAWYERS,
530 Collins Street, Melbourne 3000.

Re: JOSHUA ALEXANDER GOODWIN,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 May 2010, are required by the trustee, Vanecia Leonie Branston, to send particulars to the trustee, care of the undermentioned solicitors, by 5 April 2011, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: DIANNE MAREE MAXWELL,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 February 2010, are required

by the trustee, Jeanette Bernelle Williams, to send particulars to the trustee, care of the undermentioned solicitors, by 12 April 2011, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: DAVID GRAEME YOUNG, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 April 2010, are required by the executor, Andrew John Simpson of 9 Prospect Street, Box Hill, Victoria, legal practitioner, to send particulars to the executor by 12 April 2011, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor has notice.

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

Creditors, next-of-kin and others having claims in respect of the estate of JANINA MARIA DOLEGA-CHECINSKI, late of 27 Palmer Street, Richmond, Victoria, widow, deceased, who died on 24 December 2010, are required to send particulars of such claims to the executors, care of the undermentioned solicitors, by 6 April 2011, after which date the executors will convey or distribute the assets, having regard only to the claims of which the executors then have notice.

PIETRZAK SOLICITORS,
222 Latrobe Street, Melbourne 3000.

Creditors, next-of-kin and others having claims against the estate of CLEOPATRA MARIA JENKINS, late of 27 Shierlaw Avenue, Canterbury, Victoria 3126, who died on 10 October 2010, are required by the executors, Peter Comino and Marina Smirniotis, to send detailed particulars of their claim to the said executors, care of the undermentioned solicitor, by 4 April 2011, after which date the executors may convey or distribute the estate, having regard only to the claims of which they then have notice.

POLITES & CARROLL, solicitors,
Level 7, 160 Queen Street, Melbourne 3000.

Creditors, next-of-kin or others having claims in respect of the estate of MERVYN RUPERT GAY, deceased, of 9 Alphington Street, Alphington, Victoria, who died on 28 August 2010, are to send particulars of their claims to the executor, care of the undermentioned solicitors, by 7 April 2011, after which date the executor will distribute the assets, having regard only to the claims of which the executor then has notice.

RIGBY COOKE,
Level 13, 469 La Trobe Street, Melbourne,
Victoria 3000.

Re: CONSTANCE AGNES PRATT,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 October 2010, are required by the trustee, Sandhurst Trustees Limited, ACN 004 030 737, of 18 View Street, Bendigo, Victoria, trustee company, to send particulars to the trustee by 15 April 2011, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

SANDHURST TRUSTEES LIMITED,
18 View Street, Bendigo, Victoria 3550.

Re: MICHELINA DEL MASTRO, also known as Michelina Delmastro, late of 15 Kent Street, Glen Iris, Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 April 2010, are required by the executor, Angelina Torcasio, care of Suzanne Cilia, lawyer, 16 Andrew Street, Windsor, Victoria 3181, to send particulars to her by 5 April 2011, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

SUZANNE CILIA, lawyer,
16 Andrew Street, Windsor Victoria 3181.

Re: MARILYN JANE SAUNDERS,
deceased.

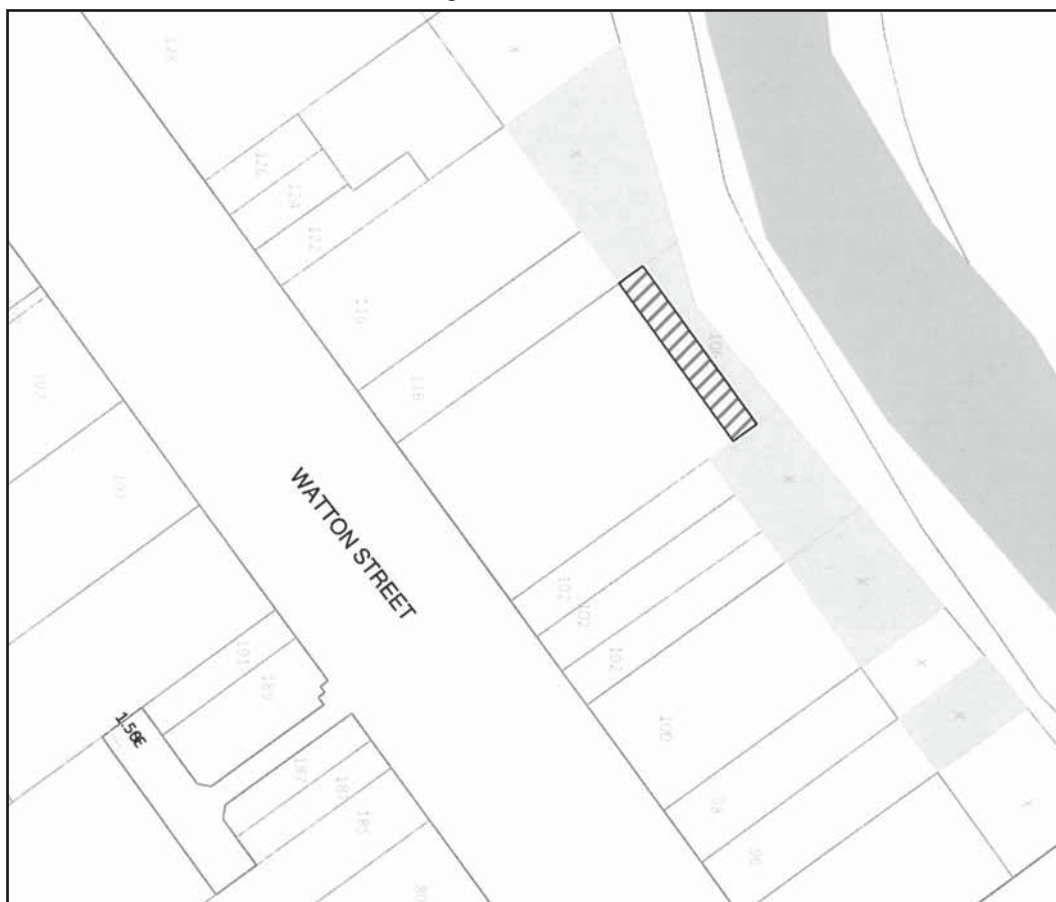
Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 July 2010, are required by the

trustees, Susan Mary Flynn and Martin John Bodinar, to send particulars to the trustees, care of the undermentioned solicitors, by 4 April 2011, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

WHITE CLELAND PTY, solicitors,
Level 3, 454 Nepean Highway, Frankston 3199.
Ref. LH

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES****WYNDHAM CITY****Road Discontinuance**

Under section 206 and schedule 10 clause 3 of the **Local Government Act 1989**, the Wyndham City, at its Ordinary Meeting held on 25 January 2011, has declared that the land shown hatched on the plan below is not reasonably required as a road for public use and that the road should be discontinued and be retained as a Municipal Reserve.



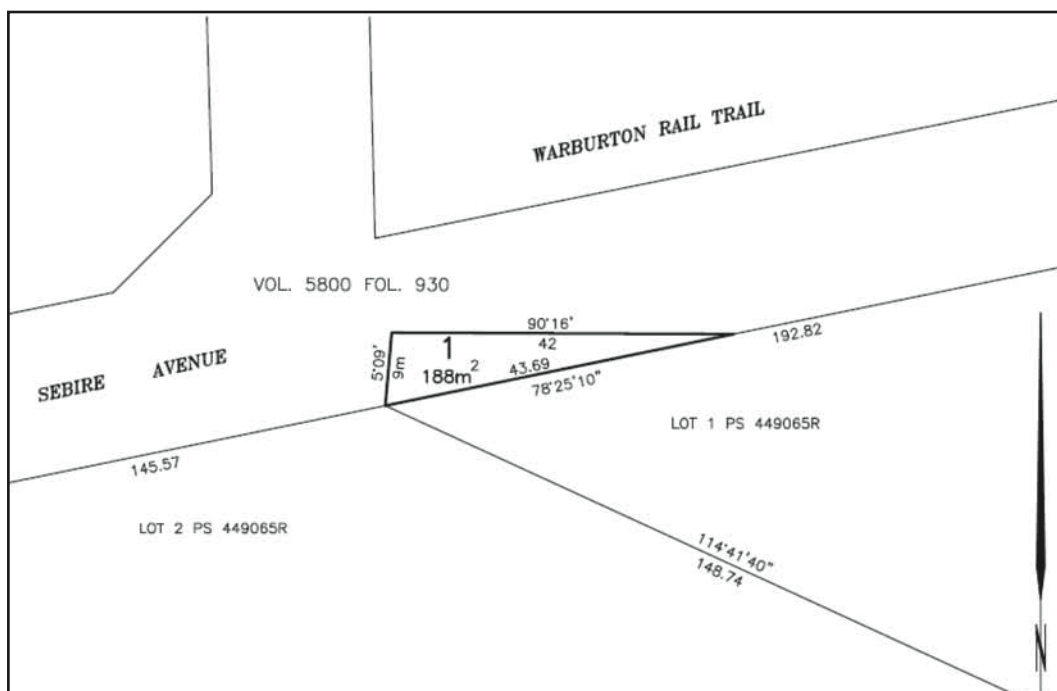
KERRY THOMPSON
Chief Executive Officer

YARRA RANGES SHIRE COUNCIL

Road Discontinuance

Under section 206 and schedule 10 clause 3 of the **Local Government Act 1989** (Act), the Yarra Ranges Shire Council (Council), at its meeting held on 25 January 2011, resolved that it was of the opinion that the section of Sebire Avenue, Wandin North, marked '1' and shown outlined in heavy lines on the plan below, is not reasonably required as a road for public use and to discontinue the road, and that the land from the road be sold by private treaty to the abutting owner.

The road discontinuance is subject to retention or any right, power or interest held by the Council or a public authority pursuant to section 207C of the Act.



GLENN PATTERSON
Chief Executive Officer

Planning and Environment Act 1987**BANYULE PLANNING SCHEME**Notice of Preparation of
Planning Scheme Amendment and
Planning Permit Application

Amendment C72

Authorisation A01841

Permit Application P230/10

The Banyule Council has prepared Amendment C72 to the Banyule Planning Scheme. The applicant for the Amendment and permit is Paiman Pakzmir.

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

The land affected by the Amendment is 7 and 7A Curzon Street, Ivanhoe.

The planning scheme Amendment proposes to:

- rezone a portion of the land known as Part 7A Curzon Street from Public Conservation and Resource Zone (PCRZ) to Residential 1 Zone (R1Z);
- rezone the rear portion of the land at 7 Curzon Street from Residential 1 Zone (R1Z) to Public Conservation and Resource Zone (PCRZ);
- amend the Schedule to Clause 52.02 of the planning scheme to remove a restrictive covenant affecting the portion of Part 7A Curzon Street;
- amend the Schedule to Clause 52.02 of the planning scheme to remove the reservation status applying to the portion of Part 7A Curzon Street; and
- remove the Public Acquisition Overlay – Schedule 3 (PAO3) from the rear portion of the land at 7 Curzon Street.

The planning permit application proposes to subdivide the land at 7A Curzon Street, Ivanhoe.

You may inspect the Amendment and planning permit application, including 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,

Banyule City Council, 44 Turnham Avenue, Rosanna; 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 planning scheme Amendment or planning permit may make a submission to the planning authority.

The closing date for submissions is 5.00 pm on 8 March 2011. A submission must be sent to the Banyule City Council.

MATTHEW BUCKMASTER
Development Planner

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

Notice of Preparation of Amendment

Amendment C104

Authorisation A01386

The Cardinia Shire Council has prepared Amendment C104 to the Cardinia Planning Scheme.

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

The land affected by the Amendment is:

- 13 and 15 Wheeler Road, and 310 Snell Road, Maryknoll; and
- land in a Low Density Residential Zone within the Maryknoll township.

The Amendment proposes to:

- rezone the land at 13 and 15 Wheeler Road, 310 Snell Road, Maryknoll, from a Green Wedge Zone to a Low Density Residential Zone;
- apply the Design and Development Overlay – Schedule 1 (DDO1) to 13 and 15 Wheeler Road, and 310 Snell Road, Maryknoll; and
- amend the Schedule to the Low Density Residential Zone to specify a minimum lot size in Maryknoll of 0.8 ha.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority,

Cardinia Shire Council, Henty Way, Pakenham 3810; 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 March 2011. A submission must be sent to the Cardinia Shire Council, PO Box 7, Pakenham 3810.

For TRACEY PARKER
Manager Planning Policy and Projects
Cardinia Shire Council



CORANGAMITE
SHIRE

Planning and Environment Act 1987
CORANGAMITE PLANNING SCHEME

Notice of Preparation of Amendment
Amendment C28
Authorisation A1674

The Corangamite Shire Council has prepared Amendment C28 to the Corangamite Planning Scheme.

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

The land affected by the Amendment is all land in and immediately around Skipton.

The Amendment proposes to:

- revise and replace Clause 21.04 Settlement Skipton;
- replace the Structure Plan for Skipton;
- rezone land in and around Skipton to allow for residential, industrial and commercial development; and
- apply a Design and Development overlay to newly zoned industrial land in Skipton.

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, Corangamite Shire Council, 181

Manifold Street, Camperdown, Victoria 3260; at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection; and Skipton Post Office, 30 Montgomery Street, Skipton, Victoria 3361.

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

The closing date for submissions is Monday 7 March 2011. A submission must be sent to the Corangamite Shire, PO Box 84, Camperdown, Victoria 3260.

ANDREW MASON
CEO, Corangamite Shire Council



CORANGAMITE
SHIRE

Planning and Environment Act 1987
CORANGAMITE PLANNING SCHEME

Notice of Preparation of Amendment
Amendment C29
Authorisation A1831

The Corangamite Shire Council has prepared Amendment C29 to the Corangamite Planning Scheme.

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

This Amendment applies to four significant landscapes within the Shire, namely:

- Volcanic Features and Landscapes (existing SLO1);
- Great Ocean Road Landscape – Peterborough to Princetown (existing SLO3);
- Princetown Estuarial Landscape (proposed SLO4); and
- Moonlight Head Coastal Landscape (proposed SLO5).

The Amendment proposes to:

- modify two existing Significant Landscape Overlays – SLO schedules 1 and 3; and

- introduce two new SLO schedules to the Princetown Estuarial Landscape and Moonlight Head Coastal Landscape – SLO schedules 4 and 5.

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, Corangamite Shire Council office, 181 Manifold Street, Camperdown, Victoria 3260; and Port Campbell Visitor Information Centre, 26 Morris Street, Port Campbell, Victoria 3269.

The Amendment can also be inspected free of charge at 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 7 March 2011. A submission must be sent to the Corangamite Shire Council, PO Box 84, Camperdown, Victoria 3260.

ANDREW MASON
Chief Executive Officer



Knox City Council

Planning and Environment Act 1987

KNOX PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C104

Authorisation A01768

The Knox City Council has prepared Amendment C104 to the Knox Planning Scheme.

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

The land affected by the Amendment is 13 Cullis Parade in Bayswater.

The Amendment proposes to rezone land at 13 Cullis Parade in Bayswater from a Public Use Zone 6 (Local Government) to a Residential 3 Zone.

You may inspect the Amendment, including supporting documentation and the explanatory report free of charge at the following locations: Council's Customer Service Building and Planning counter at the Knox Council Civic Centre, 511 Burwood Highway, Wantirna South, during business hours 8.30 am to 5.00 pm Monday, Wednesday, Thursday, Friday and 8.30 am to 8.00 pm Tuesday; Knox City Council's website at www.knox.vic.gov.au – search 'Amendment C104'; and 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 Friday 4 March 2011. A submission must be sent to the Strategic and Economic Development Department, Knox City Council, 511 Burwood Highway, Wantirna South 3152, or by emailing psamendments@knox.vic.gov.au

ANGELO KOURAMBAS
Director – City Development

Planning and Environment Act 1987

**SOUTHERN GRAMPIANS
PLANNING SCHEME**

Notice of Preparation of Amendment

Amendment C20

Authorisation A01743

Southern Grampians Shire Council has prepared Amendment C20 to the Southern Grampians Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised Southern Grampians Shire Council as planning authority to prepare the Amendment. The land affected by the Amendment is occupied by St Mary's Primary School, Pope Street, Hamilton, and also includes 11.3 square metres of land owned by Westar Pty Ltd, which formerly accommodated a minor utility installation.

The land comprises eleven allotments, contained within seven Certificates of Title which are detailed as follows:

VOL/FOLIO	LOT NOS.	PLAN NUMBER	REGISTERED PROPRIETOR
02959/739	1, 2, 3, 4, and 5	TP 921225B	The Roman Catholic Trust Corporation for the Diocese of Ballarat
03860/948	1	TP 606402P	The Roman Catholic Trust Corporation for the Diocese of Ballarat
07207/208	1	TP 532398L	The Roman Catholic Trust Corporation for the Diocese of Ballarat
08044/566	1	TP 331844K	The Roman Catholic Trust Corporation for the Diocese of Ballarat
03069/636	1	TP 678684T	The Roman Catholic Trust Corporation for the Diocese of Ballarat
03069/637	1	TP 681138E	The Roman Catholic Trust Corporation for the Diocese of Ballarat
08943/649	1	TP 515849A	Westar P/L

The Amendment proposes to rezone the land from Special Use Zone (Schedule 1) to Residential 1 Zone.

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, Southern Grampians Shire Council, 1 Market Place, Hamilton; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Monday 7 March 2011. A submission must be sent to: Mr Tom Scholfield, Strategic Planner, Southern Grampians Shire Council, Locked Bag 685, Hamilton, Victoria 3300.

RICHARD PERRY
Chief Executive Officer
Southern Grampians Shire Council

Planning and Environment Act 1987

SURF COAST PLANNING SCHEME

Notice of Preparation of Amendment C69 and Application for Planning Permit

Authorisation No. A1853

Planning Permit Application No. 10/0444

The land affected by the Amendment is located on the south-eastern corner of the intersection of Bells Boulevard and Sunset Strip, Jan Juc, known as Lots 1 and 2, PS 127416 (Vol 08921 Fol 687).

The land affected by the application is located on the south-eastern corner of the intersection of Bells Boulevard and Sunset Strip, Jan Juc, known as Lots 1 and 2, PS 127416 (Vol 08921 Fol 687).

The Amendment proposes to:

- delete part of the subject land from Map 2 (Bells Boulevard low density residential area) of clause 32.03 Low Density Residential Zone (LDRZ). The Schedule to the LDRZ specifies a minimum lot size for subdivision of 1.5 ha in the Bells Boulevard precinct; and

- apply the Design and Development Overlay, Schedule 1 (DDO1) to that part of the site that has been deleted from Map 2.

The application is for a permit to:

- subdivide the land excised from Map 2 into three 0.4 ha lots located at the eastern end of the site. This will leave the larger balance lot of 2.734 ha at the western end of the site on the corner of Sunset Strip and Bells Boulevard; and
- remove native vegetation to allow for the siting of future dwellings within the nominated building envelopes on the three subdivided lots.

The person who requested the Amendment is St Quentin Consulting. The applicant for the permit is Christine Hayes.

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, Surf Coast Shire Council, 25 Grossmans Road, Torquay; 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 or by the granting of the permit may make a submission to the planning authority. The closing date for submissions is 3 March 2011. A submission must be sent to Surf Coast Shire Council, PO Box 350, Torquay, Victoria 3228.

MARK HARWOOD
Coordinator Strategic Planning

Planning and Environment Act 1987
WHITTLESEA PLANNING SCHEME

Notice of the Preparation of an
Amendment to a Planning Scheme and
Notice of an Application for Planning Permit
Given under Section 96C of the

Planning and Environment Act 1987

Amendment C138

Authorisation No. A01745

Planning Permit Applications
712434 and 712433

The land affected by the Amendment is located at the south-east corner of High Street and Heyington Avenue, Thomastown. The subject land was formerly known as 1 Heyington Avenue and is now described in the lots on Plan

of Subdivision PS609111X and known as the Meridian Business Park.

The land affected by the two applications include:

- 1 Goodyear Drive and 21 Heyington Avenue, Thomastown (712434); and
- 15–19 Heyington Avenue, Thomastown (712433).

The Amendment proposes to:

- rezone the land from Industrial 1 Zone to Business 3 Zone;
- apply a Design and Development Overlay (DDO) over part of the site;
- introduce a new Schedule 11 to the DDO;
- amend and update the Municipal Strategic Statement at Clause 21.04. and 21.06;
- update the General Provisions at Clause 61.03; and
- consider two planning permits.

The two applications for a permit allows:

- for the use and development for offices, warehouses and a food and drink premises, a reduction in the required rate of car parking and bicycle requirements at 1 Goodyear Drive and 21 Heyington Avenue, Thomastown (712434); and
- buildings and works associated with the construction of an office building at 15–19 Heyington Avenue, Thomastown (712433).

The person who requested the Amendment is MAB Corporation Pty Ltd on behalf of Ruskinville Pty Ltd.

The applicant for the two permits is Ruskinville Pty Ltd, care of MAB Corporation 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, Whittlesea City Council, Council Offices, 25 Ferres Boulevard, South Morang, or at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Monday 7 March 2011. A submission must be sent to the Chief Executive Officer, City of Whittlesea, Locked Bag 1, Bundoora MDC 3083.

JOHN FRANCIS
Acting 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, of 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 7 April 2011, 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.

BARBUTO, Robert Michael, late of 10 Timms Avenue, Croydon, Victoria 3136, deceased, who died on 28 October 2010.

BRADFIELD, John Edwin, late of 8 McNicol Road, Tecoma, Victoria 3160, teacher, deceased, who died on 23 October 2010.

BUCKLEY, Charles Maxwell, late of Flat 1, 17A Milton Street, Elwood, Victoria 3184, pensioner, deceased, who died on 23 November 2010.

HILL, Edna Lillian, late of Ferndale Gardens, 229 Bayswater Road, Bayswater, Victoria 3153, pensioner, deceased, who died on 14 October 2010.

JAMES, Elizabeth Stewart, late of Trinity Garden Aged Care, 34–42 Brooklyn Road, Melton South, Victoria 3338, deceased, who died on 1 September 2010.

JOHNSON, Betty, late of Clayton Community Aged Care, 12 Burton Avenue, Clayton, Victoria 3168, retired, deceased, who died on 19 September 2010.

MORRISON, Libby Isabel Davida, also known as Libby Morrison and Isobel Davida Morrison, formerly of 18 High Street, Moe, Victoria 3825, but late of Woodend Community Aged Care, 2 Sullivans Road, Woodend, Victoria 3442, pensioner, deceased, who died on 12 November 2010.

WHITE, Sonia Geraldine, late of 8 Oboe Close, Mornington, Victoria 3931, retired, deceased, who died on 24 August 2010.

Dated 27 January 2011

ROD SKILBECK
Manager
Client Services

EXEMPTION

Application No. A23/2011

The Victorian Civil and Administrative Tribunal (the Tribunal) has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995** (the Act), by Department of Education and Early Childhood Development (the applicant). The application for exemption is to enable the applicant to advertise for and employ only an Indigenous person in the role of Senior Policy and Program Officer within the Aboriginal Early Years Service Branch, Infrastructure and Partnerships Division (the exempt conduct).

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

In granting this exemption the Tribunal noted:

- The Aboriginal Early Years Service Branch (AEYSB) falls within the applicant's Office for Children and Portfolio Coordination. That Office aims to improve the health, development and wellbeing of Aboriginal children by working with a range of government and non-government groups. The AEYSB works to assist Aboriginal children to have access to the full range of early childhood services as well as access to additional targeted services available to those children and families who need them. A range of programs for Aboriginal children and their families are offered including Aboriginal Best Start, Koorie Maternity Service, Indigenous kindergarten program, Koorie Engagement Support Officers, Koorie Preschool Assistants, free kindergarten for 3 and 4 year old Aboriginal children, in home support and home based learning.
- The role of the Senior Policy and Program Officer (SPP Officer) is to contribute to improving outcomes for Aboriginal children and families in part by leading and supporting the implementation of a range of initiatives and programs such as those referred to above. In addition to knowledge of and experience in early years education, applicants for the position are expected to

have a sound knowledge of and experience in the Aboriginal community in Victoria. The SPP Officer will be expected to be able to demonstrate an ability to build and maintain strong relationships with Aboriginal people and the community.

- The applicant believes that families accessing the early childhood program should have the opportunity and will expect to have support from an officer from a similar cultural background. The SPP Officer will often be the first point of contact with the applicant for Aboriginal parents. Those parents are expected to wish to establish and maintain an ongoing relationship with the SPP Officer. The applicant believes that the parents and families are more likely to engage with the applicant, the AEYSB and the SPP Officer if that person is Indigenous. For these reasons, and taking into account the requirement to liaise with the Aboriginal community, the applicant believes that an Indigenous person ought to be appointed to the role of SPP Officer.
- The Victorian Public Sector Employment and Career Development Action Plan, Karreeta Yirramboi, is a whole of government strategy aimed at boosting recruitment and retention of Aboriginal Public Sector employees in Victoria. In order to achieve the aim of increasing Aboriginal participation in the Victorian Public Sector, the government has set a 1% Aboriginal employment target for the Victorian Public Sector by 2015.
- When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter). Arguably, this exemption limits the right to equal and effective protection against discrimination of a non Indigenous person wishing to apply for the SPP Officer role. I am satisfied that the exemption is a measure taken for the purpose of assisting or advancing Indigenous people who are disadvantaged and so it does not amount to discrimination under the Charter. In any event, in the circumstances discussed above, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 100 and 195 of the Act to enable the applicant to engage in the 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 2 February 2014.

Dated 31 January 2011

A. DEA
Member

EXEMPTION

Application No. A24/2011

The Victorian Civil and Administrative Tribunal (the Tribunal) has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995** (the Act), by Rumbalara Aboriginal Co-operative (the applicant). The application for exemption is to enable the applicant to advertise for and employ only Aboriginal or Torres Strait Islander persons to fill two positions as Trainee Dental Assistants (the exempt conduct).

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

In granting this exemption the Tribunal noted:

- The applicant is an Aboriginal community controlled organisation, which was established in 1981. It has grown to become a leading Aboriginal organisation in Australia and the largest Co-operative outside metropolitan Melbourne. The applicant's philosophy is based upon self-determination and it has a self-management and governance structure. The managing board is comprised of seven members all of whom are Aboriginal and the Chief Executive Officer is Aboriginal. These positions have always been filled by Aboriginal persons.
- The exemption is sought by the applicant as part of its goal to assist in addressing the significant disadvantages faced by Aboriginal persons in obtaining training and employment opportunities. The

applicant understands that the current rate of unemployment of Aboriginal people in the Greater Shepparton area is around 80%. Specifically, the applicant wishes to build the capacity of the Aboriginal health workforce in particular dental health.

- In addition, the applicant aims to enable and encourage Aboriginal community members to seek prevention and treatment for dental health services within their local area through the service provided by Aboriginal workers in the applicant's Rumbalara Health Service located in Mooroopna. The Trainee Dental Assistants will be required to work collaboratively with individuals, the community, allied health services, students from The University of Melbourne Rural Rotation Program and other agencies. A capacity to work with and relate to Aboriginal people is essential.
- When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter). Arguably, this exemption limits the right to equal and effective protection against discrimination of a non-Aboriginal or Torres Strait Islander person wishing to apply for the Trainee Dental Assistants positions. I am satisfied that the exemption is a measure taken for the purpose of assisting or advancing Aboriginal people who are disadvantaged and so it does not amount to discrimination under the Charter. In any event, in the circumstances discussed above, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 100 and 195 of the Act to enable the applicant to engage in the 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 2 February 2014.

Dated 31 January 2011

A. DEA
Member

EXEMPTION

Application No. A310/2010

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** by the City of Monash (the applicant) for exemption from sections 13, 14, 42, 65 and 195 of that Act. The application for exemption is to enable the applicant to open the Clayton Aquatics and Health Club for use by women only but only for sessions that are outside normal operating hours, for those sessions to be staffed by women only during those hours and to advertise those services (the exempt conduct).

Upon reading the material submitted in support of the application, including the affidavits of Mr Bruce Mackay, upon hearing submissions from the representatives of the applicant, having had regard to written submissions made to the Tribunal and for the reasons for decision given by the Tribunal, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 14, 42, 65 and 195 of the Act to engage in the exempt conduct.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 14, 42, 65 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 2 February 2014.

Dated 1 February 2011

A. DEA
Member

EXEMPTION

Application No. A333/2010

The Victorian Civil and Administrative Tribunal (the Tribunal) has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995** (the Act), by The University of Melbourne (the applicant). The application for exemption is to enable the applicant to advertise for and employ a person of Indigenous Australian background to the position of Indigenous Employment Framework Coordinator (the exempt conduct).

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

In granting this exemption the Tribunal noted that:

- The applicant has a clear commitment to affirmative action to increase the number of staff of Indigenous Australian descent. This commitment is reflected in the applicant's Indigenous Employment Framework. That Framework aims to make the applicant an employer of choice for Indigenous Australians and to address past and present disadvantage by increasing the employment and retention of Indigenous Australians in both academic and professional positions.
- The recruitment of an Indigenous Australian to the position of Indigenous Employment Framework Coordinator working within the Melbourne Institute for Indigenous Development will assist the applicant to achieve the goals set out in the Framework. The role responsibilities include leading a program planning and implementing the Framework. The position holder will need to have the capacity to influence cultural change within the applicant organisation and to successfully engage with existing Indigenous staff and students. The position holder will also be required to have excellent knowledge of cultural protocols associated with the Indigenous community and have an understanding of the issues affecting Indigenous Australians. Accordingly, the role requires a very high level of cultural integrity which the applicant believes is only possible through the employment of an Indigenous person in the role.
- A previous exemption was granted in 2004 (A481/2004) for the applicant to employ a person in the role of Coordinator: Indigenous Employment and Career Development, which is substantially similar to this position.
- When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter).

Arguably, this exemption limits the right to equal and effective protection against discrimination of a non-Indigenous person wishing to apply for the Indigenous Employment Framework Coordinator role. I am satisfied that the exemption is a measure taken for the purpose of assisting or advancing Indigenous people who are disadvantaged and so it does not amount to discrimination under the Charter. In any event, in the circumstances discussed above, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 100 and 195 of the Act to enable the applicant to engage in the 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 2 February 2014.

Dated 31 January 2011

A. DEA
Member

INTERIM CREDITING RATE FOR
STATE SUPERANNUATION FUND FROM
24 JANUARY 2011

For the purposes of the sub-sections 46(1) and 58(1) of the **State Superannuation Act 1988**, sub-section 35(1) of the **Transport Superannuation Act 1988** and sub-section 37(1) of the **State Employees Retirement Benefits Act 1979**, the Emergency Services Superannuation Board has determined an annual rate of 1.83% to be applied as an interim crediting rate on exits on or after 24 January 2011.

MARK PULI
CFO

Accident Towing Services Act 2007

ROADS CORPORATION

Tow Truck Application

Notice is hereby given that the following application will be considered by the Roads Corporation after 8 March 2011.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Vehicle Management and Safety, Locked Bag 9000, Kew, Victoria 3101, not later than 4 March 2011.

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

Morgan Towns Pty Ltd. Application for variation of conditions of tow truck licence number TOW701 which authorises the licensed vehicles to be managed, controlled and operated from Depot 861 situated at 13–15 Wannan Street, Highett, to change the depot address to 782 Ballarat Road, Deer Park 3023 (Depot 762).

Dated 3 February 2011

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

Building Act 1993

BUILDING REGULATIONS 2006

Notice of Accreditation

Pursuant to Part 14 of the Building Regulations 2006, a Certificate of Accreditation (Number V11/01) has been issued to RMAX Pty Ltd, 2–4 Mephan Street, Maribyrnong, Victoria 3032, by the Building Commission for RMAX ThermaWallPlus External Insulated Cladding.

The Building Regulations Advisory Committee, appointed under Division 4 of Part 12 of the **Building Act 1993**, after examination of an application for the accreditation of RMAX ThermaWallPlus External Insulated Cladding as suitable for use as a wall cladding system in Class 1 and associated Class 10 buildings, has determined that RMAX ThermaWallPlus External Insulated Cladding complies with the following Performance Requirements:

P2.1 and P2.2.2 of Volume Two of the Building Code of Australia 2010, as adopted by the Building Regulations 2006, to the extent that those clauses refer to the structural stability, resistance to wind action and rainwater action, and weatherproofing of the system.

Conditions for use are provided on the Certificate.

ANDREA PATSOURIS
Secretary
Building Regulations Advisory Committee

Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of Cemetery Trust Fees and Charges

I, Bryan Crampton, as Delegate of the Secretary to the Department of Health for the purposes of section 40(2) of the **Cemeteries and Crematoria Act 2003**, give notice that I have approved the scales of fees and charges fixed by the following cemetery trusts. The approved scales of fees and charges will take effect from 27 January 2011 and will be published on the internet.

Benambra Cemetery Trust
Moonambel Cemetery Trust
Dated 24 January 2011

BRYAN CRAMPTON
Manager
Cemeteries and Crematoria
Regulation Unit

Co-operatives Act 1996

DONNINGTON COMMON EQUITY RENTAL HOUSING CO-OPERATIVE LTD

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

Dated at Melbourne this 3 February 2011

DAVID BETTS
Deputy Registrar
Consumer Affairs Victoria

Co-operatives Act 1996

LATINO PLUS COMMON EQUITY RENTAL HOUSING CO-OPERATIVE LTD

On application under section 601AA(2) of the **Corporations Act 2001** (the Act), by the co-operative named above, notice is hereby given under section 601AA(4) of the Act, as applied by section 316 of the **Co-operatives**

Act 1996, that, at the expiration of two months from the date of this notice, the name of the co-operative listed above will, unless cause is shown to the contrary, be removed from the register of co-operatives and its registration will be dissolved.

Dated at Melbourne this 3 February 2011

DAVID BETTS
Deputy Registrar
Consumer Affairs Victoria

Children's Services Act 1996

NOTICE OF EXEMPTION

Pursuant to section 29A(2) of the **Children's Services Act 1996**, I declare that regulations 53(1)(a)(ii), 53(1)(b)(ii) and 53(2) of the Children's Services Regulations 2009 do not apply to the children's services specified in Schedule A below during a qualified staff member's prescribed lunch break:

Schedule A

This exemption applies to the following licensed children's services:

- ABC Developmental Learning Centre – Numurkah, Licence ID 11680
- ABC Developmental Learning Centre – Kangaroo Flat, Licence ID 11695
- ABC Developmental Learning Centre – Kyneton, Licence ID 11692
- ABC Developmental Learning Centre – Strathfieldsaye, Licence ID 11768
- ABC Developmental Learning Centre – Horsham, Licence ID 11706
- ABC Developmental Learning Centre – Wendouree, Licence ID 11786
- ABC Developmental Learning Centre – Sunbury East, Licence ID 11766
- ABC Developmental Learning Centre – Sunbury West, Licence ID 11765
- ABC Developmental Learning Centre – Mill Park East, Licence ID 11747
- ABC Developmental Learning Centre – Mildura South, Licence ID 11750

This exemption remains in force from 30 January 2011 until 31 December 2011 unless revoked earlier.

Dated 20 January 2011

JEFF ROSEWARNE
Acting Secretary
Department of Education and
Early Childhood Development

Children's Services Act 1996

NOTICE OF EXEMPTION

Corrigendum

This Notice of Exemption under the **Children's Services Act 1996** replaces the notice published in the Victoria Government Gazette G2 on 13 January 2011 at page 41.

Children's Services Act 1996

NOTICE OF EXEMPTION

Pursuant to section 29A(2) of the **Children's Services Act 1996**, I declare that regulations 53(1)(a)(ii), 53(1)(b)(ii) and 53(2) of the Children's Services Regulations 2009 do not apply to the children's services specified in Schedule A below during a qualified staff member's prescribed lunch break.

Schedule A

This exemption applies to the following licensed children's services:

- Millville Childcare Centre, Licence ID 876
- Florence Road Preschool, Licence ID 411
- Gardiner Pre-school, Licence ID 2195
- East Sale Child Care, Licence ID 10791
- K for Kidz Child Care, Licence ID 3997
- Thornbury Kids, Licence ID 11263
- Renown Kindergarten, Licence ID 2906
- Pearcedale Day Care and Kindergarten, Licence ID 999

This exemption remains in force until 31 December 2011 unless revoked earlier.

Dated 29 December 2010

JEFF ROSEWARNE
Acting Secretary
Department of Education and
Early Childhood Development

Children's Services Act 1996

NOTICE

Corrigendum

This notice made under the **Children's Services Act 1996** replaces the notice published in the Victoria Government Gazette G52 on 30 December 2010 at page 3147.

I, Belinda Sims as delegate of the Secretary, Department of Education and Early Childhood Development, hereby declare under subregulation 66(1)(3) of the Children's Services Regulations 2009 each of the following accredited courses in anaphylaxis management contained in the attached schedule to be recognised training for the purposes of the Children's Services Regulations 2009.

Dated 23 December 2010

BELINDA SIMS
Delegate of the Secretary
Department of Education and Early Childhood Development

SCHEDULE

Recognised Accredited Anaphylaxis Management Courses – Children's Services Regulations 2009.

Name of Course	Accreditation Number	Accrediting body
Course in Anaphylaxis awareness	21827VIC	VRQA
First aid Management of Anaphylaxis	21659VIC This course expires on 31 December 2010	VRQA
Course in First Aid Management of Anaphylaxis	22099VIC This course commences 1 January 2011	VRQA

Domestic Animals Act 1994

SECTION 5A(1)

Notice of Declaration of
Applicable Organisations

I, Peter Walsh, Minister for Agriculture and Food Security and Minister responsible for the **Domestic Animals Act 1994**, declare that I am satisfied that the following organisations meet the criteria under section 5A(1) and 5A(2) of that Act to be considered ‘applicable organisations’ –

1. Australian National Cats Inc.; and
2. Cats Victoria Inc.; and
3. Dogs Victoria; and
4. Feline Control Council (Victoria) Inc.; and
5. The Governing Council of the Cat Fancy Australia and Victoria Inc.

Dated 23 January 2011

THE HON PETER WALSH MLA
Minister for Agriculture and Food Security

Education and Training Reform Act 2006

NOTICE OF ORDER

Lightning Reef Primary School Council

Notice is given that an Order dissolving Comet Hill Primary School Council and Bendigo North Primary School Council was made under section 2.3.2(6) of the **Education and Training Reform Act 2006** on 4 January 2011.

The general purpose of the Order (Ministerial Order No. 406) is to constitute Lightning Reef Primary School Council and provide for the dissolution and succession of Comet Hill Primary School Council and Bendigo North Primary School Council.

THE HON MARTIN DIXON, MP
Minister for Education

Electricity Industry Act 2000NOTIFICATION OF
REVOCATION OF LICENCE

The electricity retail licence ERCPH07/02 issued to CitiPower Pty (ACN 064 651 056) by the Office of the Regulator-General on 3

October 1994 has been revoked by agreement between the Essential Services Commission and CitiPower Pty in accordance with section 29(3) of the **Electricity Industry Act 2000**. The licence revocation is effective from 25 January 2011.

Dated 24 January 2011

RON BEN-DAVID
Chairperson
Essential Services Commission

Electricity Industry Act 2000NOTIFICATION OF
REVOCATION OF LICENCE

The electricity retail licence ERPAH07/02 issued to Powercor Australia Ltd (ACN 064 651 109) by the Office of the Regulator-General on 3 October 1994 has been revoked by agreement between the Essential Services Commission and Powercor Australia Ltd in accordance with section 29(3) of the **Electricity Industry Act 2000**. The licence revocation is effective from 25 January 2011.

Dated 24 January 2011

RON BEN-DAVID
Chairperson
Essential Services Commission

Retirement Villages Act 1986DECLARATION OF CANCELLATION OF
RETIREMENT VILLAGE NOTICE
DECLARATION OF EXTINGUISHMENT OF
RETIREMENT VILLAGE CHARGE

Regarding an application dated 24 June 2010 made under sections 32 and 39 of the **Retirement Villages Act 1986** (the Act) by the mortgagee in possession of the Bayside Terrace Retirement Village at 560 Station Street, Carrum, Victoria 3197.

Having reviewed the application and its accompanying statutory declaration, and having considered various submissions made by former residents and/or their personal legal representatives, I hereby declare that:

1. pursuant to section 29 of the **Retirement Villages Act 1986**, Retirement Village Charge AD395856G created on 28 January 2005 and Retirement Village Charge AD395857E created on 28 January 2005 on Certificate of Title Volume 11000 Folio 992, under the **Transfer of Land Act 1958**, are extinguished; and
2. pursuant to section 9 of the **Retirement Villages Act 1986**, Retirement Village Notice AD395855J registered on 28 January 2005, on Certificate of Title Volume 11000 Folio 992, under the **Transfer of Land Act 1958**, is cancelled.

Dated 25 January 2011

CLAIRE NOONE
Director
Consumer Affairs Victoria

Housing Act 1983

LAND THE DIRECTOR OF HOUSING IS DEEMED TO HAVE AN INTEREST IN UNDER SECTION 107 OF THE HOUSING ACT 1983

Victorian Women's Housing Association Ltd

I, Margaret Crawford, Director of Housing (the Director), hereby issue the following declaration pursuant to section 107 of the **Housing Act 1983** (the Act).

In accordance with a Funding Deed dated 16 September 2009 between the Director and Victorian Women's Housing Association Ltd, the following land is land in which the Director is deemed to have an interest in under section 107 of the Act.

Volume	Folio	Address
11190	014	Unit 6, 70 Janefield Drive, Bundoora
11191	365	Unit 6, 27 Princeton Terrace, Bundoora
11191	367	Unit 1, 6 Newbury Walk, Bundoora
11191	369	Unit 3, 6 Newbury Walk, Bundoora
11191	370	Unit 4, 6 Newbury Walk, Bundoora
11191	371	Unit 5, 6 Newbury Walk, Bundoora
11191	373	Unit 7, 6 Newbury Walk, Bundoora
11191	376	Unit 3, 8 Newbury Walk, Bundoora
11191	377	Unit 4, 8 Newbury Walk, Bundoora
11191	378	Unit 5, 8 Newbury Walk, Bundoora
11191	379	Unit 6, 8 Newbury Walk, Bundoora
11191	380	Unit 7, 8 Newbury Walk, Bundoora
11191	381	Unit 8, 8 Newbury Walk, Bundoora
11191	382	Unit 9, 8 Newbury Walk, Bundoora

Dated 14 January 2011

Signed at Melbourne in the State of Victoria
MARGARET CRAWFORD
Director of Housing

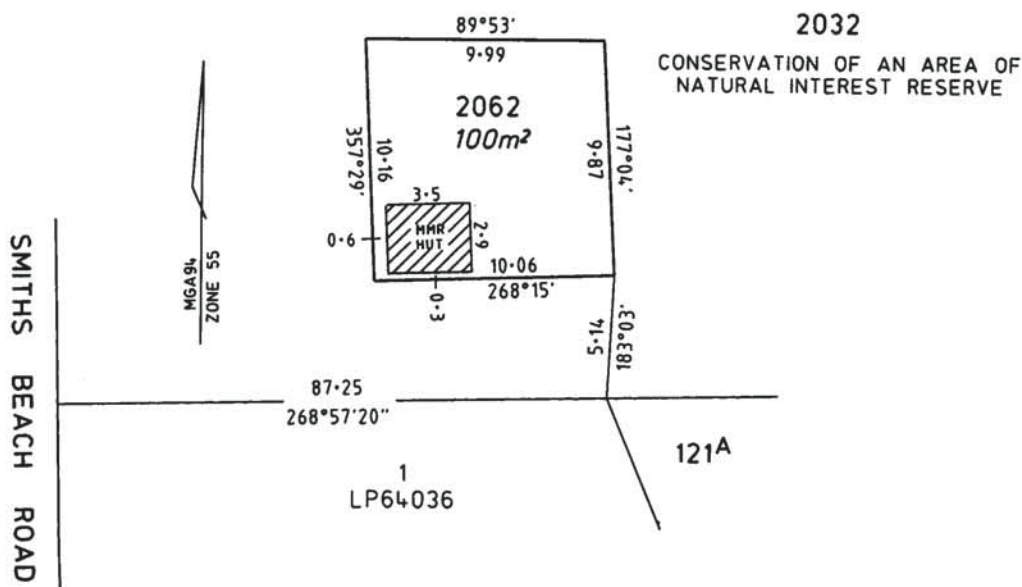
Crown Land (Reserves) Act 1978**ORDER GIVING APPROVAL TO THE GRANT OF LICENCE UNDER
SECTIONS 17B AND 17DA**

Under sections 17B and 17DA of the **Crown Land (Reserves) Act 1978**, I, Ryan Smith, Minister for Environment and Climate Change, being satisfied that there are special reasons which make the granting of a licence reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a licence by Phillip Island Nature Park Board of Management for the purpose of installation of telecommunication equipment over an area of the Phillip Island Nature Park Reserve described in the Schedule below, and, in accordance with sections 17B(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

- (a) there are special reasons which make granting of a licence and 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 land within Crown Allotment 2062 as shown on the following plan, being part of Crown land temporarily reserved for 'Management of Wildlife' by Order in Council of 24 September 1985 (vide Government Gazette 2 October 1985 page 3859) and with the purpose amended to 'Conservation of an area of natural interest' by Order in Council of 24 June 1997 (vide Government Gazette 26 June 1997 page 1491).



Rs8401

2018775

Dated 29 January 2011

RYAN SMITH MP
Minister for Environment and Climate Change

Deakin University Act 2009**DEAKIN UNIVERSITY**

Guidelines concerning commercial activities in accordance with Part 6 Division 6 of the
Deakin University Act 2009

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1. Authorising provisions

These Guidelines

- (i) are made pursuant to sections 53 to 56 and other provisions of the **Deakin University Act 2009** (the Act);
- (ii) are interim guidelines made by the Minister pursuant to section 55(2) of the Act pending the approval by the Minister of guidelines submitted by the University; and
- (iii) unless sooner revoked by the Minister, will operate until the Minister approves guidelines submitted by the University.

2. Purpose

The Guidelines provide a set of principles and outline processes for the development and conduct of commercial activities of the University, in order to maximise the benefits and to minimise the risks to the University of undertaking such activities.

Commencement

These Guidelines take effect on the date of their publication in the Government Gazette.

3. Application of other laws

The Guidelines:

- (a) are subject to:
 - (i) the **Higher Education Support Act 2003** (Comm.) and any conditions required by the Commonwealth in respect of funding agreements under that or other Acts;

- (ii) the provisions of and any directions or regulations under the **Financial Management Act 1994** (Vic.) (or its equivalent) that apply to the University;
 - (iii) the provisions of the **Audit Act 1994** (Vic.) (or its equivalent) that apply to the University; and,
 - (iv) other Acts or laws that apply to the University;
- (b) are consistent with University statutes or University regulations.

4. Definitions

Words or expressions defined in the Act have the same meaning for the purposes of these Guidelines. In these Guidelines, unless the contrary intention appears –

Auditor-General has the same meaning as in the **Audit Act 1994**¹.

commercial activity includes the provision or sale by the University (or the University in partnership, joint venture or association with others) of property, goods, services or things with a view to a profit, and the acquisition by the University of property, goods, services or things for that purpose, but does not include:

- (a) the supply of educational services to students including students whose enrolment is governed by the **Education Services for Overseas Students Act 2000**, or the awarding of qualifications, degrees or other awards;
- (b) an activity that is conducted by the University which primarily supplies goods and/or services to students and staff of the University;
- (c) an activity that is conducted on a not-for-profit basis;
- (d) an activity undertaken principally pursuant to a grant from or funding agreement with the Commonwealth, or a State or Territory;
- (e) research, or research that leads to the provision, sale or acquisition of the property, goods, services or things that are the result or product of that research;
- (f) the exercise of any of the investment powers in sections 40, 41, 42, 45 or 46 of the Act;
- (g) the sale of cars or other items that were purchased by the University principally for the purpose of conducting the non-commercial functions of the University;
- (h) contracts for delivery of a service by the University for a fee;
- (i) leases or licenses on arm's-length commercial terms which relate to the provision of goods or services to students and staff of the University;
- (j) an activity undertaken by a legal entity that is not a controlled entity of the University, such as a company in which the University has an interest;
- (k) any activity the Council decides should be exempted on the grounds that the activity will commit the University to expenditure of less than an amount deemed to be significant having regard to relevant accounting standards during the life of the activity, and will not expose the University to liability of more than that amount.

company means a company registered under the **Corporations Act 2001** and includes a company limited by guarantee;

¹ Section 3 of the **Audit Act 1994** defines the Auditor-General as 'the Auditor-General appointed under section 94A of the **Constitution Act 1975**'.

controlled entity is one that satisfies the test of control in section 50AA of the **Corporations Act 2001**²;

corporation means a corporation as defined in section 57A of the **Corporations Act 2001**;

entity has the meaning given in section 64A of the **Corporations Act 2001**;³

joint venture means an association of persons which includes the University for the purposes of a trading, commercial, mining or other financial undertaking or endeavour with a view to mutual profit, with the University agreeing to contribute money, property or skill;⁴

Minister means the Minister responsible for administering the Act;

partnership means the relation subsisting between persons carrying on business in common with a view to profit.⁵

Guideline 1 – prior to entering a commercial activity

5. No new commercial activity above may be entered into until Council is satisfied that the following assessments and measures have been undertaken, as appropriate to the nature of the activity:
 - (a) that the activity is consistent with the mission or strategic direction of the University or its objects or functions;
 - (b) a financial analysis, that assesses the level of exposure of the University's resources and assets;
 - (c) a cost/benefit analysis including, as appropriate, the social costs and benefits;
 - (d) a risk assessment of the activity and development of associated risk management measures;

² Note: *Protocol 2* of the national governance protocols for higher education providers requires the university to: (e) approve and monitor systems of control and accountability, including general overview of any controlled entities.

Section 50AA of the **Corporations Act 2001** states:

'(1) For the purposes of this Act, an entity controls a second entity if the first entity has the capacity to determine the outcome of decisions about the second entity's financial and operating policies.

(2) In determining whether the first entity has this capacity:

(a) the practical influence the first entity can exert (rather than the rights it can enforce) is the issue to be considered; and

(b) any practice or pattern of behaviour affecting the second entity's financial or operating policies is to be taken into account (even if it involves a breach of an agreement or a breach of trust).

(3) The first entity does not control the second entity merely because the first entity and a third entity jointly have the capacity to determine the outcome of decisions about the second entity's financial and operating policies.

(4) If the first entity:

(a) has the capacity to influence decisions about the second entity's financial and operating policies; and

(b) is under a legal obligation to exercise that capacity for the benefit of someone other than the first entity's members;

the first entity is taken not to control the second entity.'

³ Section 64A of the **Corporations Act 2001** states a reference to an entity:

'(a) is a reference to a natural person, a body corporate (other than an exempt public authority), a partnership or a trust; and

(b) includes, in the case of a trust, a reference to the trustee of the trust.'

⁴ This definition is a modified version of the High Court's comments in *United Dominions Corporation Ltd v Brian Pty Ltd* (1985) 157 CLR at 10, per Mason, Brennan and Deane JJ 'The term "joint venture" is not a technical one with a settled common law meaning. As a matter of ordinary language, it connotes an association of persons for the purposes of a particular trading, commercial, mining or other financial undertaking or endeavour with a view to mutual profit, with each participant usually (but not necessarily) contributing money, property or skill. Such a joint venture (or, under Scots' law, "adventure") will often be a partnership. The term is, however, apposite to refer to a joint undertaking or activity carried out through a medium other than a partnership: such as a company, a trust, an agency or joint ownership. The borderline between what can properly be described as a "joint venture" and what should more properly be seen as no more than a simple contractual relationship may, on occasion, be blurred.'

⁵ **Partnership Act 1958**, section 5.

- (e) whether the governance arrangements, legal structures and audit requirements are appropriate for the size, risk and type of activity;
- (f) whether the terms and conditions of the arrangements and agreement are appropriate including those dealing with governance, representation of the University on any board or decision-making group formed for the purpose of the undertaking, risk (including insurance), taxation, intellectual property, the rights of the University to terminate its involvement in the activity and any indemnities;
- (g) a due diligence assessment in a form appropriate for/commensurate with the activity;
- (h) whether there are any actual or perceived conflicts of interest for University staff or University Council members that may arise from the activity, and measures to address those conflicts;
- (i) in respect to activities conducted overseas, appropriate legal advice in respect of relevant overseas laws, having regard to the nature of the arrangement; and
- (j) any consequences of termination of the commercial activity, including contractual arrangements.

Guideline 2 – indemnities

6. The University must consider whether any indemnity it provides which is considered significant by the University, having regard to relevant accounting standards, should be backed by an insurance policy which indemnifies the University to the same value where insurance coverage is available.

Guideline 3 – after entering a commercial activity

7. After entering a commercial activity, the University must regularly monitor the activity as appropriate to the scale and nature of the activity.

Guideline 4 – register of commercial activities and report

8. The University must –
- (a) maintain a register of its current commercial activities which discloses:
 - (i) all university commercial activity approved under section 8(3)(h) of the Act, and commercial activities of the University's controlled entities which it considers sufficiently important or of sufficient interest to list on the register;
 - (ii) other commercial activities which it considers sufficiently important or of interest to list on the register;
 - (iii) the University's involvement in each of those activities, and University staff or Council members that occupy a board seat or some other office in connection with the activity and the directors' and officers' liability insurance or other insurance arrangements that apply to the activity;
 - (iv) the results of any assessment undertaken (if any) to determine whether the activity is meeting its purposes and objectives;
 - (v) whether the activity is ongoing or its anticipated termination date; and
 - (b) provide a summary of the above matters in the annual report of its operations under section 45 of the **Financial Management Act 1994**, together with the matters listed under paragraph 12(c) of Guideline 6.

Guideline 5 – section 48 of the Act – corporations and joint ventures⁶

9. Before exercising any of the powers in section 48(1) of the Act to be a member of, form, manage or participate in a company, association, trust, partnership, or enter into a joint venture (collectively referred to as an **undertaking**), the University must assess whether:
- (a) it will be doing so for a purpose (not necessarily the main purpose) of engaging in a commercial activity; and/or

⁶ Section 48(1) of the Act states the University may be a member of, form, manage or participate in a company, association, trust, partnership, or enter into a joint venture for the purpose of one or more of the objects in section 48(2). Not all the objects in section 48(2) involve a commercial activity, and the following Guideline 5 makes that distinction.

- (b) in the case of the University being a member of, forming, managing or participating in a company, the main object of the company is to engage in a commercial activity, despite whether the activity meets the definition of ‘commercial activity’ in paragraph 4.
10. If the assessment under paragraph 9 concludes that the University –
- (a) will be engaging in a commercial activity, the University must comply with Guidelines 1 to 4;
 - (b) will be a member of, forming, managing or participating in a company not engaging in a commercial activity, the University must comply with Guideline 2;
 - (c) will be engaging in an undertaking other than through a limited company and will not be engaging in a commercial activity, the University must make an assessment of the University’s exposure to liability and, if that assessment is greater than an amount deemed to be significant having regard to relevant accounting standards, must consider which, if any, of Guidelines 2 to 3 should apply to the undertaking.
11. Before being a member of, forming, managing or participating in a company, the University should have regard to:
- (a) who will hold the shares or other interests in the company; and
 - (b) the legal relationship between the holders of shares and the Council.

Guideline 6 – University controlled entities

12. Where an entity is a controlled entity of the University, the University will:
- (a) ensure that any amendment to the entity’s constitution has had the prior approval of the Council before the University or its representative shareholder or member can vote in favour of that amendment (or where the entity is a trust, partnership, joint venture or other form of entity, similarly ensure that an amendments to the relevant constituent document or agreement governing that entity have the prior approval of the Council);
 - (b) ensure that a report by the Auditor-General or a registered company auditor (as appropriate) on the accounts of the entity is made every twelve months and is submitted to the Council within three months after the end of each twelve month period to which the report relates, where the entity’s total annual income exceeds, or may reasonably be expected to exceed, \$1 million;
 - (c) state in the report referred to in paragraph 8(b) of Guideline 4, the name of any entity formed or acquired in the year to which that report pertains, and the reasons the Council decided that the acquisition was in the interests of the management or conduct of the affairs or concerns of the University;
 - (d) where it is required to comply with section 45 of the **Financial Management Act 1994**, include in its annual report under that section 45 a copy of the accounts of the entity prepared in accordance with the requirements of the **Financial Management Act 1994** as if the entity was a public body within the meaning of that Act in respect of the financial year ending during the period to which the University’s annual report relates, or if it is not required to comply with that section 45 to forward to the Minister a copy of those accounts by 30 June of each year; and
 - (e) within 14 days of lodging any material report, statement or return in respect of the entity with the Australian Securities and Investments Commission under the Corporations Act or the Australian Taxation Office, other than a routine report of changes in company officers, minor changes in a company’s constitution or the like, submit a copy of the report, statement or return to the Minister and Treasurer.
13. Where the University forms, participates in the formation of or is a member of, an entity to which paragraph 12 applies, the University will:

- (a) where the entity is a corporation, ensure the entity seeks the Auditor-General's approval for the Auditor-General to be appointed as its auditor under the **Corporations Act 2001**; and
- (b) where the entity is not a corporation, ensure the entity seeks the Auditor-General's approval for the Auditor-General to be appointed as its auditor; and
- (c) where the Auditor-General approves a request under sub-paragraph (a) or (b), ensure the entity appoints the Auditor-General as its auditor.⁷

This paragraph 13 is subject to any contractual obligation which the entity has in relation to any other auditor prior to the entity becoming a controlled entity of the University.

- 14. The requirements of paragraph 13 are in addition to the requirements of the **Corporations Act 2001** or any other legislation governing the relevant controlled entity.
- 15. The University must ensure the Auditor-General and any person assisting the Auditor-General under this Guideline –
 - (a) has right of access at all times to the books, securities, accounts and vouchers of an entity to which paragraph 12 applies; and
 - (b) is provided with any information, assistance and explanations necessary for the performance of the duties of the Auditor-General or person in relation to the audit.
- 16. The University must regularly monitor the significant activities of controlled entities (being activities which it considers sufficiently important or of sufficient interest to list on the register kept under paragraph 8(a), or which it considers sufficiently important or of sufficient interest to monitor), which will include regular reports to Council. Any such monitoring shall also include any proposals governing the transfer of ownership of the University's controlled entities or investments in controlled entities (whether the transfer is to a third party or pursuant to an internal University reorganisation).

Guideline 7 – section 47 of the Act – audit of income and expenditure of the university

- 17. The University must establish and keep full and complete books and accounts of all moneys received and paid by the University and ensure that an audit of the income and expenditure of the University is made at such intervals as the Council directs, but not exceeding one year.

Nothing in Guideline 7 is intended to affect any responsibilities which may apply to the University and its employees under the **Financial Management Act 1994**, and in particular section 44 which requires the accountable officer of a public body to ensure that there are kept proper accounts and records of the transactions and affairs of the public body and such other records as sufficiently explain the financial operations and financial position of the public body.

Guideline 8 – financial risk

- 18. The University must establish policies or procedures for protecting itself against financial risks arising from 'financial arrangements' (as defined in the **Borrowing and Investment Power Act 1987** (Vic.)), as appropriate to the nature of the University's operations and the risk tolerance of Council.

Guideline 9 – borrowing⁸

- 19. When considering whether to exercise its powers under section 45 of the Act, Council must ensure that an assessment is undertaken of the financial and operational impacts of the potential borrowings over the expected term of the loan and the university's ability to meet the required loan repayments.

⁷ The Guideline does not authorise entities to breach current contracts.

⁸ This section is intended to clarify the information the University is required to submit to the Victorian Department of Treasury and Finance in order to process a borrowing approval by the Treasurer. In undertaking this work, the University will be subject to appropriate consideration of its obligations over the term of the loan.

20. When submitting a request for borrowing approval to the Treasurer, the University must submit the following matters, subject to any additional matters or changes required by the Treasurer :
- (a) projected financial statements (operating statement, cash flow statement and balance sheet) over the life of the loan;
 - (b) assumptions underpinning the forecasts;
 - (c) information relating to the purpose of the borrowings (including, but not limited to project details, construction timelines, costs, risk and risk management measures);
 - (d) details of the proposed financial accommodation being sought (including interest rates, terms and conditions); and
 - (e) proposed drawdown and repayment schedule.

Guideline 10 – making assessments

21. The University may determine the manner in which it makes any assessment required under any of the guidelines and the processes it undertakes to approach and complete the assessment, including the manner of recording the outcome of the assessment.

Signed and approved by
the Minister for Higher Education and Skills
on 21 January 2011

Swinburne University of Technology Act 2010
SWINBURNE UNIVERSITY OF TECHNOLOGY

Guidelines concerning commercial activities in accordance with Part 6 Division 6 of the
Swinburne University of Technology Act 2010

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21. Guideline 10 – making assessments

1. Authorising provisions

These Guidelines

- (i) are made pursuant to sections 53 to 56 and other provisions of the **Swinburne University of Technology** (the Act);
- (ii) are interim guidelines made by the Minister pursuant to section 55(2) of the Act pending the approval by the Minister of guidelines submitted by the University; and
- (iii) unless sooner revoked by the Minister, will operate until the Minister approves guidelines submitted by the University.

2. Purpose

The Guidelines provide a set of principles and outline processes for the development and conduct of commercial activities of the University, in order to maximise the benefits and to minimise the risks to the University of undertaking such activities.

Commencement

These Guidelines take effect on the date of their publication in the Government Gazette.

3. Application of other laws

The Guidelines:

- (a) are subject to:
 - (i) the **Higher Education Support Act 2003** (Comm.) and any conditions required by the Commonwealth in respect of funding agreements under that or other Acts;

- (ii) the provisions of and any directions or regulations under the **Financial Management Act 1994** (Vic.) (or its equivalent) that apply to the University;
 - (iii) the provisions of the **Audit Act 1994** (Vic.) (or its equivalent) that apply to the University; and,
 - (iv) other Acts or laws that apply to the University;
- (b) are consistent with University statutes or University regulations.

4. Definitions

Words or expressions defined in the Act have the same meaning for the purposes of these Guidelines. In these Guidelines, unless the contrary intention appears –

Auditor-General has the same meaning as in the **Audit Act 1994**.¹

commercial activity includes the provision or sale by the University (or the University in partnership, joint venture or association with others) of property, goods, services or things with a view to a profit, and the acquisition by the University of property, goods, services or things for that purpose, but does not include:

- (a) the supply of educational services to students including students whose enrolment is governed by the **Education Services for Overseas Students Act 2000**, or the awarding of qualifications, degrees or other awards;
- (b) an activity that is conducted by the University which primarily supplies goods and/or services to students and staff of the University;
- (c) an activity that is conducted on a not-for-profit basis;
- (d) an activity undertaken principally pursuant to a grant from or funding agreement with the Commonwealth, or a State or Territory;
- (e) research, or research that leads to the provision, sale or acquisition of the property, goods, services or things that are the result or product of that research;
- (f) the exercise of any of the investment powers in sections 40, 41, 42, 45 or 46 of the Act;
- (g) the sale of cars or other items that were purchased by the University principally for the purpose of conducting the non-commercial functions of the University;
- (h) contracts for delivery of a service by the University for a fee;
- (i) leases or licenses on arm's-length commercial terms which relate to the provision of goods or services to students and staff of the University;
- (j) an activity undertaken by a legal entity that is not a controlled entity of the University, such as a company in which the University has an interest;
- (k) any activity the Council decides should be exempted on the grounds that the activity will commit the University to expenditure of less than an amount deemed to be significant having regard to relevant accounting standards during the life of the activity, and will not expose the University to liability of more than that amount.

company means a company registered under the **Corporations Act 2001** and includes a company limited by guarantee;

¹ Section 3 of the **Audit Act 1994** defines the Auditor-General as 'the Auditor-General appointed under section 94A of the **Constitution Act 1975**'.

controlled entity is one that satisfies the test of control in section 50AA of the **Corporations Act 2001**;²

corporation means a corporation as defined in section 57A of the **Corporations Act 2001**;

entity has the meaning given in section 64A of the **Corporations Act 2001**;³

joint venture means an association of persons which includes the University for the purposes of a trading, commercial, mining or other financial undertaking or endeavour with a view to mutual profit, with the University agreeing to contribute money, property or skill;⁴

Minister means the Minister responsible for administering the Act;

partnership means the relation subsisting between persons carrying on business in common with a view to profit.⁵

Guideline 1 – prior to entering a commercial activity

5. No new commercial activity above may be entered into until Council is satisfied that the following assessments and measures have been undertaken, as appropriate to the nature of the activity:
- (a) that the activity is consistent with the mission or strategic direction of the University or its objects or functions;
 - (b) a financial analysis, that assesses the level of exposure of the University's resources and assets;
 - (c) a cost/benefit analysis including, as appropriate, the social costs and benefits;
 - (d) a risk assessment of the activity and development of associated risk management measures;

² Note: *Protocol 2* of the national governance protocols for higher education providers requires the university to: (e) approve and monitor systems of control and accountability, including general overview of any controlled entities.

Section 50AA of the **Corporations Act 2001** states:

'(1) For the purposes of this Act, an entity controls a second entity if the first entity has the capacity to determine the outcome of decisions about the second entity's financial and operating policies.

(2) In determining whether the first entity has this capacity:

- (a) the practical influence the first entity can exert (rather than the rights it can enforce) is the issue to be considered; and
- (b) any practice or pattern of behaviour affecting the second entity's financial or operating policies is to be taken into account (even if it involves a breach of an agreement or a breach of trust).

(3) The first entity does not control the second entity merely because the first entity and a third entity jointly have the capacity to determine the outcome of decisions about the second entity's financial and operating policies.

(4) If the first entity:

- (a) has the capacity to influence decisions about the second entity's financial and operating policies; and
- (b) is under a legal obligation to exercise that capacity for the benefit of someone other than the first entity's members;

the first entity is taken not to control the second entity.'

³ Section 64A of the **Corporations Act 2001** states a reference to an entity:

'(a) is a reference to a natural person, a body corporate (other than an exempt public authority), a partnership or a trust; and

(b) includes, in the case of a trust, a reference to the trustee of the trust.'

⁴ This definition is a modified version of the High Court's comments in *United Dominions Corporation Ltd v Brian Pty Ltd* (1985) 157 CLR at 10, per Mason, Brennan and Deane JJ 'The term "joint venture" is not a technical one with a settled common law meaning. As a matter of ordinary language, it connotes an association of persons for the purposes of a particular trading, commercial, mining or other financial undertaking or endeavour with a view to mutual profit, with each participant usually (but not necessarily) contributing money, property or skill. Such a joint venture (or, under Scots' law, "adventure") will often be a partnership. The term is, however, apposite to refer to a joint undertaking or activity carried out through a medium other than a partnership: such as a company, a trust, an agency or joint ownership. The borderline between what can properly be described as a "joint venture" and what should more properly be seen as no more than a simple contractual relationship may, on occasion, be blurred.'

⁵ **Partnership Act 1958**, section 5

- (e) whether the governance arrangements, legal structures and audit requirements are appropriate for the size, risk and type of activity;
- (f) whether the terms and conditions of the arrangements and agreement are appropriate including those dealing with governance, representation of the University on any board or decision-making group formed for the purpose of the undertaking, risk (including insurance), taxation, intellectual property, the rights of the University to terminate its involvement in the activity and any indemnities;
- (g) a due diligence assessment in a form appropriate for/commensurate with the activity;
- (h) whether there are any actual or perceived conflicts of interest for University staff or University Council members that may arise from the activity, and measures to address those conflicts;
- (i) in respect to activities conducted overseas, appropriate legal advice in respect of relevant overseas laws, having regard to the nature of the arrangement; and
- (j) any consequences of termination of the commercial activity, including contractual arrangements.

Guideline 2 – indemnities

6. The University must consider whether any indemnity it provides which is considered significant by the University, having regard to relevant accounting standards, should be backed by an insurance policy which indemnifies the University to the same value where insurance coverage is available.

Guideline 3 – after entering a commercial activity

7. After entering a commercial activity, the University must regularly monitor the activity as appropriate to the scale and nature of the activity.

Guideline 4 – register of commercial activities and report

8. The University must –
 - (a) maintain a register of its current commercial activities which discloses:
 - (i) all university commercial activity approved under section 8(3)(h) of the Act, and commercial activities of the University's controlled entities which it considers sufficiently important or of sufficient interest to list on the register;
 - (ii) other commercial activities which it considers sufficiently important or of interest to list on the register;
 - (iii) the University's involvement in each of those activities, and University staff or Council members that occupy a board seat or some other office in connection with the activity and the directors' and officers' liability insurance or other insurance arrangements that apply to the activity;
 - (iv) the results of any assessment undertaken (if any) to determine whether the activity is meeting its purposes and objectives;
 - (v) whether the activity is ongoing or its anticipated termination date; and
 - (b) provide a summary of the above matters in the annual report of its operations under section 45 of the **Financial Management Act 1994**, together with the matters listed under paragraph 12(c) of Guideline 6.

Guideline 5 – section 48 of the Act – corporations and joint ventures⁶

9. Before exercising any of the powers in section 48(1) of the Act to be a member of, form, manage or participate in a company, association, trust, partnership, or enter into a joint venture (collectively referred to as an **undertaking**), the University must assess whether:

⁶ Section 48(1) of the Act states the University may be a member of, form, manage or participate in a company, association, trust, partnership, or enter into a joint venture for the purpose of one or more of the objects in section 48(2). Not all the objects in section 48(2) involve a commercial activity, and the following Guideline 5 makes that distinction.

- (a) it will be doing so for a purpose (not necessarily the main purpose) of engaging in a commercial activity; and/or
 - (b) in the case of the University being a member of, forming, managing or participating in a company, the main object of the company is to engage in a commercial activity, despite whether the activity meets the definition of 'commercial activity' in paragraph 4.
10. If the assessment under paragraph 9 concludes that the University –
- (a) will be engaging in a commercial activity, the University must comply with Guidelines 1 to 4;
 - (b) will be a member of, forming, managing or participating in a company not engaging in a commercial activity, the University must comply with Guideline 2;
 - (c) will be engaging in an undertaking other than through a limited company and will not be engaging in a commercial activity, the University must make an assessment of the University's exposure to liability and, if that assessment is greater than an amount deemed to be significant having regard to relevant accounting standards, must consider which, if any, of Guidelines 2 to 3 should apply to the undertaking.
11. Before being a member of, forming, managing or participating in a company, the University should have regard to:
- (a) who will hold the shares or other interests in the company; and
 - (b) the legal relationship between the holders of shares and the Council.

Guideline 6 – University controlled entities

12. Where an entity is a controlled entity of the University, the University will:
- (a) ensure that any amendment to the entity's constitution has had the prior approval of the Council before the University or its representative shareholder or member can vote in favour of that amendment (or where the entity is a trust, partnership, joint venture or other form of entity, similarly ensure that an amendments to the relevant constituent document or agreement governing that entity have the prior approval of the Council);
 - (b) ensure that a report by the Auditor-General or a registered company auditor (as appropriate) on the accounts of the entity is made every twelve months and is submitted to the Council within three months after the end of each twelve month period to which the report relates, where the entity's total annual income exceeds, or may reasonably be expected to exceed, \$1 million;
 - (c) state in the report referred to in paragraph 8(b) of Guideline 4, the name of any entity formed or acquired in the year to which that report pertains, and the reasons the Council decided that the acquisition was in the interests of the management or conduct of the affairs or concerns of the University;
 - (d) where it is required to comply with section 45 of the **Financial Management Act 1994**, include in its annual report under that section 45 a copy of the accounts of the entity prepared in accordance with the requirements of the **Financial Management Act 1994** as if the entity was a public body within the meaning of that Act in respect of the financial year ending during the period to which the University's annual report relates, or if it is not required to comply with that section 45 to forward to the Minister a copy of those accounts by 30 June of each year; and
 - (e) within 14 days of lodging any material report, statement or return in respect of the entity with the Australian Securities and Investments Commission under the Corporations Act or the Australian Taxation Office, other than a routine report of changes in company officers, minor changes in a company's constitution or the like, submit a copy of the report, statement or return to the Minister and Treasurer.

13. Where the University forms, participates in the formation of or is a member of, an entity to which paragraph 12 applies, the University will:
 - (a) where the entity is a corporation, ensure the entity seeks the Auditor-General's approval for the Auditor-General to be appointed as its auditor under the **Corporations Act 2001**; and
 - (b) where the entity is not a corporation, ensure the entity seeks the Auditor-General's approval for the Auditor-General to be appointed as its auditor; and
 - (c) where the Auditor-General approves a request under sub-paragraph (a) or (b), ensure the entity appoints the Auditor-General as its auditor.⁷

This paragraph 13 is subject to any contractual obligation which the entity has in relation to any other auditor prior to the entity becoming a controlled entity of the University.
14. The requirements of paragraph 13 are in addition to the requirements of the **Corporations Act 2001** or any other legislation governing the relevant controlled entity.
15. The University must ensure the Auditor-General and any person assisting the Auditor-General under this Guideline –
 - (a) has right of access at all times to the books, securities, accounts and vouchers of an entity to which paragraph 12 applies; and
 - (b) is provided with any information, assistance and explanations necessary for the performance of the duties of the Auditor-General or person in relation to the audit.
16. The University must regularly monitor the significant activities of controlled entities (being activities which it considers sufficiently important or of sufficient interest to list on the register kept under paragraph 8(a), or which it considers sufficiently important or of sufficient interest to monitor), which will include regular reports to Council. Any such monitoring shall also include any proposals governing the transfer of ownership of the University's controlled entities or investments in controlled entities (whether the transfer is to a third party or pursuant to an internal University reorganisation).

Guideline 7 – section 47 of the Act – audit of income and expenditure of the university

17. The University must establish and keep full and complete books and accounts of all moneys received and paid by the University and ensure that an audit of the income and expenditure of the University is made at such intervals as the Council directs, but not exceeding one year.

Nothing in Guideline 7 is intended to affect any responsibilities which may apply to the University and its employees under the **Financial Management Act 1994**, and in particular section 44 which requires the accountable officer of a public body to ensure that there are kept proper accounts and records of the transactions and affairs of the public body and such other records as sufficiently explain the financial operations and financial position of the public body.

Guideline 8 – financial risk

18. The University must establish policies or procedures for protecting itself against financial risks arising from 'financial arrangements' (as defined in the **Borrowing and Investment Power Act 1987** (Vic.)), as appropriate to the nature of the University's operations and the risk tolerance of Council.

Guideline 9 – borrowing⁸

19. When considering whether to exercise its powers under section 45 of the Act, Council must ensure that an assessment is undertaken of the financial and operational impacts of the potential borrowings over the expected term of the loan and the university's ability to meet the required loan repayments.

⁷ The Guideline does not authorise entities to breach current contracts.

⁸ This section is intended to clarify the information the University is required to submit to the Victorian Department of Treasury and Finance in order to process a borrowing approval by the Treasurer. In undertaking this work, the University will be subject to appropriate consideration of its obligations over the term of the loan.

20. When submitting a request for borrowing approval to the Treasurer, the University must submit the following matters, subject to any additional matters or changes required by the Treasurer:
- (a) projected financial statements (operating statement, cash flow statement and balance sheet) over the life of the loan;
 - (b) assumptions underpinning the forecasts;
 - (c) information relating to the purpose of the borrowings (including, but not limited to project details, construction timelines, costs, risk and risk management measures);
 - (d) details of the proposed financial accommodation being sought (including interest rates, terms and conditions); and
 - (e) proposed drawdown and repayment schedule.

Guideline 10 – making assessments

21. The University may determine the manner in which it makes any assessment required under any of the guidelines and the processes it undertakes to approach and complete the assessment, including the manner of recording the outcome of the assessment.

Signed and approved by
the Minister for Higher Education and Skills
on 21 January 2011

Local Government Act 1989**SCHEDULE 11 CLAUSE 4****Designation of Tow Away Areas**

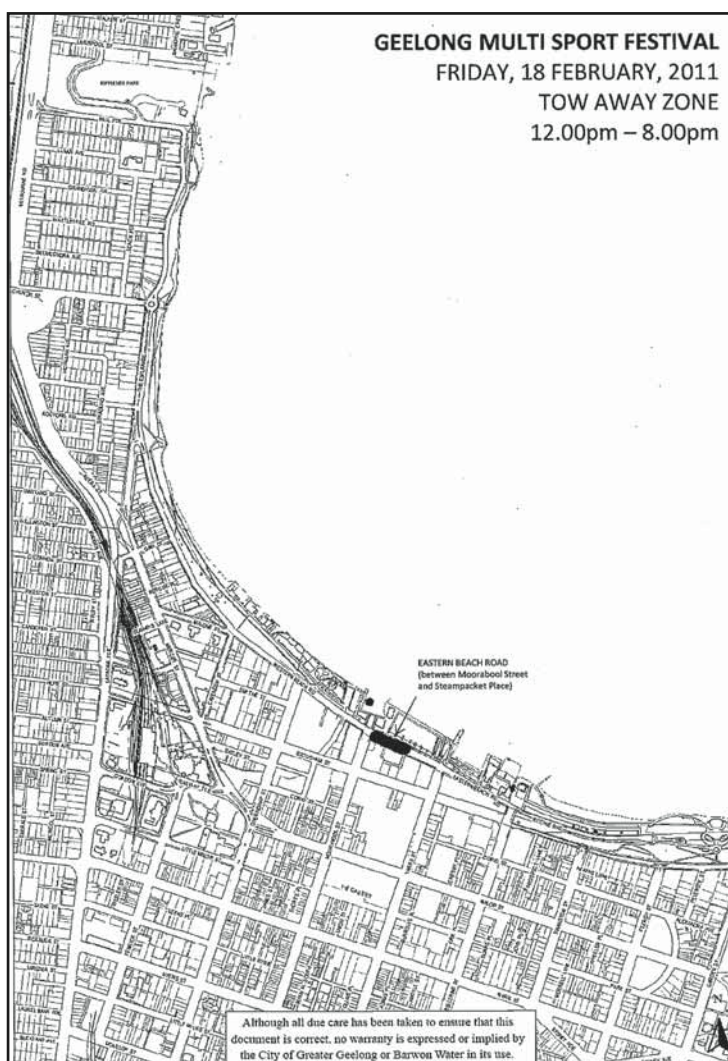
Schedule 11, clause 4 of the **Local Government Act 1989** provides Councils with the power to tow away and impound vehicles which are causing unlawful obstruction or are unlawfully parked or left standing in an area designated by the Minister, and may charge the owner of the vehicle a fee up to the amount of the fee set for the purpose of clause 3(1)(c).

For the purpose of these provisions, I, Terry Mulder, Minister for Public Transport, Minister for Roads, designate the areas contained in the reservations of the roads listed in the following as tow away areas.

THE SCHEDULE

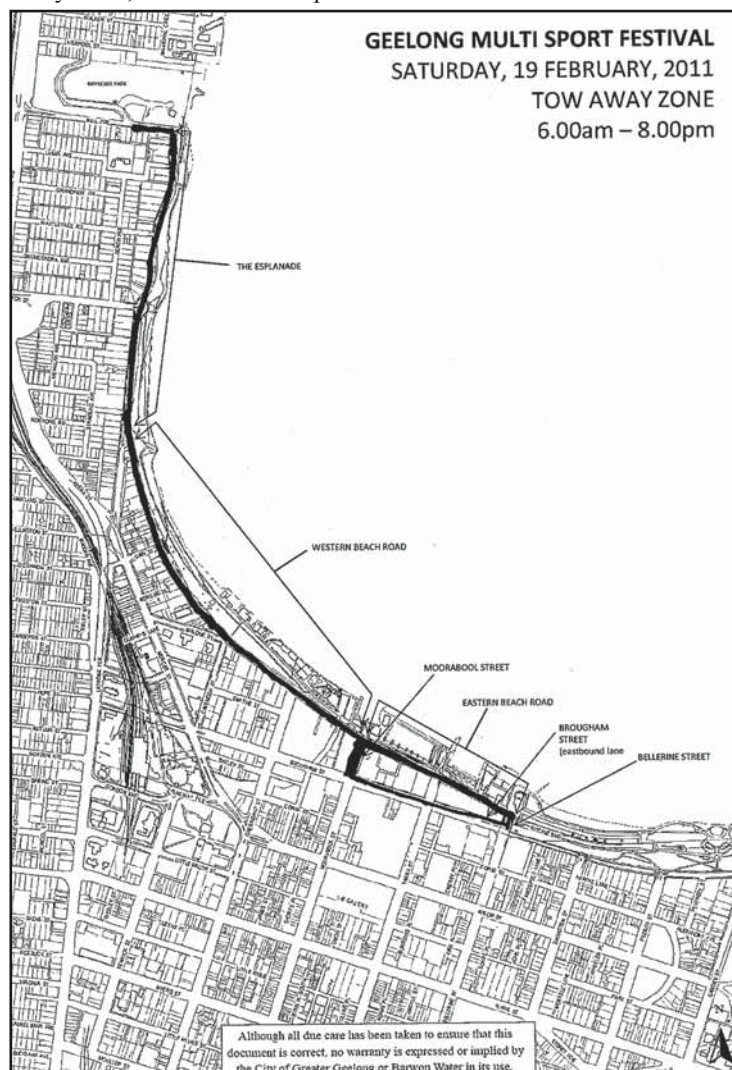
A list of the roads, streets and lanes included in this designation of the tow away areas within the City of Greater Geelong is detailed below.

Friday 18 February 2011, 12.00 pm (noon) to 8.00 pm



Eastern Beach Road between Moorabool Street and Yarra Street

Saturday 19 February 2011, 6.00 am to 8.00 pm



Bell Parade between Rippleside Park Drive and Western Beach Road

The Esplanade between Bell Parade and Western Beach Road

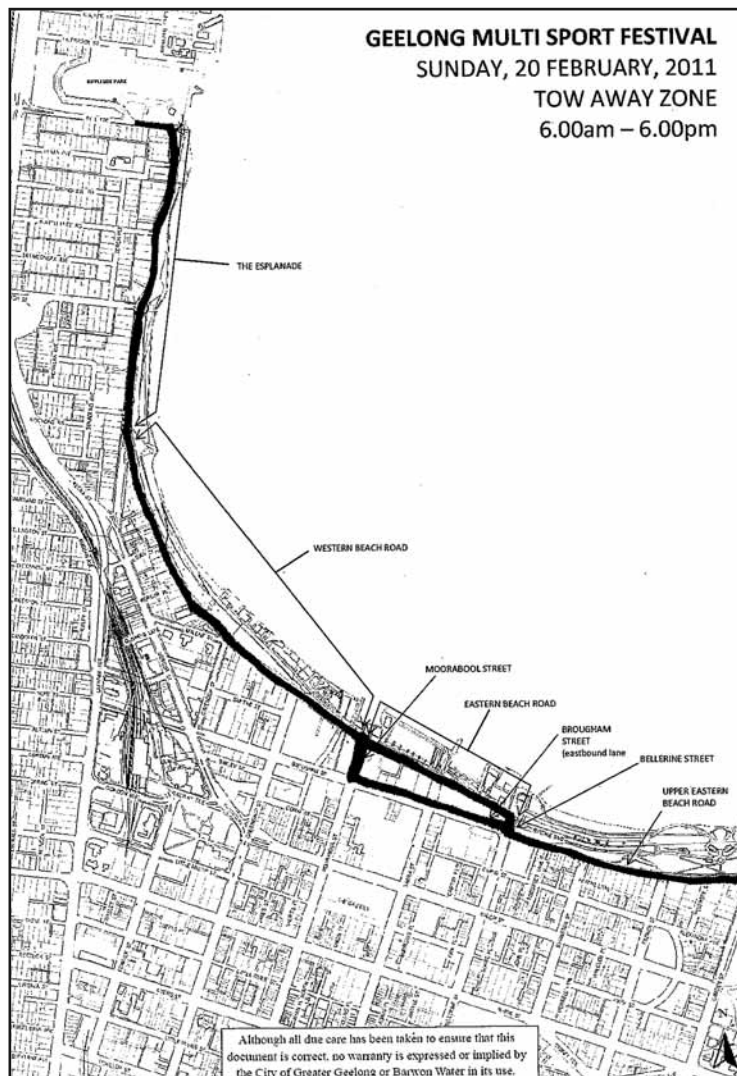
Western Beach Road between The Esplanade and Eastern Beach Road

Eastern Beach Road between Western Beach Road and Bellerine Street

Moorabool Street between Eastern Beach Road and Brougham Street

Brougham Street (eastbound lane) between Moorabool Street and Bellerine Street

Sunday 20 February 2011, 6.00 am and 6.00 pm



Bell Parade between Rippleside Park Drive and Western Beach Road
 The Esplanade between Bell Parade and Western Beach Road
 Western Beach Road between The Esplanade and Eastern Beach Road
 Eastern Beach Road between Western Beach Road and Bellerine Street
 Moorabool street between Eastern Beach Road and Brougham Street
 Brougham Street (eastbound lane) between Moorabool Street and Bellerine Street
 Upper Eastern Beach Road between Bellarine Street and Garden Street

The tow away areas listed above are to operate from the times listed.
 Dated 12 January 2011

TERRY MULDER MP
 Minister for Roads

Plant Health and Plant Products Act 1995**ORDER DECLARING A RESTRICTED AREA NEAR MARKWOOD FOR THE
CONTROL OF QUEENSLAND FRUIT FLY**

I, Peter Walsh, Minister for Agriculture and Food Security, under section 20 of the **Plant Health and Plant Products Act 1995** make the following Order declaring a restricted area for the control of Queensland Fruit Fly and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 27 January 2011

PETER WALSH MLA
Minister for Agriculture and Food Security

1. Objective

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

2. Authorising provisions

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

3. Definition

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;

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

‘**authorised person**’ means a person authorised by the Department of Primary Industries;

‘**inspector**’ means a person authorised as an inspector under the Act;

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

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

‘**Queensland Fruit Fly host material**’ means any fruit or vegetable listed in Schedule 1.

4. Restricted area for the control of Queensland Fruit Fly

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

5. Prohibitions, restrictions and requirements

- (1) The removal from the restricted area into any part of Victoria of any Queensland Fruit Fly host material is prohibited.
- (2) Subclause (1) does not apply if the Queensland Fruit Fly host material is –
 - (a) packed, labelled and certified in accordance with any conditions prescribed by an accreditation program, administered by the Department of Primary Industries; or
 - (b) accompanied by a plant health declaration issued by an authorised person declaring that the host material has been treated in a manner approved by the Manager Plant Standards; or
 - (c) accompanied by a plant health certificate issued by an inspector certifying that the host material has been treated in a manner approved by the Manager Plant Standards.

- (3) The owners and occupiers of land described in Schedule 3 must give an inspector access to such land for the purposes of inspection, deployment of any lures or traps, application of any treatment or performance of any other actions which are necessary for the eradication or prevention of spread of the pest.
- (4) The owners and occupiers of land described in Schedule 3 must, on instruction from an inspector, strip Queensland Fruit Fly host materials from plants, collect and dispose of waste material, or treat the material in a manner approved by the Manager Plant Standards.

6. Verification of Consignments

Any Queensland Fruit Fly host material removed from the restricted area in accordance with clause 5(2), and the accompanying certificate or declaration, must be:

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

Schedule 1

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

Schedule 2

The area of land bounded by a line commencing at the intersection of the Great Alpine Road and Wightons Road, then in a north-easterly direction along Wightons Road to the intersection of Wightons Road and Wangaratta–Eldorado Road, then in a generally north-easterly direction along Wangaratta–Eldorado Road, which becomes Main Street, which becomes Woolshed Road, to the intersection of Woolshed Road and Nieoffs Road, then in a south-westerly direction along Nieoffs Road to the intersection of Nieoffs Road and Sheep Station Creek Road, then in an easterly direction along Sheep Station Creek Road to the intersection of Sheep Station Creek Road and Wangaratta–Beechworth Road, then in a westerly direction along Wangaratta–Beechworth Road to the intersection of Wangaratta–Beechworth Road and Voights Road, then in a southerly direction along Voights Road, which becomes Neweys Road to the intersection of Neweys Road and Diffey Road, then in a southerly direction along Diffey Road, which becomes Zig Zag Road to the intersection of Zig Zag Road and Lee Morrison Road, then in an easterly direction along Lee Morrison Road to the intersection of Lee Morrison Road and Chinamans Flat Road, then in a southerly direction along Chinamans Flat Road to the intersection of Chinamans Flat Road and Kelly Lane, then in an easterly direction along Kelly Lane to the intersection of Kelly Lane and Buckland Gap Road, then in a south-westerly direction along Buckland Gap Road to the intersection of Buckland Gap Road and Great Alpine Road, then in a westerly direction along Great Alpine Road to the intersection of Great Alpine Road and Whorouly–Bowmans Road, then in a south-westerly direction along Whorouly–Bowmans Road to the intersection of Whorouly–Bowmans Road and Whorouly Road, then in a southerly direction along Whorouly Road to the intersection of Whorouly Road and Kneebones Gap Road, then in a westerly direction along Kneebones Gap Road to the intersection of Kneebones Gap Road and Carboor–Everton Road then in a southerly direction along Carboor–Everton Road to the intersection of Carboor–Everton Road and Docker–Carboor Road, then in a westerly direction along Docker–Carboor Road to the intersection of Docker–Carboor Road and Wangaratta–Whitfield Road, then in a northerly direction along Wangaratta–Whitfield Road to the intersection of Wangaratta–Whitfield Road and Nankervis Lane, then in a straight line in a northerly direction to the point of commencement.

Schedule 3

The area of land in Victoria within a radius of one and a half kilometres of the outbreak epicentre at 146.51640° East, 36.44690° South.

Note: Section 21 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units in the case of a natural person, and 100 penalty units in the case of a body corporate for moving any host material from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

Plant Health and Plant Products Act 1995**ORDER DECLARING A RESTRICTED AREA NEAR BUNDALONG FOR THE
CONTROL OF QUEENSLAND FRUIT FLY**

I, Peter Walsh, Minister for Agriculture and Food Security, under section 20 of the **Plant Health and Plant Products Act 1995** make the following Order declaring a restricted area for the control of Queensland Fruit Fly and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 27 January 2011

PETER WALSH MLA
Minister for Agriculture and Food Security

1. Objective

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

2. Authorising provisions

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

3. Definition

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;

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

‘**authorised person**’ means a person authorised by the Department of Primary Industries;

‘**inspector**’ means a person authorised as an inspector under the Act;

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

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

‘**Queensland Fruit Fly host material**’ means any fruit or vegetable listed in Schedule 1.

4. Restricted area for the control of Queensland Fruit Fly

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

5. Prohibitions, restrictions and requirements

- (1) The removal from the restricted area into any part of Victoria of any Queensland Fruit Fly host material is prohibited.
- (2) Subclause (1) does not apply if the Queensland Fruit Fly host material is –
 - (a) packed, labelled and certified in accordance with any conditions prescribed by an accreditation program, administered by the Department of Primary Industries; or
 - (b) accompanied by a plant health declaration issued by an authorised person declaring that the host material has been treated in a manner approved by the Manager Plant Standards; or
 - (c) accompanied by a plant health certificate issued by an inspector certifying that the host material has been treated in a manner approved by the Manager Plant Standards.

- (3) The owners and occupiers of land described in Schedule 3 must give an inspector access to such land for the purposes of inspection, deployment of any lures or traps, application of any treatment or performance of any other actions which are necessary for the eradication or prevention of spread of the pest.
- (4) The owners and occupiers of land described in Schedule 3 must, on instruction from an inspector, strip Queensland Fruit Fly host materials from plants, collect and dispose of waste material, or treat the material in a manner approved by the Manager Plant Standards.

6. Verification of Consignments

Any Queensland Fruit Fly host material removed from the restricted area in accordance with clause 5(2) and the accompanying certificate or declaration, must be:

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

Schedule 1

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

Schedule 2

The area of land bounded by a line commencing at the intersection of the Murray River and Melbourne Road, then in a southerly direction along Melbourne Road to the intersection of Melbourne Road and Witt Street, then in an easterly direction along Witt Street to the intersection of Witt Street and Woods Road, then in a southerly direction along Woods Road, which becomes Old Wilby Road, to the intersection of Old Wilby Road and Inchbolds Road, then in an easterly direction along Inchbolds Road to the intersection of Inchbolds Road and Botts Road, then in a southerly direction along Botts Road to the intersection of Botts Road and Geodetic Road, then in an easterly direction along Geodetic Road to the intersection of Geodetic Road and Keenans Road, then in a southerly direction along Keenans Road to the intersection of Keenans Road and Hargreaves Road, then in an easterly direction along Hargreaves Road to the intersection of Hargreaves Road and Boomahnoomoonah Road, then in a southerly direction along Boomahnoomoonah Road to the intersection of Boomahnoomoonah Road and Pilkingtons Road, then in an easterly direction along Pilkingtons Road to the intersection of Pilkingtons Road and Boomahnoomoonah Road East, then in a southerly direction along Boomahnoomoonah Road East to the intersection of Boomahnoomoonah Road East and Blatchs Road, then in an easterly direction along Blatchs Road to the intersection of Blatchs Road and Wangaratta–Yarrawonga Road, then in a straight line in a north-easterly direction to the intersection of Carmody Road and Jones Swamp Road, then in a northerly direction along Jones Swamp Road to the intersection of Jones Swamp Road and Robinson Road, then in an easterly direction along Robinson Road to the intersection of Robinson Road and West Boundary Road, then in a northerly direction along West Boundary Road to the intersection of West Boundary Road and the Murray Valley Highway, then in an easterly direction along the Murray Valley Highway to the intersection of the Murray Valley Highway and Paris Road, then in a northerly direction along Paris Road to the intersection of Paris Road and Buckingham Road and continuing in a straight line in a northerly direction to the Murray River, then in a generally westerly direction along the Murray River to the point of commencement.

Schedule 3

The area of land in Victoria within a radius of one and a half kilometres of the outbreak epicentre at 146.16502° East, 36.03570° South.

Note: Section 21 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units in the case of a natural person, and 100 penalty units in the case of a body corporate for moving any host material from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

Plant Health and Plant Products Act 1995**ORDER DECLARING A RESTRICTED AREA NEAR KILLAWARRA FOR THE
CONTROL OF QUEENSLAND FRUIT FLY**

I, Peter Walsh, Minister for Agriculture and Food Security, under section 20 of the **Plant Health and Plant Products Act 1995** make the following Order declaring a restricted area for the control of Queensland Fruit Fly and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 27 January 2011

PETER WALSH MLA
Minister for Agriculture and Food Security

1. Objective

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

2. Authorising provisions

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

3. Definition

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;

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

‘**authorised person**’ means a person authorised by the Department of Primary Industries;

‘**inspector**’ means a person authorised as an inspector under the Act;

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

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

‘**Queensland Fruit Fly host material**’ means any fruit or vegetable listed in Schedule 1.

4. Restricted area for the control of Queensland Fruit Fly

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

5. Prohibitions, restrictions and requirements

- (1) The removal from the restricted area into any part of Victoria of any Queensland Fruit Fly host material is prohibited.
- (2) Subclause (1) does not apply if the Queensland Fruit Fly host material is –
 - (a) packed, labelled and certified in accordance with any conditions prescribed by an accreditation program, administered by the Department of Primary Industries; or
 - (b) accompanied by a plant health declaration issued by an authorised person declaring that the host material has been treated in a manner approved by the Manager Plant Standards; or
 - (c) accompanied by a plant health certificate issued by an inspector certifying that the host material has been treated in a manner approved by the Manager Plant Standards.

- (3) The owners and occupiers of land described in Schedule 3 must give an inspector access to such land for the purposes of inspection, deployment of any lures or traps, application of any treatment or performance of any other actions which are necessary for the eradication or prevention of spread of the pest.
- (4) The owners and occupiers of land described in Schedule 3 must, on instruction from an inspector, strip Queensland Fruit Fly host materials from plants, collect and dispose of waste material, or treat the material in a manner approved by the Manager Plant Standards.

6. Verification of Consignments

Any Queensland Fruit Fly host material removed from the restricted area in accordance with clause 5(2), and the accompanying certificate or declaration, must be:

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

Schedule 1

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

Schedule 2

The area of land bounded by a line commencing at the intersection of Greta Road and the Hume Freeway, then in an easterly, then northerly direction along the Hume Freeway to the intersection of the Hume Freeway and Wangaratta Main Road, then in a south-westerly direction along Wangaratta Main Road to the intersection of Wangaratta Main Road and Federation Way, then in a northerly direction along Federation Way to the intersection of Federation Way and Boland Road, then in a westerly direction along Boland Road to the intersection of Boland Road and Lewis Road, then in a northerly direction along Lewis Road to the intersection of Lewis Road and McKenzie Road, then in a westerly direction along McKenzie Road to the intersection of McKenzie Road and O'Keefe Road, then a northerly direction along O'Keefe Road to the intersection of O'Keefe Road and McMahons Road, then in a westerly direction along McMahons Road to the intersection of McMahons Road and Boorhaman East Road, then in a northerly direction along Boorhaman East Road to the intersection of Boorhaman East Road and O'Hallorans Road, then in a north-westerly direction along O'Hallorans Road to the intersection of O'Hallorans Road and Duffus Road, then in a south-westerly direction along Duffus Road to the intersection of Duffus Road and Wises Road, then in a north-westerly direction along Wises Road to the intersection of Wises Road and Thompson Lane, then in a south-westerly direction along Thompson Lane to the intersection of Thompson Lane and Boorhaman Road, then in a north-westerly direction along Boorhaman Road to the intersection of Boorhaman Road and Peechelba Road, then in an easterly direction along Peechelba Road to the intersection of Peechelba Road and Wangaratta-Yarrawonga Road, then in a southerly direction along Wangaratta-Yarrawonga Road to the intersection of Wangaratta-Yarrawonga Road and Cemetery Road, then in a westerly direction along Cemetery Road to the intersection of Cemetery Road and Haywoods Road, then in a southerly direction along Haywoods Road to the intersection of Haywoods Road and Tungamah-Peechelba Road, then in a westerly direction along Tungamah-Peechelba Road to the intersection of Tungamah-Peechelba Road and Forest Road, then in a southerly direction along Forest Road to the intersection of Forest Road and Almonds Road, then in a westerly direction along Almonds Road to the intersection of Almonds Road and Keenan Road, then in a southerly direction along Keenan Road, which becomes Derrick Road, to the intersection of Derrick Road and Boweya-St James Road, then in a westerly direction along Boweya-St James Road to the intersection of Boweya-St James Road and Amery Road, then in a southerly direction along Amery Road to the intersection of Amery Road and Sayers Road, then in an easterly direction along Sayers Road to the intersection of Sayers Road and Glenrowan-Boweya Road, then in a southerly direction along Glenrowan-Boweya Road to the intersection of Glenrowan-Boweya Road and Rowan Lane, then in an easterly direction along Rowan Lane to the intersection of Rowan Lane and Upper Taminick Road, then in a south-easterly direction along Upper Taminick Road to the intersection of Upper Taminick Road and Taminick Gap Road, then in a generally easterly direction along Taminick Gap Road to the intersection of Taminick Gap Road and Glenrowan Road, then in a north-easterly direction along Glenrowan Road to the intersection of Glenrowan Road and Arundels Lane, then in an easterly direction along Arundels Lane to the intersection of Arundels Lane and Greta Road and continuing in a southerly direction along Greta Road to the point of commencement.

Schedule 3

The area of land in Victoria within a radius of one and a half kilometres of the outbreak epicentre at 146.23055° East, 36.29360° South.

Note: Section 21 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units in the case of a natural person, and 100 penalty units in the case of a body corporate for moving any host material from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

Plant Health and Plant Products Act 1995**ORDER DECLARING A RESTRICTED AREA AT EUROA FOR THE
CONTROL OF QUEENSLAND FRUIT FLY**

I, Peter Walsh, Minister for Agriculture and Food Security, under section 20 of the **Plant Health and Plant Products Act 1995** make the following Order declaring a restricted area for the control of Queensland Fruit Fly and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 27 January 2011

PETER WALSH MLA
Minister for Agriculture and Food Security

1. Objective

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

2. Authorising provisions

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

3. Definition

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;

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

‘**authorised person**’ means a person authorised by the Department of Primary Industries;

‘**inspector**’ means a person authorised as an inspector under the Act;

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

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

‘**Queensland Fruit Fly host material**’ means any fruit or vegetable listed in Schedule 1.

4. Restricted area for the control of Queensland Fruit Fly

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

5. Prohibitions, restrictions and requirements

- (1) The removal from the restricted area into any part of Victoria of any Queensland Fruit Fly host material is prohibited.
- (2) Subclause (1) does not apply if the Queensland Fruit Fly host material is –
 - (a) packed, labelled and certified in accordance with any conditions prescribed by an accreditation program, administered by the Department of Primary Industries; or
 - (b) accompanied by a plant health declaration issued by an authorised person declaring that the host material has been treated in a manner approved by the Manager Plant Standards; or
 - (c) accompanied by a plant health certificate issued by an inspector certifying that the host material has been treated in a manner approved by the Manager Plant Standards.

- (3) The owners and occupiers of land described in Schedule 3 must give an inspector access to such land for the purposes of inspection, deployment of any lures or traps, application of any treatment or performance of any other actions which are necessary for the eradication or prevention of spread of the pest.
- (4) The owners and occupiers of land described in Schedule 3 must, on instruction from an inspector, strip Queensland Fruit Fly host materials from plants, collect and dispose of waste material, or treat the material in a manner approved by the Manager Plant Standards.

6. Verification of Consignments

Any Queensland Fruit Fly host material removed from the restricted area in accordance with clause 5(2), and the accompanying certificate or declaration, must be:

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

Schedule 1

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

Schedule 2

The area of land bounded by a line commencing at the intersection of Upper Boho Road and Bonnie Doon Road and continuing in a southerly then easterly direction along Bonnie Doon Road to the intersection of Bonnie Doon Road and Ankers Road, then in a southerly direction, along Ankers Road to the intersection of Ankers Road and Tames Road, then in a westerly direction along Tames Road, which becomes Merton–Strathbogie Road, to the intersection of Merton–Strathbogie Road and Polly Mcquinns Road, then in a westerly direction along Polly Mcquinns Road, which becomes Galls Gap Road, to the intersection of Galls Gap Road and Euroa–Mansfield Road, then in a westerly then north-westerly direction along Euroa–Mansfield Road to the intersection of Euroa–Mansfield Road and Longwood–Mansfield Road, then in a westerly direction along Longwood–Mansfield Road to the intersection of Longwood–Mansfield Road and Creightons Creek Road, then in a northerly direction along Creightons Creek Road to the intersection of Creightons Creek Road and Halsalls Lane, then in a straight line in a northerly direction, to the intersection of Drysdale Road and Airstrip Road, then in a northerly direction along Airstrip Road to the intersection of Airstrip Road and Wood Road, then in a straight line in a north-easterly direction, to the intersection of Ben Kell Road and Walkers Road, then in an easterly direction along Walkers Road to the intersection of Walkers Road and Moglonemby Road, then in a straight line in a north-easterly direction, to the intersection of Riggs Creek Road and Old Euroa Road, then in a north-easterly direction along Old Euroa Road to the intersection of Old Euroa Road and Mahers Road, then in a straight line in an easterly direction, to the intersection of Harrys Creek Road and Hayes Road, then in an easterly direction along Hayes Road to the intersection of Hayes Road and Boho Road, then in a south-easterly direction along Boho Road to the intersection of Boho Road and Upper Boho Road, then in a southerly direction along Upper Boho Road to the point of commencement.

Schedule 3

The area of land in Victoria within a radius of one and a half kilometres of the outbreak epicentre at 145.663414° East, –36.765962° South.

Note: Section 21 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units in the case of a natural person, and 100 penalty units in the case of a body corporate for moving any host material from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

Plant Health and Plant Products Act 1995**ORDER DECLARING A RESTRICTED AREA AT TAMINICK FOR THE
CONTROL OF QUEENSLAND FRUIT FLY**

I, Peter Walsh, Minister for Agriculture and Food Security, under section 20 of the **Plant Health and Plant Products Act 1995** make the following Order declaring a restricted area for the control of Queensland Fruit Fly and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 27 January 2011

PETER WALSH MLA
Minister for Agriculture and Food Security

1. Objective

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

2. Authorising provisions

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

3. Definition

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;

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

‘**authorised person**’ means a person authorised by the Department of Primary Industries;

‘**inspector**’ means a person authorised as an inspector under the Act;

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

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

‘**Queensland Fruit Fly host material**’ means any fruit or vegetable listed in Schedule 1.

4. Restricted area for the control of Queensland Fruit Fly

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

5. Prohibitions, restrictions and requirements

(1) The removal from the restricted area into any part of Victoria of any Queensland Fruit Fly host material is prohibited.

(2) Subclause (1) does not apply if the Queensland Fruit Fly host material is –

- (a) packed, labelled and certified in accordance with any conditions prescribed by an accreditation program, administered by the Department of Primary Industries; or
- (b) accompanied by a plant health declaration issued by an authorised person declaring that the host material has been treated in a manner approved by the Manager Plant Standards; or
- (c) accompanied by a plant health certificate issued by an inspector certifying that the host material has been treated in a manner approved by the Manager Plant Standards.

- (3) The owners and occupiers of land described in Schedule 3 must give an inspector access to such land for the purposes of inspection, deployment of any lures or traps, application of any treatment or performance of any other actions which are necessary for the eradication or prevention of spread of the pest.
- (4) The owners and occupiers of land described in Schedule 3 must, on instruction from an inspector, strip Queensland Fruit Fly host materials from plants, collect and dispose of waste material, or treat the material in a manner approved by the Manager Plant Standards.

6. Verification of Consignments

Any Queensland Fruit Fly host material removed from the restricted area in accordance with clause 5(2), and the accompanying certificate or declaration, must be:

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

Schedule 1

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

Schedule 2

The area of land bounded by a line commencing at the intersection of Oxley–Greta West Road and Wangaratta–Whitfield Road, and continuing in a north-westerly direction along Wangaratta–Whitfield Road, which becomes Murdoch Road, to the intersection of Murdoch Road and Vincent Road, then in a westerly direction along Vincent Road to the intersection of Vincent Road and Greta Road, then in a northerly direction along Greta Road, which becomes Green Street, to the intersection of Green Street and Rowan Street, then in a westerly direction along Rowan Street to the intersection of Rowan Street and Phillipson Street, then in a northerly direction along Phillipson Street to the intersection of Phillipson Street and Williams Road, then in a westerly direction along Williams Road, which becomes Lindner Road, to the intersection of Lindner Road and Christensen Lane, then in a northerly direction along Christensen Lane to the intersection of Christensen Lane and Wangandary Road, then in a westerly direction along Wangandary Road, which becomes Jubilee Road, to the intersection of Jubilee Road and Grandview Road, then in a straight line in a westerly direction to the intersection of Gerrett Road and Griffiths Track, then in a westerly direction along Griffiths Track, which becomes Jones Road, to the intersection of Jones Road and Irvine Road, then in a southerly direction along Irvine Road to the intersection of Irvine Road and Sayers Road, then in a westerly direction along Sayers Road to the intersection of Sayers Road and Amery Road South, then in a straight line in a south-westerly direction, to the intersection of McGann Hill Road and Goudie Road, then in a westerly direction along Goudie Road to the intersection of Goudie Road and Chesney Vale Road, then in a southerly direction along Chesney Vale Road to the intersection of Chesney Vale Road and Lake Mokoan Road, then in a straight line in a southerly direction to the intersection of Sydney Road and Winton–Glenrowan Road, then in a north-easterly direction along Winton–Glenrowan Road to the intersection of Winton–Glenrowan Road and Winton–Lurg Road, then in a south-easterly direction along Winton–Lurg Road to the intersection of Winton–Lurg Road and Greta Road, then in an easterly direction along Greta Road to the intersection of Greta Road and Wattle Creek Road, then in a south-easterly direction along Wattle Creek Road to the intersection of Wattle Creek Road and Granite Road, then in a north-easterly direction along Granite Road to the intersection of Granite Road and Embling Road, then in a south-easterly direction along Embling Road to the intersection of Embling Road and Greta–Lurg Road, then in a straight line in an easterly direction to the intersection of Ellis lane and Youngers Lane, then in a easterly direction along Youngers Lane to the intersection of Youngers Lane and Wangaratta–Kilfeera Road, then in a northerly direction along Wangaratta–Kilfeera Road to the intersection of Wangaratta–Kilfeera Road and Oxley–Greta West Road, then in a north-easterly direction along Oxley–Greta West Road to the point of commencement.

Schedule 3

The area of land in Victoria within a radius of one and a half kilometres of the outbreak epicentre at 146.198042° East, 36.445807° South.

Note: Section 21 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units in the case of a natural person, and 100 penalty units in the case of a body corporate for moving any host material from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

Plant Health and Plant Products Act 1995**ORDER DECLARING A RESTRICTED AREA NEAR BAROOGA (NSW) FOR THE
CONTROL OF QUEENSLAND FRUIT FLY**

I, Peter Walsh, Minister for Agriculture and Food Security, under section 20 of the **Plant Health and Plant Products Act 1995** make the following Order declaring a restricted area for the control of Queensland Fruit Fly and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 27 January 2011

PETER WALSH MLA
Minister for Agriculture and Food Security

1. Objective

The objective of this Order is to declare a restricted area for the control of Queensland Fruit Fly near Barooga (NSW), and to specify the prohibitions, restrictions and requirements which are to operate in the restricted area.

2. Authorising provisions

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

3. Definition

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;

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

‘**authorised person**’ means a person authorised by the Department of Primary Industries;

‘**inspector**’ means a person authorised as an inspector under the Act;

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

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

‘**Queensland Fruit Fly host material**’ means any fruit or vegetable listed in Schedule 1.

4. Restricted area for the control of Queensland Fruit Fly

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

5. Prohibitions, restrictions and requirements

- (1) The removal from the restricted area into any part of Victoria of any Queensland Fruit Fly host material is prohibited.
- (2) Subclause (1) does not apply if the Queensland Fruit Fly host material is –
 - (a) packed, labelled and certified in accordance with any conditions prescribed by an accreditation program, administered by the Department of Primary Industries; or
 - (b) accompanied by a plant health declaration issued by an authorised person declaring that the host material has been treated in a manner approved by the Manager Plant Standards; or
 - (c) accompanied by a plant health certificate issued by an inspector certifying that the host material has been treated in a manner approved by the Manager Plant Standards.

6. Verification of Consignments

Any Queensland Fruit Fly host material removed from the restricted area in accordance with clause 5(2), and the accompanying certificate or declaration, must be:

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

Schedule 1

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

Schedule 2

The area of land bounded by a line commencing at the intersection of the Murray River and Dead River Track, then in a southerly direction along Dead River Track to the intersection of Dead River Track and the Murray Valley Highway, then in a south-easterly direction along the Murray Valley Highway to the intersection of the Murray Valley Highway and Grinter Road, then in a southerly direction along Grinter Road to the intersection of Grinter Road and Powerline Road, then in a westerly direction along Powerline Road to the intersection of Powerline Road and Katamatite East School Road, then in a southerly direction along Katamatite East School Road to the intersection of Katamatite East School Road and Cassidy Road, then in a westerly direction along Cassidy Road to the intersection of Cassidy Road and Langan Road, then in a southerly direction along Langan Road to the intersection of Langan Road and Fields Road, then in a westerly direction along Fields Road to the intersection of Fields Road and Benalla–Tocumwal Road, then in a north-westerly direction along Benalla–Tocumwal road to the intersection of the Benalla–Tocumwal Road and Ross Road, then in a westerly direction along Ross Road to the intersection of Ross Road and McPherson Road, then in a northerly direction along McPherson Road to the intersection of McPherson Road and Ross Road, then in a westerly direction along Ross Road to the intersection of Ross Road and Larissa Road, then in a northerly direction along Larissa Road to the intersection of Larissa Road and Sandmount Road, then in a westerly direction along Sandmount Road to the intersection of Sandmount Road and Singapore Road, then in a northerly direction along Singapore Road to the intersection of Singapore Road and Blamey Road, then in a westerly direction along Blamey Road to the intersection of Blamey Road and Kokoda Road, then in a northerly direction along Kokoda Road to the intersection of Kokoda Road and Macarthur Road, then in a westerly direction along Macarthur Road to the intersection of Macarthur Road and Labuan Road, then in a northerly direction along Labuan Road, which becomes Stokes Road, to the intersection of Stokes Road and Carroll Road, then in an easterly direction along Carroll Road to the intersection of Carroll Road and Tom O’Brien Road, then in a northerly direction along Tom O’Brien Road to the intersection of Tom O’Brien Road and Mywee–Koonoomoo Road, then in a straight line in a northerly direction to the intersection of Green Lane and the Murray Valley Highway, then continuing in a straight line to the Murray River, then in a generally south-easterly direction along the Murray River to the point of commencement.

Note: Section 21 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units in the case of a natural person, and 100 penalty units in the case of a body corporate for moving any host material from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

Private Agents Act 1966**NOTICE 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>
Simon Fraser Reynolds	4A Craine Street, South Melbourne	Commercial Sub-agent's Licence	1 March 2011

Dated at Ringwood 25 January 2011

BRUCE HAMILTON
Deputy Registrar
Magistrates' Court of Victoria

Planning and Environment Act 1987**GREATER SHEPPARTON
PLANNING SCHEME****Notice of Approval of Amendment
Amendment C144**

The Minister for Planning has approved Amendment C144 to the Greater Shepparton Planning Scheme.

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

The Amendment corrects anomalies in the Heritage Overlay Maps by:

- deleting the Heritage Overlay (HO89) from land at 164–168 Maude Street, Shepparton;
- amending the Heritage Overlay notation applying to 162 Maude Street from HO88 to HO89;
- deleting the Heritage Overlay (HO124) from 235 Toolamba–Rushworth Road, Toolamba;
- applying the Heritage Overlay (HO124) to 575 Toolamba–Rushworth Road, Toolamba;
- deleting the Heritage Overlay (HO112) from 85 Hogan Street, Tatura;
- amending the Heritage notations applying to 77–83 Hogan Street, Tatura to include HO111 and HO112 in their correct locations; and
- varying the extent of the Heritage Overlay (HO129) applying to land at 90–114 Welsford Street, Shepparton.

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

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

Planning and Environment Act 1987**KNOX PLANNING SCHEME****Notice of Approval of Amendment
Amendment C54**

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

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

The Amendment replaces the interim DDO6 controls with a comprehensive set of changes to the Knox Planning Scheme local planning policy framework, zones and overlay controls to implement the key objectives of the Bayswater 2020: Bayswater Structure Plan adopted by Council in May 2005.

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 Knox City Council, 511 Burwood Highway, Wantirna South, Victoria 3152.

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

Planning and Environment Act 1987**MOIRA PLANNING SCHEME****Notice of Approval of Amendment
Amendment C55**

The Minister for Planning has approved Amendment C55 to the Moira Planning Scheme.

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

The Amendment:

- rezones land bounded by Gilmore Street and Woods Road, Yarrawonga, from Public Park and Recreation Zone (PPRZ) to the Public Use Zone 2 – Education (PUZ2) to facilitate the development of the Victoria Park Education Precinct;
- rezones land bounded by Gilmore Street and Pinniger Street, Yarrawonga, from the Public Use Zone 2 – Education (PUZ2) to the Public Park and Recreation Zone (PPRZ) for recreational purposes; and
- rezones land bounded by Gilmore Street, Woods Road and the Cemetery, from the Public Park and Recreation Zone (PPRZ) to the Public Use Zone 5 (PUZ5).

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 Moira Shire Council, Station Street, Cobram.

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

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

Notice of Approval of Amendment

Amendment C20

The Minister for Planning has approved Amendment C20 to the Towong Planning Scheme.

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

The Amendment consolidates the existing 17 local policies contained in Clause 22 of the Towong Planning Scheme into 9 new local policies. The Amendment also makes:

- minor revisions to Schedule 1 to the Significant Landscape Overlay;
- minor changes to Clause 21.05 of the Municipal Strategic Statement (MSS) in reference to Tallangatta township; and
- minor corrections to Clauses 21.05 and 21.07 of the MSS.

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 Towong Shire Council, 32 Towong Street, Tallangatta.

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

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

Notice of Approval of Amendment

Amendment C69

The Minister for Planning has approved Amendment C69 to the Wellington Planning Scheme.

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

The Amendment:

- corrects zoning errors and anomalies;
- removes redundant overlay controls;
- removes a redundant reference from clause 21.09; and
- inserts a reference to two incorporated documents.

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 Wellington Shire Council, 70 Foster Street, Sale.

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

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

Notice of Approval of Amendment

Amendment C62

The Minister for Planning has approved Amendment C62 to the Wodonga Planning Scheme.

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

The Amendment rezones land at 2 Melrose Drive, Wodonga, from Residential 1 Zone to Business 4 Zone.

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

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

Planning and Environment Act 1987

WODONGA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C74

The Minister for Planning has approved Amendment C74 to the Wodonga Planning Scheme.

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

The Amendment:

- rezones public land from a Residential 1 Zone to a Public Park and Recreation Zone and applies a Vegetation Protection Overlay to the land;
- amends the boundary of the Rural Conservation Zone and Residential 1 Zone to accord with the subdivision layout and approved Development Plans for residential estates and amends the Development Plan Overlay and Environmental Significance Overlay to accord with the new zone boundary; and
- rezones private land from a Public Park and Recreation Zone to a Residential 1 Zone and rezones public land from a Residential 1 Zone to a Public Park and Recreation Zone.

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

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

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:

- | | | |
|----|-------------------------------|--|
| 1. | <i>Statutory Rule:</i> | Criminal Procedure Amendment (Recorded Evidence-in-Chief) Regulations 2011 |
| | <i>Authorising Act:</i> | Criminal Procedure Act 2009 |
| | <i>Date first obtainable:</i> | 3 February 2011 |
| | <i>Code A</i> | |
| 2. | <i>Statutory Rule:</i> | Sentencing Amendment Regulations 2011 |
| | <i>Authorising Act:</i> | Sentencing Act 1991 |
| | <i>Date first obtainable:</i> | 3 February 2011 |
| | <i>Code B</i> | |

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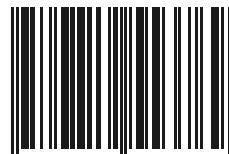
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