



Victoria Government Gazette

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No. G 6 Thursday 7 February 2013

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GENERAL

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Advertisers Please Note

As from 7 February 2013

The last Special Gazette was No. 37 dated 6 February 2013.

The last Periodical Gazette was No. 1 dated 14 June 2012.

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 2013 (Monday 11 March 2013)**

Please Note New Deadlines for General Gazette G11/13:

The Victoria Government Gazette (General) for LABOUR DAY week (G11/13) will be published on **Thursday 14 March 2013**.

Copy deadlines:

Private Advertisements	9.30 am on Friday 8 March 2013
Government and Outer Budget Sector Agencies Notices	9.30 am on Tuesday 12 March 2013

Office Hours:

The Victoria Government Gazette Office is open during normal office hours over the holiday period, i.e. 8.30 am to 5.30 pm Monday to Friday, excluding public holidays.

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

JENNY NOAKES
Government Gazette Officer

VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Local Government Act 1989

NOTICE OF DISSOLUTION OF CORPORATION

Central Highlands Regional Library
Corporation

(in voluntary liquidation)

Notice is hereby given pursuant to section 197G of the **Local Government Act 1989** that a Final Meeting of Members was held at the offices of Dennis M. Foley & Associates, certified practising accountants, 3rd Floor, Lydiard House, 17 Lydiard Street North, Ballarat 3350, on 25 January 2013 and that the corporation was dissolved on that date.

Dated 25 January 2013

DENNIS M. FOLEY – Liquidator,
DENNIS M. FOLEY & ASSOCIATES,
certified practising accountants,
3rd Floor, Lydiard House, 17 Lydiard Street
North, Ballarat, Victoria 3350,
Ph: (03) 5331 2600, Fax: (03) 5333 2713,
dmf@cooke-foley.com.au

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the business partnership between Gary James Campbell and Mannon Marc Houssaye known as 'G.J. CAMPBELL & M. HOUSSAYE', ABN 66 944 586 854, trading as Build A Bike and Oz Bike Australia has been dissolved with effect 1 February 2013.

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the business partnership between Nicole Kelly and Grant Ralph, trading as Punch Salon, has been dissolved with effect from end of business 25 January 2013.

DISSOLUTION OF PARTNERSHIP

In accordance with section 41 of the **Partnership Act 1958**, Geoffrey Kin Yin Chan hereby provides public notification of Dissolution of a Partnership trading as 'Sun Bo Restaurant', of 39 Gheringhap Street, Geelong, effective 28 January 2013.

Re: JAN BEREND DUSINK, late of 62 Jesmond Road, Croydon, Victoria, retired public servant, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 12 November 2012, are required by the executors, Pauline Christine Dusink and Helen Josina Korpel, care of Messrs Aughtersons, 267 Maroondah Highway, Ringwood, Victoria, to send particulars thereof to them, care of the Office of Messrs Aughtersons, 267 Maroondah Highway, Ringwood, Victoria, within sixty days from the date of publication of this notice, after which the executors will distribute the estate, having regard only to the claims of which they then have notice.

AUGHTERSONS,
267 Maroondah Highway, Ringwood,
Victoria 3134.

JOHN DONALD MACKENZIE, late of 45 McGrettons Road, Healesville, in the State of Victoria, farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 4 January 2013, are required to send particulars thereof to the executor, care of the undermentioned solicitors, on or before 10 April 2013, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

BECKWITH CLEVERDON REES, solicitors,
294 Collins Street, Melbourne 3000.

NOTICE TO CREDITORS UNDER **TRUSTEE ACT 1958**

(SECTION 33 NOTICE)

Notice to Claimants

In the estate of IRENE PALFREYMAN, late of 11 McDougall Street, Anglesea, Victoria, widow, deceased.

Creditors, next-of-kin and all others having claims in respect of the estate of the said deceased, who died on 23 November 2012, are required by Colin David Wilson, the executor of the Will of the deceased, to send particulars of

such claims to him, care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date the executor will distribute the assets, having regard only to the claims of which he then has notice.

COULTER ROACHE LAWYERS,
Level 1, 235 Ryrie Street, Geelong, Victoria
3220.

Re: Estate of TERRENCE ERIC BUTTERS,
also known as Terrence Gent, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of TERRENCE ERIC BUTTERS, also known as Terrence Gent, late of 4–10 William Street, Newport, Victoria, deceased, who died on 23 October 2012, are to send particulars of their claims to the executors, care of the undermentioned solicitors, by 26 April 2013, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

FRANK PLATA, solicitor,
14 Verdon Street, Williamstown 3016,
Tel: 9397 6533.

Creditors, next-of-kin and other persons having claims against the estate of BEVERLEY DIANE ANDERSON, retired administrator, deceased, late of Unit 95, 57 Gloucester Avenue, Berwick, Victoria 3806, who died on 4 September 2012, are required by the executor, Lawrence John Robertson, care of Gilberthorpes, 96A High Street, Berwick, Victoria 3806, to send particulars of their claims to him at the following address by 29 April 2013, after which date he may convey or distribute to the estate, having regard only to the claims of which he then has notice.

GILBERTHORPES BUSINESS LAWYERS,
PO Box 701, Berwick, Victoria 3806.

**NOTICE TO CREDITORS UNDER
TRUSTEE ACT 1958**

(SECTION 33 NOTICE)

Notice to Claimants

MARGARET ANN BARBER, late of
79 Maxwell Street, Ardeer, Victoria, retired,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 July 2012, are required by Francis Edwin Barber, the administrator of the estate of the deceased, to send particulars of

their claims to him, care of the undermentioned solicitors, by 9 April 2013, after which date the administrator may convey or distribute the assets, having regard only to the claims of which he then has notice.

HARTLEYS LAWYERS,
461 Ballarat Road, Sunshine 3020.

NORMAN JOSEPH MARTIN, late of Kara
Court, Long Street, St Arnaud, Victoria 3478,
retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 3 November 2012, are required by the executor, Kathleen Ann Adams, to send particulars of their claims to her, care of the undermentioned solicitor, within two months of the date of publication of this notice, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

KAREN LEE PROBST, solicitor,
116 Napier Street, St Arnaud 3478.

EDWARD LAWRENCE NOONAN, late of
3 Railway Place, Wycheproof, Victoria 3527,
retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 15 November 2012, are required by the executor, Damien Ronald Cooper, to send particulars of their claims to him, care of the undermentioned solicitor, within two months of the date of publication of this notice, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

KAREN LEE PROBST, solicitor,
116 Napier Street, St Arnaud 3478.

Re: CATHERINE LENA RICARDO,
deceased, of Unit 36, Heritage Gardens Aged
Care, 325 Canterbury Road, Bayswater, in the
State of Victoria, home duties.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 September 2012, are required to send particulars of their claims to the executor, Leonard George Ricardo, care of 31 Small

Street, Hampton, Victoria 3188, by 9 April 2013, after which date the executor may convey or distribute the assets, having regard only to the claims of which he may then have notice.

KEITH R. CAMERON, solicitor,
31 Small Street, Hampton, Victoria 3188.

Re: MONA WALLIS, late of Clevedon Terrace, 405 Upper Heidelberg Road, Heidelberg, Victoria 3084, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 December 2012, are required by Duncan John McLean and Roderick Murray Daniel, the executors of the Will of the said deceased, to send particulars to them, in the care of the undermentioned solicitor, by 10 April 2013, after which date the executors may convey or distribute the assets, having regard only to claims of which they then have notice.

KEN DAVIES, solicitor,
1/888 Doncaster Road, Doncaster East,
Victoria 3109.

Re: MARY MONTGOMERY, late of Bupa Berwick, 53–59 Broadway, Bonbeach, Victoria, retired nurse, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 November 2012, are required by the executor, Patricia Mary Locke, to send particulars to her, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the executor will convey or distribute the assets, having regard only to the claims of which she then has notice.

LYTTLETONS, solicitors,
53 Marcus Road, Dingley 3172.

Re: ROSALIA THIEL, late of 80 Clayton Road, Clayton, Victoria, retired shop keeper/machinist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 August 2012, are required by the trustees, Frank Thiel, Anton Thiel and Christine Mary Thiel, all care of 40–42 Scott Street, Dandenong, Victoria 3175, to send particulars

to the trustees by 7 April 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

MACPHERSON + KELLEY LAWYERS,
40–42 Scott Street, Dandenong 3175.

Re: NELLIE GERTRUDE ALBRECHT, late of Regis Amaroo, 294 Maroondah Highway, Ringwood, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 September 2012, are required by the trustees, James Richard Albrecht and Gary Arthur Albrecht, to send particulars to the trustees, care of the undermentioned solicitors, by 12 April 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

MAHONS with Yuncken & Yuncken, solicitors,
178 Whitehorse Road, Blackburn 3130.
CD:2122288

Re: WALTER JURKOVIC, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 October 2012, are required by the trustee, John Walter Jurkovic, to send particulars to his solicitors at the address below by 8 April 2013, 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.

MAVIS MARGARET HOLDEN, late of 262 Esplanade East, Port Melbourne, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 19 April 2012, are required by the executors, Alan Stanley Holden and Antony Christopher Hill, both care of McCluskys Lawyers, 111 Bay Street, Port Melbourne, Victoria, within sixty days from the date of publication of this notice, after which the executors will distribute the assets, having regard only to the claims of which they have notice.

McCLUSKYS LAWYERS,
111 Bay Street, Port Melbourne, Victoria 3207.

WALLACE FERGUSON RITCHIE, late of Brimlea Nursing Home, 21 Railway Parade, Murrumbeena, Victoria 3163, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 4 October 2012, are required by the executor, Betty Jean Ritchie, to send particulars of their claims to her, care of the undermentioned solicitors, by 12 April 2013, after which date the executor may convey or distribute the assets and distribute the estate, having regard only to the claims of which she then has notice.

MJS LAW, solicitors,
19 Rosemary Road, Beaumaris 3193.

EDNA FRANCES ELIZABETH LAMBERT, late of Narracan Gardens Nursing Home, Amaroo Way, Moe, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 November 2012, are required by the executor, Jennifer Watson, care of O'Halloran Davis, solicitors, 12–14 Kirk Street, Moe, in the said State, to send particulars to them by 7 April 2013, after which date the executor may convey or distribute the assets, having regards only to claims to which they have notice.

Dated 7 February 2013

O'HALLORAN DAVIS, solicitors,
12–14 Kirk Street, Moe 3825.

Re: MARJORIE ELAINE PATTISON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 July 2012, are required by the trustees, Ivon Barry Perrin and Graham John Perrin, to send particulars to the trustees by 30 April 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

PEARCE WEBSTER DUGDALES, solicitors,
4th Floor, 379 Collins Street, Melbourne 3000.

ALFRED JAMES, late of 545 Boolarra-Foster Road, Foster, Victoria, retired, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 21 July 2012, are required by the executors, Mark Andrew James, of 8 Colombo Road, Belgrave, Victoria, commissioning

technician, and Daniel Leslie Minogue, of 431 Riversdale Road, Hawthorn East, Victoria, solicitor, to send particulars to them (care of the undersigned) by 8 April 2013, after which date they may convey or distribute the assets, having regard only to the claims of which they have notice.

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

Re: HARRY PERCIVAL GIBSON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 October 2012, are required by the trustees, Kathryn Fraser and Alan Keith Gibson, to send particulars of such claims to them, in care of the undermentioned lawyers, by 9 April 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Re: MILDRED LUCY HICKSON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 October 2012, are required by the trustees, Janice Mildred Bettess and Bruce John Hickson, to send particulars of such claims to them, in care of the undermentioned lawyers, by 9 April 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Re: GORDON ROBERT HOLLAND, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 August 2012, are required by the trustee, Nicole Leigh Holland, to send particulars of such claims to her, in care of the undermentioned lawyers, by 9 April 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

Re: GEORGE PRATT, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 September 2012, are required by the trustee, Charles Edward Beckwith, to send particulars of such claims to him, in care of the undermentioned lawyers, by 10 April 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

Re: VALMAI FAIRLIE SCHMIDTKE, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 October 2012, are required by the trustee, Sandhurst Trustees Limited, ACN 004 030 737, of 18 View Street, Bendigo, Victoria, to send particulars to the trustee by 9 April 2013, 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 3550.

Re: GOLDA ROSNER, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of GOLDA ROSNER, deceased, late of 607–613 Dandenong Road, Armadale, Victoria, accountant, who died on 21 October 2012, are required by the trustees, David Rosner and Samuel Michael Brott, both care of Level 13, 607 Bourke Street, Melbourne, Victoria 3000, to send particulars to them, care of SBA Law, Level 13, 607 Bourke Street, Melbourne, Victoria, by 8 April 2013, after which date the trustees may convey or distribute the assets, having regards only to the claims of which the trustees then have notice.

SBA LAW,
Level 13, 607 Bourke Street, Melbourne,
Victoria 3000.

Re: IRENE WINIFRED BENNETT, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 September 2012, are required by

the trustees, Malcolm James Russell Taylor and Christopher David Galagher, to send particulars to the trustees, care of the undermentioned solicitors, by 9 April 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

Re: ANTONIO KOUTSOMALLY, deceased (also known as Antonio Koutsoumali, and as Antonis Koutsomalis, and as Antonios Koutsoumalis).

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 16 March 2012, are required by the administrators, Roger Maxwell Blythman and Ian Redvers Maclaine Morrison, both of First Floor, 401 Collins Street, Melbourne, Victoria 3000, to send particulars in writing, of their claims to them by 8 April 2013, after which date the administrators may convey or distribute the assets, having regard only to the claims of which they have notice.

WILLIAM MURRAY, solicitors,
First Floor, 401 Collins Street, Melbourne 3000.

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES****CITY OF
BALLARAT** 
ROAD DISCONTINUANCE

Ballarat City Council, at its ordinary meeting of Wednesday 14 March 2012, resolved to discontinue a pedestrian laneway located between Leawarra Drive and Mawarra Drive in Delacombe. By this notice and in accordance with section 206 and clause 3 of Schedule 10 of the **Local Government Act 1989**, the road portion of the pedestrian laneway shown as hatched on the plan below is discontinued.

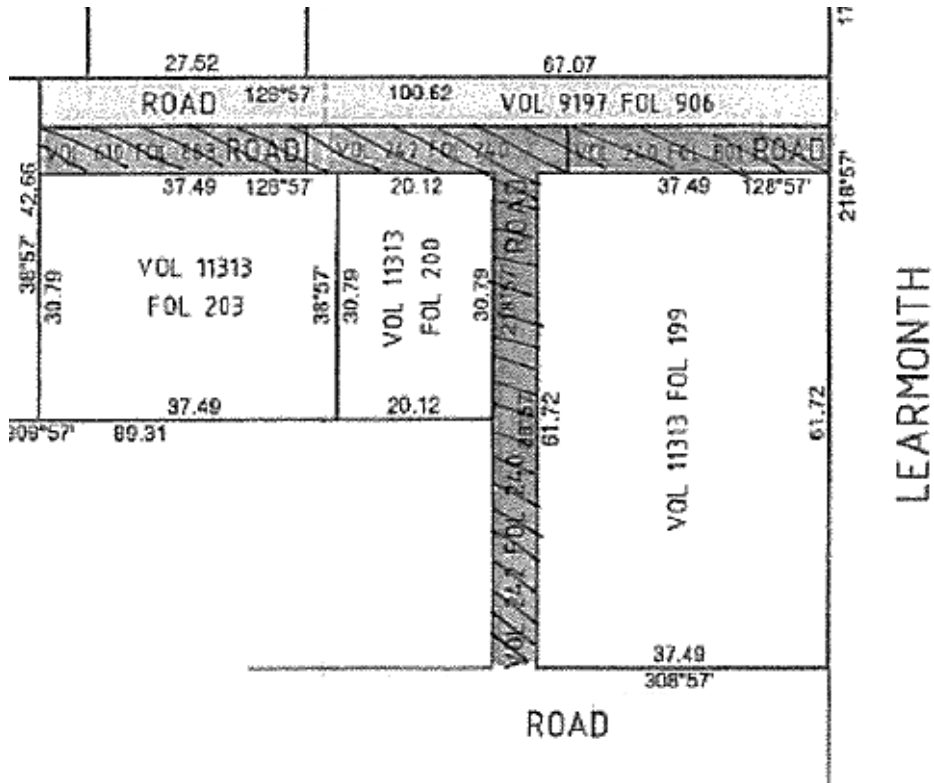


ANTHONY SCHINCK
Chief Executive Officer

BULOKE SHIRE COUNCIL

Road Discontinuance

At its meeting on 14 December 2012 and acting under clause 3 of schedule 10 to the **Local Government Act 1989**, Buloke Shire Council resolved to discontinue the road abutting 4 Learmonth Street, Charlton, being part of the land contained in Certificate of Title Volume 11390 Folio 640 and shown hatched on the plan below.



WARWICK HEINE
 Chief Executive Officer
 Buloke Shire Council

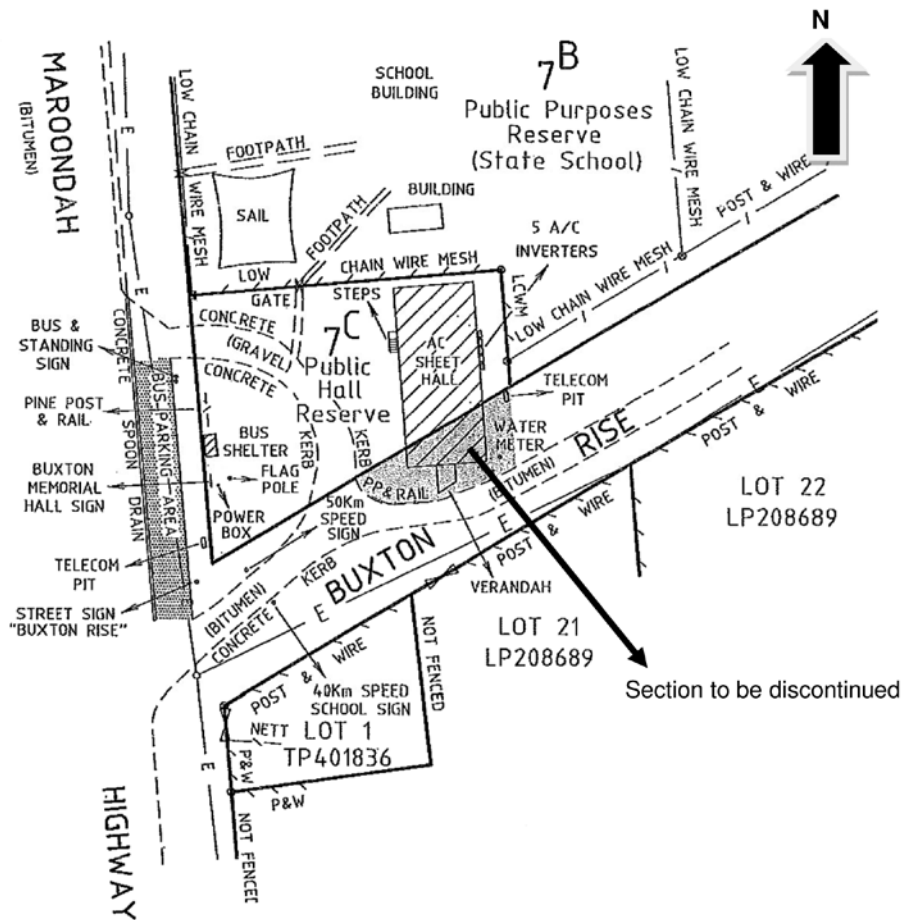


Murrindindi

Shire Council

PARTIAL ROAD DISCONTINUANCE – BUXTON RISE, BUXTON

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, Council has agreed to the section of road shown hatched on the plan below, be reserved for Public Hall purposes under the provision of the **Crown Land (Reserves) Act 1978** and the Buxton Progress Association shall be appointed as Committee of Management under the Act.



MARGARET ABBEY
Chief Executive Officer

BOROONDARA CITY COUNCIL

Road Management Act 2004

Review of Road Management Plan

In accordance with section 54 of the **Road Management Act 2004**, notice is given that Boroondara City Council will conduct a review of its Road Management Plan.

The purpose of the review, consistent with the role, function and responsibilities of the Council as a road authority under the Act, is to ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads and the classes of road listed in Council's Register of Public Roads are safe, efficient and appropriate for use by the community served by the Council.

A copy of Council's current Road Management Plan may be viewed on Council's website at www.boroondara.vic.gov.au/road-management or it can be inspected at Council's offices at 8 Inglesby Road, Camberwell, during normal office hours.

Any person wishing to make comment on Council's Road Management Plan as part of this review can do so in writing, submissions should be addressed to David Elson, Manager Asset Planning, Boroondara City Council, Private Bag 1, Camberwell 3124. Correspondence must be received by close of business Friday 8 March 2013.

PHILLIP STORER
Chief Executive Officer

**Road Management Act 2004**REVIEW OF COUNCIL'S
ROAD MANAGEMENT PLAN

In accordance with section 54(5) of the **Road Management Act 2004**, the Loddon Shire Council gives notice that it intends to conduct a review of its Road Management Plan.

The purpose of the review, consistent with the role, functions and responsibilities of the Council as a road authority under the Act, is to ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads and the classes of road to which the Council's road management plan applies are safe, efficient and appropriate for use by the community served by the Council.

The review will apply to all of the roads and classes of roads to which the Road Management Plan applies.

A copy of the Council's current Road Management Plan may be inspected at Council's Municipal Offices at 41 High Street, Wedderburn, and 37 Peppercorn Way, Serpentine, or accessed online by viewing the Council's website, www.loddon.vic.gov.au

Any person may make a written submission on the proposed review. Submissions will be received until 5 pm Friday 8 March 2013 and must be addressed to the Chief Executive Officer, Loddon Shire Council, PO Box 21, Wedderburn, Victoria 3518.

A person who has made a submission and requested that they be heard in support of their submission is entitled to appear in person or by a person acting on their behalf before a meeting of the Council, the day, time and place of which will be advised.

Any enquiries about the proposed review can be directed to Terry Watson on 03 5494 1200.

JOHN McLINDEN
Chief Executive Officer

MONASH CITY COUNCIL

Review of the Road Management Plan

In accordance with section 54(5) of the **Road Management Act 2004**, Monash Council gives notice that it intends to conduct a review of its Road Management Plan.

The purpose of the review is to ensure that the roads to which the Road Management Plan applies are maintained in a manner which makes them safe, efficient and appropriate for public use.

The review will consider Council's current standards and priorities relating to the inspection, maintenance and repair of the roads. It will apply to all of the roads and classes of roads to which the Road Management Plan applies. The review is being undertaken in line with Council's role, functions and responsibilities as a road authority under the Act.

Comments are sought on Council's current Road Management Plan. The Plan may be viewed at www.monash.vic.gov.au/haveyoursay or can be inspected or obtained from the Monash Civic Centre (293 Springvale Road, Glen Waverley), and the Oakleigh Service Centre (3 Atherton Road, Oakleigh), from 8.45 am–5.00 pm Monday–Friday.

Written submissions can be sent to Ossie Martinez, Director – Infrastructure Services, care of Post Office Box 1, Glen Waverley 3150, or at mail@monash.vic.gov.au. Submissions must be made by Friday 15 March 2013.

If you would like to speak at a Council meeting in support of your submission, please note this request in your submission. You will be advised of the day, time and place of the meeting where you can make a verbal submission.

If you have any questions, please contact Kim Hanisch on 9518 3709 or at mail@monash.vic.gov.au

DR ANDI DIAMOND
Chief Executive Officer

NILLUMBİK SHIRE COUNCIL

Review of Road Management Plan

In accordance with section 54(5) of the **Road Management Act 2004** (the Act), Nillumbik Shire Council (Council) gives notice that it intends to conduct a review of its Road Management Plan (the review).

The purpose of the review, consistent with the role, functions and responsibilities of the Council as a road authority under the Act, is to ensure that the standards in relation to and the priorities to be given to, the inspection, maintenance and repair of the roads and the classes of road to which the Council's Road Management Plan applies are safe, efficient and appropriate for use by the community served by the Council.

The review will apply to all of the roads and classes of roads to which the Road Management Plan applies.

A copy of Council's current Road Management Plan may be inspected and/or a copy obtained from the Civic Centre, Civic Drive, Greensborough, or accessed online at www.nillumbik.vic.gov.au and by following the links.

Any person who wishes to comment on the proposed review to the Road Management Plan may make a submission in writing. Submissions should be sent to Nillumbik Shire Council, PO Box 476, Greensborough, Victoria 3088, or by email to nillumbik@nillumbik.vic.gov.au and must be received by 4 pm, Friday 8 March 2013.

Any person who has made a submission and requested that they be heard in support of their submission is entitled to appear in person, or by a person acting on their behalf, before Council's Policy and Services Committee on a day, time and place to be advised.

Further information about the proposed review can be obtained by emailing Youssef. Abdallah@nillumbik.vic.gov.au or calling on 9433 3502.

STUART BURDACK
Chief Executive Officer



Road Management Act 2004

REVIEW OF ROAD MANAGEMENT PLAN

In accordance with section 54(5) of the **Road Management Act 2004** (Act), the City of Stonnington (Council) gives notice that it intends to conduct a Review of its Road Management Plan.

The purpose of the Review, consistent with the role, functions and responsibilities of Council as a road authority under the Act, is to ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads and the classes of road to which the Council's Road Management Plan applies are safe, efficient and appropriate for use by the community served by Council.

The Review will apply to all the roads and classes of roads to which the City of Stonnington's Road Management Plan (RMP) applies.

A copy of the City of Stonnington's RMP may be inspected at or obtained from the Stonnington City Centre (Malvern Town Hall) at the corner of High Street and Glenferrie Road, Malvern, Victoria 3144, or accessed online through the Council's website, www.stonnington.vic.gov.au and by following the links.

Any person making a submission is entitled to state in the submission that he or she wishes to appear in person in support of the submission, or to be represented by a person specified in the submission, at a meeting to be held at the Stonnington City Centre on 22 April 2013.

Please note that copies of submissions (including submitters' names and addresses) will be made available at the Council or special committee meeting at which the above proposal will be considered. The Council is also required to make submissions available for public inspection for a period of 12 months.

Any enquiries about this review may be directed to Ian McLauchlan, Manager of Transport and Parking on telephone 8290 2005 or by email at IMcLauch@stonnington.vic.gov.au

WARREN ROBERTS
Chief Executive Officer

SURF COAST SHIRE COUNCIL

Road Management Act 2004

Review of Road Management Plan

In accordance with section 54 (2 and 5) of the **Road Management Act 2004**, the Surf Coast Shire Council gives notice that it intends to conduct a review of its Road Management Plan.

The purpose of the review, consistent with the role, functions and responsibilities of the Council as a road authority under the Act, is to ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads and the classes of road to which the Council's Road Management Plan applies are safe, efficient and appropriate for use by the community served by the Council.

The review will apply to all of the roads and classes of roads to which the Road Management Plan applies.

A copy of Council's current Road Management Plan may be inspected at, or obtained from, Council's Municipal Offices, 1 Merrijig Drive, Torquay, or accessed online at www.surfcoast.vic.gov.au

Any person may make a written submission on the proposed review to the Council by 11 March 2013.

A person who has made a submission and requested that they be heard in support of their submission is entitled to appear in person or by a person acting on their behalf before a meeting of the Council, or a committee of Council if that is what the Council resolves to do, the day, time and place of which will be advised.

Any enquiries about the proposed review can be directed to Mahmud Kaiser on (03) 5261 0600 or email mkaiser@surfcoast.vic.gov.au

STEPHEN WALL
Chief Executive Officer



Planning and Environment Act 1987

MELTON PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C133

Authorisation A02454

The Melton City Council has prepared Amendment C133 to the Melton Planning Scheme.

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

The land affected by the Amendment is 115 City Vista Court, Plumpton.

The Amendment proposes to apply the Public Acquisition Overlay to part of the land.

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, Melton City Council, Civic Centre, 232 High Street, Melton; 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 8 March 2013. A submission must be sent to the Melton City Council, PO Box 21, Melton, Victoria 3337.

Planning and Environment Act 1987

MONASH PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C115

Authorisation A02448

The City of Monash has prepared Amendment C115 to the Monash Planning Scheme in accordance with the **Planning and Environment Act 1987**. The Ministerial Authorisation Number is A02448.

The Amendment affects land covered by the Vegetation Protection Overlay.

The Amendment modifies Schedule 1 to the Vegetation Protection Overlay under the Monash Planning Scheme by including the following exemptions from requiring a planning permit to remove a tree:

- The removal of any tree where the tree will be replaced by two new plantings (which can be planted anywhere on the same property) and which will grow to become canopy trees with spreading crowns, to the satisfaction of the responsible authority.

Prior to the removal of the tree for which the exemption is sought, a plan or simple diagram of the site identifying the tree to be removed and the species and planting location of the two replacement tree plantings, must be submitted to and endorsed by the responsible authority.

The two replacement tree plantings must be planted within six months of the tree removal taking place and then appropriately maintained to the satisfaction of the responsible authority.

- Non-native trees and environmental weeds.
- For tree maintenance or where a tree is being maintained in accordance with a management program, developed by a suitably qualified arborist.
- Dead, dying or dangerous trees.
- The removal of a tree necessary for the construction of a dwelling, dwelling extension or outbuilding where no planning permit is required subject to a building permit having been granted and tree(s) are only removed from the building footprint or within 2 metres of the proposed building.

The Amendment and associated documentation can be inspected free of charge, during office hours at the offices of the Monash City Council, 293 Springvale Road, Glen Waverley, or on the following websites: www.dpcd.vic.gov.au/planning/publicinspection, www.monash.vic.gov.au/planning/amendments

Send your submissions about the Amendment to the City of Monash, PO Box 1, Glen Waverley 3150 by 15 March 2013.

For more information, contact Brian Goyen on 95183 620 or at briang@monash.vic.gov.au

DR ANDI DIAMOND
Chief Executive Officer

Planning and Environment Act 1987

MOUNT ALEXANDER PLANNING SCHEME

Notice of Preparation of Amendment Amendment C69

Authorisation A02444

The Mount Alexander Shire Council has prepared Amendment C69 to the Mount Alexander Planning Scheme.

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

The land affected by the Amendment comprises the following areas in the Shire over which the Restructure Overlay is applied:

- Bradford (also known as Pollard) (Planning Scheme Map 3RO relates, the area concerned being designated RO2 on this map);
- Gower (Planning Scheme Map relates, the area concerned being designated RO7 on this map);
- Tarilta (Planning Scheme Maps 32RO relates, the area concerned being designated RO9 on this map); and
- Walmer (Planning Scheme Map 4RO relates, the area concerned being designated RO3 on this map).

The Amendment proposes to introduce restructure plans into the Mount Alexander Planning Scheme for the above areas. More specifically, the Amendment:

- introduces two reports to Clause 21.05 (Reference Documents) of the Mount Alexander Planning Scheme being:
 - ‘Restructure Plan for Gower, Pollard, Tarilta and Walmer Restructure Overlay areas, PLN Planning, September 2012’;
 - ‘Mount Alexander Shire and Central Goldfields Shire Land Capability Project Report, January 2012’;
- changes the Schedule to clause 45.05 (Restructure Overlay) by listing the titles of restructure plans relating to the restructure overlay areas at Gower, Pollard, Tarilta and Walmer;
- introduces the Restructure Plans for Gower, Pollard, Tarilta and Walmer as incorporated documents in the schedule to Clause 81.01 of the Planning Scheme; and

- amends planning scheme maps 3RO, 4RO, and 32RO to remove the Restructure Overlay from public land at Pollard and Tarilta, and from Walmer where the lot size is over 40 hectares.

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, Mount Alexander Shire Council, Castlemaine Town Hall, 27 Lyttleton Street, Castlemaine; Mount Alexander Shire Council, Castlemaine Enterprise Centre, 9 Halford Street, Castlemaine; 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 Thursday 7 March 2013. A submission must be sent to the Mount Alexander Shire Council.

PHIL ROWLAND
Chief Executive Officer

Planning and Environment Act 1987
YARRA RANGES PLANNING SCHEME

Notice of Preparation of Amendment
Amendment C122
Authorisation A02363

The Yarra Ranges Council has prepared Amendment C122 to the Yarra Ranges Planning Scheme.

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

The land affected by the Amendment is land within the urban catchment of the Little Stringybark Creek (Mt Evelyn).

The Amendment proposes to introduce an Environmental Significance Overlay to Little Stringybark Creek catchment and references Melbourne Water as the referral agency.

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, Yarra Ranges Council at: Lilydale – 15 Anderson Street, Lilydale; Monbulk – 21 Main Road, Monbulk; Healesville – 110 River Street, Healesville; Upwey – 40 Main Street, Upwey; Yarra Junction – Warburton Highway/Hoddle Street, Yarra Junction; 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 11 March 2013. A submission must be sent to the Manager Strategic Planning, PO Box 105, Lilydale 3140, or email mail@yarraranges.vic.gov.au

DAMIAN CLOSS
Manager Strategic Planning

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 15 April 2013, 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.

APPLEBY, Simon, late of 39 Livingstone Street, Orbost, Victoria 3888, pensioner, deceased, who died on 22 November 2012.

BEATON, Luke, late of Marillac House, 47 Milroy Street, Brighton East, Victoria 3187, pensioner, deceased, who died on 18 November 2012.

FLANAGAN, Lilian Joan, late of Bupa Windsor, 102–104 Union Street, Windsor, Victoria 3181, retired, deceased, who died on 11 November 2012.

RUSSELL, Harry, late of Glen Eira Nursing Home, 260 Kooyong Road, Caulfield, Victoria 3162, retired, deceased, who died on 4 November 2012.

THOMAS, George Albert, late of Somerville Care, 22 Graf Road, Somerville, Victoria 3912, deceased, who died on 7 December 2012.

Dated 4 February 2013

STEWART MacLEOD
Manager

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 11 April 2013, 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.

COE, Margot Agnes, late of Bupa Bonbeach, 53–59 Broadway, Bonbeach, Victoria 3196, retired, deceased, who died on 16 November 2012.

HYDE, Annie May, late of 1 Inverie Place, Point Cook, Victoria 3030, retired, deceased, who died on 16 October 2012.

SAAD, Samuel, late of Hope Aged Care, 34 Lux Way, Brunswick, Victoria 3056, deceased, who died on 4 November 2012.

SARAPINAS, Eva, late of 33 Bunbury Street, Footscray, Victoria 3011, deceased, who died on 17 August 2012.

STEWART, Eveline, late of Tudor Village, 27/520 Maroondah Highway, Lilydale, Victoria 3140, retired, deceased, who died on 20 October 2012.

Dated 31 January 2013

STEWART MacLEOD
Manager

INTERIM EXEMPTION

Application No. A21/2013

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by Sacred Heart Mission (the applicant). The application for exemption is to enable the applicant to advertise for and employ only women in its women's programs, the Women's House and Homefront Crisis Accommodation, and to provide those services to women only (the exempt conduct).

Upon reading the material filed in support of this application, including the affidavit of Mary Bartlett, the Tribunal is satisfied that it is appropriate to grant an interim exemption from sections 16, 44, 52, 107 and 182 to enable the applicant to engage in the exempt conduct until the application is finally heard and determined.

In granting this exemption, the Tribunal noted:

- The applicant's women's programs are services which provide access, support and responses to women only who are experiencing homelessness and are involved in street based sex work, living with or escaping domestic or family violence or are survivors of sexual assault and trauma.
- Previous exemptions have been granted to the applicant in similar terms. As the last granted exemption expired on 20 January 2013, there is no currently applicable exemption. I am not currently satisfied that an exception applies to the exempt conduct. Accordingly, in the absence of an exemption the exempt conduct would amount to prohibited discrimination.
- 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 equality and in particular, the right to equal and effective protection against discrimination of males who wish to be employed by the applicant or access the programs referred to above. I am satisfied that for the purposes of this interim exemption, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an interim exemption from the operation of sections 16, 44, 52, 107 and 182 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 4 May 2013.

Dated 4 February 2013

A. DEA
Member

Department of Treasury and Finance
SALE OF CROWN LAND BY
PUBLIC AUCTION

on Saturday 23 February 2013 at 11 am on site
Reference: F12–105.

Address of Property: 100 Asling Street,
Brighton.

Crown Description: Crown Allotment 31A on
Title Plan 949170T.

Terms of Sale: Deposit 10%, Balance payable within 120 days.

Area: 711 m².

Officer Co-ordinating Sale: Nick Stamatelos, Land and Property Group, Department of Treasury and Finance, 5/1 Treasury Place Melbourne, Victoria 3002.

Selling Agent: Nick Johnstone Real Estate, 117/3 Male Street, Brighton, Victoria 3186.

GORDON RICH-PHILLIPS MLC
Assistant Treasurer

Department of Treasury and Finance
SALE OF CROWN LAND BY
PUBLIC TENDER

Tender closes on Wednesday 6 March 2013 at 2 pm at the offices of the Department of Treasury and Finance, Basement Mail Centre, 1 Treasury Place, Melbourne 3002

Reference: F12-104.

Address of Property: 27 Wilson Street, Brighton.

Crown Description: Crown Allotment 2028 on Title Plan 949240Y.

Terms of Sale: 1% lodgement, 9% on acceptance, Balance payable within 120 days.

Area: 1,047 m².

Officer Co-ordinating Sale: Nick Stamatelos, Land and Property Group, Department of Treasury and Finance, 5/1 Treasury Place, Melbourne, Victoria 3002.

Selling Agent: Nick Johnstone Real Estate, 117/3 Male Street, Brighton, Victoria 3186.

GORDON RICH-PHILLIPS MLC
Assistant Treasurer

Associations Incorporation Reform Act 2012
SUB-SECTION 138

I, David Betts, Deputy Registrar of Incorporated Associations under the **Associations Incorporation Reform Act 2012** (the Act), under delegation provided by the Registrar; hereby give notice that an application for the voluntary cancellation of incorporation, pursuant to section 136 of the Act, has been received by the Registrar from each of the associations mentioned below:

Bayside Sports and Social Club Inc.; Tynong Titans Cricket Club Inc.; Wandin East Tennis Club Incorporated; Snowy River Fishing Club Orbost Inc.; Australian Muslim Palestine Committee Inc.; World Thu Nhan Congregation 2010 Inc.; Lexi-Daisy Children's Charity Inc.; St. Leonards Netball Club Inc.; Art Tech Association Inc.; Wodonga Badminton Club Inc.; Heaven on Earth Apostolic Life Ministries Inc.; Locksley Bushwalking Club Inc.; The Good Samaritan Association Inc.; Geelong South Public Tenant Group Inc.; Ringwood City 'Wilhelmina' Soccer Club Inc.; Shriners Victoria Inc.; Berrybank & District Community Group Inc.; Clan Fergus(S)On Society Of Australia; Ashcare Inc.; Bayside Beaches D.L.B.A. Inc.; North East Boarder Coaches Association Inc.; Mount Pleasant Netball Club Inc.; The Dutch Australian Club Albury Wodonga Inc.; McIvor Landcare Group Inc.; Order of St. Peter and St. Paul Inc.; Diretribe Gallery Inc.; Cann River Aboriginal South Monaro Traditional Owners Women and Families Culture and Heritage Corporation Inc.; Somali Youth Victoria Inc.; Vantage Inc.; Victorian Christian Assemblies Inc.; Yarrowonga Community Health Centre Inc.; Residential Outcry Against Road-Noise (R.O.A.R) Inc.; Melbourne Anglicans Together Inc.; National Men's Health Alliance Inc.; Friends of Felines Inc.; Colac Baptist Community Care Inc.; Gnosi Greek Language School Association Inc.; Altona Country Music Association Inc.; Art Makers Projects Inc.; Serbian Association of Prisoners of The War Victoria Inc.; Malvern Squash Club Inc.; Ballarat Trainers Association Inc.; Phoenix Rockers Inc.; Phillip Island Organ Society Chapter No. 1 Inc.; 3rd Rock 4x4 Club Inc.; Probus Club of Chadstone Inc.; Wellington Farmlink Inc.; St Dominics Tennis Club (Melton) Inc.; Craigieburn and District Ambulance Committee Inc.; International Ladies Group Inc.; Pakenham Sports Club Inc.

I further advise that unless a person makes a written objection to cancellation to the Registrar within 28 days of the date of this notice, I intend to cancel the incorporation of the incorporated associations mentioned above.

Dated 7 February 2013

DAVID BETTS
Deputy Registrar of
Incorporated Associations
PO Box 4567
Melbourne, Victoria 3001

Associations Incorporation Reform Act 2012

SECTION 135

I, David Betts, Deputy Registrar of Incorporated Associations under the **Associations Incorporation Reform Act 2012** (the Act), under delegation provided by the Registrar; hereby give notice that, pursuant to section 135(3) of the Act, I intend to cancel the incorporation of the incorporated associations mentioned below:

Australia-India Chamber of Commerce Inc.
Peacelife Inc.

I further advise that unless a person makes a written objection to cancellation to the Registrar within 28 days of the date of this notice, I intend to cancel the incorporation of the incorporated associations mentioned above.

Dated 7 February 2013

DAVID BETTS
Deputy Registrar of
Incorporated Associations
PO Box 4567
Melbourne, Victoria 3001

Cemeteries and Crematoria Act 2003

SECTION 40(2)

Declaration that Cemetery Trust Fees
are Increased

I, Bryan Crampton, as Delegate of the Secretary to the Department of Health for the purposes of section 43(2) of the **Cemeteries and Crematoria Act 2003**, declare that all cemetery trust fees of \$50 or more will increase by 2.1 per cent in accordance with movements in the All Groups Consumer Price Index number (for Melbourne) as published by the Australian Bureau of Statistics. This declaration will take effect on 1 July 2013.

Dated 25 January 2013

BRYAN CRAMPTON
Manager, Cemeteries and
Crematoria Regulation

Co-operatives Act 1996

DIAMOND CREEK PRIMARY SCHOOL
CO-OPERATIVE LIMITED

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 the registration will be dissolved.

Dated at Melbourne 7 February 2013

DAVID BETTS
Deputy Registrar of Co-operatives
Consumer Affairs Victoria

Education and Training Reform Act 2006

NOTICE OF ORDER

Carrajung South Primary School Council

Notice is given that on 8 January 2013 an Order under sub-section (6) of section 2.3.2 of the **Education and Training Reform Act 2006** was made and took effect on 8 January 2013.

The general purpose of the Order (No. 621) is to dissolve Carrajung South Primary School Council three months after the date on which the Order took effect.

THE HON. MARTIN DIXON, MP
Minister for Education

Electoral Act 2002CHANGE TO REGISTER OF
POLITICAL PARTIES

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

Name of registered political party: Country Alliance.

New address: 277 The Sideling, Jamieson, Victoria 3723.

Dated 4 February 2013

LIZ WILLIAMS
Victorian Electoral Commission

Electoral Act 2002RE-REGISTRATION OF
POLITICAL PARTY

In accordance with section 58D of the **Electoral Act 2002**, the following party is hereby re-registered:

Australian Sex Party – Victoria

Dated 30 January 2013

E. A. WILLIAMS
Victorian Electoral Commission

Electricity Industry Act 2000NOTIFICATION OF GRANT OF LICENCE
TO GENERATE ELECTRICITY

The Essential Services Commission gives notice under section 30 of the **Electricity Industry Act 2000** (EIA) that at its meeting of 12 December 2012, pursuant to section 19(1) of that Act, the Electricity Generation Licence applied for by EDL LFG (Vic.) Pty Ltd (ABN 69 061 503 348) to generate electricity for supply or sale at six landfill gas power stations in Victoria was granted by the Commission. The Licence is granted on an ongoing basis.

A copy of this document is available on the Commission's website located at www.esc.vic.gov.au or a copy can be obtained by calling the Commission's reception on (03) 9032 1300.

DENNIS CAVAGNA
Acting Chairperson

Electricity Industry Act 2000PROGRESSIVE GREEN PTY LTD
(ABN 27 130 175 343)Notice of Variation of
Electricity Retail Licence

The Essential Services Commission gives notice under section 30 of the **Electricity Industry Act 2000** (EIA) that at its meeting of 23 January 2013, pursuant to section 29 of the EIA, it varied the licence of Progressive Green Pty Ltd (ABN 27 130 175 343), reference ER-0109[PG], to a Licence to retail electricity to large and medium customers in Victoria.

A copy of the licence is available on the Commission's website located at www.esc.vic.gov.au or a copy can be obtained by contacting the Commission's reception on (03) 9032 1300.

DR RON BEN-DAVID
Chairperson

Electricity Industry Act 2000ORIGIN ENERGY ELECTRICITY LIMITED
33 071 052 287

Standard Feed-in Tariff for Eligible Customers

Section 40G of the **Electricity Industry Act 2000** requires Origin Energy Electricity Limited (Origin), as a relevant licence, to publish an offer comprising the prices at, and the terms and conditions on, which Origin will purchase small renewable energy generation from relevant generators.

Origin now publishes pursuant to section 40G of the **Electricity Industry Act 2000** its Standard Feed-in Tariff (Export Tariff Five) rate of 28.83 cents per kWh including GST (if any) for eligible customers. This rate replaces any previously published in the Victoria Government Gazette for eligible customers receiving Export Tariff Five and will become effective in accordance with section 40H of the **Electricity Industry Act 2000**.

Financial Management Act 1994VICTORIAN GOVERNMENT
PURCHASING BOARD

Supply Policies

In accordance with section 54L(3) of the **Financial Management Act 1994**, notice is given of the following new supply policies made by the Victorian Government Purchasing Board (VGPB).

The VGPB is introducing five new supply policies; effective from 7 February 2013.

The new supply policies cover procurement as an end-to-end activity from identifying procurement needs, governance, planning, and market research through to contract management. The new policies emphasise high standards of probity and transparency, giving business fair and equal access to the government marketplace.

The governance policy introduces a mandatory procurement governance structure and procurement strategy to embed procurement across the organisation and ensure alignment with business planning.

The complexity and capability policy mandates departments to base procurement decisions on an assessment of complexity and the capability of the department to conduct the procurement with a view to improving service delivery and value-for-money outcomes.

Under the market analysis and review policy, departments will determine the capacity and capability of the market to supply. A review of requirements and processes in response to market analysis determines the most appropriate path to market.

The market approach policy requires departments to apply a structured, measured approach to informing, evaluating and negotiating with suppliers.

The contract management and disclosure policy escalates contract management to a high-level consideration early in the planning

process to arrive at an integrated end-to-end procurement framework.

The new supply policies also mandate the process for transition of departments from the VGPB's current supply policy framework to the new supply policies. Departments can only apply the new policies when approved for transition by the VGPB. Current supply policies will only be revoked upon the transition of all departments.

These policies were subject to extensive consultation with departments.

The full text of the policies may be viewed on the Government Procurement Portal, www.procurement.vic.gov.au

(DR) LYNNE WILLIAMS
Chair
Victorian Government Purchasing Board

Magistrates' Court Act 1989

NOTICE SPECIFYING MAGISTRATE ASSIGNED TO THE FAMILY VIOLENCE COURT DIVISION

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

Jack Vandersteen

Dated 4 February 2013

PETER LAURITSEN
Chief Magistrate

Marine Safety Act 2010

Section 208(2)

NOTICE OF ACTIVITY EXCLUSION ZONE

In accordance with section 208(2) of the **Marine Safety Act 2010**, Parks Victoria, the waterway manager for the Yarra River upstream of the port waters of the Port of Melbourne, gives notice that the waters of the Yarra River between the downstream edge of King Street Bridge and the upstream edge of Queens Bridge are prohibited to all persons and vessels not registered to take part in the Chinese New Year Fireworks Display. The exclusion zone takes effect between 10.15 pm and 11.30 pm on Saturday 9 February and 9.00 pm to 10.15 pm on Sunday 10 February 2013.

Dated 7 February 2013

GRAEME DAVIS
As delegate of Parks Victoria

Plant Biosecurity Act 2010

NOTICE OF EXTENSION

Order Prohibiting or Restricting the Importation or Entry of European House Borer Host Material into Victoria

I, Pat Sharkey, as delegate of the Minister of Agriculture, give notice that the Order made under section 24 of the **Plant Health and Plant Products Act 1995** on 1 February 2012, and published in Government Gazette G6 on 9 February 2012, prohibiting or restricting the importation or entry of European House Borer host material into Victoria, is extended for a further period of 12 months commencing on 1 February 2013.

The Order specifies prohibitions, restrictions and conditions so as to prevent the entry of the exotic pest European House Borer into Victoria.

Further information may be obtained by visiting www.dpi.vic.gov.au/psb

Dated 1 February 2013

PATRICK SHARKEY
Plant Biosecurity Manager

Swinburne University of Technology Act 2010

GOVERNANCE AND ADMINISTRATION STATUTE 2012

ACADEMIC AND STUDENT AFFAIRS STATUTE 2012

SWINBURNE UNIVERSITY OF TECHNOLOGY

Notice of Promulgation

In accordance with section 41(3) of the Swinburne University of Technology Governance and Administration Statute 2012, the following regulations made under the abovementioned statutes are hereby promulgated:

- Academic Senate Regulations 2013

The regulations come into operation on the date of publication of this notice.

Copies of the regulations are available on the Swinburne University of Technology website.

TOM ROWAN
University Secretary
Swinburne University of Technology

Road Safety Act 1986

DECLARATION UNDER SECTION 99B(4)

Under section 99B(4) of the **Road Safety Act 1986**, I declare that for the purposes of a Cycling Criterium, fun run and triathlon events known as the Geelong Multi Sport Festival that the Road Rules do not apply to the activities of the Event, for the times and with respect to the highway or parts of the highway listed in the Schedule.

1. In this notice, unless the context or subject-matter otherwise requires –
‘**Event**’ means the Geelong Multi Sport Festival to be conducted on Saturday 9 February 2013 and Sunday 10 February 2013;
‘**Road Rules**’ means the Road Rules within the meaning of the Road Safety Road Rules 2009.
2. This declaration takes effect from the date and time of road closure for the Event until completion of the Event.
3. Definitions:
In this notice, unless the context or subject matter otherwise requires –
 - (a) ‘**Event**’ means the Geelong Multi Sport Festival.
 - (b) ‘**Participants**’ means participants in the Event, including officers, members and authorised agents of the Event organisers, whose presence is reasonably required to ensure the safe conduct of the event and only within the road closure.

ROADS SUBJECT TO THIS DECLARATION AS PART OF THE EVENT ONCE THE
ROADS ARE DECLARED CLOSED BY THE EVENT ORGANISER.

Schedule:

Saturday 9 February 2013 Times	ROADS SUBJECT TO THIS DECLARATION AS PART OF THE EVENT
6.30 am to 11.59 am	The Esplanade between Glenleith Avenue and Western Beach Road
6.30 am to 11.59 am	Western Beach Road between The Esplanade and Eastern Beach Road
6.30 am to 11.59 am	Eastern Beach Road between Western Beach Road and Ritchie Boulevard
5.00 am to 11.59 am	Ritchie Boulevard
6.30 am to 10.00 am	Hearne Parade between Upper Hearne Parade and Limeburners boat ramp car park entrance
6.30 am to 10.00 am	Eastern Park Circuit between Limeburners Road and Podbury Crescent
6.30 am to 10.00 am	Upper Hearne Parade between Hearne Parade and Eastern Park Circuit

Sunday 10 February 2013 Times	ROADS SUBJECT TO THIS DECLARATION AS PART OF THE EVENT
6.00 am to 4.30 pm	The Esplanade between Glenleith Avenue and Western Beach Road
6.00 am to 4.30 pm	Western Beach Road between The Esplanade and Eastern Beach Road
6.00 am to 4.30 pm	Eastern Beach Road between Western Beach Road and Ritchie Boulevard
4.00 am to 4.30 pm	Ritchie Boulevard
5.30 am to 1.00 pm	Bellerine Street between Ritchie Boulevard and Upper Eastern Beach Road
5.30 am to 1.00 pm	Upper Eastern Beach Road between Bellerine Street and Hearne Parade
6.00 am to 2.00 pm	Podbury Crescent between Hearne Parade and Eastern Park Circuit
6.00 am to 2.00 pm	Eastern Park Circuit
6.00 am to 2.00 pm	Holt Road between Eastern Park Circuit and Geelong–Portarlington Road
6.00 am to 2.00 pm	Limeburners Road between Geelong–Portarlington Road and Hearne Parade
6.00 am to 1.00 pm	Geelong–Portarlington Road between Normanby Street, East Geelong to Hermsley Road, Curlewis
7.30 am to 11.30 am	Hermsley Road between Geelong–Portarlington Road and Avila Road
7.30 am to 11.30 am	Avila Road
6.00 am to 1.00 pm	Point Henry Road between Geelong–Portarlington Road and gravel section of Point Henry Road

Dated 30 January 2013

GARY LIDDLE
 Chief Executive
 Roads Corporation
 Delegate for the Minister of Roads

Road Safety Act 1986

DECLARATION UNDER SECTION 99B(4)

I, Steve Brown, Executive Director Regional Operations VicRoads, under section 99B(4) of the **Road Safety Act 1986**, declare that for the purposes of the event known as the 'ChillOut Festival Parade' the Road Rules do not apply to the activities of the Event, for the times and with respect to the highway or parts of the highway listed in the Schedule.

1. In this notice, unless the context or subject-matter otherwise requires –
 'Event' means the 'ChillOut Festival Parade' to be conducted on Sunday 10 March 2013.
 'Road Rules' means the Road Rules within the meaning of the Road Safety Road Rules 2009.
2. This declaration takes effect from the date of commencement of the Event until completion of the Event.

Schedule

DATE AND TIME	ROADS SUBJECT TO THIS DECLARATION AS PART OF THE EVENT
Sunday 10 March 2013 9.00 am to 12.00 pm	Vincent Street, Central Springs Road, Duke Street

Dated 29 January 2013

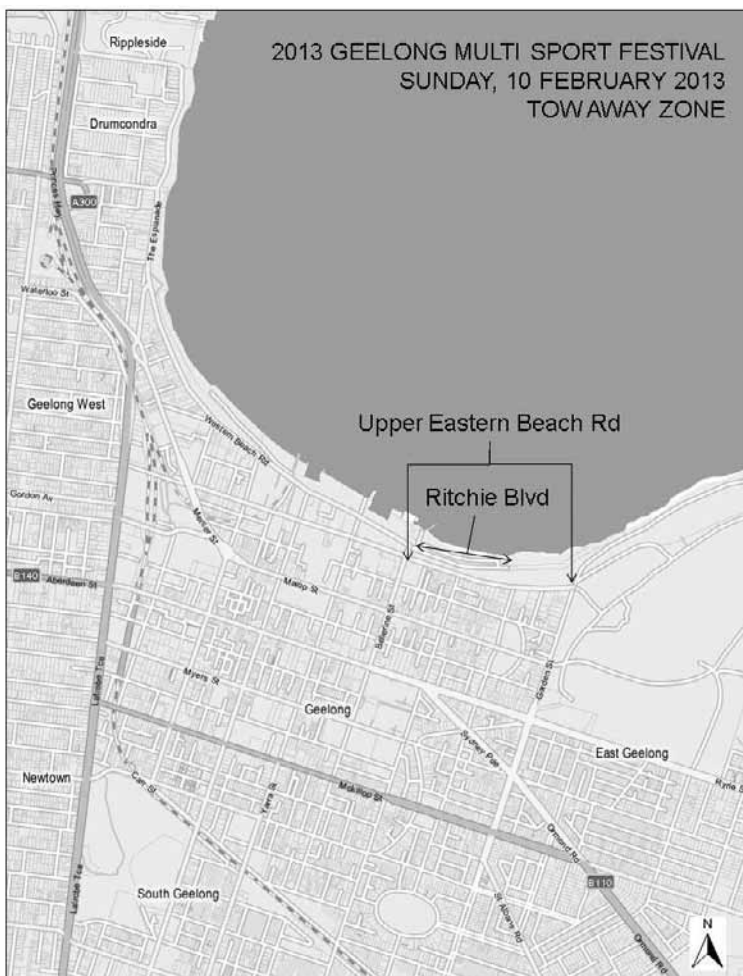
STEVE BROWN
 Executive Director,
 Regional Operations
 VicRoads

Road Management Act 2004
SCHEDULE 4 CLAUSE 5
Designation of Tow Away Area for the
Geelong Multi Sport Festival

Clause 5 of Schedule 4 to the **Road Management Act 2004** provides that a State road authority may move, keep or impound any vehicle that is unlawfully parked or left standing in an area designated by the Minister (referred to in this instrument as a 'tow-away area'), and may charge the owner of the vehicle a reasonable fee.

For the purposes of that provision, I, Gary Liddle, Chief Executive of the Roads Corporation and delegate of the Minister for Roads, designate the locations in the City of Greater Geelong specified below and shown on the attached plan, to be a tow-away area.

- Ritchie Boulevard
- Upper Eastern Beach Road between Bellarine Street and Garden Street.



This instrument takes effect at 12.01 am on Sunday 10 February 2013 and expires at 11.59 pm on Sunday 10 February 2013.

Dated 17 December 2013

GARY LIDDLE
Chief Executive, Roads Corporation
Delegate of the Minister for Roads



GWMWater
Water Act 1989

GRAMPIANS WIMMERA MALLEE WATER CORPORATION
(GWMWater)

By-Law No. 105 – Water Restrictions

GWMWater revokes Rural Pipeline Water Restrictions By-Law No. 103 and Urban Water Restrictions By-Law No. 104.

In accordance with section 287ZC of the **Water Act 1989**, GWMWater hereby gives notice that it has made a by-law, titled Water Restriction By-Law No. 105, pursuant to sections 171 and 160 of the **Water Act 1989**.

Water Restriction By-Law No. 105 is made using a Model Water Restrictions By-Law issued by the Minister for Water. The Water Restrictions By-Law No. 105 is made in relation to restrictions and prohibitions on the use of water that may be imposed in the Water Supply Districts of GWMWater.

The purpose of the By-Law is to:

- a. promote the efficient use and conservation of water;
- b. set out four stages of restrictions on the use of water;
- c. specify things which must not be done while each stage of restriction persists;
- d. specify principles for considering applications for exemptions from particular restrictions;
- e. prescribe offences and penalties for the contravention of this By-Law, including for which an Infringement Notice may be served; and
- f. prescribe classes of persons for the purpose of issuing Infringement Notices.

Copies of By-Law No. 105 – Water Restrictions are publicly available via the GWMWater website, www.gwmwater.org.au or may be inspected, free of charge, from any GWMWater office.

General enquiries relating to this By-Law should be directed to Ross Higgins, Manager Legal and Corporate Resources, on 1300 659 961.

MARK WILLIAMS
Managing Director

Planning and Environment Act 1987
BASS COAST PLANNING SCHEME
Notice of Approval of Amendment
Amendment C78 Part 2

The Minister for Planning has approved Amendment C78 Part 2 to the Bass Coast Planning Scheme.

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

The Amendment removes the Public Acquisition Overlay and applies the Public Use Zone Schedule 1 over land owned by Westernport Water at the Candowie Reservoir in Almurta. The Amendment also corrects a zoning anomaly and amends an error in the Schedule to the Farming 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 Bass Coast Shire Council, 76 McBride Avenue, Wonthaggi.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
CARDINIA PLANNING SCHEME
Notice of Ratification of Amendment
Amendment C165

Amendment C165 to the Cardinia Planning Scheme has been ratified by Parliament under sections 46AG and 46AH of the **Planning and Environment Act 1987**.

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

The Amendment introduces a site specific control under Clause 52.03 to allow for the subdivision of the land at 22–30 Downey Road, Dewhurst, into two lots and amends Clause 81.01 to introduce the associated incorporated document, ‘Site specific control, Lot 9 LP65205, 22–30 Downey Road, Dewhurst, October 2011’.

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

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987

CASEY PLANNING SCHEME

Notice of Approval of Amendment

Amendment C136

The Minister for Planning has approved Amendment C136 to the Casey Planning Scheme.

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

The Amendment amends the Public Acquisition Overlay 1 (PAO1) to include additional land required for the Thompson Road Duplication Project.

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 Casey City Council, Customer Service Centre, Magid Drive, Narre Warren, and Customer Service Centre, Cranbourne Park Shopping Centre, Cranbourne.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987

CASEY PLANNING SCHEME

Notice of Approval of Amendment

Amendment C171

The Minister for Planning has approved Amendment C171 to the Casey Planning Scheme.

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

The Amendment extends the expiry date of the site specific control in the Schedules to Clauses 52.03 and 81.01 of the Casey Planning Scheme, which applies to land at 38–40 Shrivess Road, Narre Warren South, until 31 December 2013.

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 Casey City Council, Customer Service Centre, Municipal Offices, Magid Drive, Narre Warren.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
FRANKSTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment C76

The Minister for Planning has approved Amendment C76 to the Frankston Planning Scheme.

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

The Amendment amends the Public Acquisition Overlay 1 (PAO1) to include additional land required for the Thompson Road Duplication Project.

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 Frankston City Council, corner Davey and Young Streets, Frankston.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
GREATER DANDENONG PLANNING SCHEME
Notice of Approval of Amendment
Amendment C115

The Minister for Planning has approved Amendment C115 to the Greater Dandenong Planning Scheme.

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

The Amendment amends the Public Acquisition Overlay 1 (PAO1) to include additional land required for the Thompson Road Duplication Project and removes land from the Public Acquisition Overlay 6 (PAO6).

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 Dandenong City Council, 39 Clow Street, Dandenong.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987

INDIGO PLANNING SCHEME

Notice of Approval of Amendment

Amendment C58

The Minister for Planning has approved Amendment C58 to the Indigo Planning Scheme.

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

The Amendment corrects mapping anomalies in the Heritage Maps 3HO, 8HO and 11HO, updates the schedule to the Heritage Overlay to reflect the mapping changes and correct errors for a number of properties, rectifies a number of zoning anomalies in the Scheme to correctly zone land to reflect the use and ownership of the land, removes redundant overlays over four sites and applies the Environmental Significance Overlay Schedule 1 over the balance of an individual property.

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 Indigo Shire Council, 34 High Street, Yackandandah.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987

MOORABOOL PLANNING SCHEME

Notice of Approval of Amendment

Amendment C64

The Minister for Planning has approved Amendment C64 to the Moorabool Planning Scheme.

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

The Amendment rezones the land in West Maddingley from Residential 1 to Business 1 Zone and amends the Schedule to Clause 34.01 to provide a combined maximum leasable floor area for shop (other than adult sex book shop) of 6000 sq m for the land affected by the Amendment.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Moorabool Shire Council, Darley Civic and Community Hub, 182 Halletts Way, Darley, Victoria.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
MORELAND PLANNING SCHEME
Notice of Approval of Amendment
Amendment C113

The Minister for Planning has approved Amendment C113 to the Moreland Planning Scheme. The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment:

- rezones land in Nicholson Street, Brunswick East, from Mixed Use Zone to Business 2 Zone;
- rezones land in Nicholson Street, Brunswick East, from Industrial 3 Zone to Business 2 Zone;
- rezones land in Little Miller Street and Miller Street, Brunswick East, from Industrial 3 Zone to Mixed Use Zone;
- rezones land in Nicholson Street, Fitzroy North, from Industrial 3 Zone to Residential 1 Zone;
- applies a Design and Development Overlay – Schedule 23 to land in Nicholson Street, Miller Street, Little Miller Street and Glenlyon Road, Brunswick East;
- removes the Design and Development Overlay – Schedule 20 from land in Nicholson Street, Little Miller Street and Miller Street, Brunswick East; and
- applies the Environmental Audit Overlay to potentially contaminated land in Nicholson Street, Miller Street and Little Miller Street, Brunswick East, and Nicholson Street, Fitzroy North.

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 Moreland City Council, Moreland Civic Centre, 90 Bell Street, Coburg.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
SOUTHERN GRAMPIANS
PLANNING SCHEME
Notice of Approval of Amendment
Amendment C23

The Minister for Planning has approved Amendment C23 to the Southern Grampians Planning Scheme.

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

The Amendment makes corrections to various errors and anomalies identified on planning scheme maps and in the schedule to the Heritage Overlay.

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 Southern Grampians Shire Council, 1 Market Place, Hamilton.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
STONNINGTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment C158

The Minister for Planning has approved Amendment C158 to the Stonnington Planning Scheme.

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

The Amendment applies permanent heritage controls to two heritage precincts (HO424 and HO425) and three individual heritage places (HO426, HO427 and HO428), includes them in the Schedule to Heritage Overlay, makes changes to the Schedule to the Heritage Overlay by reinstating heritage places as intended by Amendment C135 and renames precincts as intended by Amendment C157.

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 Stonnington City Council, Prahran Town Hall, corner of Greville and Chapel Streets, Prahran.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
WYNDHAM PLANNING SCHEME
Notice of Approval of Amendment
Amendment C137

The Minister for Planning has approved Amendment C137 to the Wyndham Planning Scheme.

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

The Amendment rezones land in the Featherbrook Estate from Residential 1 to Business 1 Zone and applies a Design and Development Overlay, Schedule 7 to the land. It also amends the Schedule to the Business 1 Zone to allow a maximum leasable floor area of 6,000 square metres without a permit for shop.

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 Wyndham City Council, 45 Princes Highway, Werribee.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

ORDERS IN COUNCIL

Municipal Association Act 1907

ORDER APPROVING THE ASSOCIATION MAKING
THE MUNICIPAL ASSOCIATION OF VICTORIA RULES 2013

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council under section 3(2) of the **Municipal Association Act 1907** hereby approves the Association making the Municipal Association of Victoria Rules 2013 as attached.

Dated 5 February 2013

Responsible Minister:

JEANETTE POWELL MP

Minister for Local Government

MATTHEW McBEATH
Clerk of the Executive Council



MAV RULES 2013

**MUNICIPAL ASSOCIATION OF VICTORIA
RULES 2013**

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**MUNICIPAL ASSOCIATION OF VICTORIA
RULES 2013**

PART 1 – PRELIMINARY

1 Objectives

- 1.1 The objectives of the Association are to:
- 1.1.1 promote local government and improve community awareness of the capacity of local government throughout Victoria to act effectively and responsibly;
 - 1.1.2 promote through its advocacy role appropriate powers, functions and responsibilities for local government having regard to the individual needs and characteristics of its individual members;
 - 1.1.3 act as the representative body of local government for the purpose of promoting effective inter-government co-operation;
 - 1.1.4 strengthen the Association’s leadership role in local government in Victoria by focusing on:–
 - 1.1.4.1 targeted advocacy to Governments and relevant organisations; and
 - 1.1.4.2 continually improving systems for effective member liaison, communication and participation.
 - 1.1.5 identify the administrative requirements relating to various matters under the **Municipal Association Act 1907** including provisions that:
 - 1.1.5.1 establish the management of the Association;
 - 1.1.5.2 provide mechanisms for participation by members;
 - 1.1.5.3 regulate its proceedings;
 - 1.1.5.4 fix subscriptions;
 - 1.1.5.5 regulate and manage the Municipal Officers’ Fidelity Guarantee Fund; and
 - 1.1.5.6 generally provide for all matters affecting the management of the Association.
- 1.2 The Association may exercise all functions and powers which are necessary or convenient for it to carry out its objectives provided it is not inconsistent with the **Municipal Association Act 1907** or any other Act.
- 1.3 Revocation
Any previous Rules made under the **Municipal Association Act 1907** are revoked.
- 1.4 These Rules are made under the **Municipal Association Act 1907**.

2 Definitions

‘Act’	means the Municipal Association Act 1907 .
‘Association’	means the Municipal Association of Victoria.
‘Board’	means the Management Board or the Interim Management Board.
‘Chief Executive Officer’	means the person appointed by the Board to be the Chief Executive Officer of the Association or any person acting in that position.

‘Councillor’	means a person who holds the office of member of Council; and includes a person appointed by Order in Council under section 219 or section 220R of the Local Government Act 1989 .
‘Member’	means – (a) in relation to meetings of the State Council or annual meetings, a representative; (b) in relation to meetings of the Board, a member of the Board; (c) in relation to a committee – a person who is a member of that committee.
‘Non participating member council’	means any council which is not a financial member of the Association because it has not complied with clause 4 of the Rules.
‘Local Government General Election’	means a general election held in accordance with the Local Government Act 1989
‘Participating member Council’	means a Council which is a financial member of the Association under clause 4.
‘Regional groupings of councils’	means – (a) the councils within the metropolitan area that comprise the 6 metropolitan regions; and (b) the councils outside the metropolitan area that comprise the 6 rural regions – that are determined and classified from time to time by the Board.
‘Representative’	means a councillor and includes, in the absence of the representative of the council at a meeting, the substitute representative of that council who exercises a vote on any matter as if he or she were the representative of the council.
‘State Council’	means the body consisting of all the representatives of councils which are financial members of the Association.
‘Significant Decision’	means a decision relating to: (a) a change in the policy position of the MAV; (b) entering into contracts with the value of \$200,000 or more; (c) the expenditure of unbudgeted funds; or (d) the employment or remuneration of the Chief Executive Officer.

3 Alteration of Rules

3.1 An amendment to the Rules may be proposed by:

- 3.1.1 any member notifying the Chief Executive Officer; or
- 3.1.2 the Board.

- 3.2 The Chief Executive Officer must provide written notice of the proposed amendments to the Rules to members thirty five (35) days before submission of the amendments to the State Council for determination.
- 3.3 Despite clause 15 of Schedule 3, the State Council may amend the Rules where 60% of the representatives of participating member councils vote in favour of the proposed amendment.
- 3.4 When the Rules obtain the approval of the Governor in Council under section 3 of the Act, they become the Rules of the Association.

PART 2 – MEMBERSHIP AND MEMBERSHIP PARTICIPATION

Division 1 – Council Membership

4 Membership of the Association

- 4.1 Subject to clause 5.1, a council is a financial member of the Association:
 - 4.1.1 if it has paid the amount of the annual subscription and any other monies levied on it by the Association for membership within 2 months of a notice requiring payment being given or by 31 August in every year (whichever is earlier); or
 - 4.1.2 for the period of any financial year subsequent to its payment of its annual subscription; and
 - 4.1.3 remains a financial member until 31 August in the financial year after the year for which the payment of the annual subscription is made.
- 4.2 A council which is a financial member of the Association is entitled to participate in the activities of the Association in the way provided for in these Rules.

5 Non participating member councils

- 5.1 A council which fails to pay in full its annual subscription or other monies levied on it by the Association in accordance with clause 4.1.1, will become a non participating member council and will remain as a non participating member council until that annual subscription or the next year's annual subscription is paid.
- 5.2 A non participating member council is not entitled to avail itself of the privileges and benefits of any of the functions or services performed or carried on by the Association.
- 5.3 A representative of a non participating member council is not eligible to participate in the activities of the Association or to exercise the powers of a representative to:
 - 5.3.1 vote on any motion or matter under consideration at a meeting of the Association;
 - 5.3.2 nominate any person or be nominated for any office or position on a committee of the Association; and
 - 5.3.3 hold the position of President or be a member of the Board of the committee of the Association.
- 5.4 When the annual subscription or any other monies levied on a council remain unpaid for two months after a notice requiring payment has been sent, the Chief Executive Officer of the Association must notify the Chief Executive Officer of the council of the ineligibility of the council and its representative to participate in the matters identified in sub-clauses 5.2. and 5.3.

Division 2 – Appointment and Obligations of Representatives

6 Appointment of representatives

- 6.1 A council which is a financial member of the Association must appoint a representative and a substitute representative of the council to the Association and must notify the Association in the form specified in Schedule 1 as soon as possible after the Council has made the appointment and, where an Election Day has been appointed by the Chief Executive Officer, no less than four weeks prior to that date.

- 6.2 Appointments must be made by resolution of council.
- 6.3 The Council from which the President is elected must appoint an additional representative to vote on matters under consideration by the State Council.

7 Obligations of representatives and Board members

- 7.1 A person appointed as a representative of the Association must use his or her reasonable endeavours to attend all meetings of the Association which the person is eligible to attend.
- 7.2 A representative must:
 - 7.2.1 attend every meeting of the State Council and if he or she is unable to attend a meeting, must encourage the council's substitute representative to attend;
 - 7.2.2 if present, vote on every matter under consideration by the State Council, in accordance with either the resolution of his or her council or the view of the majority of the Councillors where known, unless prohibited from doing so;
 - 7.2.3 provide regular reports to his or her council on matters discussed and considered by the Association and on the decisions made; and have regard to any codes or guidelines published by the Board that relates to his or her functions as a representative.
- 7.3 A representative elected as a regional member of the Board must liaise with other representatives and councils within the region that he or she represents by meeting with them on a regular basis and by providing written reports and information on the Association's activities and by any other means which is convenient and satisfies the needs of the regional grouping of councils.

Division 3 – The Management Board and Elections

8 The Management Board

- 8.1 There will be a Municipal Association of Victoria Management Board that is comprised of the President and twelve (12) other members who are the representatives of the twelve regional groupings of councils.
- 8.2 Subject to the provisions of Clause 8, the President and the twelve regional members of the Board go out of office at 6.00 am on the Election Day or 6.00 am on the day of the Local Government General Election.
- 8.3 Despite the provisions of Clause 8.2. the Management Board may make recommendation to State Council for a longer term of office of the President and the twelve regional members of the Management Board.
- 8.4 Despite the provisions of Clause 15 of Schedule 3, for the purposes of this clause 8 the State Council may approve such longer term of office for the President and the twelve regional members of the Board where 60% of the representatives of participating member councils vote in favour of the proposed term of office.

9 The Interim Management Board

- 9.1 Subsequent to each Local Government General Election, an Interim Management Board comprising members of the immediate past Management Board who are declared elected following that General Election will be formed.
- 9.2 The Interim President of the Association will be the immediate past President if that person is declared elected following the Local Government General Election and, if that person is not declared elected following the Local Government General Election, the Interim Management Board must elect a member to be the Interim President.
- 9.3 The quorum for the Interim Management Board is a majority of the members.

9.4 The Interim Management Board may not make a Significant Decision except by unanimous vote by all members of the Interim Management Board.

9.5 The members of the Interim Management Board go out of office at 6.00 am on the Election Day.

10 Conduct of elections

10.1 The Chief Executive Officer is the Returning Officer and is responsible for the conduct of elections for the office of President and the twelve (12) regional members on the Board.

10.2 The Chief Executive Officer may appoint another person or organisation to be the Returning Officer responsible for the conduct of elections.

10.3 The Election Day is the first Friday in March 2009 and thereafter on the first Friday in March in the second year after the last general election was held.

11 Election of the President

11.1 The President of the Association will be elected by the representatives that comprise the State Council.

11.2 The Chief Executive Officer may after advising the Board, determine whether postal, attendance or electronic voting will apply to the election of the President and must notify the representatives of all participating member councils at least 42 days before Election Day of the voting method to apply.

11.3 An election for the position of President must be conducted in accordance with the provisions in Schedule 2.

12 Election of regional Board members

12.1 A representative of a regional grouping of councils will be elected by the representatives in each region to be that region's member on the Board.

12.2 The Chief Executive Officer may, after advising the Board, determine whether postal, attendance or electronic voting will apply to the election of the twelve regional members of the Board and must notify the representatives of all participating member councils at least 42 days before the Election Day of the voting method to apply.

12.3 An election for a regional member position on the Board must be conducted in accordance with the provisions in Schedule 2.

13 Voting entitlements for elections

13.1 For the purposes of electing the President, each representative of the State Council has one vote.

13.2 For the purposes of electing a representative of each of the regional groupings of councils to the Board each representative has one vote for the representative of the region within which his or her council is located.

14 By elections

14.1 Subject to 14.2 and 14.3, an election must be held to fill a casual vacancy on the Management Board and must be conducted by postal ballot or at a special meeting of the State Council.

14.2 If a casual vacancy occurs in the position of President within nine months of the date at which the President goes out of office the Management Board must elect a member of the Board as an Acting President for the remainder of the term.

14.3 If any other casual vacancy occurs on the Management Board within two months of the date at which that member goes out of office the Board may decide that the casual vacancy is not to be filled.

14.4 If a casual vacancy occurs on the Interim Management Board it is not to be filled.

15 Vacancies and resignations

- 15.1 A casual vacancy is created either on the State Council or the Board where a representative:
- 15.1.1 dies;
 - 15.1.2 resigns in writing to the Chief Executive Officer; or
 - 15.1.3 ceases to be a councillor.
- 15.2 A casual vacancy on the Board also occurs if the council for which that Board member is a representative ceases to be a participating member of the Association.

16 Revocation of Appointment

The revocation of the appointment of a representative, who has been elected as the representative of a region by a Council, will not affect that Councillor remaining a Board member for the remainder of their term, subject to Rule 14.

17 Filling of casual vacancies – State Council and Regional Representatives

- 17.1 Where a vacancy occurs on the State Council for any of the reasons specified in clause 15.1 the council to which that vacancy relates may appoint a replacement representative.
- 17.2 Where a vacancy occurs on the Management Board for any of the reasons specified in clause 15, the representatives of the region may as soon as practicable, elect another representative from the region in which the vacancy has occurred to fill the vacancy until the next election of a new Management Board falls due.

Division 4 – Meetings and Forums of the Association**18 The State Council**

- 18.1 The appointed representatives of participating member councils meeting together in accordance with the Rules comprise the State Council.
- 18.2 The State Council will meet at least twice in each year and may meet at any other time appointed by the President.
- 18.3 A special meeting of the State Council may be called by the President or any ten representatives of participating member councils to deal with the matters specified in the notice calling the meeting.
- 18.4 The quorum necessary to transact business at a meeting of the State Council is the number of representatives capable of exercising 20 votes and no business may be transacted at a meeting of the State Council unless that number of representatives is present.
- 18.5 Meetings of the State Council may be adjourned or deferred at any time by the President or by a resolution to adjourn to a date to be fixed carried at the meeting.

19 Annual Meeting

- 19.1 The annual meeting of the State Council will be held in October of each year or at such other time as the Board may determine.
- 19.2 Preliminary notice in writing giving a general description of the business to be transacted and the date, time and place of the annual meeting will be given to members not less than 35 days before the date fixed for the meeting.
- 19.3 The purpose of the annual meeting is to:
- 19.3.1 consider an annual report from the President about the activities and financial affairs of the Association;
 - 19.3.2 appoint an auditor whenever the appointment of auditor is about to expire; and
 - 19.3.3 generally deal with the business of the Association.

20 Additional State Council meetings

- 20.1 In addition to the annual meeting of the State Council, the Association will hold a State Council meeting in November of each calendar year or at such other time as may be determined by the Board, for the purpose of:
- 20.1.1 identifying and determining the issues, objectives and strategic direction of the Association to enable it to fulfil its primary advocacy role;
 - 20.1.2 communicating councils' views about issues impacting on local government;
 - 20.1.3 providing a forum in which effective communication between the Association and councils occurs; and
 - 20.1.4 dealing with any other matter which the Association considers is critical to achieve effective and efficient local government.
- 20.2 Preliminary notice in writing giving a general description of the business to be transacted and the date, time and place of the meeting will be given to members not less than 35 days before the date fixed for the meeting.
- 20.3 Except for items of business to be dealt with at the annual meeting of the Association or for the conduct of elections to which a separate postal voting procedure applies, the Board may determine that members of the State Council may vote on any item of business by post, facsimile or email or any combination of those methods.

21 Submission of business by members

- 21.1 Members may submit matters, in accordance with a form determined by the Board, for consideration at meetings of the State Council which may be included in the business to be dealt with provided that –
- 21.1.1 notice of such matters has been given to the Chief Executive Officer not less than 28 days before the meeting; and
 - 21.1.2 the Chief Executive Officer considers that the matters raised by the member is of state-wide significance to local government and ought to be considered at the meeting; and
 - 21.1.3 where the Chief Executive Officer is of the view that a matter submitted ought not be dealt with at the meeting, he or she must submit the matter to the Board for final determination.
 - 21.1.4 matters which relate to the same subject may be consolidated into a single matter, with such amendments as the Board in its discretion determines are warranted, prior to inclusion in the business papers and circulation to members.

22 Business papers

Business papers must be forwarded to members not less than 14 days before the date specified for any meeting of the State Council.

23 Committees

- 23.1 The Management Board may appoint committees of persons to undertake any function of the Board.
- 23.2 A committee may consist of:
- 23.2.1 representatives;
 - 23.2.2 members of staff of the Association;
 - 23.2.3 council staff; or
 - 23.2.4 any other person that the Board considers necessary or convenient to facilitate the function to be performed.

24 Issues Forums

- 24.1 The Association may from time to time conduct issues forums for the purposes of:
- 24.1.1 developing a local government response to the State or Federal Government or any other organisation on specific issues which have not been addressed by the State Council;
 - 24.1.2 providing a forum for councils to participate in the formulation of local government policy on issues of significance to local government;
 - 24.1.3 providing a forum for councils to exchange information or to engage in problem solving on issues of significance or concern to local government;
 - 24.1.4 providing a means by which information can be given about new and emerging issues or by which new and emerging issues can be developed and assessed; and
 - 24.1.5 presenting information or decisions of the Board.

25 Holding of Issues Forums

- 25.1 Issues forums may be held by the Association at any time after the Association has given 7 days notice to members.
- 25.2 Issues forums must be chaired by a member of the Board.

26 Attendance at Issues Forums

- 26.1 Any person who is a councillor or a member of council staff may attend issues forums.
- 26.2 Each council attending an issues forum is entitled to one vote which may be cast by any person irrespective of whether that person is a representative or not.
- 26.3 A matter before an issues forum is passed by a majority of votes.
- 26.4 Except where an issue is considered urgent by the Chief Executive Officer any decision which results in a policy position of the Association must be submitted to the next meeting of the Board for endorsement.

Division 5 – Regulation of proceedings**27 Conduct of meetings**

- 27.1
- 27.1.1 The meetings of the State Council and the Board will be conducted in accordance with the procedures in Schedule 3.
 - 27.1.2 Meetings of the State Council and the Management Board will be chaired by the President or, in his or her absence by a Deputy President or in the absence of the President and the Deputy Presidents, by a representative appointed by the State Council or the Management Board to chair the meeting.
 - 27.1.3 Meetings of the Interim Management Board will be chaired by the Interim President or, in his or her absence, by a member elected by the Interim Management Board to chair the meeting
- 27.2
- 27.2.1 At any meetings of the Association other than a State Council meeting, each representative present is entitled to one vote.
 - 27.2.2 At any meeting of the State Council, voting entitlements will be those set out in clause 15 of Schedule 3.
- 27.3 At meetings of the State Council if the representative of a participating member council is not present the substitute representative of that council may vote in place of that representative.

- 27.4 At State Council the President may not exercise a deliberative vote.
- 27.5 A question arising at a meeting is determined by the majority of votes of the members present who are eligible to vote and in accordance with their respective eligibility to vote on that question and, if voting is equal, the chairperson or other person presiding, has a casting as well as a deliberative vote. If voting is equal at a meeting of State Council, the President, if present, has a casting vote only.
- 27.6 Business which is not included in the notice for a meeting of any State Council or the Board may not be dealt with unless 50% of the members eligible to attend and vote at the meeting are present and agree.
- 27.7 The Association must ensure that accurate records are kept of its meetings.

PART 3 – MANAGEMENT AND ADMINISTRATION OF THE ASSOCIATION

Division 1 – The Board

28 The Board

- 28.1 The Board has responsibility for the conduct of the affairs of the Association in accordance with the Rules.
- 28.2 Notice of meetings of the Board must be given to Board members not less than seven days before the meeting, unless the meeting is to deal with business which the President considers to be urgent or requiring immediate resolution by the Board.
- 28.3 The quorum necessary to transact business at a meeting of the Management Board will be 7 and no business may be transacted at a meeting of the Management Board unless that number of representatives is present.
- 28.4 The quorum for the Interim Management Board is a majority of the members.
- 28.5 The Interim Management Board may not make a Significant Decision except by unanimous vote by all members of the Interim Management Board.
- 28.6 Meetings of the Board may be deferred or adjourned at any time by the President, Interim President or member presiding, as the case may be, to a date to be fixed.
- 28.7 Meetings of the Board must be conducted in open session unless the Association will be prejudiced by the requirement to do so.
- 28.8 Where the business of the Board requires urgent or immediate resolution by the Board, Board members may participate in a meeting of the Board by phone, closed circuit television or any other means of communication and a member who participates for the duration of the meeting is deemed to be present at the meeting.

29 Election of Deputy Presidents

- 29.1 The Management Board must elect two of its members to be Deputy Presidents of the Association; one Deputy President must be a representative of a rural grouping of councils and the other a representative of a metropolitan grouping of councils.
- 29.2 The role of the Deputy Presidents will be determined by the Management Board.
- 29.3 A Deputy President may act in the place of the President when requested by the President to do so.
- 29.4 The Management Board may appoint a Deputy President to act in the place of the President when the President is absent, incapable or refuses to act.

30 Functions of the Board

- 30.1 The functions of the Board will be to:–
- 30.1.1 determine and classify the regional groupings of councils after consultation on proposals for the regional groupings has been undertaken with councils;
 - 30.1.2 define the detail of the broad policies, objectives and strategies determined by the State Council;

- 30.1.3 implement the broad policies, objectives and strategies of the Association;
 - 30.1.4 regularly liaise with representatives of participating member councils and regional groupings of councils;
 - 30.1.5 set service standards and priorities and monitor the performance of the Association;
 - 30.1.6 publish practice notes, guidelines or codes to be used and applied by representatives when they are acting as representatives of the Association;
 - 30.1.7 determine the budget including the level of subscription to be paid by participating member councils and monitor the financial performance of the Association after consultation with the State Council on the level of subscriptions to be paid.
 - 30.1.8 determine the levels of cover, guarantees and other matters associated with the Municipal Officers' Fidelity Guarantee Fund;
 - 30.1.9 operate and manage liability and workcover insurance schemes;
 - 30.1.10 determine issues of policy, legislative and financial significance to local government;
 - 30.1.11 appoint a Chief Executive Officer who will be responsible for the day to day management and administration of the Association;
 - 30.1.12 annually set performance appraisal objectives for the Chief Executive Officer and regularly monitor the performance of the Chief Executive Officer;
 - 30.1.13 determine the allowances (if any) to be paid to representatives;
 - 30.1.14 provide appropriate insurance cover for representatives; and
 - 30.1.15 appoint representatives and persons to committees.
- 30.2 The Board must provide notice to councils of the classification of Metropolitan, interface and rural councils into regional groupings of councils within 14 days of its decision.

31 Delegation

The Board may, by instrument of delegation, delegate to a committee appointed by the Board or to the Chief Executive Officer of the Association any power or function of the Board, other than this power of delegation.

32 Disclosure of Pecuniary Interests

- 32.1 If –
- 32.1.1 a member has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the Board; and
 - 32.1.2 the interest could conflict with the proper performance of the member's duties in relation to the consideration of the matter –
- the member, as soon as practicable after the relevant facts come to a member's knowledge, must disclose the nature of the interest at a meeting of the Board.
- 32.2 A member who has made a disclosure under sub-clause 32.1 may remain in the room in which the meeting is being held during any consideration or discussion of the matter, and may take part in discussion, but must leave the room while any vote is taken on the matter.
- 32.3 A disclosure under sub-clause 32.1 must be recorded in the minutes of the meeting.
- 32.4 Sub-clause 32.1 does not apply in relation to a matter relating to the supply of goods or services to the member if the goods or services are, or are to be, available to other members of the Association on the same terms and conditions.

Division 2 – Revenue of the Association**33 Accounts and records**

The Association must ensure that proper accounts and records of its transactions and affairs and other appropriate records are kept so that its financial operations and financial position can be adequately explained at any time.

34 Audit

The Association must appoint an independent person or firm to be the auditor of the Association for a period up to five years.

35 Duties of auditors

The auditor must audit the financial statements of the Association in accordance with applicable Australian Auditory Standards and Statutory requirements including reporting in accordance with those requirements.

36 Subscriptions

The subscription to be paid by member councils and the date of sending subscription notices will be determined each year by the Board.

37 Investments

The Association may invest in any of the funds that councils may invest in under section 143 of the **Local Government Act 1989** or the **Trustee Act 1958**.

Division 3 – Municipal Officers' Fidelity Guarantee Fund**38 Members of the Fund**

For the purposes of this Division, 'Authority' includes the bodies referred to in section 5 of the Act contributing to the fund.

39 Management of the fund

Subject to these Rules, the Board is responsible for the management and operation of the Municipal Officers' Fidelity Guarantee Fund.

40 The Municipal Officers' Fidelity Guarantee Fund

40.1 The Municipal Officers' Fidelity Guarantee Fund consists of:

- 40.1.1 all premiums received by the Association by way of premiums on guarantees;
- 40.1.2 all monies received by the Association under section 7 of the Act;
- 40.1.3 all monies received by the Association by way of interest on moneys invested under these Rules;
- 40.1.4 all other moneys received by the Association in connection with the activities of the Fund.

41 Decisions of the Board

41.1 The Board will from time to time determine:

- 41.1.1 the manner and form of an application for a guarantee;
- 41.1.2 the form of the policies to be issued;
- 41.1.3 the level of premium payable; and
- 41.1.4 the level of cover available.

42 Expiration of Policies

Unless renewed, all policies will terminate on the 30th June next following the date of their issue.

43 Application for guarantee

Any Authority may make application for a guarantee in respect of its employees. Upon acceptance of any application and upon acceptance and payment of the appropriate premium fixed by the Board, the Association will issue to the Authority a policy in the appropriate form determined by the Board.

44 Renewal of policies

Before becoming entitled to the renewal of any policy, the Authority in the name of which the policy has been issued must submit to the Board a statement of its revenue from general rates and charges during the preceding financial year and the Board will fix the premium payable on the basis of such revenue and such other information as the Board may determine from time to time; including, without limitation, claims history and risk management practices.

45 Cancellation of policies

45.1 Any policy may be cancelled:

- 45.1.1 at any time at the written request of the Authority, in which case the Association will be entitled to retain the premium for the period during which the policy has been in force; and
- 45.1.2 by the Association in the event of the Authority;
 - 45.1.2.1 failing to comply with its duty of absolute good faith;
 - 45.1.2.2 failing to comply with its duty of disclosure;
 - 45.1.2.3 making a misrepresentation to the Association during negotiations for the policy before it was entered into;
 - 45.1.2.4 failing to comply with a condition or other provision of the policy, including the provision with respect to payment of the premium; or
 - 45.1.2.5 making a fraudulent claim under the policy.

46 Notice of cancellation

- 46.1 The Association may give written notice to the Authority that it has cancelled the policy and that the cancellation will take effect 14 days from the date of the written notice.
- 46.2 Where the Association cancels the policy of an Authority the Association will refund to the Authority an amount of premium proportionate to the unexpired term of the policy.

47 Liability of the Association

The liability of the Association under any blanket policy to pay out of the Municipal Officers' Fidelity Guarantee Fund any loss sustained by the Authority will be based on the absolute good faith of the application and of the truth and completeness of any information supplied by and on behalf of the Authority and will depend upon the due payment of the premium.

48 Investment of funds

The Board may invest the fund or any part of it in the funds in which councils may invest under section 143 of the **Local Government Act 1989** or the **Trustee Act 1958**.

49 Expenses

All expenses incurred in the management of the Fund will be paid out of the Funds and the Fund will contribute from time to time an amount determined by the Board towards the overall cost of management and administration of the Association.

PART 4 – GENERAL PROVISIONS

50 Seal

- 50.1 The Seal of the Association may only be used in accordance with the direction of the Board and affixed in the presence of any member of the Board and the Chief Executive Officer or any other Director of the Association.
- 50.2 Any documents to which the Seal has been affixed must be kept in a register maintained for that purpose.
- 50.3 The Chief Executive Officer must report to the Board at each meeting, the documents to which the Seal has been affixed.

51 Business Name

The Association in conducting its activities may use with the approval of the Board any business name which it determines to register under the **Business Names Act 1962**.

Municipal Association of Victoria
SCHEDULE 1
Notification of appointment (Rule 6)

The Chief Executive Officer
Municipal Association of Victoria

At the meeting of the _____ on _____
(insert name of council) *(insert date)*

Cr _____ was appointed as the council's
representative to the Association.

Cr _____ was appointed as the substitute
representative to the Association.

Chief Executive Officer
(insert name of council)

Municipal Association of Victoria**SCHEDULE 2****Election Procedures for President and members of the
MAV Management Board (Rules 11 & 12)****Division 1 – General requirements applying to elections****1 Nomination**

- 1.1 Any representative wanting to nominate as a candidate for election either to the position of President or as a regional representative of the Board must submit to the Returning Officer a nomination in the form specified in Schedule 4.
- 1.2 A nomination must be received by the Returning Officer no later than 4.00 pm on the twenty first day before Election Day and may be posted, hand delivered or sent by facsimile.
- 1.3 A representative nominating for election may nominate himself or herself or be nominated by another representative but must be the council's representative appointed by the council under rule 6.1. and notified to the Association in the form of Schedule 1.
- 1.4 The Returning Officer must reject the nomination if:
 - 1.4.1 the person nominating is not the representative appointed by a participating member council; or
 - 1.4.2 the person nominating has been nominated by a person who is not the representative of a participating member council; or
 - 1.4.3 the nomination has not been received by the specified closing time.

2 Candidate's entitlements

- 2.1 Each candidate for election may provide to the Returning Officer a statement containing no more than 150 words and a photograph of himself or herself a copy of which must be lodged with the nomination form so that it is circulated under clause 12 of this Schedule.
- 2.2 Each candidate may appoint a scrutineer in writing to the Returning Officer to be present at the ballot to determine the order of candidates on the ballot paper and at the count of the votes.
- 2.3 A scrutineer appointed in accordance with sub-clause 2.2. has the right to attend either or both of a ballot or count of votes for which he or she is appointed.

3 Withdrawal or death of a candidate

- 3.1 If the withdrawal or death of a candidate before the conduct of an election means that only one candidate remains in the election, the Returning Officer must declare the remaining candidate to be elected.
- 3.2 If the withdrawal or death of a candidate before the conduct of an election means that there are no candidates for an election, the election fails and the Returning Officer must:
 - 3.2.1 if the failure relates to the election of President, advise all the representatives;
 - 3.2.2 in any other case, advise the representatives within the relevant region – that the election has failed and that a new election will be conducted.
- 3.3 The Returning Officer must proceed to conduct an election in accordance with these Rules to fill an extraordinary vacancy as soon as practicable.

4 Returning Officer's duties

If an election is to be conducted for the office of President and for any of the regional member positions on the Board, the Returning Officer must:

- 4.1 as soon as practicable after 4.00 pm on the closure of nominations hold a ballot by lot to determine the order in which the name of each candidate is to appear on the ballot paper;
- 4.2 within 7 days of the close of nominations send to each representative eligible to vote a statement setting out the names of the representatives who have nominated, the positions for which they have nominated and the order in which candidates names will appear on the ballot paper; and
- 4.3 prepare separate ballot papers for each of the elections setting out the names of the candidates who have nominated.

5 Election of President

- 5.1 If only one representative nominates for the office of President, he or she will be declared elected by the Returning Officer.
- 5.2 If two or more representatives nominate for the office of President, an election must be conducted by the Returning Officer.

6 Marking of ballot papers for election of President

- 6.1 Where there are more than two candidates for the office of President, the representative must mark his or her vote on the ballot paper delivered to him or her by placing –
 - 6.1.1 the figure 1 opposite the name of the candidate for whom he or she votes as his or her first preference; and
 - 6.1.2 the figures 2, 3, 4 (and so on as the case requires) opposite the respective names of all remaining candidates so as to indicate by numerical sequence the order of his or her preference for each candidate.
- 6.2 Where there are only two candidates a ballot paper will be deemed to be sufficiently marked if marked with the figure 1 so as to indicate the representative's first preference.
- 6.3 At any election where there are more than two candidates the requirements of this subclause will be deemed to be sufficiently complied with if the ballot paper is marked with the figures 1, 2, 3, 4, (and so on as the case requires) opposite the names of all the candidates on the ballot paper except one, and in any such case the representative will be deemed and taken to have given his or her last preference vote for the candidate opposite whose name no figure is placed.
- 6.4 A ballot paper must be rejected if it is not marked in the manner required.
- 6.5 If the election is conducted by attendance voting, each representative must within 30 minutes after the delivery of the ballot papers, place his or her ballot paper in the appropriate box provided by the Returning Officer.

7 Election Results for the office of President

- 7.1 If an election for the office of President has been conducted, the candidate who has received the greatest number of first preference votes, if that number constitutes an absolute majority of votes, is to be declared elected by the Returning Officer.
- 7.2 'Absolute majority of votes' means a number of votes greater than one-half of the total number of ballot papers (excluding ballot papers which are rejected) and if necessary, includes a vote by lot.
- 7.3 If no candidate has received an absolute majority of votes, the Returning Officer must –
 - 7.3.1 arrange the ballot papers by placing in a separate parcel all those on which a first preference is indicated for the same candidate and preference votes are duly given for all (or all but one) of the remaining candidates, omitting ballot papers which are rejected; and
 - 7.3.2 declare the candidate who received the fewest first preference votes a defeated candidate; and

- 7.3.3 distribute the ballot papers counted to the defeated candidate amongst the defeated candidates next in order of the voters' preference; and
- 7.3.4 after the distribution, again ascertain the total number of votes given to each non-defeated candidate.
- 7.4 The candidate who has then received the greatest number of votes, if that number constitutes an absolute majority of votes, is declared elected by the Returning Officer.
- 7.5 If no candidate then has an absolute majority of votes, the process of declaring the candidate who has the fewest votes a defeated candidate and distributing the ballot papers counted to the defeated candidate amongst the non defeated candidates next in order of the voters' preference is to be repeated until one candidate has received an absolute majority of votes and is declared elected by the Returning Officer.
- 7.6 If on any count two or more candidates have an equal number of votes and one of them has to be declared a defeated candidate, the result is to be determined by lot by the Returning Officer.
- 7.7 If on a final count two candidates have an equal number of votes, the result is to be determined by lot by the Returning Officer.
- 8 Election of 12 regional members of the Board**
- 8.1 If only one representative from a regional grouping of councils nominates for the position of Board member for that region he or she will be declared elected as the Board member for that region.
- 8.2 If two or more representatives from a regional grouping of councils nominate for the position of regional member of the Board, an election must be conducted by the Returning Officer.
- 9 Marking of ballot papers for election of regional member of the Board**
- 9.1 Where an election is conducted for a position as a regional Board member, the representative must mark his or her vote on the ballot paper delivered to him or her by placing –
- 9.1.1 the figure 1 opposite the name of the candidate for whom he or she votes as his or her first preference; and
- 9.1.2 the figures 2, 3, 4 (and so on as the case requires) opposite the respective names of all remaining candidates so as to indicate by numerical sequence the order of his or her preference for each candidate.
- 9.2 Where there are only two candidates a ballot paper will be deemed to be sufficiently marked if marked with the figure 1 so as to indicate the representative's first preference.
- 9.3 At any election where there are more than two candidates the requirements of this sub-clause will be deemed to be sufficiently complied with if the ballot paper is marked with the figures 1, 2, 3, 4, (and so on as the case requires) opposite the names of all the candidates on the ballot paper except one, and in any such case the representative will be deemed and taken to have given his or her last preference vote for the candidate opposite whose name no figure is placed.
- 9.4 A ballot paper must be rejected if it is not marked in the manner required.
- 9.5 If the election is conducted by attendance voting, each representative must within 30 minutes after the delivery of the ballot papers, place his or her ballot paper in the appropriate box provided by the Returning Officer.
- 10 Election results for regional members of the Board**
- 10.1 If an election for any of the regional members of the Board has been conducted, the candidate who has received the greatest number of first preference votes, if that number constitutes an absolute majority of votes, is to be declared elected by the Returning Officer.

- 10.2 'Absolute majority of votes' means a number of votes greater than one-half of the total number of ballot papers (excluding ballot papers which are rejected) and if necessary, includes a vote by lot.
- 10.3 If no candidate has received an absolute majority of votes, the Returning Officer must –
- 10.3.1 arrange the ballot papers by placing in a separate parcel all those on which a first preference is indicated for the same candidate and preference votes are duly given for all (or all but one) of the remaining candidates, omitting ballot papers which are rejected; and
 - 10.3.2 declare the candidate who received the fewest first preference votes a defeated candidate; and
 - 10.3.3 distribute the ballot papers counted to the defeated candidate amongst the non defeated candidates next in order of the voters' preference; and
 - 10.3.4 after the distribution, again ascertain the total number of votes given to each non-defeated candidate.
- 10.4 The candidate who has then received the greatest number of votes, if that number constitutes an absolute majority of votes, is declared elected by the Returning Officer.
- 10.5 If no candidate then has an absolute majority of votes, the process of declaring the candidate who has the fewest votes a defeated candidate and distributing the ballot papers counted to the defeated candidate amongst the non-defeated candidates next in order of the voters' preference is to be repeated until one candidate has received an absolute majority of votes and is declared elected by the Returning Officer.
- 10.6 If on any count two or more candidates have an equal number of votes and one of them has to be declared a defeated candidate, the result is to be determined by lot by the Returning Officer.
- 10.7 If on a final count two candidates have an equal number of votes, the result is to be determined by lot by the Returning Officer.

11 Where representative has nominated for President and Board member

- 11.1 If any candidate declared elected as President has also nominated for a position as a regional member of the Board that nomination must be declared to be invalid and any vote expressed for him or her for that other position will be dealt with as if his or her name had not been on the ballot paper and the numbers indicating subsequent preferences had been altered accordingly.
- 11.2 In the event that such a procedure results in no candidate for a regional member of the Board, an election must be held for the vacancy.

Division 2 – Optional postal voting

12 Application of postal voting

- 12.1 If the Chief Executive Officer has determined that postal voting will apply to an election, then in addition to the notification required to be given a representative under clause 4, the Returning Officer must at least 10 days before the last day of voting, deliver or send to each representative who is entitled to vote at the election –
- 12.1.1 a postal vote certificate or declaration;
 - 12.1.2 a ballot paper for postal voting;
 - 12.1.3 a prepaid envelope for the return of the certificate and the ballot paper;
 - 12.1.4 instructions on how to vote;
 - 12.1.5 notice of how and when the ballot paper must be returned by; and
 - 12.1.6 any other material that the Returning Officer thinks is appropriate.
- 12.2 If an election is conducted by postal voting, a reference in the Rules to 'Election Day' is to be taken as a day fixed by the Chief Executive Officer as the last day on which postal ballots may be validly received by the Returning Officer.

13 Ballot papers and declaration envelopes

- 13.1 Subject to sub-clause 13.2, the Returning Officer must ensure that –
- 13.1.1 ballot papers are made of marked security paper; and
 - 13.1.2 declaration envelopes are opaque.
- 13.2 Each replacement declaration envelope issued under clause 14 must be identified as a replacement declaration envelope.
- 13.3 The Returning Officer must keep a record of all persons who have been issued with a postal voting envelope and must keep a record of all those who have returned a declaration envelope.

14 Issuing duplicate voting materials

- 14.1 If on or before the last day of voting a representative –
- 14.1.1 claims that he or she has lost or destroyed the declaration envelope or ballot paper or both; or
 - 14.1.2 claims that he or she has not received a postal ballot envelope; or
 - 14.1.3 satisfies the Returning Officer that he or she has spoiled the declaration envelope or ballot paper or both and returns the spoiled declaration envelope or spoiled ballot paper or both,
- the Returning Officer must issue the voter with the appropriate replacement material.
- 14.2 If a spoiled declaration envelope or ballot paper has been returned under sub-clause 14.1.3 the Returning Officer must cancel the spoiled declaration envelope or ballot paper.
- 14.3 The Returning Officer may use any means of identifying declaration envelopes, ballot papers and postal ballot envelopes issued under this provision which he or she considers appropriate to comply with clause 16.

15 Requirements applying to representatives

- 15.1 A representative voting must –
- 15.1.1 mark his or her preference on the ballot paper in the manner required in this Schedule;
 - 15.1.2 sign his or her name on the declaration envelope in the place provided and complete any details where indicated;
 - 15.1.3 insert the completed ballot paper in the declaration envelope provided and seal the envelope; and
 - 15.1.4 place the declaration envelope in the prepaid envelope provided.
- 15.2 The representative must post or deliver the prepaid envelope containing the declaration envelope and ballot paper to the Returning Officer at the address on the envelope so as to reach the Returning Officer not later than 6.00 pm on the last day of voting or to deliver it to the address designated by the Returning Officer for that purpose not later than 6.00 pm on the last day of voting or by any other time specified by the Returning Officer.

16 Receipt of declaration envelopes

- 16.1 The Returning Officer may before the close of voting –
- 16.1.1 remove the declaration envelopes from the prepaid envelopes;
 - 16.1.2 separate the signed declaration envelopes from the unsigned declaration envelopes;
 - 16.1.3 disallow the unsigned declaration envelopes;
 - 16.1.4 arrange all signed declaration envelopes according to the appropriate regional grouping of councils.

- 16.2 The Returning Officer must –
- 16.2.1 identify the declaration envelopes issued under clause 14;
 - 16.2.2 satisfy himself or herself that –
 - 16.2.2.1 the person voting was entitled to vote; or
 - 16.2.2.2 the person has not voted or attempted to vote more than once at the election; or
 - 16.2.2.3 the replacement declaration envelope was signed by the same person whose name appears on the list of representatives entitled to vote.
- 16.3 If the Returning Officer is satisfied he or she must accept the ballot paper within the declaration envelope for further scrutiny without opening the declaration envelope in which it is contained, but if the Returning Officer is not satisfied the ballot paper within the declaration envelope must be disallowed without opening the declaration envelope within which it is contained.
- 16.4 The Returning Officer must arrange all the declaration envelopes containing accepted ballot papers in accordance with sub-clause 16.1.4.

17 Security of declaration envelopes

- 17.1 The Returning Officer must ensure that all declaration envelopes received are placed in a properly secured postal ballot container until after the close of voting.
- 17.2 The Returning Officer must ensure that all declaration envelopes remain unopened until the close of voting.

18 Handling of election materials

- 18.1 The Returning Officer must as soon as practicable after the close of voting do the following in the presence of any scrutineers and any other person who is authorised –
- 18.1.1 open the postal voting container and remove its contents;
 - 18.1.2 make up into separate parcels –
 - 18.1.2.1 the records kept of persons who have returned a declaration envelope;
 - 18.1.2.2 the spoilt ballot papers and the declaration envelopes;
 - 18.1.2.3 the unsigned declaration envelopes;
 - 18.1.2.4 the declaration envelopes disallowed under sub-clause 16.1.3 and 16.3;
 - 18.1.2.5 the unused declaration envelopes;
 - 18.1.3 open the signed declaration envelopes and take out the ballot papers;
 - 18.1.4 make up the signed declaration envelopes into separate parcels and ascertain the number of votes received by each candidate and the number of informal votes;
 - 18.1.5 set aside the informal ballot papers;
 - 18.1.6 make up into separate parcels –
 - 18.1.6.1 the used ballot papers;
 - 18.1.6.2 the informal ballot papers;
 - 18.1.6.3 the unused ballot papers;
 - 18.1.7 prepare and sign a certificate which may be signed by any of the scrutineers specifying the number of –
 - 18.1.7.1 votes received by each candidate;
 - 18.1.7.2 ballot papers set aside as informal;

- 18.1.8 make a statement on the outside of each parcel containing –
 - 18.1.8.1 a description of its contents;
 - 18.1.8.2 the name of the council and the regional grouping of councils;
 - 18.1.8.3 the date of the count;
 - 18.1.8.4 enclose and properly fasten each parcel and sign the statement made under paragraph (h) and permit any scrutineer to sign the statement.
- 18.2 As far as practicable, the Returning Officer must ensure that the ballot paper is removed from a signed declaration envelope in a way that prevents any person from seeing how a representative voted.
- 18.3 The Returning Officer must as soon as practicable ascertain from the certificate prepared under sub-clause 18.1.7 the number of first preference votes given to each candidate.

19 Safe custody of ballot materials

- 19.1 The Returning Officer is responsible for the safe custody of postal ballot envelopes and all documents and materials, including during the adjournment of any count of the vote, and must –
 - 19.1.1 keep a record of the ballot papers that have been printed; and
 - 19.1.2 reconcile that number with the number of ballot papers which have been issued, spoilt or unused
- 19.2 The Returning Officer must –
 - 19.2.1 certify the record kept under sub-clause 19.1. as being true and correct; and
 - 19.2.2 submit the record to the Association as soon as practicable after election day.

Municipal Association of Victoria**SCHEDULE 3****Regulation of proceedings (Rule 27)****1. Definitions**

In this Schedule, unless the context or subject matter otherwise requires –

‘Member’ means and includes any representative appointed under clause 3 of the Rules, or in his or her absence, any substitute representative who has been appointed or any person appointed by the Board to a committee.

2. Application of Parliamentary Procedures

Where the Rules do not make provision for any matter, the members may determine by a majority of votes the procedure to apply to the particular meeting of the Association.

3. Confirmation of the Minutes

3.1. A copy of the minutes of the preceding meeting of the State Council must be sent to the members at least a day before the meeting, or in the case of any other meeting, must be sent to the members at least 48 hours before the meeting.

3.2. The minutes of any meeting are to be confirmed at the next following meeting of the State Council, Board or committee to which they relate and are to be the first business dealt with at that meeting.

3.3. If a copy of the minutes of the preceding meeting has not been delivered within the period specified in sub-clause 3.1., members will be permitted to read the minutes prior to the confirmation of such minutes.

3.4. No discussion will be permitted on the contents of the minutes except as to their accuracy as a record of proceedings.

3.5. When the minutes have been confirmed by the meeting they will be signed by the Chairperson.

4. Order of Business

The order of business at the meeting will be the order in which the business stands in the notice of the meeting, unless the members present agree to alter it.

5. Meeting Protocol

5.1. Any member wishing to make a motion or amendment or take part in discussion on any matter or subject will address the Chairperson and must not be interrupted unless called to order, when he or she must sit down until the member (if any) calling to order has been heard and the question of order disposed of, when the member making the motion or amendment or taking part in the discussion may proceed with the subject.

5.2. Any other person in attendance at any meeting may take part in discussion only at the discretion of the chairperson of the meeting but may not move a motion or amendment or vote on any question.

6. Proposing Motions or Amendments

6.1. Any member wishing to propose an original motion or amendment must state the nature of the motion or amendment before he or she addresses the meeting.

6.2. No motion or amendment may be withdrawn except where leave of the meeting has been given.

6.3. No motion or amendment may be discussed or put to the vote unless it has been seconded.

6.4. A member moving a motion will be held to have spoken on the matter, but a member merely seconding a motion will not be held to have spoken to it.

- 6.5. If two or more members rise to speak at the same time, the Chairperson will decide who is entitled to priority.
- 6.6. No member may speak a second time on the same question, unless entitled to reply or to ask a question of clarification or to give an explanation when he or she has been misrepresented or misunderstood.

7. Submission of Motions

If required by the Chairperson, all motions (whether original motions or amendments) will be put in writing, signed by the mover and delivered to the Chief Executive Officer immediately on their being moved or seconded.

8. Dealing with amendments

- 8.1. No second or subsequent amendment (whether on an original proposition or on an amendment) will be taken into consideration until the previous amendment has been dealt with and finalised.
- 8.2. If any words of an original question are rejected, the insertion of other proposed words will form the next question, whereupon any further amendment to insert other words may be moved.
- 8.3. If an amendment is lost, then a second amendment may be moved to the question to which the first amendment was moved, but only one amendment may be submitted to the meeting for discussion at a time.

9. Right of Reply

The mover of every original motion, but not of any amendment, will have a right of reply immediately after which the question will be put from the chair, except no member will be allowed to speak more than once on the same question unless permission is given to explain or the attention of the chair is called to a point of order.

10. Time limits

- 10.1. The original mover of a motion will not speak for more than four (4) minutes and all other speakers will be allowed not more than three (3) minutes to speak on any motion or amendment.
- 10.2. Any speaker may be granted an extension of time for a further three (3) minutes upon a motion being moved, seconded and carried by the meeting, but no discussion will be allowed upon a motion to grant an extension of time.

11. Adjournment of meeting

- 11.1. No discussion will be allowed on any motion for adjournment of the meeting.
- 11.2. If the question for adjournment is lost, the subject then under consideration or the next subject on the business paper, or any other matter that may be allowed precedence, will be discussed before any subsequent motion for adjournment is made.

12. Enforcement of Standing Orders

A member may require the enforcement of any standing order by directing the Chairperson's attention to any failure to observe it.

13. Points of Order and Members' Conduct

- 13.1. When called upon to decide on points of order or practice, the Chairperson will state the provision, rule or practice which the Chairperson deems applicable to the case without discussing or commenting on it, and the Chairperson's decision as to order or practice in each case is final.
- 13.2. No member may digress from the subject matter of the question under discussion or comment on the words used by any other member in a previous debate; and all imputations of improper motives and all personal reflections on members will be deemed out of order.

13.3. Whenever any member makes use of disorderly expression or one which is capable of being applied offensively to any other member, the member so offending will be required by the Chairperson to withdraw the expression and to make an acceptable apology to the meeting.

14. Voting Entitlements at Meetings

At any meeting of the Association other than a meeting of State Council, members will vote by a show of hands and the Chairperson in taking the sense of the meeting will put the question first in the affirmative, then in the negative, and the result of the vote will be recorded in the minutes.

15. Voting Entitlements at State Council Meetings

15.1 At any meeting of State Council, voting entitlements on any motion or amendment will be:

15.1.1 the representative of each participating member council paying an annual subscription to the Association which exceeds the mid point between the lowest and highest subscriptions will have two (2) votes; and

15.1.2 the representative of each participating member council paying an annual subscription to the Association which does not exceed that mid point will have one (1) vote;

15.2 and questions will be decided on the basis of the votes of the representatives voting.

Should there be an equality of votes on any question before a meeting, the Chairperson has the casting vote.

16. Absence of a Quorum

If debate on any motion which has been moved or seconded is interrupted by the absence of a quorum the debate may be resumed at the next meeting.

17. Suspension of Procedures

Any one or more of the clauses to this Schedule may be suspended by resolution for a special purpose at any meeting.

Municipal Association of Victoria
SCHEDULE 4
Nomination Form (Clause 1 of Schedule 2)

Nomination for election of Board Members held on _____

I, the undersigned _____

Being the representative of the _____
(insert name of council)

do hereby nominate _____
(insert name of councillor in full)

as a candidate for election to the following position:

President

Board member for the _____ region
(insert name of region)

(Mark with an 'X' the election for which the candidate is nominated)

Signature _____

And I, the above-named _____
(insert name in full)

consent to the nomination and declare that I am the appointed

representative of _____
(insert name of council)

Signature _____

NOTE: A separate nomination form must be completed and delivered to the Returning Officer for each election for which a candidate is to be nominated.

**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 the Victorian Government Bookshop, Level 20, 80 Collins Street, Melbourne on the date specified:

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(Fees) Amendment
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Authorising Act: Supreme Court
Act 1986
Date first obtainable: 5 February 2013
Code A
 2. *Statutory Rule:* Sex Work
Amendment
Regulations 2013
Authorising Act: Sex Work Act 1994
Date first obtainable: 5 February 2013
Code A
 3. *Statutory Rule:* Land Conservation
(Vehicle Control)
Regulations 2013
Authorising Act: Land Conservation
(Vehicle Control)
Act 1972
Date first obtainable: 5 February 2013
Code A
 4. *Statutory Rule:* Members of
Parliament
(Register of
Interests)
Regulations 2013
Authorising Act: Members of
Parliament
(Register of
Interests) Act 1978
Date first obtainable: 5 February 2013
Code A
-

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