

# Victoria Government Gazette

By Authority of Victorian Government Printer

# No. G 38 Thursday 19 September 2013

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# **Advertisers Please Note**

As from 19 September 2013

The last Special Gazette was No. 331 dated 17 September 2013.

The last Periodical Gazette was No. 1 dated 13 June 2013.

# **How To Submit Copy**

- See our webpage www.gazette.vic.gov.au
- or contact our office on 8523 4601
   between 8.30 am and 5.30 pm Monday to Friday

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

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

## PRIVATE ADVERTISEMENTS

PAUL SKENDERIS, late of 23 Pleasant Avenue, Thomastown, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 May 2013, are required by the executor, John Trinity, care of Arthur J. Dines & Co., solicitors, 2 Enterprise Drive, Bundoora, in the said State, to send particulars to him by 19 November 2013, after which date the executor may convey or distribute the assets, having regard only to claims to which he has notice.

Dated 7 September 2013

ARTHUR J. DINES & CO., solicitors, 2 Enterprise Drive, Bundoora 3083.

Re: Estate of JOYCE EVELYN THORN, deceased.

In the estate of JOYCE EVELYN THORN, late of 1643 Koondrook-Cohuna Road, Cohuna, Victoria, home duties, deceased. Creditors, next-of-kin and all others having claims against the estate of the said deceased are required by Brian Robert Thorn, the executor of the Will of the said deceased, to send particulars of such claims to him, in care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

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

Re: TERESA BARKER, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 April 2013, are required by the trustees, Bernard John Moore and Matthew Peter Phaedonos, care of 44 Douglas Street, Noble Park, Victoria, legal practitioners, to send particulars to the trustees by 2 December 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

BORCHARD & MOORE, solicitors. 44 Douglas Street, Noble Park 3174.

Re: DAVID MICHAEL JOHN MAHONY, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of DAVID MICHAEL JOHN MAHONY, late of Woodend Community Aged Care, Woodend, Victoria and 5 Chessy Park Drive, New Gisborne, Victoria, who died on 29 April 2013, are to send particulars of their claims to the personal representative(s). care of the undermentioned solicitors, by 20 November 2013, after which date the personal representative(s) may convey or distribute the assets, having regard only to the claims of which they then have notice.

BRUCE M. COOK & ASSOCIATES, solicitors.

Level 1, 114 William Street, Melbourne 3000.

**GWENDOLEN** Re: MARY ALICE BARBER, deceased, late of 40 Pine Ridge Road, Pheasant Creek, Victoria, laboratory technician.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 December 2012, are required by the trustee of the said estate, Thomas Barber, care of Donaldson Trumble Legal, Level 3, 84 William Street, Melbourne 3000, to send particulars to him by 25 November 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

Dated 9 September 2013 DONALDSON TRUMBLE LEGAL, Level 3, 84 William Street, Melbourne 3000.

Re: FREDERICK MURRAY WALTER POTTER, late of Kurrajong Lodge, 2 Arnott Street, Horsham, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 April 2013, are required to send particulars of their claims to Equity Trustees Limited, ACN 004 031 298, of 575 Bourke Street, Melbourne, Victoria, the executor of the Will of the deceased, by 25 November 2013, after which date the executor may distribute the assets, having regard only to the claims of which it then has notice.

EQUITY TRUSTEES LIMITED, ACN 004 031 298, Level 2, 575 Bourke Street, Melbourne, Victoria 3000.

Re: ELMA JEAN MAUD RUSSELL, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 July 2013, are required by the trustee, Warren Stewart Gibson, care of Featherbys Lawyers of 14 Ninth Avenue, Rosebud, Victoria, to send particulars to the trustee by 20 November 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

FEATHERBYS LAWYERS, solicitors, 14 Ninth Avenue, Rosebud 3939.

Re: Estate KAREN MAREE KEMPEN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 October 2012, are required by the trustee, Peter William Francis Kempen, to send particulars to him, care of the undersigned, by 20 November 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

GARDEN & GREEN, lawyers, 4 McCallum Street, Swan Hill, Victoria 3585.

THOMAS HENRY LOWE, late of 47 Deloraine Drive, Hoppers Crossing, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 February 2013, are required by the trustee, Vernon John Fettke, to send particulars to him, care of the undersigned, by 13 December 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

IRONGROUP LAWYERS, Level 8, 533 Little Lonsdale Street, Melbourne 3000. HUGH RODERICK ALLEN, late of Golden Oaks Village, Stoneham Street, Golden Square, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 October 2012, are required by Rory O'Doherty, the executor of the Will of the deceased, to send particulars of their claims to him, care of the undermentioned solicitor, by 15 November 2013, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

J. A. MIDDLEMIS, barrister & solicitor, 30 Myers Street, Bendigo 3550.

Creditors, next-of-kin and others having claims against the estate of BETTY LILIAN KAY, late of Karinya Grove, 3 Aberdeen Road, Sandringham, Victoria, who died on 13 June 2013, are required by the executor, Lesley Ann Roberts, to send detailed particulars of their claims to the said executor, care of John J. Byrne Lawyer Pty Ltd, of 216 Charman Road, Cheltenham 3192, by 19 November 2013, after which date it will proceed to distribute the estate, having regard only to the claims of which it then has notice.

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

Creditors, next-of-kin and others having claims against the estate of OWEN HARRINGTON TRUSCOTT, late of 13 Tweed Street, Highett, Victoria, who died on 25 June 2013, are required by the executors, Robyn Dawn Truscott and Lynette Lesley Fullager, to send detailed particulars of their claims to the said executors, care of John J. Byrne Lawyer Pty Ltd of 216 Charman Road, Cheltenham 3192, by 19 November 2013, after which date it will proceed to distribute the said estate, having regard only to the claims of which it then has notice

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

Re: LYLA MARY SMITH, late of 33/50 Canterbury Road, Middle Park, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of Lyla Mary Smith, deceased, who died on 26 June 2013, are required by the trustee to send particulars of their claim to the undermentioned firm by 25 November 2013, after which date the trustee will convey or distribute the assets, having regard only to the claims of which she then has notice.

KINGSTON LAWYERS PTY LTD,

barristers and solicitors,

8 Station Road, Cheltenham, Victoria 3192.

Re: ARTHUR DAVID OXLEY, late of 95 Church Street, Morwell, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 March 2013, are required by the trustee, Clem D'Alessandro, to send particulars to him, care of the undermentioned solicitors, by 16 December 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

LITTLETON HACKFORD & D'ALESSANDRO, solicitors, 256A Commercial Road, Morwell 3840.

Re: GLADYS GERTRUDE MACE, late of 1290 Dandenong Hastings Road, Cranbourne South, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 July 2013, are required by the executors, Michael William Mace and Marjorie Irene Swan, to send particulars to them, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

LYTTLETONS, solicitors, 53 Marcus Road, Dingley 3172.

JOYCE KNOX, late of 48 Charles Street, Ascot Vale, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 June 2012, are required by the executors to send particulars of their claims to the undermentioned lawyers by 18 November

2013, after which date the executors may convey or distribute the estate, having regard only to the claims of which they have notice.

McCLUSKYS, lawyers,

111 Bay Street, Port Melbourne, Victoria 3207.

Re: UNA MARY GORDON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 June 2013, are required by the trustees, Peter Robert Everett, Peter David Luke and Patricia Anne McCallum, to send particulars to the trustees, care of Moores Legal, 9 Prospect Street, Box Hill 3128, by 18 November 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

EVA FRIEDMAN, late of 260 Kooyong Road, Caulfield North, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the Will/estate of the abovenamed deceased, who died on 15 December 2011, are required by the legal personal representative, David Zelman Friedman, to send particulars of their claims to Prior & Prior, 489 Centre Road, Bentleigh, Victoria 3204, by 20 November 2013, after which date the personal representative may convey or distribute the estate, having regard only to the claims of which he then has notice.

Probate was granted in Victoria on 17 June 2013.

Re: JAMES THOMAS BUCHANAN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 June 2013, 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 19 November 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: IVAN JONES PAGE, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 September 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 19 November 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: JOAN THOMAS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 June 2013, 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 19 November 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: HELENA FERRIER GRANTER, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on the 28 April 2013, are required by the trustees, Sandhurst Trustees Limited, ACN 004 030 737, of 18 View Street, Bendigo, Victoria, to send particulars to the trustees by 19 November 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

SANDHURST TRUSTEES LIMITED, 18 View Street, Bendigo 3550.

Re: BRUNO GOMBAC, late of 1 Wahgoo Road, Murrumbeena, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 May 2013, are required to send particulars of their claims to the trustee, Carlo Angelo Furletti, care of the undermentioned

solicitors, by 25 November 2013, after which date the trustees will convey or distribute the assets, having regard only to the claims of which they then have notice.

SEPTIMUS JONES & LEE, solicitors, Level 5, 99 William Street, Melbourne (PO Box 258, Collins Street West 8007).

Re: MILOS VUJATOV, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 May 2013, are required by John Thomas Bloom, the trustee of the estate of the deceased, to send particulars of their claims to him, care of the undermentioned solicitors, by 18 November 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

SEPTIMUS JONES & LEE, solicitors, Level 5/99 William Street, Melbourne 3000.

Re: MAVIS LORRAINE RETHUS, late of 360 Jancourt Road, Camperdown, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 November 2012, are required by the deceased's personal representatives, Graeme Roger Bant and Graeme Ross Taylor, to send particulars to them, care of the undermentioned lawyers, by 18 November 2013, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

SLM LAW, lawyers, 17 Pike Street, Camperdown, Victoria 3260.

Re: GEORGE OWEN, late of 128 Drummond Street, Dennington, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 July 2013, are required by the executors to send particulars to them, care of the undermentioned solicitors, by 20 November 2013, after which date they may convey or distribute the assets, having regard only to the claims of which they then have notice.

TAITS LEGAL, solicitors, 121 Kepler Street, Warrnambool 3280.

JOHN PAUL FARKAS, late of 4/1106 Howitt Street, Wendouree, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 March 2013, are required by the executors, John Farkas and Richard Bruce Farley, of care of the undermentioned solicitors, to send particulars to them by 19 November 2013, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

TIVEY & HOLLAND, solicitors, 97 Barkly Street, Ararat 3377.

#### Re: GEORGE LONG, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 April 2013, are required by the trustees, Garry William Biggs and Marlene Richardson, to send particulars to the trustees, care of the undermentioned lawyers, by 6 December 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, lawyers and consultants, 2 Seventh Avenue, Rosebud 3939.

## Re: HAZEL MILLER, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 May 2013, are required by the trustee, Kim Syme Price, to send particulars to the trustee, care of the undermentioned lawyers, by 6 December 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

WHITE CLELAND, lawyers and consultants, 2 Seventh Avenue, Rosebud 3939.

Re: The estate of STANLEY CHARLES GRAY McCONNELL, late of 1A The Avenue, Malvern East, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 March 2013, are required by the executors, Gregory Charles Gray McConnell and Alexander Glynn McConnell (also known

as Glynn McConnell) to send particulars to them, care of the undersigned solicitors, by 20 November 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: The estate of DOROTHY JUNE RICARDO, late of 2 Kelmar Street, Cheltenham, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 June 2013, are required by the executors, Ian John Ricardo and Judith Anne Ricardo, to send particulars to them, care of the undersigned solicitors, by 20 November 2013, after which date the executors may convey or distribute the assets, having regard only to claims of which the trustees have notice.

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

# ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 24 October 2013 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Serpil Kemal and Ahmet Kemal of 3 Raheen Place, Craigieburn, joint proprietors of an estate in fee simple in the land described in Certificate of Title Volume 10705, Folio 641, upon which is erected a residential house known as 3 Raheen Place, Craigieburn, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AC677101C), Registered Caveat (Dealing Number AH566128G), Registered Caveat (Dealing Number AJ245606U), Covenant AB961017Q affect the said estate and interest. The Sheriff is unable to provide access to this property.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract of sale. Payment is by cheque only.

Please contact Sheriff's Asset Administration Services on (03) 8684 8612 or realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

**SHERIFF** 

# ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 24 October 2013 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of David Douglas Pye of 3 Bowen Street, Port Franklin, joint proprietor with Susan Pye of an estate in fee simple in the land described in Certificate of Title Volume 06982, Folio 349, upon which is erected a house known as 3 Bowen Street, Port Franklin, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AD672450T) affects the said estate and interest. The Sheriff is unable to provide access to this property.

Refer to RACV VicRoads Country Directory Edition 7 Map 709 H11, Map 103 E4.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract of sale. Payment is by cheque only.

Please contact Sheriff's Asset Administration Services on (03) 8684 8612 or realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

**SHERIFF** 

# ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 24 October 2013 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Lixin Shi of 31 Butterfly Boulevard, Tarneit, sole proprietor of an estate in fee simple in the land described in Certificate of Title Volume 11069, Folio 681, upon which is erected a residential home known as 31 Butterfly Boulevard, Tarneit, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AG434894J), Covenant AG067294E and Owners Corporation Plan PS511697G affect the said estate and interest. The Sheriff is unable to provide access to this property.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract of sale. Payment is by cheque only.

Please contact Sheriff's Asset Administration Services on (03) 8684 8612 or realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

# ADVERTISEMENT OF SALE BY THE SHERIFF

On Thursday 24 October 2013 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Vicky Tsarouhas, of Unit 1, 23 Clyde Street, Kew East, as shown on Certificate of Title as Vasiliki Tsarouhas, sole proprietor, Tenants in Common as to 1 of a total of 2 equal undivided shares with Christos Tsarouhas, sole proprietor, Tenants in Common as to 1 of a total of 2 equal undivided shares of an estate in fee simple in the land described on Certificate of Title Volume 09513, Folio 829, upon which is erected a unit and known as Unit 1, 23 Clyde Street, Kew East.

Owners Corporation Plan RP019009 affects the said estate and interest.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract. Cheque only.

Please contact Sheriff's Asset Administration Services on (03) 8684 8612 or realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

# GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES NOTICES

# MOIRA SHIRE COUNCIL

## Road Discontinuance

Part of Dolphin Street, Wunghnu

At its meeting on 15 July 2013, Moira Shire Council, acting under section 12(4) of the **Road Management Act 2004**, resolved to discontinue part of the road reserve of Dolphin Street, Wunghnu, as shown hatched on the attached plan.



GARY ARNOLD Chief Executive Officer

#### **Local Government Act 1989**

#### SURF COAST SHIRE COUNCIL

#### Schedule 10 Notice

Road Discontinued, Road Deviation and Land Exchange

#### **Definitions:**

In this notice:

Act means the Local Government Act 1989.

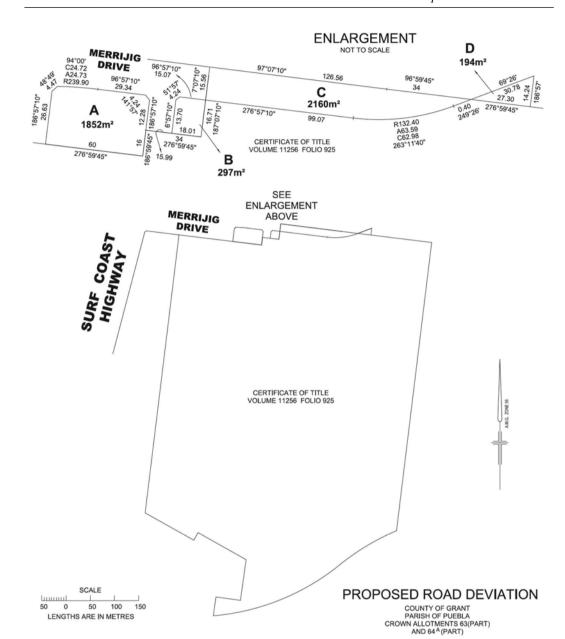
**Council** means Surf Coast Shire Council.

Owner means Ronald John McCann, Judith Elaine McVey, Beverley Jean Callan and Herbert William McCann.

**Plan** means the plan included in this notice.

Private Land means the land in Certificate of Title Volume 11256 Folio 925.

- The Council, in pursuance of its powers under the provisions of clauses 2 and 3 of Schedule 10 and sections 206 and 207B of the Act, and all other powers thereby enabling it, at its meeting held on 27 August 2013, resolved to (amongst other matters):
  - 1.1 discontinue the unused part of Merrijig Drive road reserve marked 'A' and 'B' on the plan; and
  - 1.2 deviate Merrijig Drive through the Private Land known as 1505 and 1545 Surf Coast Highway, Torquay, and marked 'C' on the Plan.
- The Council has given public notice under section 223 of the Act concerning the right of persons to make submissions to Council on the road discontinuance (closure) and road deviation (opening of new road) proposal as well as on the land exchange described in paragraph 5.
- The land comprising the said parts of the discontinued (closed road) vests in fee simple in the Council on the date this notice is published in the Government Gazette as provided in sub-section 207B (1)(b) and (2A) of the Act.
- Section 207C of the Act provides that section 207B does not affect any right, power or interest held by a public authority in a road in connection with any sewers, drains, pipes, wires or cables under the control of the authority in or near the road. The relevant authorities have each advised the Council that they have no assets in the subject parts of the government road discontinued (closed).
- Following the vesting, an exchange of land between Council and the Owner will take place pursuant to section 207E of the Act under which:
  - 5.1 The Owners will become the registered proprietors of the land comprised in the discontinued (closed) part of Merrijig Drive marked 'B' and the Council owned land marked 'D' on the Plan abutting the Private Land and being the 'included' land within the meaning of section 207E(2) of the Act; and
  - 5.2 The Council will become the registered proprietor of parts of the adjoining Private Land through which the road deviation (the new road) is made (being the land marked 'C' on the Plan and being the 'excluded' land within the meaning of section 207E(2)).



THE LAND MARKED 'A' IS THE GOVERNMENT ROAD TO BE DISCONTINUED IN PART UNDER SECTION 207B(1)(b) OF THE LOCAL GOVERNMENT ACT 1989, AND VESTED IN COUNCIL.

THE LAND MARKED 'B' IS THE GOVERNMENT ROAD TO BE DISCONTINUED IN PART UNDER SECTION 2078(1)(b) OF THE LOCAL GOVERNMENT ACT 1989, AND EXCHANGED UNDER SECTION 207E OF THE LOCAL GOVERNMENT ACT 1989.

THE LAND MARKED 'C' IS THE GOVERNMENT ROAD TO BE DEVIATED THROUGH CERTIFICATE OF TITLE VOLUME 11256 FOLIO 925 UNDER SECTION 207B(1)(a) OF THE LOCAL GOVERNMENT ACT 1989.

THE LAND MARKED 'D' IS COUNCIL OWNED LAND TO BE EXCHANGED UNDER SECTION 207E OF THE LOCAL GOVERNMENT ACT 1989.

STEPHEN WALL Chief Executive Officer Surf Coast Shire Council



Notice is given, in accordance with section 112(2) of the **Local Government Act 1989**, that Banyule City Council has made amendments to its Councillor Code of Conduct which is incorporated in Local Law No. 2 (2005) – Conduct of Meetings Local Law.

Section 76C of the **Local Government Act 1989** requires each Council to have a Councillor Code of Conduct and to review its Code within 12 months after each general election. The Council adopted the revised Councillor Code of Conduct on 9 September 2013.

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

SIMON McMILLAN Chief Executive Officer



#### ORDER UNDER DOMESTIC ANIMALS ACT 1994

Notice is hereby given that Moonee Valley City Council at its meeting on 7 June 2011, made the following Order, under section 26(2) of the **Domestic Animals Act 1994** –

#### 1. Dogs Must be under Effective Control

- 1.1 The owner or person in charge of any dog must keep the dog under effective control by means of a chain, cord or leash held by the owner or person in charge of the dog and attached to the dog while the dog is in a public place, except in a public place that is a no dogs allowed Designated Area or a no dogs allowed Prohibited Area.
- 1.2 Sub-clause 1.1 does not apply where a chain, cord or leash attached to the dog is securely fastened to a post or other fixture and the dog remains under sight or voice control by the owner or person in charge of the dog.
- 1.3 A dog shall be deemed to be under effective control by its owner or person in charge of the dog whether on or off leash, if:
  - 1.3.1 it returns to its owner or person in charge of the dog upon immediate command;
  - 1.3.2 the owner, or the person in charge of the dog, retains a clear and unobstructed view of the dog and the dog is securely tethered; and
  - 1.3.3 it does not bother, attack, worry or interfere with other people's or animals' peace and enjoyment.

## 2. Prohibited Areas

- 2.1 The owner or person in charge of the dog must not allow the dog to enter or remain in a prohibited area.
- 2.2 The prohibition under sub-clause 2.1 applies in a prohibited area regardless of whether or not the dog is on chain, cord or leash or otherwise controlled or not controlled

# 3. Obligation of Owner, or Person in Charge of the Dog, in a Designated Area

3.1 A dog may be exercised off a chain, cord or leash in a designated area, if the owner or person in charge of the dog carries a chain, cord or leash sufficient to bring the dog under immediate control by placing the dog on a chain, cord or leash if the dog acts contrary to sub-clause 1.3.

# 4. Non application to Specified Dogs or Greyhounds

4.1 Clause 3 of this Order does not apply to any dog which is a Declared Dangerous Dog, Declared Menacing Dog or Restricted Breed Dog under the **Domestic Animals Act 1994** or to a greyhound which must meet the restraint requirements specified in section 27 of that Act.

#### 5. Definitions

In this Order:

**Designated and** means an area declared by Council in the Schedule and any **Prohibited Area** means an irea declared by Council in the Schedule and any area approved from time to time by Council and published in

the newspaper generally circulating in the municipality and

identified on the City of Moonee Valley's website.

Owner has the same meaning as in the **Domestic Animals Act 1994**.

Public Place has the meaning given to it in the Summary Offences Act 1966,

and includes all streets, roads, footways, reserves, lanes, parks,

schools, public halls and markets.

**Schedule** means a Schedule to this Order.

# Schedule No Dogs Allowed Prohibited Areas

Within fifteen (15) metres of any children's playground	Whole of Municipality
or public barbeque or exercise equipment area	

NEVILLE SMITH Chief Executive

#### Planning and Environment Act 1987

CASEY PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C165

Authorisation A02435

The City of Casey Council has prepared Amendment C165 to the Casey Planning Scheme.

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

The Amendment applies to the whole municipality.

The Amendment proposes to introduce a new Shared Accommodation Policy into the Scheme at Clause 22.23, make associated changes to Clause 21.05, 21.09 and Schedule to Clause 66.06.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, during office hours, at the following places: City of Casey Customer Service Centre, Municipal Offices, Magid Drive, Narre Warren; City of Casey Customer Service Centre, Shop 8 (Bendigo Bank building), Amberly Park Shopping Centre, 101 Seebeck Drive, Narre Warren South; City of Casey Customer Service Centre, Cranbourne Park Shopping Centre (opposite Post Office), Cranbourne; or at the Department of Transport, Planning and Local Infrastructure 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.

Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is 8 November 2013. A submission must be sent to the City of Casey Strategic Development team at PO Box 1000, Narre Warren, Victoria 3805. Dated 2 September 2013

CAROLINE DICKSON Senior Strategic Planner

# Planning and Environment Act 1987

COLAC OTWAY PLANNING SCHEME

Notice of Preparation of Amendment Amendment C73 Authorisation A02612

The Colac Otway Shire Council has prepared Amendment C73 to the Colac Otway Planning Scheme.

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

The Amendment applies to all land and that part of the sea that forms the Apollo Bay Harbour and its surrounds.

The Amendment changes the planning scheme to implement the recommendations of the 'Apollo Bay Harbour Master Plan 2013'. The Amendment rezones the Apollo Bay Harbour area to Special Use Zone 2 and introduces a specific schedule to remove the planning permit requirement for any use of the land that is consistent with the 'Apollo Bay Harbour Master Plan 2013 Incorporated Document'.

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 customer service centres of the planning authority, Colac Otway Shire Council, at 2–6 Rae Street, Colac, and 69–71 Nelson Street, Apollo Bay; during office hours, at Council's Sustainable Planning and Development office at 101–105 Gellibrand Street, Colac; during office hours, at the Colac Community Library & Learning Centre at 173 Queen Street, Colac; at the Colac Otway Shire website, www.colacotway.vic.gov.au; or at the Department of Transport, Planning and Local Infrastructure 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. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for written submissions is 30 October 2013. A submission must be sent to the Colac Otway Shire Council at PO Box 283, Colac, Victoria 3250 or by email to inq@colacotway.vic.gov.au

ROB SMALL Chief Executive Officer

## Planning and Environment Act 1987

COLAC OTWAY PLANNING SCHEME

Notice of Preparation of Amendment Amendment C75

Authorisation A02601

The Colac Otway Shire Council has prepared Amendment C75 to the Colac Otway Planning Scheme.

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

The Amendment applies to all land in the municipality, excluding land zoned for Farming, Rural Conservation and Rural Activity.

The Amendment changes the planning scheme to implement the recommendations of the 'Colac Otway Public Open Space Strategy 2011'. It is proposed to amend Clauses 21.03, 21.06 and 21.07 of the Municipal Strategic Statement and amend the Schedule to Clause 52.01 of the Colac Otway Planning Scheme to introduce a contribution rate for public open space. It does this by requiring contributions for all types of subdivisions of up to 10% for Colac/Elliminyt, Apollo Bay/Marengo and Birregurra or 5% for all other land excluding Farming Zone, Rural Activity Zone and Rural Conservation Zone.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment. free of charge, at the following locations: during office hours, at the customer service centres of the planning authority. Colac Otway Shire Council, at 2-6 Rae Street, Colac, and 69–71 Nelson Street, Apollo Bay; during office hours, at Council's Sustainable Planning and Development office at 101-105 Gellibrand Street, Colac: during office hours, at the Colac Community Library & Learning Centre at 173 Oueen Street, Colac; at the Colac Otway Shire website, www.colacotway.vic.gov.au; or at the Department of Transport, Planning and Local Infrastructure 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. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for written submissions is 30 October 2013. A submission must be sent to the Colac Otway Shire Council at PO Box 283, Colac, Victoria 3250 or by email to inq@colacotway.vic.gov.au

ROB SMALL Chief Executive Officer

# Planning and Environment Act 1987

WANGARATTA PLANNING SCHEME

Notice of the Preparation of an Amendment to a Planning Scheme and Notice of an Application for Planning Permit Given Under Section 96C of the Planning and Environment Act 1987

Amendment C41

Authorisation AO2583

Planning Permit Application PlnApp12/090

The land affected by the Amendment is described as Lot 27 LP135240, and addressed as 68 Waldara Drive, Waldara. The land is known as the Wangaratta Golf Course.

The land affected by the application is the same parcel of land.

The Amendment proposes to rezone approximately 5.8 hectares of land within Lot 27 LP135240 from Special Use Zone – Schedule 4 (Golf Course) to General Residential Zone.

The application is for a permit to allow a staged subdivision of the land (50 lots) and removal of native vegetation.

The party who requested the Amendment is North East Survey Design on behalf of the Wangaratta Golf Club.

The applicant for the permit is North East Survey Design.

You may inspect the Amendment, the explanatory report about the Amendment, the application, and any documents that support the Amendment and the application, including the proposed permit, free of charge, at the following locations: during office hours, at the office of the planning authority, Rural City of Wangaratta, Wangaratta Government Centre, 62–68 Ovens Street, Wangaratta, Victoria 3677; or at the Department of Transport, Planning and Local Infrastructure website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Monday 21 October 2013. A submission must be sent to the Rural City of Wangaratta, PO Box 238, Wangaratta 3676.

KELVIN SPILLER Acting Chief Executive Officer Rural City of Wangaratta

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 19 November 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.

- ABDALLAH, Moustafa, late of 37 Grant Street, Clifton Hill, Victoria 3068, retired, deceased, who died on 9 June 2013.
- BROWNE, Frances Patricia, late of 8 Hornby Street, Windsor, Victoria 3181, deceased, who died on 24 June 2013.
- CANDELA, Dorothy, late of 29 Massey Street, Box Hill South, Victoria 3128, retired, deceased, who died on 14 July 2013.
- CHARLES, James, late of Belmont Residential Aged Care, 235 High Street, Belmont, Victoria 3216, deceased, who died on 6 July 2013.
- FOLEY, Kevin, late of 48 Sackville Street, Kew, Victoria 3101, retired, deceased, who died on 5 July 2013.
- GASPER, Sandor, late of Kingston Gardens, 201 Clarke Street, Springvale South, Victoria 3172, deceased, who died on 25 June 2013.

Dated 10 September 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, 168

Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 25 November 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.

- ALLEN, Anthony Henry, late of 1/12 Market Street, West Footscray, Victoria 3012, deceased, who died on 9 May 2013.
- CULLEN, Brian, late of Bonbeach Aged Care (Acsag) 440 Station Street, Bonbeach, Victoria 3196, deceased, who died on 6 June 2013.
- DE WEKKER, Ida Maria, late of Wallace Lodge 45–95 Ballarat Road, North Geelong, Victoria 3215, retired, deceased, who died on 29 September 2012.
- DOBROWA, Katerina, late of St John of Kronstadt Nursing Home, 13 Conway Street, Dandenong, Victoria 3175, deceased, who died on 3 September 2013.
- PAGE, Estelle Kathleen, late of PO Box 322, Kiewa Valley House, Mount Beauty, Victoria 3699, pensioner, deceased, who died on 19 July 2013.
- TEMPLETON, Nina Bessie, late of 43 Brentwood Drive, Glen Waverley, Victoria 3150, home duties, deceased, who died on 4 July 2013.

Dated 16 September 2013

STEWART MacLEOD Manager

#### Adoption Act 1984

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

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

Penelope Linton

MARIELA DIAZ Director, Child Protection South Division

## Co-operatives Act 1996

# DANDENONG HIGH SCHOOL CO-OPERATIVE LIMITED

On application under section 601AA(1) 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 19 September 2013

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

Co-operatives Act 1996

NEERIM SOUTH PRIMARY SCHOOL & NEERIM DISTRICT SECONDARY COLLEGE COUNCILS CO-OPERATIVE LTD

On application under section 601 AA (2) of the **Corporations Act 2001** (the Act), by the co-operative named above, notice is hereby given under section 601 AA (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 19 September 2013

DAVID BETTS Deputy Registrar of Co-operatives Consumer Affairs Victoria

#### **Corrections Act 1986**

NOTICE OF AN AWARD OF DAMAGES TO A PRISONER

In accordance with section 104Y of the Corrections Act 1986, notice is given that an award of damages has been made to former

prisoner, Jason Craig Wilkinson, in a claim against a private prison operator. The award money, excluding legal costs and medical expenses, has been paid into the Prisoner Compensation Quarantine Fund, where it will be held for a period of 12 months from 19 September 2013.

Creditors and victims in relation to criminal acts of Jason Craig Wilkinson are invited to seek further information from the Secretary of the Department of Justice. To do so, please contact the Victims Register Co-ordinator on 1-800-819-817.

Dated 13 September 2013.

#### Crown Land (Reserves) Act 1978

CROWN LAND RESERVES (CORRINGLE FORESHORE RESERVE) REGULATIONS 2013

I, Ryan Smith, Minister for Environment and Climate Change make the following Regulations: Dated 17 August 2013

#### PART 1 – PRELIMINARY

#### 1. Title

These Regulations may be cited as the Crown Land Reserves (Corringle Foreshore Reserve) Regulations 2013.

## 2. Objective

The objective of these Regulations is to provide for the care, protection and management of the Corringle Foreshore Reserve.

#### 3. Authorising provision

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

#### 4. Commencement

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

#### 5. Expiry

These Regulations expire on the day that is 10 years after the day on which they come into operation.

#### 6. Revocations

All previous Regulations made under the Crown Land (Reserves) Act 1978 as they apply to the reserve are revoked.

#### 7. Definitions

In these Regulations -

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

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

#### 'camp' means

- (a) to erect, occupy or use a tent or any similar form of accommodation; or
- (b) to erect, park, occupy or use a caravan, camper van or other movable form or temporary structure of accommodation;

'Corringle Foreshore Reserve' means the land in the Parish of Newmerella, being Crown Allotment 11A, Section A, temporarily reserved by Order in Council dated 11 August 1879 and 12 September 1898 (vide Gazettes dated 1879 page 2045 and 1898 page 3375), and Crown Allotment 11, Section A, temporarily reserved by Order in Council dated 26 November 1968 (vide Gazette 1968 page 3950) for Public Purposes, total area containing 159 hectares, more or less.

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

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

'firearm' has the same meaning as in the Firearms Act 1996;

#### 'fireplace' means -

- a facility constructed of stone, metal, concrete or other non-flammable material provided by the Minster in the reserve for the purposes of lighting and maintaining fires; or
- (b) a portable appliance constructed of stone, metal, concrete or other non-flammable material.

'flora' any plant-life which is indigenous to Victoria whether vascular or non-vascular and in any stage of development and includes any other living thing generally classified as flora;

'indigenous fish' means any kind of species of fish including crayfish and any other crustaces or mollusc indigenous to Victoria or Victorian waters;

'Minister' means the Minister for Environment and Climate Change;

'mooring' includes any equipment, facility or structure for the securing of a vessel;

'**permit**' includes any authority, approval, consent, permission, receipt or ticket given granted or issued by the Minister in accordance with these regulations;

'reserve' means the Corringle Foreshore Reserve;

'Secretary' means the body corporate established by Part 2 of the Conservation, Forests and Lands Act 1987;

'stone' has the same meaning as in the Mineral Resources (Sustainable Development) Act 1990:

'take' means -

- (a) in relation to flora, to kill, injure or disturb any live flora, or to remove or collect the whole or parts thereof whether dead or alive, and
- (b) in relation to fauna, to kill, injure, interfere with or disturb any animal or remove or collect the whole or parts thereof any live or dead animal;

'vehicle' has the same meaning as in the Road Safety Act 1986;

'vessel' has the same meaning as in the Marine Act 1988.

# 8. Application of Regulations

- (1) These regulations do not apply to any of the following persons when acting in the course of that person's duties;
  - (a) a person employed by the Secretary or Parks Victoria;
  - (b) an authorised officer; or
  - (c) a contractor, volunteer or other person carrying out any work for or acting on the instructions of the Secretary or Parks Victoria;
  - (d) a person dealing with a fire, flood or other public emergency.
- (2) A person acting in accordance with a lease, licence, tenancy or permit granted or issued under the Act or a corresponding previous enactment over land in the reserve is not subject to these regulations, to the extent that the activities authorised by that lease, licence, tenancy or permit are inconsistent with these regulations.

#### PART 2 – POWERS OF MINISTER

## 9. Minister may set aside areas for particular purposes

The Minister may determine that a specified area or areas in the reserve be set aside for one or more of the following purposes –

- (a) protection or management of flora or fauna, except fish;
- (b) re-establishment or planting of trees, shrubs, grass or other vegetation;
- (c) protection or management of cultural, historic or geological features or values;
- (d) camping;
- (e) the playing of games or sport;
- (f) the lighting or maintaining of fires;
- (g) the entry by any person accompanied by a dog under that person's control;
- (h) the parking and/or passage of any vehicle or vehicles of a particular class or classes;
- (i) the entry by a person in a vessel or in vessels of a particular class or classes into a water covered area.

# 10. Minister may set aside further areas where entry or access is prohibited or restricted

- (1) The Minister may determine that a specified area or areas in the reserve be set aside as an area where access or entry is prohibited or restricted
  - (a) to enable the protection or management of flora, fauna, geological, geomorphological, archeological, cultural or historic features or values;
  - (b) to enable the re-estabishment or planting of trees, shrubs, grass or other vegetation;
  - (c) to enable the protection of indigenous fish;
  - (d) for reasons of public safety.
- (2) A determination under sub-regulation (1) must specify
  - (a) the times or periods during which entry or access is prohibited or restricted to an area; and
  - (b) the purpose of the prohibition or restriction.
- (3) If the Minister has determined that an area be set aside under sub-regulation (1), the Minister must cause notices to be displayed is such a place and manner that the particulars are reasonably likely to be seen by the persons using the area, indicating
  - (a) the area so set aside; and
  - (b) the purpose of the prohibition or restriction; and
  - (c) the times or periods during which entry or access is prohibited or restricted.

#### 11. Issuing, compliance production and cancellation of permits

- (1) The Minister may issue a permit for any purpose for which a permit is required under Part 3.
- (2) A permit issued under sub-regulation (1) authorises the holder to enter and use the reserve:
  - (a) for the purpose specified in the permit; and
  - (b) for the period specified in the permit; and
  - (c) subject to any terms and conditions in respect of that entry or use determined by the Minister and specified in the permit.
- (3) The Minister may revoke or cancel a permit at any time.
- (4) Upon revocation or cancellation of a permit under sub-regulation (3), the Minister must, within a reasonable time after the revocation or cancellation, notify the permit holder in writing of the cancellation or revocation of the permit.
- (5) A person who holds a permit issued under this Part must produce the permit for inspection when requested to do so by the Minister, an authorised officer or appointed person.
- (6) A permit holder must not assign, transfer or encumber his or her permit.

# 12. Fees and charges

- (1) The reserve is open to the public free of charge except as otherwise determined by the Minister in accordance with sub-regulation (2).
- (2) The Minister may determine such reasonable fees that it considers necessary for entry to the reserve or use of improvements, services or facilities in the reserve.
- (3) If the Minister has determined that a fee is payable for entry to the reserve or use of improvements, services or facilities in the reserve under sub-regulation (2), the Minister must cause notices to be displayed in such a place and manner that the particulars are reasonably likely to be seen by persons likely to be affected by them, including the fee payable for
  - (a) entry to the reserve; or
  - (b) use of improvements, services or facilities in the reserve.

(4) A person must not enter the reserve or use the improvements, services or facilities within the reserve without paying the appropriate fee, if any, determined by the Minister under sub-regulation (2).

#### PART 3 – USE AND CONTROL OF THE RESERVE

# 13. Offence to enter or remain in area where entry or access is prohibited or restricted

Subject to these Regulations, unless a current permit has been granted, a person must not enter or remain in an area to which entry or access has been prohibited or restricted under regulation 10 in respect of which a notice or notices are displayed in accordance with that regulation.

# 14. Entry of dogs and other animals

- (1) A person must not bring an animal into, or allow an animal under that person's control to enter or remain in the reserve.
- (2) Sub-regulation (1) does not apply to a person who
  - (a) brings a dog which is used as a guide dog into or allows that dog to remain in the reserve; or
  - (b) brings into or allows to remain in the reserve a dog which is in an area set aside under regulation 9(1) as an area where dogs are permitted; or
  - (c) brings an animal into or allows an animal to remain in the reserve in accordance with a current permit issued under Part 2.
- (3) A person who brings an animal into the reserve in accordance with this regulation must ensure that the animal is effectively controlled for the purpose of preventing unreasonable disturbance or damage to any person, any fauna, vegetation, building, fencing or other improvement.

### 15. Driving and parking vehicles

- (1) A person must not drive a vehicle in the reserve.
- (2) Sub-regulation (1) does not apply to a person who drives or parks a vehicle in an area set aside by the Minister under regulation 9(1) for the passage or parking of vehicles.
- (3) A person must not park or leave a vehicle standing in the reserve.
- (4) Sub-regulation (3) does not apply to a person who parks a vehicle or leaves a vehicle standing in an area set aside by the Minister under regulation 9(1) for the parking of vehicles in accordance with the times and manner determined by the Minister.

#### 16. Aircraft, helicopters and airborne craft

(1) A person must not launch, fly, land, control or operate any aircraft, helicopter or glider in the reserve.

## 17. Camping

- (1) A person must not camp within the reserve.
- (2) Sub-regulation (1) does not apply to a person who camps
  - (a) in an area set aside by the Minister under regulation 9(1) for the purpose of camping; and
  - (b) in accordance with a current permit issued under Part 2.

#### **18.** Fire

- (1) A person must not light or maintain a fire in the reserve.
- (2) Sub-regulation (1) does not apply to a person who lights or maintains a fire at a time and during a period when the lighting of fires is not prohibited under any Act in
  - (a) a fireplace provided by the Minister; or
  - (b) an area set aside by the Minister under regulation 9(1) for the purpose of lighting or maintaining a fire.

(3) A person who has lit or maintained a fire in the manner referred to in sub-regulation (2) must completely extinguish that fire before leaving the place of the fire.

# 19. Vegetation and Fauna

- (1) A person must not, in the reserve
  - (a) take, cut, damage, displace, deface or interfere with any timber, tree, shrub, plant, wildflower or other vegetation;
  - (b) enter any area which is set aside under Regulation 9(1)
    - (i) for the re-establishment or planting of trees, shrubs, grass or other vegetation; or
    - (ii) for the protection of flora or fauna; or
  - (c) plant or knowingly introduce any seed, tree, shrub, fern or other vegetation or any part of any tree, shrub or other vegetation;
- (2) Sub-regulation (1) does not apply to a person acting in accordance with
  - (a) a current permit under Part 2 which allows that person to engage in the particular activity; or
  - (b) a lease, licence, permit or other authority under the Mineral Resources (Sustainable Development) Act 1990 or the Petroleum Act 1998.

# 20. Stone & Royalties

- (1) A person must not take any stone from the reserve.
- (2) Sub-regulation (1) does not apply to a person who takes stone in accordance with
  - (a) a current licence, which allows that person to take stone but must pay to the Secretary the specified royalty rates derived from Schedule 3 of the Mineral Resources (Sustainable Development) (Extractive Industries) Regulations 2010, in respect of the type and quantity of stone taken; or
  - (b) hold a current lease, licence, permit or other authority under the Mineral Resources (Sustainable Development) Act 1990 or the Petroleum Act 1998.

# 21. Animals and nests

A person must not, in the reserve –

- (a) take, damage, destroy or interfere with any animal or its lair or nest; or
- (b) poison an animal.

# 22. Improvements, sign and equipment

A person must not damage, move or interfere with –

(a) Any sign, noticeboard, equipment, seat, table, gate, post, fence, bridge, facility, building, or structure in the reserve.

# 23. Erecting or using buildings and structures

- (1) A person must not, in the reserve
  - (a) erect or place any building or structure; or
  - (b) enter, occupy or use the whole or any part of any building or structure unless it is set aside as an amenity or facility for public use.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

## 24. Use of amenity or facility

- (1) In the reserve, a person must not enter or use an amenity or facility set aside for use of persons of the opposite sex.
- (2) Sub-regulation (1) does not apply to the entering or use of an amenity or facility by a child under the age of 6 years, when accompanied by an adult.

# 25. Games or sports

- (1) In the reserve, a person must not engage in any game or sport likely to cause interference, disturbance, inconvenience or danger to other persons using the reserve.
- (2) Sub-regulation (1) does not apply to a person
  - (a) who is engaged in a game or sport in an area set aside for a game or sport under regulation 9(1); or
  - (b) who is acting in accordance with a current permit issued under Part 2 which allows that person to engage in a game or sport.

# 26. Organised function, fete or public meeting

- (1) In the reserve, a person must not coduct or participate in an organised function, rally, concert, festival, tour, fete or public meeting or similar event.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

#### 27. Public address

- (1) In the reserve, a person must not preach or deliver an address or use any amplifier, public address system, loud hailer or similar device.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

## 28. Commercial Activities

- (1) In the reserve, a person must not
  - (a) sell or offer any article for sale;
  - (b) take photographs for gain or commercial purposes;
  - (c) supply any vehicle for hire or carry any passengers for fee or reward;
  - (d) conduct any school or provide any form of instruction for gain;
  - (e) display, advertise for sale or trade or hire any article, device, service or thing;
  - (f) solicit or collect money or orders for goods or services or other purposes;
  - (g) take part in or advertise any entertainment for gain;
  - (h) give out, distribute, erect, leave set up or display any handbill, placard, notice, pamphlet, book, paper, advertising matter or any like thing;
  - (i) conduct a tour for gain or for commercial purposes.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

# 29. Machinery and power tools

- (1) In the reserve, a person must not operate any portable or stationary generator, air-compressor, chainsaw, oxy-acetylene or electrical cutting or welding apparatus or other machinery.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

#### 30. Gates

In the reserve, a person must not leave any gate open except where the gate is already open.

## 31. Use of Beach Umbrellas

- (1) A person must not erect or use a beach umbrella or similar device for providing shade or weather protection on any beach in the reserve.
- (2) Sub-regulation (1) does not apply to a person who uses a beach umbrella or similar device which is securely anchored
  - (a) by means of a disc made of wood, metal or similar material being a least 30 centimetres in diameter fitted over the shaft immediately above the tip and the tip is buried in the sand to a depth of at least 30 centimetres; or
  - (b) by means of a bag filled with at least 5 kilograms of dry weight of sand securely tied to the device; or
  - (c) by means of a device with an equivalent effect to an anchoring device referred to in paragraph (a) or (b).

## 32. Offensive behaviour

In the reserve, a person must not –

- (a) use indecent or obscene language;
- (b) use threatening or abusive words;
- (c) behave in a riotous, indecent, offensive or threatening manner.

# 33. Firearms and traps

- (1) In the reserve, a person must not possess or carry or use any firearm, trap or snare.
- (2) Sub-regulation (1) does not apply to a person who has in their possession a licensed firearm and a current game licence during the period of an authorised game season.

#### 34. Stones or missiles

In the reserve, a person must not propel or throw any stone or missile which is likely to cause danger or unreasonable disturbance to other persons or to animals or is likely to damage any vegetation or property.

#### PART 4 – GENERAL

#### 35. Obstruction

A person must not obstruct, hinder or interfere with an authorised officer, any other officer or employee of the Minister or a person authorised by the Minister in the execution of his or her duties in the reserve.

#### 36. Direction and direction to leave

- (1) An authorised officer may direct any person whom that officer believes on reasonable grounds has contravened these regulations to leave the reserve or any part of the reserve.
- (2) A person must leave the reserve or the part of the reserve immediately when directed to do so by an authorised officer.

#### Notes

#### Contravention of regulations

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

#### Litter

The depositing of litter in the reserve is prohibited under the **Litter Act 1987** and may result in the imposition of penalties under that Act.

#### **Motor Vehicles**

Under the Land Conservation (Vehicle Control) Regulations 2003, motor vehicles are prohibited from being within a reserve except on a road, in a parking area or in an area declared to be a free access area. A contravention may result in the imposition of penalties under those regulations.

#### Fire

The lighting of fires is governed by the Forests (Fire Protection) Regulations 2004 and failure to adhere to those regulations may result in the imposition of penalties under those regulations.

#### Forests Act 1958

#### DETERMINATION OF FIREWOOD COLLECTION AREAS

I, Peter Codd, Acting Land and Fire Regional Manager Grampians, Department of Environment and Primary Industries, make the following determination under section 57U of the **Forests Act 1958**.

#### **Definitions**

In this determination and with reference to a numbered item in the table in the determination:

- (a) *closing date*, being the date of revocation of the determination of a firewood collection area, means the date specified in column 6 of the item;
- (b) *opening date*, being the date on which the determination of a firewood collection area comes into operation, means the date specified in column 5 of the item or, if no date is specified, the date on which this determination is published in the Government Gazette.

#### **Determination**

Each area of State forest shown hatched on a plan lodged in the Central Plan Office of the Department of Environment and Primary Industries, the number of which is shown in column 1 of an item in the table in this determination, is a firewood collection area for the purposes of section 57U of the **Forests Act 1958**, effective from the opening date for that area until the closing date for that area (inclusive).

Item	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
no.	LEGL no.	DSE region	DSE district	Name of firewood collection area	Opening date	Closing date
1	LEGL./12-205	Grampians	Midlands	Jackass Rd	19/09/2013	30/11/2013
2	LEGL./12-390	Grampians	Midlands	Granite Track 2	19/09/2013	30/11/2013
3	LEGL./13-279	Grampians	Midlands	Coopers – Wilddog Roadside	19/09/2013	30/11/2013
4	LEGL./13-280	Grampians	Midlands	Barkstead – Railway Track	19/09/2013	30/11/2013
5	LEGL./13-281	Grampians	Midlands	Binks Roadside	19/09/2013	30/11/2013
6	LEGL./13-282	Grampians	Midlands	Linton – Possum Gully	19/09/2013	30/11/2013
7	LEGL./13-283	Grampians	Midlands	Smythesdale – Vermont Track	19/09/2013	30/11/2013
8	LEGL./13-305	Grampians	Midlands	Squires Track	19/09/2013	30/11/2013
9	LEGL./12-203	Grampians	Midlands	Burnt Mill Road Extension	19/09/2013	30/11/2013
10	LEGL./13-141	Grampians	Midlands	Mudlark East 2	19/09/2013	30/11/2013
11	LEGL./13-142	Grampians	Midlands	Andrews South	19/09/2013	30/11/2013
12	LEGL./13-139	Grampians	Midlands	Hughs Road	19/09/2013	30/11/2013
13	LEGL./13-140	Grampians	Midlands	Lawrence Road	19/09/2013	30/11/2013

Table - Firewood collection areas

# Notes

- 1. The information in columns 2, 3 and 4 of the table is for information only.
- 2. **DEPI** means Department of Environment and Primary Industries.

- 3. The legal plan of any firewood collection area may be obtained from the Central Plan Office of the DEPI see <a href="https://www.landata.vic.gov.au/tpc/">https://www.landata.vic.gov.au/tpc/</a>. Maps of firewood collection areas that are open from time to time may be obtained from <a href="https://www.depi.vic.gov.au/firewood">www.depi.vic.gov.au/firewood</a>.
- There are no firewood collection areas open outside the firewood collection seasons as defined in the Forests Act 1958.

Dated 17 September 2013

PETER CODD

Acting Land and Fire Regional Manager Grampians
Department of Environment and Primary Industries
as delegate of the Secretary to the
Department of Environment and Primary Industries

# Land Acquisition and Compensation Act 1986

FORM 7

S. 21(a)

Reg. 16

### Notice of Acquisition

Compulsory Acquisition of Interest in Land

Melbourne Water Corporation (ABN 81 945 386 953) ('Melbourne Water') declares that by this notice it acquires the following interest in land described as Lot 1 on Title Plan TP219242S, comprising 1.282 hectares and being the land more particularly described in Certificate of Title Volume 9877 Folio 728.

**Interest Acquired**: That of Vincenzo Ceravolo and all other interests.

Published with the authority of Melbourne Water.

Dated 19 September 2013

For and on behalf of Melbourne Water Signed SHAUN COX Managing Director

# **Land Acquisition and Compensation Act 1986**

FORM 7

S. 21(a)

Reg. 16

#### Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lot 2 on Plan of Subdivision 215926K, Parish of Puebla, comprising 2299 square metres and being part of the land described in Certificate of Title Volume 09921 Folio 727, shown as Parcels 20 and 23 on Survey Plan 22843.

**Interest Acquired**: That of Robert Archibald Clark and Ann Clark and all other interests.

Published with the authority of VicRoads.

For and on behalf of VicRoads

Signed ROD ROETMAN

Name Rod Roetman

Dated 19 September 2013

#### Land Acquisition and Compensation Act 1986

FORM 7

S. 21(a) Reg. 16

## Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lot 2 on Plan of Subdivision 321896J, Parish of Puebla, comprising 1450 square metres and being part of the land described in Certificate of Title Volume 10262 Folio 932, shown as Parcels 2 and 7 on Survey Plan 22842.

**Interest Acquired**: That of Raymond James Perry and all other interests.

Published with the authority of VicRoads.

For and on behalf of VicRoads

Signed ROD ROETMAN

Name

Rod Roetman Dated 19 September 2013

## **Marine Safety Act 2010**

## NOTICE OF BOATING ACTIVITY EXCLUSION ZONE

- I, Terry Clapham, Manager Water Supply East, Southern Rural Water (the Waterway Manager for Lake Glenmaggie), hereby give notice under section 208(2) of the Marine Safety Act 2010 that all persons and vessels not participating in the Glenmaggie and District Boat Club Event are prohibited from entering and remaining in the waters of Lake Glenmaggie:
- north-west of an imaginary line between the water's edge at Glenmaggie Point (Lat 37° 53' 37 S, Long 146° 45′ 47 E) and the water's edge at Cemetery Point (Lat 37°.53′ 51 S, Long 146°.45′ 11 E) as marked by buoys, and
- the waters east of Glenmaggie Licola Bridge.

The exclusion zone takes effect between from 7.00 am to 5.00 pm on 2 and 3 November 2013 and 28 and 29 December 2013.

Dated 11 September 2013

TERRY CLAPHAM Manager Water Supply East Southern Rural Water

# **Melbourne City Link Act 1995**

NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ('the Act'), CityLink Melbourne Limited ABN 65 070 810 678 (the relevant corporation in relation to the Link road) hereby fixes tolls which are payable in respect of the use of vehicles (as set out herein) on toll zones on the Link road

For the purposes of this Notice, the following definitions apply:

Boulton Parade includes the off-ramp connecting the rest of the Link road to Boulton Parade;

Burnley Tunnel means the eastbound tunnel between Sturt Street and Burnley Street;

**Bus** is a Motor Vehicle having more than 12 seating positions (including that of the driver);

**Car** is a Motor Vehicle, other than:

- (a) a Motor Cycle;
- (b) a Light Commercial Vehicle;
- (c) a Heavy Commercial Vehicle; or
- (d) a Taxi;

even if such a Motor Vehicle is towing a trailer or caravan;

**Domain Tunnel** means the westbound tunnel between Punt Road and Sturt Street:

**Full Link road** is the road included within both the Link road and the Extension road;

Full Link Taxi Trip is a Trip by a Taxi on:

- (a) one or more of the toll zones described in this Notice as toll zones 1, 2 and 3; and
- (b) one or more of the toll zones described in this Notice as toll zones 4, 5, 6, 7, 8, 9, 10 and 11;

Half Link Taxi Trip is a Trip by a Taxi on:

- (a) one or more of the toll zones described in this Notice as toll zones 1, 2 and 3; or
- (b) one or more of the toll zones described in this Notice as toll zones 4, 5, 6, 7, 8, 9, 10 and 11, and no other toll zone:

**Heavy Commercial Vehicle** or **HCV** is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck:
- (c) a Bus; or
- (d) a two axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

**Light Commercial Vehicle** or **LCV** is a Motor Vehicle, other than a Taxi, which is a two axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

**Motor Cycle** is a two wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

**Motor Vehicle** is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheel chair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

Swan Street Intersection means the intersection between Swan Street and Batman Avenue;

Taxi is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

**the Agreement** has the same meaning as in the Act:

the Integration and Facilitation Agreement has the same meaning as in the Act;

**Trip** is the passage of a vehicle on one or more toll zones:

- (a) uninterrupted by exit and subsequent re-entry; or
- (b) if so interrupted, the interruption consists only of travel directly between:
  - (i) that part of the Link road between Bulla Road and the West Gate Freeway; and
  - (ii) that part of the Link road between Sturt Street and Glenferrie Road;

**Truck** is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes; and

vehicle has the same meaning as in the Act.

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on toll zones on the Link road, where those vehicles are a Car, a LCV or a HCV:

	Table One			
	Toll Zone		Toll	
		Car	LCV	HCV
1.	That part of the Link road between Moreland Road and Brunswick Road.	\$2.07	\$3.30	\$3.92
2.	That part of the Link road between Racecourse Road and Dynon Road.	\$2.07	\$3.30	\$3.92
3.	That part of the Link road between Footscray Road and the West Gate Freeway.	\$2.58	\$4.13	\$4.91
4.	That part of the Link road being the Domain Tunnel and that part of the Link road leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of the Link road –	\$2.58	\$4.13	\$4.91
	(a) being the eastbound carriageways of the Link road;			
	(b) between Punt Road and the exit to Boulton Parade; and			
	(c) comprising Boulton Parade.			
5.	That part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.	\$4.65	\$7.42	\$8.82
6.	That part of the Link road being the eastbound carriageways between Punt Road and Burnley Street other than that part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.	\$2.07	\$3.30	\$3.92

7.	That part of the Link road between Burnley Street and Punt Road and including that part of the Link road –  (a) between Punt Road and the exit to Boulton Parade, other than the eastbound carriageways; and	\$2.07	\$3.30	\$3.92
	(b) comprising Boulton Parade,			
	other than:			
	(i) the eastbound carriageways between Burnley Street and Punt Road; and			
	(ii) that part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.			
8.	That part of the Link road being the eastbound carriageways between Burnley Street and Glenferrie Road.	\$2.07	\$3.30	\$3.92
9.	That part of the Link road between Glenferrie Road and Burnley Street, other than the eastbound carriageways.	\$2.07	\$3.30	\$3.92
10.	That part of the Link road being the eastbound carriageways between Swan Street Intersection and Punt Road, other than –	\$1.29	\$2.07	\$2.44
	(a) that part of the Link road being the Burnley Tunnel; and			
	(b) that part of the Link road comprising Boulton Parade.			
11.	That part of the Link road between Punt Road and Swan Street Intersection, other than –	\$1.29	\$2.07	\$2.44
	(a) the eastbound carriageways;			
	(b) that part of the Link road being the Burnley Tunnel;			
	(c) that part of the Link road:			
	(1) between Punt Road and the exit to Boulton Parade; and			
	(2) comprising Boulton Parade; and			
	(d) that part of the Link road being the Domain Tunnel and that part of the Link road leading into that Tunnel between the eastern portal of that Tunnel and Punt Road.			

For the avoidance of doubt, a reference in this Notice to the specification of a toll zone by reference to Burnley Street refers to that point on the Link road where Burnley Street would cross the Link road if Burnley Street continued in a straight southerly direction from its southernmost extremity. For the avoidance of doubt, a reference in this Notice to 'eastbound' means in a general easterly direction from the eastern end of the West Gate Freeway towards Glenferrie Road.

Notwithstanding anything to the contrary in Table One, under section 71(1)(b) of the Act and in accordance with the Agreement, the maximum tolls payable in respect of the use of a vehicle on a toll zone on the Link road where that vehicle is a Car, a LCV or a HCV for a Trip are as listed in Table Two:

	Table Two			
Trip Cap		Toll		
		Car	LCV	HCV
1.	Where the passage of the vehicle on the last toll zone comprising the Trip before exiting the Full Link road occurs between 6 am and 8 pm on the same day.	\$7.74	\$10.32	\$10.32
2.	Where the passage of the vehicle on the last toll zone comprising the Trip before exiting the Full Link road occurs between 8 pm on the one day and 6 am on the next.	\$7.74	\$7.74	\$7.74

Under Section 71(1)(b) of the Act, and in accordance with the Agreement, the tolls listed in Table Three are payable in respect of the use of vehicles on toll zones on the Link road where those vehicles are Taxis:

Table Three		
Taxis	Toll	
Each Half Link Taxi Trip	\$5.10	
Each Full Link Taxi Trip	\$7.30	

For the avoidance of doubt, this Notice does not set Charge Tolls, Maximum Charge Tolls or Taxi Tolls for the purposes of Schedule 3 (the Toll Calculation Schedule) of the Agreement, or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1) dated 13 June 2013 and published in the Victoria Government Gazette No. G 25 (pages 1343 to 1347), dated 20 June 2013 ('the Last Notice').

This notice takes effect on 1 October 2013 and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 13 September 2013

A. L. STREET Company Secretary CityLink Melbourne Limited (ABN 65 070 810 678) V. E. VASSALLO Director CityLink Melbourne Limited (ABN 65 070 810 678)

# Melbourne City Link Act 1995

## NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ('the Act'), City Link Extension Pty Limited ABN 40 082 058 615 (the relevant corporation in relation to the Extension road) hereby fixes tolls which are payable in respect of the use of vehicles (as set out herein) on the toll zone on the Extension road.

For the purposes of this Notice, the following definitions apply:

**Bus** is a Motor Vehicle having more than 12 seating positions (including that of the driver);

**Car** is a Motor Vehicle, other than:

- (a) a Motor Cycle;
- (b) a Light Commercial Vehicle;
- (c) a Heavy Commercial Vehicle; or
- (d) a Taxi;

even if such a Motor Vehicle is towing a trailer or caravan;

**Heavy Commercial Vehicle** or **HCV** is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus; or
- (d) a two axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

**Light Commercial Vehicle** or **LCV** is a Motor Vehicle, other than a Taxi, which is a two axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

**Motor Cycle** is a two wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

**Motor Vehicle** is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheel chair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

**Taxi** is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

the Extension Agreement has the same meaning as in the Act;

the Integration and Facilitation Agreement has the same meaning as in the Act;

**Truck** is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes; and

**vehicle** has the same meaning as in the Act.

Under section 71(1)(b) of the Act and in accordance with the Extension Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on the toll zone on the Extension road, where those vehicles are a Car, a LCV or a HCV:

Table One			
Toll Zone		Toll	
	Car	LCV	HCV
12. The Extension road	\$1.29	\$2.07	\$2.44

For the avoidance of doubt, this Notice does not set Charge Tolls for the purposes of Schedule 1 (the Toll Calculation Schedule) of the Extension Agreement, or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1) dated 13 June 2013 and published in the Victoria Government Gazette No. G 25 (pages 1348 to 1349), dated 20 June 2013 ('the Last Notice').

This Notice takes effect on 1 October 2013, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 13 September 2013

A. L. STREET Company Secretary City Link Extension Pty Limited (ABN 40 082 058 615) V. E. VASSALLO Director City Link Extension Pty Limited (ABN 40 082 058 615)

## **Melbourne City Link Act 1995**

NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ('the Act'), CityLink Melbourne Limited ABN 65 070 810 678 (the relevant corporation in relation to the Link road) ('CityLink Melbourne') hereby fixes tolls which are payable in respect of the use of vehicles on toll zones on the Link road where those vehicles are the subject of a CityLink Pass for that use.

For the purposes of this Notice, the following definitions apply:

**Bus** is a Motor Vehicle having more than 12 seating positions (including that of the driver);

**Car** is a Motor Vehicle, other than a Motor Cycle, a Light Commercial Vehicle, a Heavy Commercial Vehicle or a Taxi even if such a Motor Vehicle is towing a trailer or caravan;

CityLink Pass is a 24 Hour Pass, a Tulla Pass or a Weekend Pass;

Full Link road is the road included within both the Link road and the Extension road;

Heavy Commercial Vehicle or HCV is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus; or
- (d) a two axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

**Light Commercial Vehicle** or **LCV** is a Motor Vehicle, other than a Taxi, which is a two axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

**Motor Cycle** is a two wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

**Motor Vehicle** is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheel chair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

**Taxi** is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

**the Agreement** has the same meaning as in the Act;

the Integration and Facilitation Agreement has the same meaning as in the Act;

**Trip** is the passage of a vehicle on one or more toll zones:

- (a) uninterrupted by exit and subsequent re-entry; or
- (b) if so interrupted, consists only of travel directly between:
  - (i) that part of the Link road between Bulla Road and the West Gate Freeway; and
  - (ii) that part of the Link road between Sturt Street and Glenferrie Road;

**Truck** is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes;

**Tulla Pass** is an agreement with CityLink Melbourne for CityLink Melbourne to register a Car or Light Commercial Vehicle under Part 4 of the Act for use only on that part of the Link road being the Tullamarine Freeway Upgrade, between Bulla Road and Flemington Road including the toll zone between Moreland Road and Brunswick Road, for a fixed 24 hour period commencing at the time of the first Tulla Trip by that Car or Light Commercial Vehicle on a specified day;

**Tulla Trip** is the passage of a Car or Light Commercial Vehicle on that part of the Link road being the toll zone between Moreland Road and Brunswick Road;

**24 Hour Pass** is an agreement with CityLink Melbourne to register a vehicle (other than a Taxi) under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed 24 hour period commencing at the time of the first Trip by the vehicle on a specified day;

vehicle has the same meaning as in the Act; and

Weekend Pass is an agreement with CityLink Melbourne to register a Car or Light Commercial Vehicle under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed period commencing at 12.00 pm on the Friday immediately before a specified Saturday and ending at midnight on the Sunday immediately following that specified Saturday. The fact that CityLink Melbourne also registers a Car or Light Commercial Vehicle for an additional period at no extra charge does not prevent the agreement from being a Weekend Pass.

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on toll zones on the Link road where the vehicle is the subject of a 24 Hour Pass for that use.

Table One			
	Toll		
24 Hour Pass Car LCV		HCV	
	\$14.90	\$23.90	\$28.40

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table Two are payable in respect of the use of vehicles on toll zones on the Link road where the vehicle is the subject of a Weekend Pass for that use.

Table Two				
	Toll			
Weekend Pass	Car	LCV		
	\$14.90	\$23.90		

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table Three are payable in respect of the use of Cars or Light Commercial Vehicles on the toll zone, consisting of that part of the Link road between Moreland Road and Brunswick Road, where the Car or Light Commercial Vehicle is the subject of a Tulla Pass for that use.

Table Three				
	Toll			
Tulla Pass	Car	LCV		
	\$5.30	\$8.50		

For the avoidance of doubt, this Notice does not set Charge Tolls or Day Tolls for the purpose of Schedule 3 (the Toll Calculation Schedule) of the Agreement or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends -

the NOTICE UNDER SECTION 71(1) dated 13 June 2013 and published in the Victoria Government Gazette No. G 25 (pages 1350 to 1352), dated 20 June 2013 ('the Last Notice').

This Notice takes effect on 1 October 2013, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 13 September 2013

A. L. STREET Company Secretary CityLink Melbourne Limited (ABN 65 070 810 678) V. E. VASSALLO Director CityLink Melbourne Limited (ABN 65 070 810 678)

### Melbourne City Link Act 1995

NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ('the Act'), City Link Extension Pty Limited ABN 40 082 058 615 (the relevant corporation in relation to the Extension road) hereby fixes tolls which are payable in respect of the use of vehicles on the toll zone on the Extension road where those vehicles are the subject of a CityLink Pass for that use.

For the purposes of this Notice, the following definitions apply:

**Bus** is a Motor Vehicle having more than 12 seating positions (including that of the driver);

**Car** is a Motor Vehicle, other than a Motor Cycle, a Light Commercial Vehicle, a Heavy Commercial Vehicle or a Taxi even if such a Motor Vehicle is towing a trailer or caravan;

**CityLink** is CityLink Melbourne Limited ABN 65 070 810 678, the relevant corporation for the purposes of section 73C of the Act;

CityLink Pass is a 24 Hour Pass or a Weekend Pass;

**Full Link road** is the road included within both the Link road and the Extension road;

Heavy Commercial Vehicle or HCV is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus: or
- (d) a two axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

**Light Commercial Vehicle** or **LCV** is a Motor Vehicle, other than a Taxi, which is a two axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

**Motor Cycle** is a two wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

**Motor Vehicle** is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheel chair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

**Taxi** is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

the Extension Agreement has the same meaning as in the Act;

the Integration and Facilitation Agreement has the same meaning as in the Act;

**Trip** is the passage of a vehicle on one or more toll zones:

- (a) uninterrupted by exit and subsequent re-entry; or
- (b) if so interrupted, consists only of travel directly between:
  - (i) that part of the Link road between Bulla Road and the West Gate Freeway; and
  - (ii) that part of the Link road between Sturt Street and Glenferrie Road;

**Truck** is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes;

**24 Hour Pass** is an agreement with CityLink to register a vehicle (other than a Taxi) under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed 24 hour period commencing at the time of the first Trip by the vehicle on a specified day;

vehicle has the same meaning as in the Act; and

Weekend Pass is an agreement with CityLink to register a Car or Light Commercial Vehicle under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed period commencing at 12.00 pm on the Friday immediately before a specified Saturday and ending at midnight on the Sunday immediately following that specified Saturday. The fact that CityLink also registers that Car or Light Commercial Vehicle for an additional period at no extra charge does not prevent the agreement from being a Weekend Pass.

Under section 71(1)(b) of the Act and in accordance with the Extension Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on the toll zone on the Extension road where the vehicle is the subject of a 24 Hour Pass for that use.

Table One				
		Toll		
24 Hour Pass	Car	LCV	HCV	
	\$14.90	\$23.90	\$28.40	

Under section 71(1)(b) of the Act and in accordance with the Extension Agreement, the tolls listed in Table Two are payable in respect of the use of vehicles on the toll zone on the Extension road where the vehicle is the subject of a Weekend Pass for that use.

Table Two			
	Toll		
Weekend Pass Car LC		LCV	
	\$14.90	\$23.90	

For the avoidance of doubt, this Notice does not set Charge Tolls or Day Tolls for the purpose of Schedule 1 (the Toll Calculation Schedule) of the Extension Agreement or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1) dated 13 June 2013 and published in the Victoria Government Gazette No. G 25 (pages 1353 to 1355), dated 20 June 2013 ('the Last Notice').

This Notice takes effect on 1 October 2013, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice:
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 13 September 2013

A. L. STREET Company Secretary City Link Extension Pty Limited (ABN 40 082 058 615) V. E. VASSALLO Director City Link Extension Pty Limited (ABN 40 082 058 615)

### **Plant Biosecurity Act 2010**

### NOTICE OF EXTENSION

Order Declaring a Restricted Area in Victoria for the Control of Queensland Fruit Fly

I, Peter Walsh, Minister for Agriculture and Food Security, extend the Order listed below, made under section 20 of the **Plant Health and Plant Products Act 1995**, declaring a restricted area in Victoria for the control of Queensland Fruit Fly, for a further period of 12 months.

Location	Date of Making	Date of Gazettal	<b>Date Extension Effective</b>
Barham (NSW)	14 September 2011	13 October 2011	14 September 2013

The Order was published in the Government Gazette and specifies the prohibitions, restrictions and requirements so as to prevent the spread of Queensland Fruit Fly from the area to other parts of Victoria.

Further information may be obtained by visiting www.depi.vic.gov.au/qff Dated 10 September 2013

PETER WALSH MLA Minister for Agriculture and Food Security

### **Prevention of Cruelty to Animals Act 1986**

### POWER TO FILE CHARGES

I, Anthony Gerard Britt, Director Animal Biosecurity and Welfare in the Department of Environment and Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of **Prevention of Cruelty to Animals Act 1986** and of my respective powers to authorise persons under section 24ZW of the **Prevention of Cruelty to Animals Act 1986**, hereby authorise the following person, who is an employee in the Public Service in Victoria, to file a charge for an offence under Part 2 or Part 2A of the Act or an offence under the regulations relating to Part 2 or Part 2A of the Act. Such authorisation remains in force until revoked or until 30 June 2015.

### Name of person

Caitlin Eilidh McAlister Dated 13 September 2013

ANTHONY GERARD BRITT Director Animal Biosecurity and Welfare

# Prevention of Cruelty to Animals Act 1986 POWER TO FILE CHARGES

I, Anthony Gerard Britt, Director Animal Biosecurity and Welfare in the Department of Environment and Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of Prevention of Cruelty to Animals Act 1986 and of my respective powers to authorise persons under section 24ZW of the Prevention of Cruelty to Animals Act 1986, hereby authorise the following person, who is an employee in the Public Service in Victoria, to file a charge for an offence under Part 2 or Part 2A of the Act or an offence under the regulations relating to Part 2 or Part 2A of the Act. Such authorisation remains in force until revoked or until 30 June 2015.

### Name of person

Adrian Marino Serratore Dated 10 September 2013

> ANTHONY GERARD BRITT Director Animal Biosecurity and Welfare

## Livestock Disease Control Act 1994 APPOINTMENT OF INSPECTORS

I, Anthony Gerard Britt, Director Animal Biosecurity and Welfare in the Department of Environment and Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the Livestock Disease Control Act 1994 and of my respective powers to appoint inspectors under section 108 of the Livestock Disease Control Act 1994, hereby appoint the following person, who holds a position under the provisions of the Public Administration Act 2004, as an inspector for the purposes of all of the provisions of the Livestock Disease Control Act 1994 and in respect of all livestock. Such appointment remain in force until revoked or until 30 June 2015.

### Name of person

Adrian Marino Serratore Dated 10 September 2013

ANTHONY GERARD BRITT Director Animal Biosecurity and Welfare

# Agricultural and Veterinary Chemicals (Control of Use) Act 1992

### APPOINTMENT OF AUTHORISED OFFICER

I, Anthony Gerard Britt, Director Animal Biosecurity and Welfare in the Department of Environment and Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 74 of the Agricultural and Veterinary Chemicals (Control of Use) Act 1992 and of my respective powers to appoint authorised officers under section 53 of the Agricultural and Veterinary Chemicals (Control of Use) Act 1992, hereby appoint the following person, employed in the Public Service, as an authorised officer for the purposes of all of the provisions of the Agricultural and Veterinary Chemicals (Control of Use) Act 1992 and any Regulation or Order made under this Act. Such appointment remains in force until revoked or until 30 June 2015.

### Name of person

Adrian Marino Serratore Dated 10 September 2013

ANTHONY GERARD BRITT Director Animal Biosecurity and Welfare

### Retirement Villages Act 1986

Section 39

# CANCELLATION OF RETIREMENT VILLAGE NOTICE

I hereby declare that pursuant to section 9 of the **Retirement Villages Act 1986**, Retirement Village Notice U945492K, registered on 22 August 1997, on Certificates of Title Volume 10345 Folio 843, Volume 10345 Folio 844, Volume 10345 Folio 845, Volume 10345 Folio 846, Volume 10345 Folio 847, Volume 10345 Folio 848, Volume 10345 Folio 849, Volume 10345 Folio 850, Volume 10345 Folio 851, Volume 10671 Folio 467, Volume 10345 Folio 853 and Volume 10345 Folio 854, under the **Transfer of Land Act 1958**, is cancelled.

Dated 11 September 2013

CLAIRE NOONE Director Consumer Affairs Victoria

### **Retirement Villages Act 1986**

Section 32

### EXTINGUISHMENT OF RETIREMENT VILLAGE CHARGE

I hereby declare that, pursuant to section 29 of the **Retirement Villages Act 1986**, Retirement Village Charge X914078V, registered on 28 November 2001 on Certificate of Title Volume 11434 Folio 261, under the **Transfer of Land Act 1958**, is extinguished.

Dated 12 September 2013

CLAIRE NOONE Director Consumer Affairs Victoria

### Retirement Villages Act 1986

Section 39

### CANCELLATION OF RETIREMENT VILLAGE NOTICE

I hereby declare that, pursuant to section 9 of the **Retirement Villages Act 1986**, Retirement Village Notice X914077Y, registered on 28 November 2001 on Certificate of Title Volume 11434 Folio 261, under the **Transfer of Land Act 1958**, is cancelled.

Dated 12 September 2013

CLAIRE NOONE Director Consumer Affairs Victoria



### Water Act 1989

### NOTIFICATION OF PROPOSED EXTENSION TO THE BALLARAT SEWERAGE DISTRICT (BALLARAT WEST URBAN GROWTH AREA)

Notice is hereby given, pursuant to section 122P of the **Water Act 1989**, that the Central Highlands Region Water Corporation proposes to extend its Ballarat Sewerage District, specifically to cover the Ballarat West Urban Growth Area.

Plans of the proposed sewerage district extension are available for inspection at CHW's main office at 7 Learmonth Road, Wendouree, during normal office hours.

Submissions are invited on the proposal, and any submission should set out the grounds on which it is made. All submissions must be received by CHW within one month of the date of this publication.

Submissions should be addressed to: Manager Land Development, Central Highlands Region Water Corporation, PO Box 152, Ballarat 3353.

PAUL O'DONOHUE Managing Director

# REVOCATION AND APPROVAL OF PROCEDURES FOR DRUG TESTING AND URINALYSIS FOR CERTAIN OFFENDERS SUBJECT TO SUPERVISION ORDERS

I, Greg Wilson, Secretary to the Department of Justice, revoke the approval of the 'procedures for drug testing and urinalysis for certain offenders subject to supervision orders' published in the Victorian Government Gazette on 8 July 2010, and approve the following test procedures for the purposes of Division 5 of Part 10 of the **Serious Sex Offenders (Detention and Supervision) Act 2009** where –

- a court has made a supervision order that includes the following condition
  - that the offender is to submit to breath testing or urinalysis; and
  - the offender is to reside at a residential facility or other location; and
- a relevant officer has reasonable grounds to suspect that the offender has breached a condition of their supervision order by consuming alcohol or drugs.

I also approve the following procedure for sealing, labelling and testing samples for the purposes of section 158 of the **Serious Sex Offenders (Detention and Supervision) Act 2009**.

### APPROVED PROCEDURE FOR BREATH TESTING

Before collecting the breath sample, the relevant officer must ensure the positive identification of the offender.

### Information to be given to the offender before conducting the test –

The relevant officer must inform the offender of all the following information –

- the officer suspects on reasonable grounds that the offender has breached a condition of his or her supervision order by consuming alcohol or drugs;
- in accordance with the conditions of his or her supervision order and section 156 of the **Serious Sex Offenders (Detention and Supervision) Act 2009**, the offender is required to submit to breath testing;
- the place, date and time where the breath sample will be collected;
- he or she must sign a form after providing the breath sample (Schedule 1);
- if he or she believes that prescribed medication may result in inaccurate test results, the offender may complete an authorisation for the disclosure of medical information to the Department of Justice (Schedule 3); and
- he or she will be shown the results of the test.

The offender is to be provided with a copy of the completed Schedule 1.

### Refusal to submit to breath test -

If an offender refuses to provide a required breath sample, he or she is to be informed that the consequences of refusal may include breach proceedings and reports shall be completed to say the offender refused to supply a sample of breath for analysis when directed to do so.

### Positive test result -

A positive test result is any reading which indicates that the level of alcohol in the offender's breath sample is above zero as indicated by any one of the following instruments –

- Lion SD400 Alcolmeter;
- Lion SD400P Alcolmeter:
- SCRAM Remote Breath analyser; and
- 3M Remote Alcohol & Curfew Monitoring System (also known as the Alcohol (MEMS)).

### APPROVED PROCEDURE FOR URINALYSIS

### Identification of offender -

Before directing an offender to provide a urine sample, a relevant officer must ensure positive identification of the offender.

### Information to be given to the offender before the test -

The relevant officer must inform the offender of all of the following information:

- the officer suspects on reasonable grounds that the offender has breached a condition of his or her supervision order by consuming alcohol or drugs;
- in accordance with the conditions of his or her supervision order and section 156 of the Serious Sex Offenders (Detention and Supervision) Act 2009, the offender is required to submit to urinalysis:
- the place, date and time where the urine sample will be collected (Schedule 2);
- if he or she believes that prescribed medication may result in inaccurate test results, the offender may complete an authorisation for the disclosure of medical information to Corrections Victoria (Schedule 3); and
- he or she will be provided with a copy of the results of the test.

The relevant officer must provide the notice set out in Schedule 2 to the offender.

### Refusal to submit to urinalysis -

If an offender refuses to provide a urine sample, he or she is to be informed that the consequence of refusal may include breach proceedings and a report shall be completed stating that the offender refused to supply a sample of urine for analysis when directed to do so.

### Positive test results -

The approved assay technologies for testing samples and thresholds for drugs of dependence are those set out in Schedule 4.

### APPROVED SEALING, LABELLING AND TEST PROCEDURES FOR SAMPLES TAKEN

Samples of a substance taken by a relevant officer in the presence of a witness, that the relevant officer believes to be a drug of dependence or alcohol, that is found in the possession of the offender, are to be placed in sterile air-tight containers labelled with a permanent ink pen with the following information –

- Name of offender;
- Date on which the sample was collected;
- Address of the place where the sample was collected:
- Name and signature of the relevant officer collecting the sample; and
- Name and signature of the witness observing the collection, containment and sealing of the sample.

Sample containers are to be sealed with tape in the presence of the witness.

Samples are to be tested using the approved assay technologies for testing samples and thresholds for drugs of dependence set out in Schedule 4.

GREG WILSON
Secretary, Department Of Justice

## Serious Sex Offenders (Detention and Supervision) Act 2009 PROCEDURES FOR DRUG TESTING AND URINALYSIS SCHEDULES

# SCHEDULE 1 BREATH TEST REGISTER Section 156

Relevant officer to complete, offender to sign:

Date	Time	Name of offender	Reading result	Offender's signature	Name of relevant officer	Relevant Officer's signature

### SCHEDULE 2

# NOTICE OF APPOINTMENT FOR DRUG TEST

Section 156

Relevant officer to complete, offender to sign:

In accordance with the conditions of your surrequired to submit a sample of your urine for d	upervision order or interim supervision order you are lrug testing.
You are required to attend the offices of to provide a urine sar	
This notice was provided to	on / /
Name of relevant officer	Name of offender
Signature of relevant officer	Signature of offender
//	/
Date	Date

SCHEDULE 3

## CONSENT TO THE RELEASE OF MEDICAL INFORMATION

Section 156

Offender to complete, relevant officer to sign:

If a positive result was recorded from my urine sample, I consent to the medical staff of the
Health Services Provider releasing relevant information to the Department of Justice regarding
possible medical explanations for that positive result.

Name of offender	Name of relevant officer	
Signature of offender	Signature of relevant officer	
//	/	
Date	Date	

### **SCHEDULE 4**

### ASSAY TECHNOLOGIES AND THRESHOLDS

Section 156 and 158

### **Assay Technologies**

The following technologies may be used to conduct assays on urine samples:

- Thin layer chromatography;
- Gas chromatography;
- Enzyme immunoassay emit testing;
- Enzyme immunoassay fluorescence polarisation;
- Radio immunoassay;
- High performance liquid chromatography; and
- Mass spectrometry.

### Thresholds

A positive result will be recorded where the testing laboratory confirms the sample is positive to ethanol or a drug of dependence within the meaning of the **Drugs**, **Poisons and Controlled Substances Act 1981**.

### CAMPASPE PLANNING SCHEME

Notice of Approval of Amendment Amendment C69

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

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

### The Amendment:

- updates Clauses 21.03, 21.04 and 21.05 of the Municipal Strategic Statement to reflect the outcomes of the Regional Rural Land Use Strategy, 2008 and the Shire of Campaspe and Shire of Moira RRLUS Implementation Project, August 2010;
- updates Clause 22.01 and introduces a new Clause 22.06 of the Local Planning Policy Framework to provide direction as to how the responsible authority will exercise discretion in the Farming Zone and Rural Activity Zone;
- rezones land throughout the municipality defined as 'growth' and 'consolidation' areas from the Farming Zone to Farming Zone, Schedule 1;
- rezones land near the towns of Rochester, Tongala, Kyabram and Lancaster defined as 'niche' areas from Farming Zone to Farming Zone, Schedule 2;
- amends the Schedule to the Farming Zone to include a new Schedule 1 and a new Schedule 2 to reflect the two new categories in the Farming Zone;
- deletes the Rural Conservation Zone and Schedule from the Campaspe Planning Scheme;
- rezones land along the Campaspe River and between Corop and Rushworth from Rural Conservation Zone to Farming Zone, Schedule 1;
- introduces the Rural Activity Zone and a new Schedule into the Campaspe Planning Scheme;
- rezones land from Farming Zone to Rural Activity Zone for an area along the Murray River Corridor that has been identified as having potential for rural tourism-related activities;
- introduces the Environmental Significance Overlay and a new Schedule 1 into the Campaspe Planning Scheme;
- applies Schedule 1 to the Environmental Significance Overlay to land within the Murray River Corridor within the Shire of Campaspe;
- amends the Schedule to Clause 61.03 to include 12 new maps relating to the Environmental Significance Overlay; and
- amends the Schedule to Clause 66.06 to include a new notice requirement to the relevant water authority for all applications that may have an impact on water quality within Schedule 1 to the Environmental Significance Overlay.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Campaspe Shire Council, corner of Hare and Heygarth Streets, Echuca.

JOHN PHILLIPS
Director
Planning and Building Systems
Department of Transport, Planning and Local Infrastructure

DAREBIN PLANNING SCHEME

Notice of Approval of Amendment

Amendment C108 (Part 1)

The Minister for Planning has approved Amendment C108 (Part 1) to the Darebin Planning Scheme. The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment will implement the 'City of Darebin Heritage Study – Historic Heritage Places 2011' by:

- applying the Heritage Overlay to an additional 106 individual places and 17 precincts of heritage significance;
- deleting the interim Heritage Overlay on properties or precincts where it is not warranted;
- revising the boundaries of the Heritage Overlay on several sites;
- introducing the 'City of Darebin Heritage Study Incorporated Plan Permit Exemptions (2011)' as an incorporated document in the Darebin Planning Scheme; and
- amending Clause 21.05-4 Heritage, Culture and Arts of the Municipal Strategic Statement.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport Planning and Local Infrastructure website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Darebin City Council, 274 Gower Street, Preston.

JOHN PHILLIPS

Director

Planning and Building Systems

Department of Transport, Planning and Local Infrastructure

### Planning and Environment Act 1987

### GREATER GEELONG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C67

The Minister for Planning has approved Amendment C67 to the Greater Geelong Planning Scheme.

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

The Amendment:

- rezones part of the Lonsdale Golf Course from Special Use Zone 3 to part Residential 1 Zone and part Public Park and Recreation Zone;
- rezones land adjoining the golf course from Rural Conservation Zone and Farming Zone to Special Use Zone 3; and
- applies Schedule 26 to the Development Plan Overlay over both areas.
   The Minister has granted the following permit under Division 5 Part 4 of the Act:

Permit No.	Description of land
1313/2009	31–69 Fellows Road, Point Lonsdale, and 19–73 Gill Road, Point Lonsdale.

A copy of the Amendment and permit can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Greater Geelong City Council, 100 Brougham Street, Geelong.

JOHN PHILLIPS Director Planning and Building Systems

Department of Transport, Planning and Local Infrastructure

### GREATER GEELONG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C264

The Minister for Planning has approved Amendment C264 to the Greater Geelong Planning Scheme.

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

The Amendment rezones land at 58–66 Portarlington Road, Newcomb (Lots 6–10 on LP 12182) from Residential 1 Zone to Mixed Use Zone.

The Minister has granted the following permit under Division 5 Part 4 of the Act:

Permit No.	Description of land
240/2012	58–66 Portarlington Road, Newcomb.

A copy of the Amendment and permit can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the City of Greater Geelong Council, 100 Brougham Street, Geelong.

JOHN PHILLIPS
Director
Planning and Building Systems
Department of Transport, Planning and Local Infrastructure

### Planning and Environment Act 1987

### GREATER SHEPPARTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C121

The Minister for Planning has approved Amendment C121 to the Greater Shepparton Planning Scheme.

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

The Amendment makes the following changes to the planning scheme:

- amends the Municipal Strategic Statement (MSS) at clauses 21.01, 21.02, 21.04, 21.05, 21.06, 21.08 and 21.09 to implement the findings of the 'Campaspe, Greater Shepparton and Moira Regional Rural Land Use Strategy, 2008' and the 'Greater Shepparton Regional Rural Land Use Strategy Issues Paper, 2009';
- rezones land throughout the municipality defined as 'growth' and 'consolidation' areas from the Farming Zone to Farming Zone, Schedule 1;
- rezones land near the towns of Merrigum, Tatura and south of Shepparton defined as 'niche' areas from the Farming Zone to Farming Zone, Schedule 2;
- replaces the Schedule to the Farming Zone (at Clause 35.07) with a new Schedule 1 to the Farming Zone, which introduces the Farming Zone 1 and prescribes minimum lot sizes for subdivisions and 'as of right' dwellings in this zone; and
- inserts a new Schedule 2 to the Farming Zone (at Clause 35.07) which introduces the Farming Zone 2 and prescribes minimum lot sizes for subdivision and to use land for a dwelling without a planning permit in this zone.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Greater Shepparton City Council, 90 Welsford Street, Shepparton.

JOHN PHILLIPS
Director
Planning and Building Systems
Department of Transport, Planning and Local Infrastructure

### Planning and Environment Act 1987

MELTON PLANNING SCHEME Notice of Approval of Amendment Amendment C149

The Minister for Planning has approved Amendment C149 to the Melton Planning Scheme.

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

The Amendment amends Schedule 8 to the Special Use Zone (Prison Precinct) to facilitate minor buildings and works to the existing Metropolitan Remand Centre, Middle Road, Ravenhall and Metropolitan Women's Prison, Riding Boundary Road, Ravenhall, remove these existing facilities from the requirement to obtains an environmental audit and makes other wording changes.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Melton City Council, 232 High Street, Melton.

JOHN PHILLIPS
Director
Planning and Building Systems
Department of Transport, Planning and Local Infrastructure

### Planning and Environment Act 1987

MOIRA PLANNING SCHEME
Notice of Approval of Amendment
Amendment C51

The Minister for Planning has approved Amendment C51 to the Moira Planning Scheme.

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

The Amendment:

- updates the Municipal Strategic Statement (MSS) at Clauses 21.03, 21.05 and 21.07 to implement
  the findings of the 'Campaspe, Greater Shepparton and Moira Regional Rural Land Use Strategy,
  2008' (RRLUS) and the Shire of Campaspe and Shire of Moira RRLUS Implementation Project,
  2010;
- updates two Local Planning Policies at Clauses 22.01 and 22.02 in order to implement the findings of the RRLUS and Implementation Report;
- rezones land throughout the municipality defined as 'growth' and 'consolidation' areas from the Farming Zone to Farming Zone, Schedule 1;
- amends the Schedule to the Farming Zone (at Clause 35.07) with a new Schedule 1 to the Farming Zone, which introduces the Farming Zone 1 and changes the prescribed minimum lot sizes for subdivisions to 60 hectares and 'as of right' dwellings in this zone to 80 hectares;

- introduces the Rural Activity Zone (Clause 35.08) and Schedule into the Moira Planning Scheme and applies the zone to land along the Murray River Corridor, which has been identified as having potential for rural tourism-related activities;
- introduces a new Schedule 2 to the Environmental Significance Overlay (Clause 35.07) and applies the new Schedule 2 to land along the Murray River Corridor to protect and enhance the biodiversity, ecological and cultural values of the waterway whilst recognising its importance for nature conservation, flooding, economic development, recreation and tourism;
- amends the Schedule to Clause 61.03 to include 19 new ESO maps forming part of the Moira Planning Scheme; and
- amends the Schedule to Clause 66.06 to include a new notice requirement under Schedule 2 to the ESO.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Moira Shire Council, 44 Station Street, Cobram.

JOHN PHILLIPS
Director
Planning and Building Systems
Department of Transport, Planning and Local Infrastructure

### Planning and Environment Act 1987

MORELAND PLANNING SCHEME

Notice of Approval of Amendment Amendment C148

The Minister for Planning has approved Amendment C148 to the Moreland Planning Scheme.

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

The Amendment affects the Schedule to Clause 61.01 to remove the Minister for Planning as the responsible authority for administering and enforcing the scheme for:

- The land known as the former Kodak site, located at 173 to 199 Elizabeth Street, Coburg North.
- 12–20 Nicholson Street, East Coburg.
- The work and shaft sites associated with the Northern Sewerage Project, Stage 1 and 2.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Moreland City Council, 90 Bell Street, Coburg, Victoria.

JOHN PHILLIPS
Director
Planning and Building Systems
Department of Transport, Planning and Local Infrastructure

### MORNINGTON PENINSULA PLANNING SCHEME

Notice of Approval of Amendment Amendment C170

The Minister for Planning has approved Amendment C170 to the Mornington Peninsula Planning Scheme.

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

The Amendment applies the Heritage Overlay (HO361) to the land at 4–6 Rannoch Avenue, Mount Eliza, on a permanent basis.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Mornington Peninsula Shire Council: 90 Besgrove Street, Rosebud; 2 Queen Street, Mornington; and 21 Marine Parade, Hastings.

JOHN PHILLIPS
Director
Planning and Building Systems
Department of Transport, Planning and Local Infrastructure

### Planning and Environment Act 1987

CASEY PLANNING SCHEME Notice of Lapsing of Amendment Amendment C107

Pursuant to section 30(1)(a) of the **Planning and Environment Act 1987**, Amendment C107 to the Casey Planning Scheme has lapsed.

The Amendment C107 proposed to revise the Cranbourne Development Contributions Plan 1997 to:

- reallocate unspent funds collected for bridging finance for VicRoads projects and local projects to alternative local projects presently needed in the Cranbourne area; and
- extend the timeframe for development of the area to 2012 to enable the reallocated funds to be spent.

The Amendment C107 lapsed on 30 July 2011.

JOHN PHILLIPS
Director
Planning and Building Systems
Department of Transport, Planning and Local Infrastructure

### **ORDERS IN COUNCIL**

### Children, Youth and Families Act 2005

### ESTABLISHMENT OF A YOUTH JUSTICE UNIT

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council under section 478(d) of the **Children**, **Youth and Families Act 2005** establishes a youth justice unit operated by the Department of Human Services at that department's Ringwood Office, situated at 25 Ringwood Street, Ringwood.

This Order comes into effect following its publication in the Government Gazette.

Dated 17 September 2013

Responsible Minister:

HON MARY WOOLDRIDGE MP

Minister for Community Services

YVETTE CARISBROOKE Clerk of the Executive Council

### Land Act 1958

# APPROVAL BY THE GOVERNOR IN COUNCIL TO THE SALE OF CROWN LAND BY PRIVATE TREATY

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council under sections 99A(1)(a) and 99A(2) of the **Land Act 1958** approves the sale by private treaty of Crown Allotment 2032, Township of Swan Hill, Parish of Castle Donnington located at the corner of Beveridge and Pye Streets, Swan Hill, at a price not less than the Valuer-General's valuation.

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

Dated 17 September 2013 Responsible Minister

GORDON RICH-PHILLIPS MLC

Assistant Treasurer

YVETTE CARISBROOKE Clerk of the Executive Council

### **Major Sporting Events Act 2009**

## MAJOR SPORTING EVENT ORDER AFL GRAND FINAL 2013 – 2017 (AND ANY RE-MATCH)

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council under section 7 of the **Major Sporting Events Act 2009 (the Act)**, specifies each of the matters in Column 2 of Table 1 in accordance with the corresponding section of the Act in Column 1 of Table 1.

Table 1: AFL Grand Final (and any re-match) 2013 – 2017			
Column 1 – Section and Description Column 2 – Matter Specified			
8(1)(a)	Major sporting event:	AFL Grand Final (and any re-match) 2013 – 2017	
8(1)(b)	Event venue:	Melbourne Cricket Ground	
8(2)(b)	Event area:	The land within Yarra Park Reserve outlined by the red border and cross-hatched in red on the plan LEGL./09-406 lodged in the Central Plan Office	
8(2)(e)	Crowd management period:	7:00 a.m. to 12 midnight on the day of the event in the years $2013 - 2017$	
8(2)(i)	Parts of the Act that apply to the major sporting event specified in this table:	Part 4 (Crowd Management)	

This Order takes effect on the day that it is published in the Government Gazette.

Dated 17 September 2013 Responsible Minister: HUGH DELAHUNTY MP Minister for Sport and Recreation

> YVETTE CARISBROOKE Clerk of the Executive Council

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