



Victoria Government Gazette

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No. G 16 Thursday 21 April 2016

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GENERAL

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The last Special Gazette was No. 106 dated 20 April 2016.

The last Periodical Gazette was No. 1 dated 27 May 2015.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
 - or contact our office on 8523 4601
between 8.30 am and 5.30 pm Monday to Friday
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**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (General)
ANZAC DAY WEEK 2016 (Monday 25 April 2016)**

Please Note Deadlines for General Gazette G17/16:

The Victoria Government Gazette (General) for ANZAC week (G17/16) will be published on **Thursday 28 April 2016**.

Copy deadlines:

Private Advertisements **9.30 am on Friday 22 April 2016**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Tuesday 26 April 2016**

Office Hours:

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

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

JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Re: ALBERTO SCHIAVONE, late of 50 Leinster Grove, Thornbury, accountant, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 January 2016, are required by the trustees, John Francis Natoli, Angelo James Natoli and Paul Morris Natoli, to send particulars to the trustees, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which they have notice.

A. B. NATOLI PTY, solicitors,
Suite 3, Level 1, 85–87 Charles Street,
Kew 3101.

Re: Estate of the late DOROTHY ESME BAKER, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of DOROTHY ESME BAKER, late of 375–379 Mason Street, Altona North, Victoria 3025, deceased, who died on 17 February 2016, are to send particulars of their claims to the executrix, care of the undermentioned solicitors, by 30 June 2016, after which the executrix will distribute the assets, having regard only to the claims of which they then have notice.

ASCOT SOLICITORS,
827B Ballarat Road, Deer Park, Victoria 3023.
Tel: (03) 8390 1711

Re: Estate of the late SANDRA KOVACEVIC, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of SANDRA KOVACEVIC, late of 27 Lillypilly Crescent, Kings Park, Victoria 3021, deceased, who died on 15 December 2013, are to send particulars of their claims to the administrator, care of the undermentioned solicitors, by 15 June 2016, after which the administrator will distribute the assets, having regard only to the claims of which they then have notice.

ASCOT SOLICITORS,
827B Ballarat Road, Deer Park, Victoria 3023.
Tel: (03) 8390 1711

Estate MARGARET OLIVE DAWSON, late of Avonlea Grange Hostel, 3–7 Patty Street, Mentone, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 January 2016, are required by the executor, Gillian Margaret Pallett, to send particulars, care of the solicitors below, within two months from the publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

BEAUMARIS LAW,
25 North Concourse, Beaumaris 3193.

Re: JAGINDER SINGH PASRICHA, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of JAGINDER SINGH PASRICHA, late of 2/4 Tahara Road, Toorak, Victoria, who died on 17 January 2016 are to send particulars of their claims to the personal representative/s, care of the undermentioned solicitors, by 22 June 2016, 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 4, 114 William Street, Melbourne 3000.

Estate of CHARLES DEAK, deceased.

Creditors, next-of-kin and other persons having claims against the estate of CHARLES DEAK, late of 8/25 Mitford Street, St Kilda, in the State of Victoria, gentleman, deceased, who died on 18 December 2015, are required to send particulars of their claims to the executor, Donald Leonard Casey, care of the undermentioned solicitors, by 30 June 2016, after which date the executor will distribute the assets, having regard only for the claims of which he then has had notice.

C. J. SOUTHALL, solicitor,
191 Greville Street, Prahran 3181.

GEORGE STANLEY BEKIER, late of 28 Thompson Crescent, Research, Victoria, writer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 August 2015, are required by the administrator, Christine Suk Yee Lee, PO Box 504, Elsternwick 3185, to send particulars to her by 21 June 2016, after which date the administrator may convey or distribute the assets, having regard only to the claims of which she then has notice.

Re: VLADE CACOVSKI, late of 3 Dickens Street, Yarraville, Victoria 3013.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 November 2015, are required by the executor, Mile Cacovski, to send particulars of their claim to him, care of the undermentioned solicitors, by 21 June 2016, after which date the executor may convey or distribute the assets, having regard only to the claims of which he may then have notice.

DANIEL LAWYERS & ASSOCIATES,
solicitors,
40 Droop Street, Footscray 3011.

Re: DINA DOBA KAGAN, late of 2/2 Kean Street, Caulfield South, Victoria, postal worker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 26 May 2015, are required to send particulars of their claim to the executors, care of the undermentioned solicitors, by 25 June 2016, after which date the executors will convey or distribute the assets, having regard only to the claims of which the executor then has notice.

DAVIS LAWYERS,
Level 15, 200 Queen Street, Melbourne 3000.

Re: FRANCESCA PASQUA ADOLORATA IACOVONE, also known as Francesca Sfregola, late of 100 Hothlyn Drive, Craigieburn, Victoria, cook, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 December 2015, are required by the trustee, Teresa Guy, to send particulars to the trustee, care of the undermentioned solicitors, within 60 days from the publication hereof, after

which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: JOHN DEARING MACRAE, late of 3 Flannery Court, Oak Park, Victoria, bank officer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 December 2015, are required by the trustee, Shane Templar, to send particulars to the trustee, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: Estate of ELSIE MAY BORCHARD.

Creditors, next-of-kin or others having claims in respect of the estate of ELSIE MAY BORCHARD, late of 140 Stradbroke Avenue, Swan Hill, in the State of Victoria, widow, deceased, who died on 11 January 2016, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 30 June 2016, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

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

Re: Estate of JOHN EDWARD DURDEN, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of JOHN EDWARD DURDEN, late of 492 River Road, Swan Hill, in the State of Victoria, retired farmer, deceased, who died on 29 January 2016, are to send particulars of their claim to the executrix, care of the undermentioned legal practitioners, by 25 June 2016, after which the executrix will distribute the assets, having regard only to the claims of which they then have notice.

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

NOTICE OF CLAIMANTS UNDER
TRUSTEE ACT 1958

(SECTION 33 NOTICE)

Notice to Claimants

CORAL JUNE KERKHAM, late of 3 Martin Place, Glen Waverley, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 December 2015, are required by the trustee, Equity Trustees Wealth Services Limited of 2/575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee by 21 June 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

EQUITY TRUSTEES WEALTH
 SERVICES LTD,
 2/575 Bourke Street, Melbourne, Victoria 3000.

Re: PEARL MAVIS HUTCHISON, late of 1 Lording Street, Ferntree Gully, Victoria 3156, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 February 2016, are required by the trustees, Beverley May Lyttle and Allan Norman Woff, to send particulars to them, care of the undersigned, by 21 June 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

G. A. BLACK & CO., solicitors,
 222 Maroondah Highway, Healesville 3777.

Estate of the late RONALD BERT LACEY, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 November 2015, are required by the trustees, Laurel Christina Jean Parsons and Jennifer Elaine Davies, to send particulars to them, care of the undersigned, within 60 days from the date of publication of this notice, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Estate of the late MARGARET LORRAINE WILLIAMS.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 December 2015, are required by the trustees, Raymond Victor Earle, Terrence Jon Earle, Shane Donald Earle and Edward Eric Earle, to send particulars to them, care of the undersigned, within 60 days from the date of publication of this notice, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Re: BARBARA ANNE SANDY, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 April 2015, are required by the personal representatives, Kersten Ross and Damien Sandy, to send particulars to the personal representatives, care of its below lawyers, by 20 June 2016, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which it has notice.

HALL & WILCOX LAWYERS,
 Level 11, Rialto South Tower, 525 Collins Street,
 Melbourne 3000.

Re: MARIA SZEGEDI, late of Waverley Valley Aged Care, 29–33 Chesterville Road, Glen Waverley, Victoria, weaver, deceased.

Creditors, next-of-kin and all others having claims in respect of the estate of the said deceased, who died on 11 November 2015, are required by Renate Sonja Callaghan and Valtraud Maria O’Keeffe, the executors of the estate of the deceased, to send particulars of their claims to the said executors, care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

HARTLEYS LAWYERS,
 461 Ballarat Road (PO Box 227), Sunshine,
 Victoria 3020.

Re: DELIA BOCCABELLA, late of 65a Glasgow Avenue, Reservoir, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 1 July 2015, are required by the trustee, Guida Gargaro, to send particulars of their claim to the undermentioned firm by 22 June 2016, after which the trustee will convey or distribute the assets, having regard only to the claims of which she then has notice.

INDOVINO'S LAWYERS,
Level 2, 530 Lonsdale Street, Melbourne 3000.

PATRICIA ANN LESLIE, late of 5 Harding Street, Winchelsea, Victoria 3241, bookkeeper, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 24 February 2015, are required by the trustee, Peter David Leslie, to send particulars of their claims to the trustee, care of the undermentioned solicitors, by 21 June 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

JAMES P. DONALD, lawyer,
5/464 Beach Road, Beaumaris 3193.

Re: ERNEST JOHN JACKSON, late of 21 Second Avenue, Murrumbeena, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of ERNEST JOHN JACKSON, deceased, who died on 31 December 2015, are required by the trustees, Maureen Jennifer Jackson and Patricia Ann Jackson, to send particulars of their claim to the undermentioned firm by 30 June 2016, after which date the trustees will convey or distribute the assets, having regard only to the claims of which they then have notice.

KINGSTON LAWYERS PTY LTD,
barristers and solicitors,
8 Station Road, Cheltenham, Victoria 3192.

Re: MARY BURT POTTS, late of 3 Aberdeen Road, Sandringham, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of MARY BURT POTTS, deceased, who died on 4 February 2016, are required by the trustee, Louisa Jane Brown, to send particulars of their claim to

the undermentioned firm by 30 June 2016, after which date the said trustee will convey or distribute 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.

DAVID THOMAS BUCHANAN, late of 113 Chomley Street, Prahran, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 March 2015, are required by Janet Elizabeth Turner and Jocelyn Ann Calder, the executors of the Will of the deceased, to send particulars of their claims to them, care of the undermentioned solicitors, by 30 June 2016, after which date they will convey or distribute the assets, having regard only to the claims of which they then have notice.

MADGWICKS LAWYERS,
Level 33, 140 William Street, Melbourne 3000.

Re: PATRICE LYNETTE TRIMBLE, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 November 2014, are required by the trustee, Anthony John Mahon, to send particulars to the trustee, care of the undermentioned solicitors, by 24 June 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors,
101/177 Surrey Road, Blackburn 3130.
CD:HP:2151075

IAN REGINALD O'BRIEN, late of 30 Gordon Drive, Kialla 3631, manager, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 December 2015, are required by the executor, Leone Robyn O'Brien, to send particulars to her, care of the undermentioned solicitors, by the date not later than 60 days from the date of publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor then has notice.

MARTIN J. HULL LAWYER,
49 Blake Street, Nathalia, Victoria 3638.

Re: SOFIE MARIE CHILD, also known as Sofie Child and Sylvia Child, late of Simpkin House Nursing Home, 8 Gibson Street, Bendigo, Victoria, housewife, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 February 2015, are required by the legal personal representative, Margaret Nellie Nilsen, to send particulars to her, care of McCracken & McCracken, lawyers, Level 9, 501 La Trobe Street, Melbourne, Victoria, within 60 days from the date of this notice, after which date the legal personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

McCRACKEN & McCRACKEN, lawyers,
Level 9, 501 La Trobe Street, Melbourne,
Victoria 3000.

Re: LEONARD BRUCE ABBEY, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 January 2016, are required by the personal representative appointed in the Will, Margrit Helen Abbey, to send particulars to the personal representative, care of Moores, lawyers, 9 Prospect Street, Box Hill, Victoria, by 22 June 2016, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which the personal representative has notice.

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

Re: JOANNE GAYE MARSH-HAYES, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 December 2015, are required by the trustee, Millicent Mary Marsh, to send particulars to her, care of the undermentioned solicitors, by 2 July 2016, after which date she may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

JUDITH KIRKWOOD THOMAS, late of Estia Health, 25–29 Noble Parade, Dalmeny, New South Wales, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased,

who died on 16 January 2016, are required by Perpetual Trustee Company Limited, ACN 000 001 007, of 35/525 Collins Street, Melbourne, Victoria, the executor, to send particulars to it by 30 June 2016, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

PERPETUAL LEGAL SERVICES PTY LTD,
35/525 Collins Street, Melbourne, Victoria 3000.

EILEEN DULCIE HYDE, late of Uniting Aged Care, Kalkee Nangatta, 206 High Street, Belmont, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 20 November 2015, are required by the trustee, Carlyle Winston Hyde, to send particulars of their claims to the trustees, in the care of the undermentioned legal practitioner, by 30 July 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Re: DOROTHY MAE GORDON, late of 145 Upper California Gully Road, Eaglehawk, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 February 2016 are required by the trustee, Sandhurst Trustees Limited, ACN 004 030 737, of 18 View Street, Bendigo, Victoria, to send particulars to the trustees by 22 June 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

SANDHURST TRUSTEES LIMITED,
18 View Street, Bendigo 3550.

Re: JEANETTE LOIS BERRY, deceased, late of 22 O'Shannessy Street, Nunawading, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 July 2015, are required by the executor, Walter Ronald Jarmyn, to send

particulars to him, care of the undermentioned solicitor, by not later than 8 June 2016, after which date the executor will convey or distribute the assets, having regard only to the claims of which he has notice.

SIMON FERNANDEZ,
solicitor and notary public,
41 Blackburn Road, Doncaster East,
Victoria 3108.

PATRICIA MARGARET O'CONNELL, late of Mecwacare, 1245 Malvern Road, Malvern, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims against the estate of the deceased, who died on 25 January 2016, are required to send particulars of their claims to the executor, John Patrick Toohey, care of Tolhurst Druce & Emmerson, lawyers, by 30 June 2016, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

TOLHURST DRUCE & EMMERSON,
lawyers,
Level 3, 520 Bourke Street, Melbourne, 3000.

DOREEN LILIAN CLARK, late of 2 Donnelly Court, Dandenong North, Victoria, deceased.

Creditors, next-of-kin and others having any claims in respect of the estate of the deceased, who died on 12 October 2015, are required by the trustee, Equity Trustees Limited of 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee, care of the undermentioned solicitors, by 1 July 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

TRESSCOX, lawyers,
Level 9, 469 La Trobe Street, Melbourne,
Victoria 3000.

JOAN MAY DRINKWATER, late of Craigcare, 25 Parkhill Drive, Berwick, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 8 January 2016, are

required by the executor, Michael Sandford Lyons, care of Wollerman Shacklock Lawyers, 2/8 Gloucester Avenue, Berwick, Victoria, to send particulars of their claims to them by 20 June 2016, after which date the executors may convey or distribute the assets and distribute the estate, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 8 March 2016.

WOLLERMAN SHACKLOCK LAWYERS,
8 Gloucester Avenue, Berwick 3806.

Re: NORAH EMMA BARBER, late of John Curtin Aged Care, 6 Cushing Avenue, Creswick, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 December 2015, are required by the trustee to send particulars to him, at the undermentioned address, by 24 June 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

YANNER MANN DOBSON LAW,
14 Dawson Street South, Ballarat 3350.

ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 26 May 2016 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 Kevin Archibald of 40 Swinburne Street, Rippleside, sole proprietor of an estate in fee simple in Lot 1 on Title Plan 111133Y being the whole of the land described on Certificate of Title Volume 10338 Folio 399, upon which is erected an uncompleted residence and known as Mercer Street, Inverleigh, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AG261065N) affects 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.

This property is subject to GST.

Refer RACV VicRoads Country Directory Edition Page 523 N10. The property can be located on the south side corner block on the intersection of Mercer Street and Railway Street and known as Mercer Street, Inverleigh.

Please contact Sheriff's Asset Administration Services by email at 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 26 May 2016 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 Raewyn Alexandra Cain of 34 Edmund Drive, Tarneit, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 10986 Folio 999, upon which is erected a house and known as 34 Edmund Drive Tarneit, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AF327773D), Registered Caveat (Dealing Number AG855080G), Covenant PS539595J, Agreement Section 173 **Planning and Environment Act 1987** AD594550X, Owners Corporation 1 Plan No. PS539595J and Owners Corporation 2 Plan No. PS539595J 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 by email at 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 9 June 2016 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 Lena Annika Anderson of Unit 2, 16 Yarra Avenue, Reservoir, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 11118 Folio 843, upon which is erected a unit and known as Unit 2, 16 Yarra Avenue, Reservoir, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AG403732M), Registered Caveat (Dealing Number AL636206Q) and Owners Corporation 1 Plan No. PS621012F 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 by email at 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 9 June 2016 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 Kevin Brzezinski of Unit 4, 2 William Street, Boronia, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 10220 Folio 124, upon which is erected a residential dwelling and known as Unit 4, 2 William Street, Boronia, will be auctioned by the Sheriff.

Registered Caveat (Dealing Number AM335901Q) and Owners Corporation Plan No. PS318401K 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 by email at 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 9 June 2016 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 Mark Robert Gatt of 2243 Western Highway, Rockbank, sole proprietor of an estate in fee simple in the land described on Certificates of Title Volume 8919 Folio 108, upon which is erected a unit and known as Unit 10, 4 Forrest Street, Albion, and Volume 8919 Folio 109, which is an accessory unit (carpark) and known as Unit 19, 4 Forrest Street, Albion, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number X831054F) and Owners Corporation Plan No. RP000727 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 by email at 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 9 June 2016 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 Leesa Michelle Wickham of 70A The Terrace, Ocean Grove, joint proprietor with Warren Leslie Wickham of an estate in fee simple in the land described on Certificate of Title Volume 10484 Folio 955, upon which is erected a house and known as 4 Norfolk Place, Leopold, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AJ174801Q), Registered Caveat (Dealing Number AM177816J) and Covenant PS429282V 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 by email at 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 16 June 2016 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 Nigel Morrison Barr and Remonna Ann Barr of 27 Dundas Road, Inglewood, Western Australia, joint proprietors of an estate in fee simple in the land described in the following properties:—

Firstly: Certificate of Title Volume 11155 Folio 208, upon which is erected a unit and known as Unit 208, Level 2, 99 A'Beckett Street, Melbourne.

Registered Mortgage (Dealing Number AH651304P), Owners Corporation 1 Plan No. PS602481A and Owners Corporation 2 Plan No. PS602481A affect the said estate and interest.

Secondly: Certificate of Title Volume 11155 Folio 227, upon which is erected a unit and known as Unit 310, Level 3, 99 A'Beckett Street, Melbourne.

Registered Mortgage (Dealing Number AH651304P), Owners Corporation 1 Plan No. PS602481A and Owners Corporation 2 Plan No. PS602481A affect the said estate and interest.

The Sheriff is unable to provide access to these properties.

Note: These 2 properties will be sold as one (1) lot.

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 by email at realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

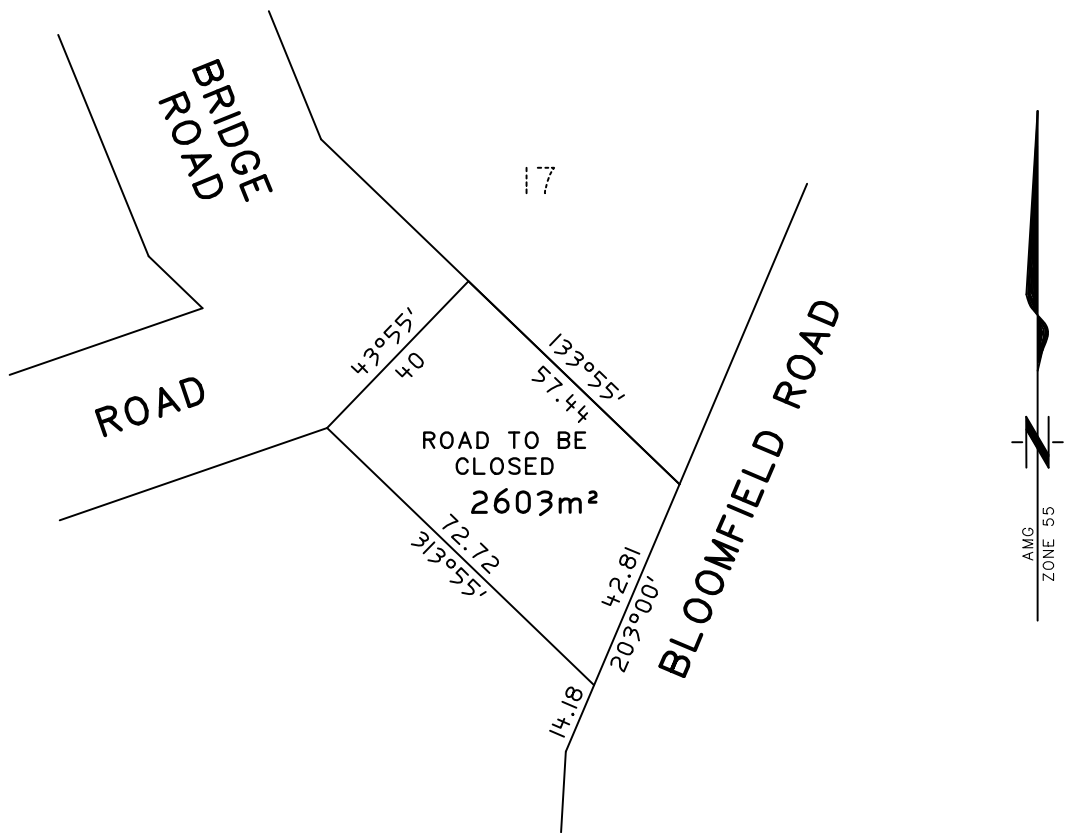
**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

BAW BAW SHIRE COUNCIL

Road Closure – Part of Bridge Road, Crossover

Pursuant to section 206 and Schedule 10 of the **Local Government Act 1989**, the Baw Baw Shire Council, at its ordinary meeting on 13 April 2016, formed the opinion that the section of road shown on the plan below is no longer required for public use and resolved to discontinue the road.

PLAN SHOWING ROAD TO BE CLOSED



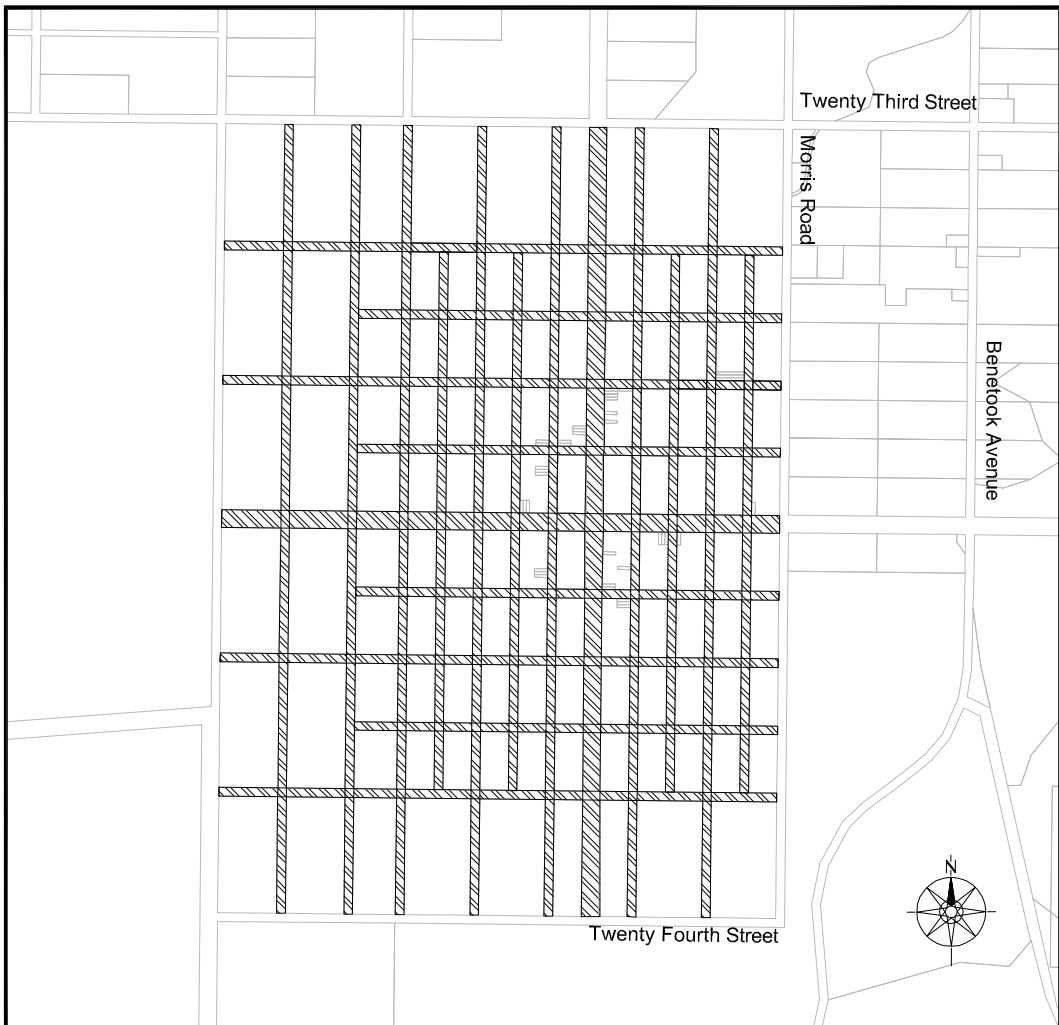
HELEN ANSTIS
Chief Executive Officer



Mildura Rural City Council

ROAD CLOSURE – H BLOCK, KOORLONG

Under section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, Mildura Rural City Council hereby advises of its intention under delegation to discontinue the road reserves shown on the plan below, and transfer this land to the Crown (approximately 1,374,000 m²).



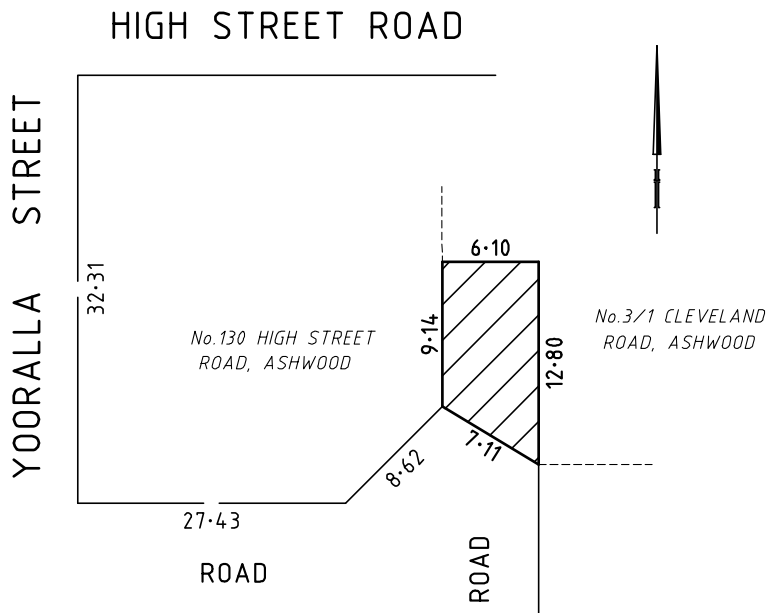
GERARD JOSE
Chief Executive Officer

MONASH CITY COUNCIL

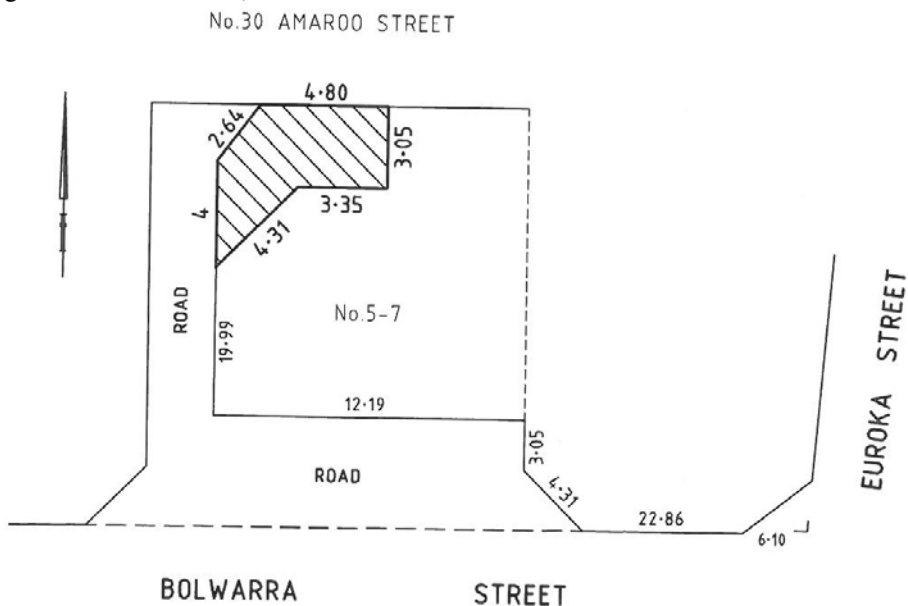
Road Discontinuance

At its meeting on 27 January 2016 and acting under Clause 3 of Schedule 10 of the **Local Government Act 1989**, Monash City Council resolved to discontinue the roads shown hatched on the plans below and sell the land by private treaty.

Abutting 3/1 Cleveland Road, Ashwood

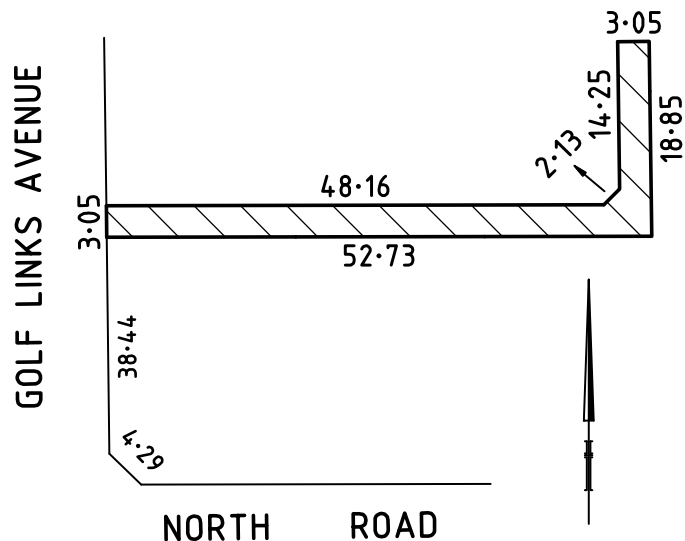


Abutting 5-7 Bolwarra Street, Chadstone



The part of the road shown hatched abutting 5-7 Bolwarra Street, Chadstone, is to be sold subject to the right, power or interest held by Yarra Valley Water in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.

Abutting 1165–1169 North Road and 23–25 Best Street, Oakleigh



The part of the road shown hatched abutting 1165–1169 North Road and 23–25 Best Street, Oakleigh, is to be sold subject to the right, power or interest held by South East Water in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.

DR ANDI DIAMOND
Chief Executive Officer

BRIMBANK CITY COUNCIL

Road Management Act 2004

Proposed Amendment of Road Management Plan

In accordance with section 54(6) of the **Road Management Act 2004**, and the Road Management (General) Regulations 2005, Brimbank City Council gives notice that it intends to amend its Road Management Plan.

The purpose and general purport of the proposed amendment is to update Council's Road Management Plan to reflect current practices, resource capability and reasonable standards of service delivery.

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

A copy of the proposed amendment may be inspected at, or obtained from Council's Customer Service Centres at Sunshine, Keilor or Watergardens, or accessed online at www.brimbank.vic.gov.au

Any person who is aggrieved by the proposed amendment may make a submission on the proposed amendment to the Council by 19 May 2016.

Submissions should be addressed to: Manager Asset Services, Brimbank City Council, PO Box 70, Sunshine 3020; or by email to info@brimbank.vic.gov.au

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



**PROPOSED GOVERNANCE AND
MEETING CONDUCT LOCAL LAW**

Opportunity to Make a Submission

Wangaratta Rural City Council intends to make a new Local Law (proposed Local Law).

The proposed Local Law will ensure that Council has procedures governing the conduct of meetings and the election of a Mayor as well as regulating the use of the common seal and Council's name and nomenclature. The proposed Local Law ensures that Council complies with section 91 of the **Local Government Act 1989**.

A Community Impact Statement has been prepared to inform the community about the proposed Local Law and to assist any member of the public who may wish to make a submission to Council.

Copies of the proposed Local Law and the Community Impact Statement can be obtained from the Wangaratta Government Centre and on Council's website at www.wangaratta.vic.gov.au

How do I make my written submission?

Any person affected by the proposed Local Law may make a written submission relating to the proposed policy. Submissions will be received up to 6.00 pm on Tuesday 17 May 2016.

In their written submission, a person may also request to be heard by a Committee of Council in support of their submission, prior to Council considering the proposal. Submissions will be heard at the Ordinary Meeting of Council on 17 May 2016.

By email: council@wangaratta.vic.gov.au. Please include 'Proposed Governance and Meeting Conduct Local Law' in the subject line.

By mail: PO Box 238, Wangaratta, Victoria 3676. Please include 'Proposed Governance and Meeting Conduct Local Law' as the reference.

In person: you may submit your written submission to Customer Services, Wangaratta Government Centre – corner Ford and Ovens

Streets, Wangaratta. Please include 'Proposed Governance and Meeting Conduct Local Law' as the reference to your submission.

For all enquiries, please contact Council's Manager Business and Governance on 5722 0888 or council@wangaratta.vic.gov.au

Brendan McGrath
CHIEF EXECUTIVE OFFICER



Mildura Rural City Council

Planning and Environment Act 1987

MILDURA PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C96

Authorisation A03274

The Mildura Rural City Council has prepared Amendment C96 to the Mildura Planning Scheme.

The Amendment has been requested by Spiire Australia Pty Ltd on behalf of the Department of Health and Human Services (DHHS).

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

The Amendment applies to land at the rear of 107–111 Twelfth Street, Mildura.

The Amendment proposes to rezone the land affected by the Amendment from Public Use Zone 2 to Public Use Zone 3 and apply the Vegetation Protection Overlay along the north and western boundaries. The rezoning will reflect the change in type of public ownership of the land and in turn facilitate the development of a Prevention and Recovery Centre (PARC).

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 locations: Council's Madden Avenue and Deakin Avenue Customer Service Centres; and Mildura Library, Deakin Avenue, Mildura.

The Amendment can also be inspected, free of charge, at the Department of Planning and Community Development website, www.dtpli.vic.gov.au/publicinspection from date of gazettal.

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 submission made.

Submissions provided are considered public documents and issues/matters raised therein (including authorship) may be reported to Council in an open Council meeting Agenda. Enquiries regarding confidential submissions may be directed to the Coordinator Strategic Planning on (03) 5018 8419.

The closing date for submissions is 23 May 2016. A submission must be sent to: Peter Douglas, Coordinator Strategic Planning, Strategic Planning, Mildura Rural City Council, PO Box 105, Mildura, Victoria 3502.

GERARD JOSE
Chief Executive Officer

Planning and Environment Act 1987

NORTHERN GRAMPIANS PLANNING SCHEME

Notice of the Preparation of an Amendment Amendment C54

The Northern Grampians Shire Council has prepared Amendment C54 to the Northern Grampians Planning Scheme.

The Amendment applies to all land in Northern Grampians Shire.

The Amendment proposes replaces the existing Municipal Strategic Statement (Clauses 21 to 21.12) with a new Municipal Strategic Statement (MSS).

The Amendment replaces existing Clauses 21.01, 21.02, 21.03, 21.04, 21.05, 21.06, 21.07, 21.08, 21.09, 21.10, 21.11 and 21.12 with new Clauses 21.01, 21.02, 21.03, 21.04, 21.05, 21.06, 21.07, 21.08, 21.09, 21.10 and 21.11. The Amendment also deletes existing local policies at Clauses 22.01, 22.02, 22.03 and 22.04 and relocates the existing content from Clause 22.05 Pleasant Creek Estate into a new Clause 22.01.

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 office of the planning authority at the following places: Northern Grampians Shire Council Municipal Offices, 56–69 Main Street, Stawell, Victoria; Northern Grampians Shire Council Municipal Offices, 40 Napier Street, St Arnaud, Victoria 3477; Halls Gap Visitor Information Centre, 117–119 Grampians Road, Halls Gap, Victoria 3381; at the Northern Grampians Shire Council website, www.ngshire.vic.gov.au/Your-Council/Documents-Available-for-Public-Inspection; and at the Department of Environment, Land, Water and Planning website, www.delwp.vic.gov.au/public-inspection

Any person who may be affected by the Amendment may make a submission to the planning authority about the Amendment. 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. The closing date for submissions is 24 May 2016. A submission must be sent to the Northern Grampians Shire Council, PO Box 580, Stawell, Victoria 3380, or emailed to planning@ngshire.vic.gov.au

The planning authority must make a copy of every submission available at its office for any person to inspect, free of charge, for two months after the Amendment comes into operation or lapses.

JUSTINE LINLEY
Chief Executive Officer

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 21 June 2016, 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.

ADAMS, Stephen John, late of 16/482 Williams Road, Port Melbourne, Victoria 3207, deceased, who died on 4 December 2015.

COOK, Maxwell, late of Unit 2, 13 Dillon Street, Braybrook, Victoria 3019, deceased, who died on 24 December 2015.

EDGELOE, Geoffrey Roland, late of Unit 2, 2 Riflebutts Road, Korumburra, Victoria 3950, deceased, who died on 18 January 2016.

GUGLIELMANA, Remo, late of 13 The Glen, Rye, Victoria 3941, deceased, who died on 20 December 2013.

O'CALLAGHAN, Keith Beswick, late of Clevedon Residential Aged Care, 405 Upper Heidelberg Road, Heidelberg, Victoria 3084, deceased, who died on 24 January 2016.

PIGG, Raymond, late of Millhaven Lodge, 54–64 Princes Highway, Pakenham, Victoria 3810, retired, deceased, who died on 21 May 2015.

STOJNIC, Zorica, late of Unit 7, 31 Jennifer Street, Noble Park North, Victoria 3174, retired, deceased, who died on 2 September 2015.

VINTER, Alexander John, late of Hobson Bay Nursing Home, 28–30 Rymill Court, Altona North, Victoria 3025, deceased, who died on 19 July 2015.

Dated 12 April 2016

STEWART MacLEOD
Manager

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 22 June 2016, 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.

CUMMINGS, Adrian Roy John, late of Unit 31, 3–17 Arthur Street, Hughesdale, Victoria 3166, deceased, who died on 16 February 2016.

DELANEY, John James, late of Westgarth Aged Care, 121–127 Westgarth Street, Northcote, Victoria 3070, deceased, who died on 5 July 2015.

FERGUSON, Elizabeth Banks, late of Estia Health Altona Meadows, 297 Queen Street, Altona Meadows, Victoria 3028, deceased, who died on 18 December 2015. Grant date was on 31 March 2016.

GOODMAN, Tonis, late of 24 Knox Street, Reservoir, Victoria 3073, deceased, who died on 26 February 2016.

GRAHAM, Emily, late of Unit 2, 138 Blyth Street, Altona, Victoria 3018, deceased, who died on 19 December 2015.

HANSEN, Phillip, late of 3 Cambridge Street, Collingwood, Victoria 3066, deceased, who died on 16 December 2015.

KLUSEK, Tadeusz, late of George Vowell Nursing Home, corner Cobb Road and Nepean Highway, Mount Eliza, Victoria 3930, deceased, who died on 22 January 2016.

SERUVATU, Pita, late of Unit 1, 24 Sherwood Avenue, Chelsea, Victoria 3196, deceased, who died on 26 February 2016.

Dated 13 April 2016

STEWART MacLEOD
Manager

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 27 June 2016, 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.

HALE, Dorothy Frances, late of Unit 2, 4 James Court, Sale, Victoria 3850, home duties, deceased, who died on 11 November 2015.

HANDASYDE, Mabel, late of Broughton Hall Nursing Home, 2 Berwick Street, Camberwell, Victoria 3124, home duties, deceased, who died on 2 January 2016. Grant of Probate dated 13 April 2016.

HILTON, Douglas, late of Arcare Westwood, 2 Nicol Avenue, Burnside, Victoria 3023, deceased, who died on 25 June 2015.

JACKSON, David John, late of 15 Drew Street, Moe, Victoria 3825, retired, deceased, who died on 8 March 2016.

STOBO, David John Paul, late of 8–10 Ridgway Road, Clyde, Victoria 3978, deceased, who died on 2 October 2014.

WALTERS, Steven Victor, late of 50 Gertrude Street, Fitzroy, Victoria 3065, deceased, who died on 22 January 2016.

Dated 18 April 2016

STEWART MacLEOD
Manager

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, and Anne Ferris, the personal representatives, on or before 22 June 2016, after which date State Trustees Limited and Anne Ferris may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

HEPWORTH, Marjorie, late of Willowbrae Templestowe Aged Care, 81–85 Porter Street, Templestowe, Victoria 3106, deceased, who died on 20 September 2015.

Dated 13 April 2016

STEWART MacLEOD
Manager

EXEMPTION

Application No. H25/2016

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by Peninsula Hot Springs (the applicant). The application for exemption is to enable the applicant to hold women only sessions at its Spa Dreaming Centre on the first Wednesday of each month from 6 pm to 9 pm and advertise that matter (the exempt conduct).

Upon reading the material filed in support of this application, including the affidavit of Ashlee Kay, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 44, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption the Tribunal noted:

- The applicant operates the Peninsula Hot Springs facility located in Fingal on the Mornington Peninsula. In addition to other services, it provides access to a ‘Bath House’ and ‘Spa Dreaming Centre’ (Centre). The former includes a cave pool, a reflexology walk, a Turkish steam bath, a sauna, cold plunge pools, a family bathing area, thermal mineral showers and a hilltop pool, with views of the region. The latter is open to guests 16 years and over. The Centre provides treatments for relaxation purposes such as massages, facials and the like. It includes a café, bathing area, private baths and treatment rooms. At present around 75% of guests who use the Centre are female.

- Some of the applicant's customers have expressed concern about bathing with men, including for religious or cultural reasons. The applicant wishes to provide those women with an opportunity to access its services and also to provide an opportunity for groups of women to plan special events. The applicant has said it has had no requests for men only sessions at this stage but would do so if there was sufficient interest.
- The applicant proposes to offer a women only session at the Centre on the first Wednesday of each month from 6 pm to 9 pm. The Bath House will remain open to men at that time and men will be able to access the Centre before 5 pm. Male staff will still be in attendance at the Centre café and in attendance if an emergency arises. Bookings will only be able to be made by telephone so that only women may make bookings between the designated hours. Arrangements will be made to ensure that the area, including additional changing facilities, are well sign posted and that staff are on hand to assist.
- No exception or current exemption already applies to the exempt conduct and in the absence of an exemption the exempt conduct would amount to prohibited discrimination.
- When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter). Arguably, this exemption limits the right to equality and in particular the right to equal and effective protection against discrimination of men who would wish to be attend the Centre on the particular evenings. I am satisfied that, in the circumstances discussed above, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an exemption from the operation of sections 44, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 20 April 2021.

Dated 14 April 2016

A. DEA
Member

Co-operatives National Law (Victoria)

IVANHOE EAST PRIMARY SCHOOL CO-OPERATIVE LTD

On application under section 601AA(2) of the **Corporations Act 2001** (the Act), by the co-operative named above, notice is hereby given under section 601AA(4) of the Act, as applied by section 453 of the **Co-operatives National Law (Victoria)** 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 cancelled.

Dated at Melbourne 21 April 2016

DAVID JOYNER
Deputy Registrar of Cooperatives

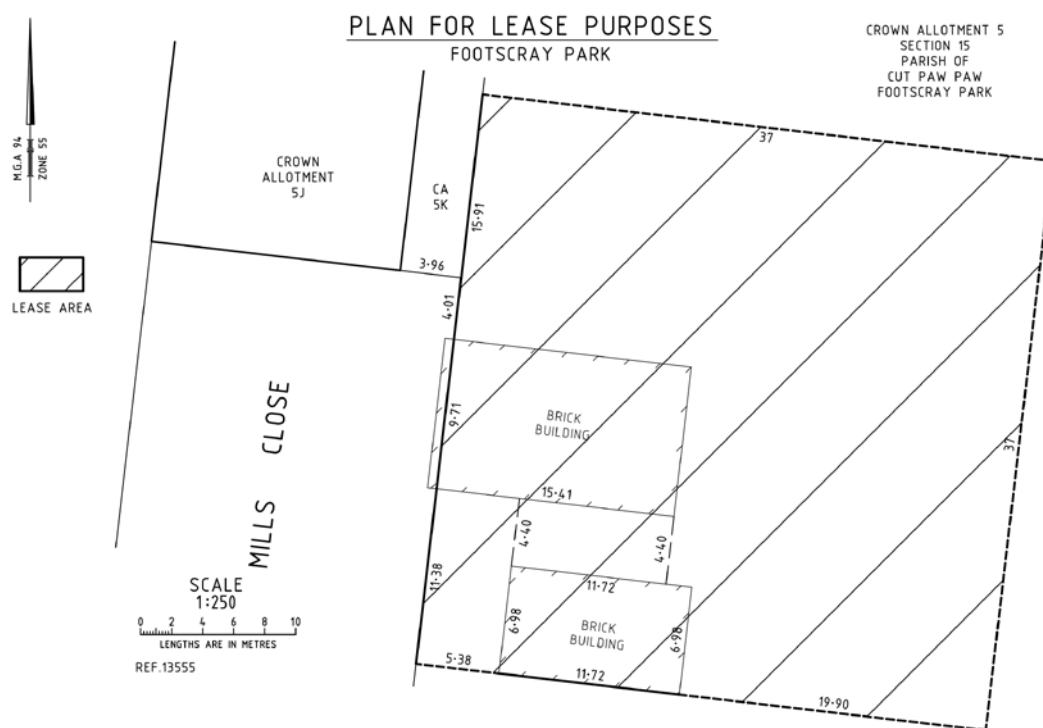
Crown Land (Reserves) Act 1978**ORDER GIVING APPROVAL TO GRANT A LICENCE UNDER
SECTIONS 17B AND 17DA**

Under sections 17B and 17DA of the **Crown Land (Reserves) Act 1978**, I, the Hon. Lisa Neville MP, Minister for Environment, Climate Change and Water, being satisfied that there are special reasons which make the granting of a licence reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a licence by Maribyrnong City Council for the purpose of construction over part of Footscray Park as described in the Schedule below and, in accordance with section 17B(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

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

SCHEDULE

The area of land shown hatched on the following plan, being part of the land permanently reserved for public park and recreation purposes by Order in Council of 23 March 1911 (vide Government Gazette 29 March 1911, page 1811).



File Reference: 1204172

Dated 31 March 2016

THE HON. LISA NEVILLE MP
Minister for Environment, Climate Change and Water

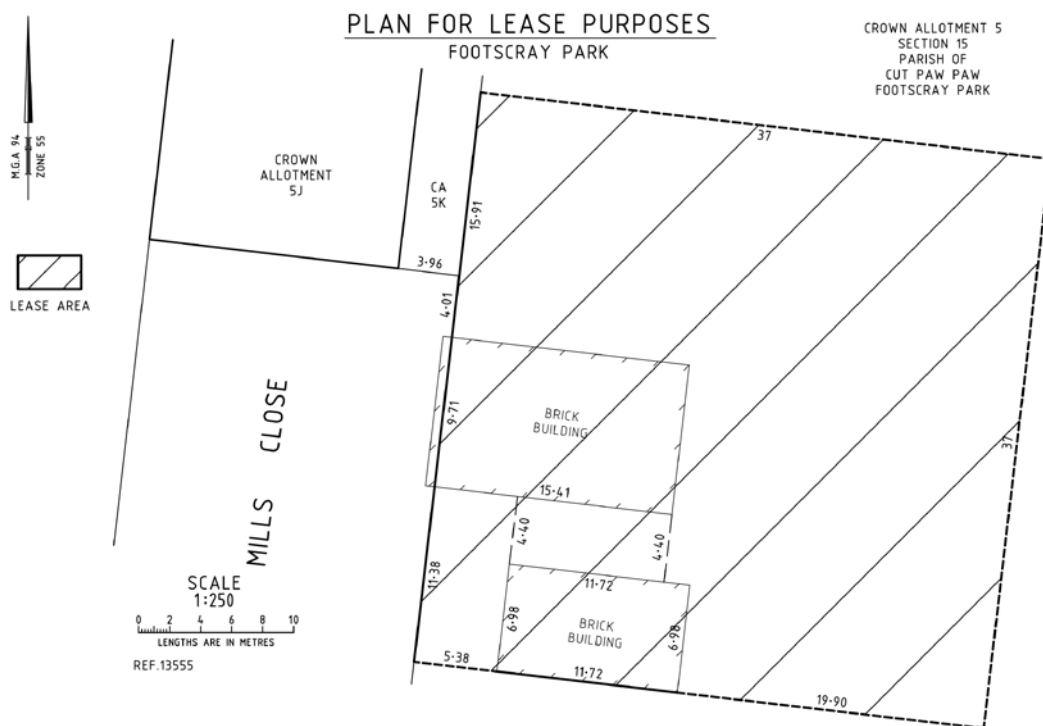
Crown Land (Reserves) Act 1978**ORDER GIVING APPROVAL TO GRANT A LEASE UNDER
SECTIONS 17D AND 17DA**

Under sections 17D and 17DA of the **Crown Land (Reserves) Act 1978**, I, the Hon. Lisa Neville MP, Minister for Environment, Climate Change and Water, being satisfied that there are special reasons which make the granting of a lease reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a lease by Maribyrnong City Council for the purpose of 'restaurant/food and drink' over part of Footscray Park as described in the Schedule below and, in accordance with section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

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

SCHEDULE

The area of land shown hatched on the following plan, being part of the land permanently reserved for public park and recreation purposes by Order in Council of 23 March 1911 (vide Government Gazette 29 March 1911, page 1811).



File Reference: 1204172

Dated 3 April 2016

THE HON. LISA NEVILLE MP
Minister for Environment, Climate Change and Water

Crown Land (Reserves) Act 1978

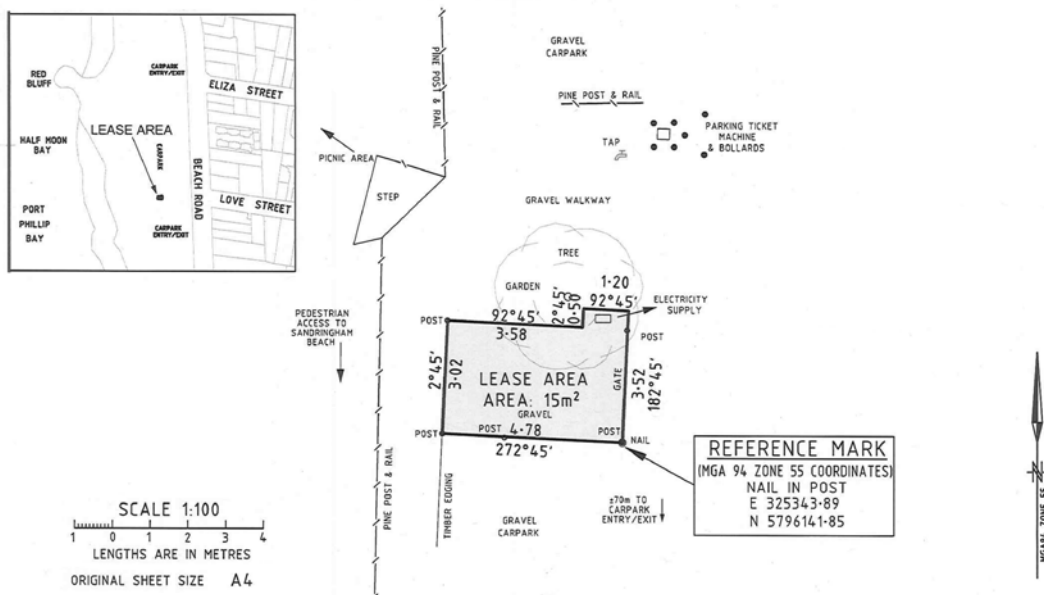
ORDER GIVING APPROVAL TO GRANT LICENCES UNDER SECTIONS 17B AND 17DA

Under sections 17B and 17DA of the **Crown Land (Reserves) Act 1978**, I, the Hon. Lisa Neville MP, Minister for Environment, Climate Change and Water, being satisfied that there are special reasons which make the granting of licences reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of licences by Bayside City Council for the purpose of preparation, service and sale of food and non-alcoholic refreshments from a mobile food vendor over parts of Sandringham Beach Park as described in the Schedule below and, in accordance with section 17B(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

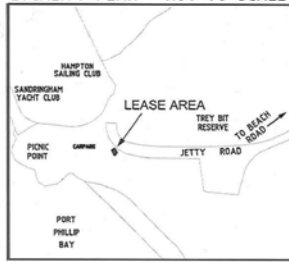
- (a) there are special reasons which make granting licences reasonable and appropriate in the particular circumstances; and
- (b) to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**.

SCHEDULE

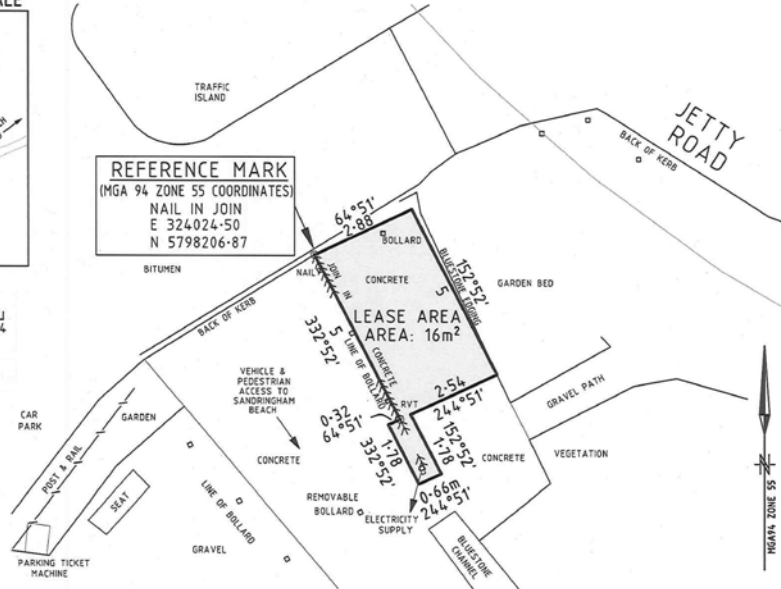
The areas of land shown outlined bold on the following plans, being part of the land permanently reserved for public park purposes by Orders in Council of 26 May 1873 (vide Government Gazette 13 June 1873, page 1059) and 3 September 1888 (vide Government Gazette 7 September 1888, page 2783).



LOCALITY PLAN - NOT TO SCALE



SCALE 1:100
LENGTHS ARE IN METRES
ORIGINAL SHEET SIZE A4



File Reference: 1204182

Dated 4 April 2016

THE HON. LISA NEVILLE MP
Minister for Environment, Climate Change and Water

Crown Land (Reserves) Act 1978

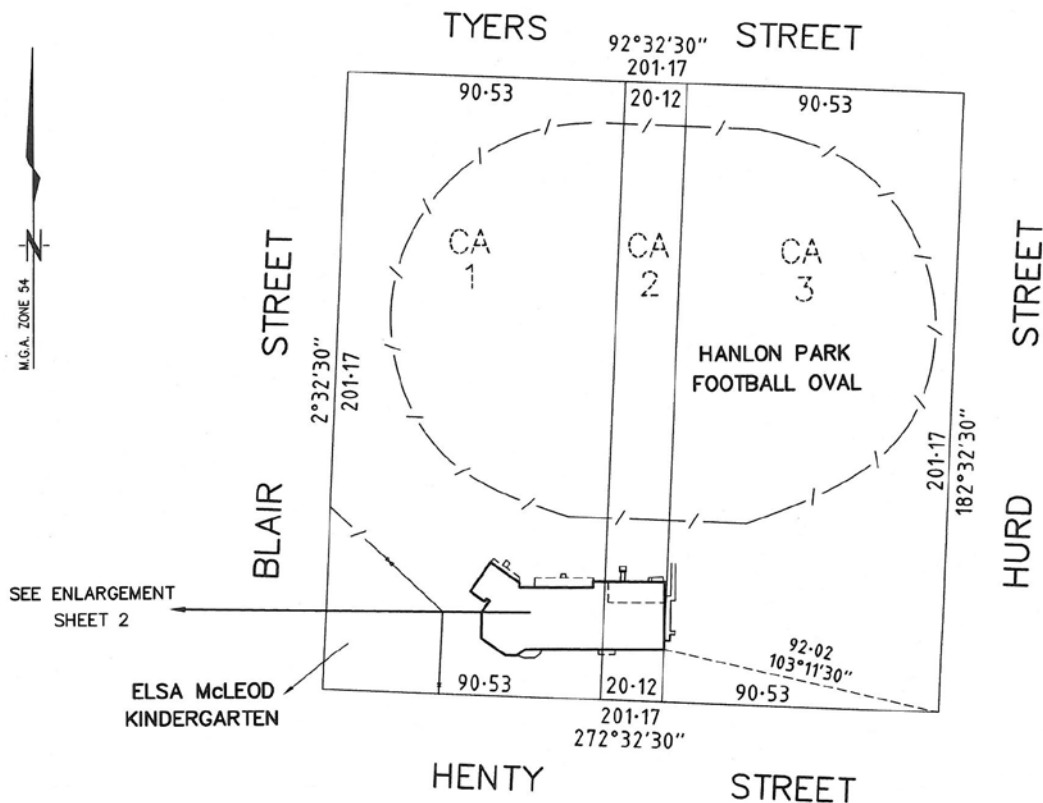
ORDER GIVING APPROVAL TO GRANT A LEASE UNDER SECTIONS 17D AND 17DA

Under sections 17D and 17DA of the **Crown Land (Reserves) Act 1978**, I, the Hon. Lisa Neville MP, Minister for Environment, Climate Change and Water, being satisfied that there are special reasons which make the granting of a lease reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a lease by Glenelg Shire Council to Portland Football Netball Cricket Club Inc. for the purpose of ‘amusement, recreation and social activities connected with the Portland Football Netball Cricket Club Inc.’ over part of the ‘Hanlon Park’ Reserve at Portland as described in the Schedule below and, in accordance with section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

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

SCHEDULE

The area of land as shown on the attached plan, being part of the land permanently reserved in the Township of Portland for ‘Public Gardens and Recreation’ by Orders in Council of 12 November 1877 and 27 September 1922, (vide Government Gazettes of 1877 on page 2168 and 1922 on page 2638 respectively).



Education and Training Reform Act 2006

NOTIFICATION CANCELLING REGISTRATION OF A TEACHER

Pursuant to section 2.6.29 of the **Education and Training Reform Act 2006**, the Victorian Institute of Teaching must disqualify a registered teacher from teaching and cancel his/her registration where that person has been convicted or found guilty at any time in Victoria or elsewhere, of a sexual offence.

On 18 March 2016, Salih Dervish was convicted of the following sexual offences:

- a. One count of accessing child pornography material using a carriage service
- b. One count of making child pornography available using a carriage service
- c. One count of knowingly possessing child pornography.

On 18 March 2016, Salih Dervish was disqualified from teaching and his registration as a teacher in Victoria was cancelled.

Education and Training Reform Act 2006

NOTIFICATION CANCELLING REGISTRATION OF A TEACHER

Pursuant to section 2.6.29 of the **Education and Training Reform Act 2006**, the Victorian Institute of Teaching must disqualify a registered teacher from teaching and cancel his/her registration where that person has been convicted or found guilty at any time in Victoria or elsewhere, of a sexual offence.

On 7 April 2016, David Patrick Evans was convicted of the following sexual offences:

- a. One count of knowingly using an on-line information service to transmit child pornography
- b. One count of knowingly possessing child pornography.

On 7 April 2016, David Patrick Evans was disqualified from teaching and his registration as a teacher in Victoria was cancelled.

Electoral Act 2002

APPLICATION TO CHANGE A REGISTERED POLITICAL PARTY'S ABBREVIATED NAME

In accordance with section 49 of the **Electoral Act 2002** (the Act), I hereby give notice of the following application to change the abbreviation of the name of a registered political party.

Name of party: Democratic Labour Party (DLP).

Current abbreviation: D.L.P. – Democratic Labor Party.

Proposed abbreviation: Labour DLP.

The application is signed by the State Secretary of the party.

Any person who believes that the abbreviation of the party's name should not be changed because the proposed abbreviation is not allowable under section 47 of the Act may object by writing to the Victorian Electoral Commission, Level 11, 530 Collins Street, Melbourne, Victoria 3000, by 23 May 2016.

Details of any objections will be made available to the applicant.

Enquiries to: Paul Thornton-Smith on telephone 8620 1187.

Dated 14 April 2016

WARWICK GATELY, AM
Victorian Electoral Commission

Forests Act 1958

DETERMINATION OF FIREWOOD COLLECTION AREA

I, Richard Teychenne, Regional Manager Forest and Fire Operations, Gippsland, Department of Environment, Land, Water and Planning, 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, Land, Water and Planning, 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).

Table – Firewood collection areas

Item no.	Column 1 LEGL no.	Column 2 DELWP region	Column 3 DELWP district	Column 4 Name of firewood collection area	Column 5 Opening date	Column 6 Closing date
1	LEGL./16-108	Gippsland	Latrobe	Samsons	21/04/2016	30/06/2016

Notes

- The information in columns 2, 3 and 4 of the table is for information only.
- DELWP** means Department of Environment, Land, Water and Planning.
- The legal plan of any firewood collection area may be obtained from the Central Plan Office of the Department of Environment, Land, Water and Planning – see <<https://www.landata.vic.gov.au>>, select Central Plan Office, and LEGL Plan. Maps of firewood collection areas that are open from time to time may be obtained from <www.delwp.vic.gov.au/firewood>.
- There are no firewood collection areas open outside the firewood collection seasons as defined in the **Forests Act 1958**.

Dated 18 April 2016

RICHARD TEYCHENNE
Regional Manager Forest and Fire Operations, Gippsland
Department of Environment, Land, Water and Planning
as delegate of the Secretary to the
Department of Environment, Land, Water and Planning

Forests Act 1958

REVOCATION OF DETERMINATION OF FIREWOOD COLLECTION AREAS

I, Richard Teychenne, Regional Manager Forest and Fire Operations, Gippsland, Department of Environment, Land, Water and Planning, as delegate of the Secretary to the Department of Environment, Land, Water and Planning, under section 57U of the **Forests Act 1958**, revoke the determination of the firewood collection areas described in items 24, 50, 58 and 59 of the table in the determination made under section 57U of the **Forests Act 1958** on 19 February 2016 and published in the Government Gazette No. G 8 pages 305–308 on 25 February 2016.

This amendment comes into operation on the date on which it is published in the Government Gazette.

Dated 18 April 2016

RICHARD TEYCHENNE
Regional Manager Forest and Fire Operations, Gippsland
Department of Environment, Land, Water and Planning
as delegate of the Secretary to the
Department of Environment, Land, Water and Planning

Gambling Regulation Act 2003

Section 5.3.19

AMENDMENT OF THE CATEGORY 1 PUBLIC LOTTERY LICENCE

Notice is given that, on 17 March 2016, in accordance with section 5.3.19 of the **Gambling Regulation Act 2003**, I amended the Category 1 Public Lottery Licence awarded to Tattersall's Sweeps Pty Ltd.

Annexure A of the Category 1 Public Lottery Licence has been amended to:

- include the Lotteries Commission of South Australia as a party to the instant Bloc Lottery Agreement;
- reduce the minimum top prize amount for instant scratch-its from \$25,000 to \$500;
- increase the number of instant scratch-its games that may be available for sale at any point in time from 'up to 15' to 'up to 20'.

A copy of the amendment is available on the Victorian Commission for Gambling and Liquor Regulation website at: www.vcglr.vic.gov.au

Dated 11 April 2016

JANE GARRETT MP
Minister for Consumer Affairs, Gaming and Liquor Regulation

Geographic Place Names Act 1998**NOTICE OF REGISTRATION OF GEOGRAPHIC NAMES**

The Registrar of Geographic Names hereby gives notice of the registration of the undermentioned place names.

Road Naming:

Change Request Number	Road Name	Locality	Naming Authority and Location
90984	Coach Road	Shepparton East, Kialla East and Karramomus	Greater Shepparton City Council Formerly known as Shepparton–Euroa Road. Which runs from the Midland Highway, Shepparton East, to Tamleugh Arcadia Road, Karramomus.
92480	Dowell Lane	Barnawartha North	Wodonga City Council The road traverses west from Old Barnawartha Road.

Localities:

Change Request Number	Naming Authority	Affected Localities	Location
92071	Manningham City Council	Doncaster East and Donvale	To include the properties located at 90 and 92 St Clems Road in the locality of Doncaster East. For further details see map at www.delwp.vic.gov.au

Feature Naming:

Change Request Number	Place Name	Naming Authority and Location
75218	Thomas Oval	Stonnington City Council (Long-standing name) Situating at 335 Williams Road, South Yarra. For further details see map at www.delwp.vic.gov.au

Office of Geographic Names

Land Victoria
570 Bourke Street
Melbourne 3000

JOHN E. TULLOCH
Registrar of Geographic Names

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

Rural Housing Network

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

In accordance with a Funding Deed dated 23 October 2007 between the Director and Rural Housing Network Limited, the following land is land in which the Director is deemed to have an interest in under section 107 of the Act.

Volume	Folio	Address
11549	243	17 Tournament Drive, Mooroopna
11549	245	10 Blacksmith Avenue, Mooroopna
11549	255	3 Blacksmith Avenue, Mooroopna
11549	261	30 Tournament Drive, Mooroopna
11575	317	27 Dennison Street, Mooroopna
11575	319	Lot 182 Flint Way (4 Flint Way)
11575	320	Lot 183 corner Dennison Street and Flint Way (28 Dennison Street, Mooroopna)
11575	325	20 Dennison Street, Mooroopna
11575	326	18 Dennison Street, Mooroopna

Dated 12 April 2016

Signed at Melbourne in the State of Victoria
NICK FOA
Director of Housing

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

Victorian Women's Housing Association trading as Women's Property Initiatives

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

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

Volume	Folio	Address
11621	758	110/9 Chesterville Road, Cheltenham
11621	765	207/9 Chesterville Road, Cheltenham

Dated 12 April 2016

Signed at Melbourne in the State of Victoria
NICK FOA
Director of Housing

National Electricity (Victoria) Act 2005

2016 MINISTERIAL ORDER UNDER SECTION 16BA

I, Lily D'Ambrosio, Minister for Energy and Resources and Minister responsible for administering the **National Electricity (Victoria) Act 2005** declare pursuant to section 16BA(1) of that Act that clause 6.18 of the National Electricity Rules has force in Victoria subject to the following modifications.

And I further declare that:

- (a) This Order is for the purpose of matters necessary and consequential on the making of the Advanced Metering Infrastructure (AMI Tariffs) Amendment Order 2016, being an Order in Council made on 14 April 2016 pursuant to section 46D of the **Electricity Industry Act 2000** and published in the Government Gazette G15 on 14 April 2016; and
- (b) The modifications made by this Order are additional to those made by the Ministerial Order under section 16BA of the **National Electricity (Victoria) Act 2005** made on 30 August 2013 and published in the Government Gazette G37 on 12 September 2013.

1. Commencement

This Order commences on the day it is published in the Government Gazette.

2. Interpretation

In this Order:

2013 section 16BA Order means the Ministerial Order under section 16BA of the **National Electricity (Victoria) Act 2005**, made on 30 August 2013 and published in the Government Gazette G37 on 12 September 2013.

3. Modification of clause 6.18 of the National Electricity Rules

For clause 6.18.1A of the National Electricity Rules (inserted pursuant to the 2013 section 16BA Order) **substitute** –

‘6.18.1AA – Definition

In this Part:

Advanced Metering Infrastructure (AMI Tariffs) Order in Council 2013 means the Order in Council made on 18 June 2013 pursuant to section 46D of the **Electricity Industry Act 2000** of Victoria and published in the Victoria Government Gazette S216 on 19 June 2013 as amended from time to time.

Advanced Metering Infrastructure (AMI Tariffs) Amendment Order 2016 means the Order in Council made on 14 April 2016 pursuant to section 46D of the **Electricity Industry Act 2000** and published in the Government Gazette G15 on 14 April 2016.’

4. Modification of clause 6.18.1A of the National Electricity Rules

In clause 6.18.1A of the National Electricity Rules:

- (1) after paragraph (b) **insert** –

‘(ba) A *tariff structure statement* must also comply with clause 9A of the Advanced Metering Infrastructure (AMI Tariffs) Order in Council 2013.’; and

- (2) after paragraph (e) **insert** –

‘(f) In the case of any inconsistency between clauses 9, 9A, 10 or 10A of the Advanced Metering Infrastructure (AMI Tariffs) Order in Council 2013 and a *tariff structure statement*, those clauses shall prevail.’

5. Modification of clause 6.18.4 of the National Electricity Rules

For paragraph (c) of clause 6.18.4 of the National Electricity Rules (inserted pursuant to the 2013 section 16BA Order) **substitute** –

- ‘(c) In the case of any inconsistency between clauses 9, 9A, 10 or 10A of the Advanced Metering Infrastructure (AMI Tariffs) Order in Council 2013 and:

- (1) the provisions of a distribution determination governing:
 - a. the assignment of small customers to *tariff classes*; or
 - b. the re-assignment of small customers from one *tariff class* to another;
or
- (2) a *tariff structure statement*,
clauses 9, 9A, 10 and 10A of the Advanced Metering Infrastructure (AMI Tariffs) Order in Council 2013 shall prevail.’.

6. Modification of clause 6.18.5 of the National Electricity Rules

In clause 6.18.5 of the National Electricity Rules, after paragraph (j) **insert** –

- ‘(k) Without limiting paragraph (j), a tariff must also comply with the Advanced Metering Infrastructure (AMI Tariffs) Order in Council 2013.’.

Dated 18 April 2016

LILY D’AMBROSIO
Minister for Energy and Resources

Professional Standards Act 2003

AUTHORISATION AND PUBLICATION PURSUANT TO SECTION 14

The Australian Property Institute Valuers Limited Scheme

I, Martin Pakula MP, Attorney-General, pursuant to section 14 of the **Professional Standards Act 2003**, authorise the publication of The Australian Property Institute Valuers Limited Scheme (the Scheme) submitted to me by the New South Wales Professional Standards Council pursuant to the mutual recognition provisions of the New South Wales and Victorian professional standards legislation. The Scheme is published with this authorisation and will commence on 1 September 2016.

Dated 13 April 2016

THE HON. MARTIN PAKULA MP
Attorney-General

Professional Standards Act 1994 (NSW)THE AUSTRALIAN PROPERTY INSTITUTE VALUERS
LIMITED SCHEME**PREAMBLE**

- A. The Australian Property Institute Valuers Limited (APIV) is an occupational association.
- B. The APIV has made an application to the Professional Standards Council (PSC), constituted under the **Professional Standards Act 1994 (NSW)** (the Act), for a scheme under the Act.
- C. The scheme is prepared by the APIV for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.
- D. The APIV has furnished the PSC with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- E. The APIV has furnished the PSC with APIV insurance standards with which members must comply for purposes of this scheme.
- F. The scheme is intended to remain in force for five (5) years from its commencement unless, prior to that time, it is revoked, its operation ceases, or it is extended pursuant to section 32 of the Act.

THE AUSTRALIAN PROPERTY INSTITUTE VALUERS LIMITED SCHEME**1. Occupational association**

- 1.1. The Australian Property Institute Valuers Limited Scheme (the scheme) is a scheme under the Act prepared by the APIV whose business address is: 6 Champion Street, Deakin, ACT 2600.
- 1.2. The scheme is intended to operate in New South Wales, the Australian Capital Territory, the Northern Territory, Queensland, South Australia, Victoria and Western Australia.
- 1.3. The scheme is intended to limit occupational liability by insurance arrangements pursuant to section 21 of the Act. The relevant insurance arrangements are the APIV Insurance Standards.¹

¹ These are published on the API website at <http://www.api.org.au/menuitem/limitations-liability-scheme/apiv-ltd>

2. Persons to Whom the Scheme Applies²

- 2.1. The scheme applies to all members of the APIV who or which comply with the requirements of the APIV and the insurance requirements set out in Clause 3.2, unless exempted by the APIV.
- 2.2. This scheme also applies to all persons to whom the scheme applied under Clause 2.1 at the time of any act or omission giving rise to occupational liability.³
- 2.3. The APIV may, on application by a member to whom this scheme applies, exempt the member from the scheme provided that the scheme does not apply to the person by operation of sections 18, 19 or 20 of the Act.

3. Limitation of Liability

- 3.1. This scheme only affects the liability for damages⁴ arising from a single cause of action to the extent to which the liability results in damages exceeding \$1,000,000.
- 3.2. If a person or corporation, who or which was at the time of the act or omission giving rise to occupational liability, a person or corporation to whom this scheme applied and against whom a proceeding relating to occupational liability is brought, is able to satisfy the court that such person or corporation has the benefit of a Professional Indemnity Insurance Policy:
 - (a) of a kind which complies with the APIV Insurance Standards;
 - (b) insuring such person or corporation against the occupational liability to which the cause of action relates; and
 - (c) under which the amount payable in respect of that occupational liability is not less than the monetary ceiling specified in the 4th column (entitled 'Monetary Ceiling') of the table in Clause 3.3 of this scheme relating to the class of person and the kind of work to which the cause of action relates;that person or corporation is not liable in damages in relation to that cause of action above the monetary ceiling specified in this scheme.

2 Sections 18 and 19 of the Act provide that if the scheme applies to a body corporate, the scheme also applies to each officer of the body corporate and if the scheme applies to a person, the scheme also applies to each partner of the person, and if the scheme applies to a person the scheme also applies to each employee of the person, provided that if such officer of the corporation or partner of the person or employee of the person is entitled to be a member of the same occupational association, such officer, partner or employee is a member of the occupational association. Section 20 provides that the scheme may also apply to other persons as specified in that section. Section 20A extends the limitation of liability of persons to whom the scheme applies by virtue of sections 18 to 20.

3 For the purposes of the operation of the scheme in New South Wales, 'occupational liability' has the same meaning as it has in the Act and excludes any liability which may not from time to time be limited pursuant to the Act. Similarly, for the purposes of the operation of the scheme in other jurisdictions in which it applies, 'occupational liability' has the same meaning as it has in the corresponding legislation of those jurisdictions and excludes any liability which may not from time to time be limited pursuant to that legislation.

Occupational liability is defined in section 4(1) of the Act to mean 'civil liability arising (in tort, contract or otherwise) directly or vicariously from anything done or omitted by a member of an occupational association acting in the performance of his or her occupation'. However, section 5(1) of the Act provides that the Act does not apply to liability for damages arising from the death of or personal injury to a person, a breach of trust or fraud or dishonesty. [Note: All jurisdictions other than NSW and WA exclude a lawyer acting in a personal injury matter.] Section 5(2) of the Act also provides that the Act does not apply to liability which may be the subject of proceedings under Part 13 or 14 of the **Real Property Act 1900** (NSW).

4 Damages as defined in section 4(1) of the Act means (a) damages awarded in respect of a claim or counter-claim or claim by way of set-off and (b) costs in or in relation to the proceedings ordered to be paid in connection with such an award (other than costs incurred in enforcing a judgment or incurred on an appeal made by a defendant), and (c) any interest payable on the amount of those damages or costs.

- 3.3. The monetary ceiling (maximum amount of liability) required for the purposes of limitation of liability under this scheme at the time at which the act or omission giving rise to the cause of action occurred is to be determined according to the following table:

Class	Description	Upper End Value	Monetary Ceiling ⁵
1	Category A Member	\$0.0 million to < \$3.0 million	\$1.0 million
2	Category B Member	\$3.0 million to < \$5.0 million	\$2.0 million
3	Category C Member	\$5.0 million to < \$10.0 million	\$3.0 million
4	Category D Member	\$10.0 million to < \$15.0 million	\$4.0 million
5	Category E Member	\$15.0 million to < \$40.0 million	\$5.0 million
6	Category F Member	\$40.0 million >	\$10.0 million

- 3.4. Clause 3.2 only affects liability for damages arising from a single cause of action to the extent to which the liability in damages exceeding such amount as is specified in Clause 3.1.
- 3.5. This scheme limits the occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the scheme was in force of any person to whom the scheme applied at the time the act or omission occurred.
- 3.6. This scheme does not limit the occupational liability of a member in the event the member does not have the benefit of a Professional Indemnity Insurance Policy in accordance with Clause 3.2 at the time the act or omission occurred.

4. Conferral of discretionary authority

- 4.1. Pursuant to section 24 of the Act, this scheme confers on the APIV a discretionary authority to specify, on application by a member to whom the scheme applies, in relation to that person a higher monetary ceiling (maximum amount of liability) not exceeding \$20 million, in relation to the person either in all cases or in any specified case or class or case.

5. Definitions

- 5.1. Relevant definitions for the purposes of the scheme are as follows:
- ‘APIV’ means the Australian Property Institute Valuers Limited.
- ‘APIV Insurance Standards’ mean the insurance standards approved by the APIV.
- ‘Category A Member’ means a person who is a member of the APIV to whom the scheme applies and who is:
- a sole trader whose Upper End Value is less than \$3 million;
 - an individual or corporation who is a member of a partnership whose Upper End Value is less than \$3 million; or
 - a corporation whose Upper End Value is less than \$3 million;
- ‘Category B Member’ means a person who is a member of the APIV to whom the scheme applies and who is:
- a sole trader whose Upper End Value is \$3 million or more but less than \$5 million;
 - an individual or corporation who is a member of a partnership whose Upper End Value is \$3 million or more but less than \$5 million; or
 - a corporation whose Upper End Value is \$3 million or more but less than \$5 million;

⁵ Pursuant to the APIV Insurance Standards, there must be at least one automatic reinstatement where the policy limits the aggregate of claims.

‘Category C Member’ means a person who is a member of the APIV to whom the scheme applies and who is:

- a) a sole trader whose Upper End Value is \$5 million or more but less than \$10 million;
- b) an individual or corporation who is a member of a partnership whose Upper End Value is \$5 million or more but less than \$10 million; or
- c) a corporation whose Upper End Value is \$5 million or more but less than \$10 million.

‘Category D Member’ means a person who is a member of the APIV to whom the scheme applies and who is:

- a) a sole trader whose Upper End Value is \$10 million or more but less than \$15 million;
- b) an individual or corporation who is a member of a partnership whose Upper End Value is \$10 million or more but less than \$15 million; or
- c) a corporation whose Upper End Value is \$10 million or more but less than \$15 million.

‘Category E Member’ means a person who is a member of the APIV to whom the scheme applies and who is:

- a) a sole trader whose Upper End Value is \$15 million or more but less than \$40 million;
- b) an individual or corporation who is a member of a partnership whose Upper End Value is \$15 million or more but less than \$40 million; or
- c) a corporation whose Upper End Value is \$15 million or more but less than \$40 million.

‘Category F Member’ means a person who is a member of the APIV to whom the scheme applies and who is:

- a) a sole trader whose Upper End Value is \$40 million or more;
- b) an individual or corporation who is a member of a partnership whose Upper End Value is \$40 million or more; or
- c) a corporation whose Upper End Value is \$40 million or more.

‘most recent 12 month period’ means the 12 months prior to the date and time of inception of the member’s Professional Indemnity Insurance Policy.

‘Professional Indemnity Insurance Policy’ means a policy of insurance that provides cover for the member in compliance with the APIV Insurance Standards.

‘the Act’ means the **Professional Standards Act 1994** (NSW).

‘Upper End Value’ means the highest valuation performed by the relevant member in the most recent 12 month period.

6. Duration

- 6.1 This scheme will commence on 1 September 2016 and will be in force for a period of five (5) years from the date of commencement.
- 6.2 In the event the scheme, or a Notice relating to the scheme, is published in the Gazette of any jurisdiction after the commencement date, the scheme will commence on such day 2 months after the date of its publication in that jurisdiction.

7. Miscellaneous

- 7.1 Notwithstanding anything to the contrary contained in this scheme, if in particular circumstances giving rise to occupational liability, the liability of any person who is subject to this scheme should be capped by both this scheme and also by any other scheme under Professional Standards legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.
-

Professional Standards Act 2003

AUTHORISATION AND PUBLICATION PURSUANT TO SECTION 14

Law Institute of Victoria Limited Scheme

I, Martin Pakula MP, Attorney-General, pursuant to section 14 of the **Professional Standards Act 2003**, authorise the publication of the Law Institute of Victoria Limited Scheme (the Scheme) submitted to me by the Victorian Professional Standards Council. The Scheme is published with this authorisation and will commence on 1 July 2016.

Dated 13 April 2016

THE HON. MARTIN PAKULA MP
Attorney-General

Professional Standards Act 2003 (Vic.)

LAW INSTITUTE OF VICTORIA LIMITED SCHEME

PREAMBLE

- A. The Law Institute of Victoria Limited ('the LIV') is a voluntary occupational association for legal practitioners (solicitors) in Victoria.
- B. The LIV has made an application to the Professional Standards Council ('Council'), appointed under the **Professional Standards Act 2003 (Vic.)** ('the Act') for approval of a scheme under the Act, and this document comprises the scheme ('the Scheme').
- C. The Scheme has been prepared by the LIV for the purposes of limiting Occupational Liability of Participating Members to the extent to which such liability may be limited under the Act.
- D. The Scheme is to apply to all Participating Members.
- E. The LIV has furnished the Council with a risk management program intended to be implemented in respect of its Participating Members and the means by which those strategies are intended to be implemented.
- F. The Scheme is intended to remain in force for a period of five (5) years from its commencement, subject to section 34 of the Act
- G. The Scheme commences on 1 July 2016.

LAW INSTITUTE OF VICTORIA SCHEME**1. Preparation of the Scheme**

- 1.1. This Scheme is a scheme under the Act prepared by the LIV, whose business address is 470 Bourke Street, Melbourne, Victoria.
- 1.2. The Scheme is intended to operate as a scheme of Victoria, New South Wales, Queensland, South Australia, Western Australia, the Northern Territory and the Australian Capital Territory.
- 1.3. Relevant definitions for the purpose of this Scheme are as follows:
 - 'Australian Practising Certificate' has the same meaning as it has in the Legal Uniform Law (Victoria)¹;
 - 'Corporate Legal Practitioner' has the same meaning as it has in the Legal Profession Uniform Law (Victoria)²;
 - 'Court' has the same meaning as it has in the Act;
 - 'Damages' has the same meaning as it has in the Act;
 - 'Financial Year' means a financial accounting period ending 30 June;

¹ Refer **Legal Profession Uniform Law Application Act 2014** section 4

² Refer **Legal Profession Uniform Law Application Act 2014** section 4

‘Full Member’ means an Australian legal practitioner who is a full member of the Law Institute of Victoria;

‘Government Legal Practitioner’ has the same meaning as it has in the **Legal Profession Uniform Law (Victoria)**³;

‘Incorporated Legal Practice’ means an incorporated legal practice within the meaning of the **Legal Profession Uniform Law (Victoria)** that is a member of the Law Institute of Victoria⁴;

‘Law Practice’ has the same meaning as it has in the **Legal Profession Uniform Law (Victoria)**⁵;

‘Legal Services’ has the same meaning as it has in the **Legal Profession Uniform Law (Victoria)**⁶;

‘Occupational Liability’ has the same meaning as it has in the Act⁷;

‘Participating Members’ means those persons specified in clause 2.1 of the Scheme;

‘Principal’ has the same meaning as it has in the **Legal Profession Uniform Law (Victoria)**⁸;

‘Relevant Time’ means the time at which an act or omission in relation to the provision of legal services occurred, upon which a cause of action was founded; and

‘Total Annual Fee Income’ means the amount charged during a Financial Year for services provided by or on behalf of a Law Practice some of whose members are Participating Members.

2. Persons to whom the Scheme applies

2.1. The Scheme applies to:

2.1.1. Full Members who hold a current Australian Practising Certificate who are not excluded or exempted under clauses 2.2. or 2.3. of the Scheme;

2.1.2. Incorporated Legal Practices;

2.1.3. all persons to whom, by virtue of sections 20, 21 or 22 of the Act⁹, the Scheme applies;

2.1.4. all persons to whom clause 2.1.1. applied at the Relevant Time but no longer applies;

2.1.5. all corporations to which clause 2.1.2. applied at the Relevant Time but no longer applies;

2.1.6. all persons to whom clause 2.1.3 applied at the Relevant Time but no longer applies.

2.2. Despite clause 2.1, the Scheme does not apply to a Corporate Legal Practitioner or to a Government Legal Practitioner.

2.3. A person or corporation referred to in clause 2.1 may, on application, be exempted from participation in the Scheme by the LIV. This clause does not apply to persons to

3 Refer **Legal Profession Uniform Law Application Act 2014** section 4

4 Refer **Legal Profession Uniform Law Application Act 2014** section 4

5 Refer **Legal Profession Uniform Law Application Act 2014** section 4

6 Refer **Legal Profession Uniform Law Application Act 2014** section 4

7 Refer **Legal Profession Uniform Law Application Act 2014** section 4

8 Refer **Legal Profession Uniform Law Application Act, 2014** (Vic.)

9 Sections 20 and 21 of the Act provide that if the Scheme applies to a body corporate, the Scheme also applies to each officer of the body corporate and if the Scheme applies to a person, the Scheme also applies to each partner of a person, and if the Scheme applies to a person, the Scheme also applies to each employee of that person, provided that if such officer of the corporation or partner of the person or employee of the person is entitled to be a member of the same occupational association, such officer, partner or employee is a member of the occupational association. Section 22 provides that the Scheme also applies to other persons prescribed by the regulations for the purposes of section 31(4) as being associated with persons to whom a scheme applies.

whom the Scheme applies by virtue of sections 20 or 21 of the Act.

3. **Limitation of liability**

- 3.1. The Scheme limits the Occupational Liability of a Participating Member for Damages¹⁰:
 - 3.1.1 arising from a single claim founded on the act or omission in relation to the provision of legal services; and
 - 3.1.2. to the extent those Damages exceed \$1.5 million for Participating Members in Class 1 or Class 2 of the table in clause 3.3, or as the case may be, \$10 million for Participating Members in Class 3 or Class 4 of the table in clause 3.3.
 - 3.1.3. the Scheme does not limit liability in respect of damages arising from the death of or personal injury to a person, any negligence or other fault of an Australian legal practitioner in acting for a client in a personal injury claim; a breach of trust or fraud or dishonesty or matters which may be the subject of proceedings under section 110 of the **Transfer of Land Act 1958** (Vic.).
- 3.2. If a Participating Member against whom a claim relating to Occupational Liability is brought, is able to satisfy the Court that –
 - 3.2.1 the Participating Member has the benefit of an insurance policy or policies insuring him or her against the Occupational Liability to which the claim relates; and
 - 3.2.2 the amount payable under the policy or policies in respect of that Occupational Liability¹¹ is not less than the amount of the monetary ceiling (maximum amount of liability) specified in the third column of the table in clause 3.3 as applying to such Participating Member to which the cause of action relates –the Participating Member is not liable in Damages in relation to that claim above the amount of that monetary ceiling.

¹⁰ Damages as defined in section 4 of the Act means:

- a. damages awarded in respect of a claim or counter-claim or by way of set-off; or
- b. costs in or in relation to the proceedings ordered to be paid in connection with such an award (other than costs incurred in enforcing a judgment or incurred on an appeal made by a defendant); or
- c. any interest payable on the amount of those damages or costs.

¹¹ Section 4(2) of the Act provides that a reference in the Act ‘to the amount payable under an insurance policy in respect of an occupational liability includes a reference to –

‘defence costs payable in respect of a claim, or notification that may lead to a claim (other than reimbursement of the defendant for the time spent in relation to the claim), but only if those costs are payable out of the one sum insured under the policy in respect of the occupational liability; and

the amount payable under or in relation to the policy by way of excess’.

However, see also section 28A of the Act and its note, which has the effect that section 4(2) does not reduce the cap on the liability of the Participating Member to the client.

3.3 The monetary ceiling applicable for the purposes of limitation of liability under the Scheme at the Relevant Time is to be determined according to the table below –

Class	Description	Monetary ceiling
1	Participating Members who were at the Relevant Time in a Law Practice consisting of up to and including 20 Principals and where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time up to and including \$10 million.	\$1.5 million
2	Any Participating Member which was at the Relevant Time an Incorporated Legal Practice consisting of up to and including 20 Principals and where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time up to and including \$10 million.	\$1.5 million
3	(a) Participating Members who were at the Relevant Time in a Law Practice consisting of greater than 20 Principals; or (b) Participating Members who were at the Relevant Time in a Law Practice where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time greater than \$10 million.	\$10 million
4	(a) Any Participating Member which was at the Relevant Time an Incorporated Legal Practice consisting of greater than 20 Principals; or (b) Any Participating Member which was at the Relevant Time a Law Practice where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time greater than \$10 million.	\$10 million

3.4 Notwithstanding anything to the contrary contained in this scheme if, in particular circumstances giving rise to occupational liability, the liability of any person who is subject to this scheme should be capped both by this scheme and also by any other scheme under professional standards legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and, if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

4. Conferral of discretionary authority

4.1 The LIV has discretionary authority, on application by a Participating Member, to specify in relation to the Participating Member, a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to him, her or it either in all cases or in any specified case or class of case.

4.2 If, in the exercise of its discretion under clause 4.1, the LIV has specified a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to a Participating Member, the maximum amount of liability (monetary ceiling) in relation to that Participating Member is that higher maximum amount.

5. Duration

5.1. The Scheme is intended to remain in force for a period of five (5) years from its commencement, subject to section 34 of the Act.



Water Act 1989

GOULBURN-MURRAY RURAL WATER CORPORATION

Extension of Goulburn-Murray Irrigation District

Notice is hereby given that Goulburn-Murray Rural Water Corporation intends to extend the Goulburn Murray Irrigation District by including the lands described as:

Description of Lands to be Included in the Goulburn-Murray Irrigation District

Volume	Folio	Lot No. / Crown Allotment	Plan No. / Section	Parish	Area (Ha)
9352	978	CA 40 and 41		Jeruk	205.19
6448	500	CA 41A		Jeruk	132.41
7013	594	CA 74A		Jeruk	87.09
8542	621	2	LP063519	Jeruk	214.41
8086	33	CA 42A		Jeruk	128.78
6847	251	CA 75 and 76		Jeruk	105.64
9221	712	1	TP161431H	Jeruk	129.12
7449	770	1	TP534242J	Jeruk	3.23
10457	595	CA 16	2	Narioka	66.35
10258	295	1	PS334043T	Wharparilla	41.97
8630	88	1	LP072531	Cohuna	0.12

and shown on Plan Numbers GMW449,GMW450, GMW451 and GMW452.

The Corporation invites submissions in respect to the proposal. Any submissions should set out the grounds on which the submission is made and may be received by the Corporation within one month of publication of this notice in the Victoria Government Gazette. A copy of the proposal may be inspected, free of charge, at the office of Goulburn-Murray Rural Water Corporation, 40 Casey Street, Tatura, during business hours.

DANIEL IRWIN
Acting General Manager, Customer Operations

**Water Act 1989**

GOULBURN-MURRAY RURAL WATER CORPORATION

Extension of Tresco Irrigation District

Notice is hereby given that Goulburn–Murray Rural Water Corporation intends to extend the Tresco Irrigation District by including the lands described as:

Description of Lands to be Included in the Tresco Irrigation District

Volume	Folio	Lot No.	Plan No.	Parish	Area (Ha)
10884	617	2	PS534129S	Boga	45.97

and shown on Plan Number GMW453.

The Corporation invites submissions in respect to the proposal. Any submissions should set out the grounds on which the submission is made and may be received by the Corporation within one month of publication of this notice in the Victoria Government Gazette. A copy of the proposal may be inspected, free of charge, at the office of Goulburn–Murray Rural Water Corporation, 40 Casey Street, Tatura, during business hours.

DANIEL IRWIN
Acting General Manager, Customer Operations

Workplace Injury Rehabilitation and Compensation Act 2013

MINISTERIAL GUIDELINES

CLAIM FOR COMPENSATION

I, Robin Scott MP, Minister for Finance pursuant to sections 20(6), 23 and 74 of the **Workplace Injury Rehabilitation and Compensation Act 2013**, revoke the 'Ministerial Guideline 2010 Claim for Compensation', Victoria Government Gazette, No. G14, 8 April 2010, 687, and hereby issue the following guidelines with respect to:

- service by a worker of a claim for compensation, claim for compensation in the form of weekly payments and claim for compensation in the form of medical and like services on an employer or self-insurer;
- lodgment by a worker pursuant to section 29 of the **Workplace Injury Rehabilitation and Compensation Act 2013** of a claim for compensation, claim for compensation in the form of weekly payments and claim for compensation in the form of medical and like services on the Victorian WorkCover Authority; and
- the forwarding of claims by employers to the Victorian WorkCover Authority.

Dated 14 April 2016

ROBIN SCOTT MP
Minister for Finance

1. Citation

These guidelines may be cited as the Claim for Compensation Ministerial Guidelines 2016.

2. Purpose

The purpose of these guidelines is to set out the methods by which:

- (i) a worker can give or serve a claim for compensation, claim for compensation in the form of weekly payments or claim for compensation in the form of medical and like services pursuant to section 20 of the **Workplace Injury Rehabilitation and Compensation Act 2013** to or on an employer or self-insurer, or lodge such claims on the Victorian WorkCover Authority pursuant to section 29 of the **Workplace Injury Rehabilitation and Compensation Act 2013**; and
- (ii) an employer may forward to the Victorian WorkCover Authority a claim for compensation, claim for compensation in the form of weekly payments or claim for compensation in the form of medical and like services that the employer has received from a worker.

3. Authority

These guidelines are issued pursuant to sections 23 and 74 of the **Workplace Injury Rehabilitation and Compensation Act 2013**.

4. Commencement and Application

These guidelines come into operation on the day after it is published in the Government Gazette and apply to all claims for compensation, claims for compensation in the form of weekly payments and claims for compensation in the form of medical and like services made on or after this date.

5. Definitions

Unless the context otherwise requires, or the contrary intention appears, terms defined in the Act have the same meaning.

In these guidelines:

'the Act' means the **Workplace Injury Rehabilitation and Compensation Act 2013**;

'the Authority' means the Victorian WorkCover Authority;

‘**claim**’ for the purposes of these Ministerial Guidelines means a claim for compensation, claim for compensation in the form of weekly payments or claim for compensation in the form of medical and like services under section 20;

‘**company**’ means a company incorporated, or taken to be incorporated, under the **Corporations Act 2001** (Cth);

‘**consent**’ includes consent that can be reasonably inferred from the conduct of the person concerned, but does not include consent given subject to conditions unless the conditions are complied with;

‘**place of business**’, in relation to an employer, self-insurer or the Victorian WorkCover Authority, means a place of a non-transitory nature where any operations or business activities are carried out by that employer, self-insurer or the Victorian WorkCover Authority;

‘**registered body**’ has the same meaning as it has in section 9 of the **Corporations Act 2001** (Cth).

6. Making a claim

- (1) A claim may be given or served upon an employer or self-insurer in accordance with section 20 of the Act by any of the following methods:
 - (i) If the employer or self-insurer is a company or registered body:
 - the worker posts the claim to the registered office or a place of business of the employer or self-insurer; or
 - the worker delivers the claim personally at the registered office or a place of business of the employer or self-insurer, to a person apparently above the age of 16 years who is apparently in charge of that business or is duly authorised to represent the employer and to receive the claim on behalf of the employer or self-insurer.
 - (ii) If the employer is a natural person:
 - the worker delivers the claim personally to the employer, or leaves the claim in the presence of the employer; or
 - the worker posts the claim to the employer’s current or last known place of business or residence.
 - (iii) If the employer is a body corporate that is not a company or registered body, or is another form of business structure including a firm or partnership:
 - the worker posts the claim to the employer’s current or last known place of business; or
 - the worker delivers the claim personally at the employer’s registered office or place of business to a person apparently above the age of 16 years who is apparently in charge of that business or is duly authorised to represent the employer and to receive the claim on behalf of the employer; or
 - (iv) The worker transmits the claim by facsimile to any of the addresses referred to in (i) to (iii) above, where applicable; or
 - (v) The worker transmits the claim by way of email, so long as at the time the claim was transmitted by email:
 - i. it was reasonable to expect that the claim would be readily accessible so as to be usable for subsequent reference, and
 - ii. the employer or self-insurer consents to the information being given by means of an email.

-
- (2) A claim may be lodged upon the Authority in accordance with sections 29 or 31(4) of the Act by any of the following methods:
- (i) sending the claim by post to the registered office or other office or place of business of the Authority, or to the registered office, other office or place of business of the Authority's authorised agent who manages the worker's employer's WorkCover insurance; or
 - (ii) serving the claim by facsimile to the registered office or other office or place of business of the Authority, or to the registered office, other office or place of business of the Authority's authorised agent who manages the worker's employer's WorkCover insurance.

7. Forwarding of a claim by an employer

- (1) An employer may comply with their responsibilities to forward a claim to the Authority pursuant to section 73 of the Act, by:
- (i) sending the claim by post to the registered office, other office or place of business of the Authority's authorised agent who manages the employer's WorkCover insurance, or to such other address as agreed between the employer and the authorised agent; or
 - (ii) transmitting the claim by facsimile to the registered office, other office or place of business of the Authority's authorised agent who manages the employer's WorkCover insurance, or to such other address as agreed between the employer and the authorised agent; or
 - (iii) submitting a claim through any method of electronic transaction, including by email as approved by the Authority from time to time, as published on the Authority's website.

ROBIN SCOTT MP
Minister for Finance

Workplace Injury Rehabilitation and Compensation Act 2013

MINISTERIAL ORDER

Self-insurer Assumption of Liability for Tail Claims

I, Robin Scott MP, Minister for Finance, hereby issue the following Order pursuant to section 401 of the **Workplace Injury Rehabilitation and Compensation Act 2013**.

Dated 14 April 2016

ROBIN SCOTT MP
Minister for Finance

1. Preamble

This Order is made with respect to the arrangements that apply where a self-insurer assumes the liability for tail claims under sections 395, 396 or 397 of the **Workplace Injury Rehabilitation Compensation Act 2013** and is made pursuant to section 401 of the **Workplace Injury Rehabilitation and Compensation Act 2013**. Employers, the Authority and self-insurers must comply with this Order.

2. Objectives

The objectives of this Order are to:

- (a) set out the arrangements that apply when:
 - i. in accordance with sections 395 or 396 of the Act, an employer, as a self-insurer, assumes liability for its tail claims; or
 - ii. in accordance with section 397 of the Act, a self-insurer assumes the liability for the tail claims of an employer to which section 434 of the Act applies that is a body corporate that becomes an eligible subsidiary of the self-insurer; and
- (b) specify the method of calculation of the settlement amount that is required to be paid by the Authority to a self-insurer under subsection 401(3) of the Act and the manner in which the settlement amount is to be paid, when:
 - i. a self-insurer, holding company or employer has elected to assume liability for, and the responsibility for management of, its tail claims or the tail claims of an eligible subsidiary, and immediately prior to the assumption date, liability for the tail claims rested with the Authority; or
 - ii. a self-insurer has elected to assume liability for, and the responsibility for management of, the tail claims of an employer to which section 434 of the Act applies that is a body corporate that becomes an eligible subsidiary of the self-insurer, and immediately prior to the assumption date, the liability for the tail claims rested with the Authority.

3. Application

- 3.1 This Order is to come into effect on the date it is published in the Government Gazette and applies to all self-insurers, holding companies or employers that assume or are taken to have assumed the liability for, and responsibility for management of, tail claims under sections 395, 396 or 397 of the Act, on or after this date.

4. Definitions

- 4.1 Unless the context otherwise requires, or the contrary intention appears, terms in this Order have the same meaning as they have in the Act.
- 4.2 In this Order, unless the context otherwise requires:
 - ‘**Act**’ means the **Workplace Injury Rehabilitation and Compensation Act 2013** (Vic.);
 - ‘**assumption date**’ means the date on which the self-insurer assumes liability for the tail claim;

‘**guarantee**’ means an irrevocable, unconditional guarantee and indemnity issued by an authorised deposit taking institution as defined in the **Banking Act 1959** (Cth) and enforceable in Australia on presentation and otherwise in a form acceptable to the Authority;

‘**business day**’ means a day other than a Saturday, Sunday or gazetted public holiday in the State;

‘**electronic communication**’ has the same meaning it has in the **Electronic Transactions (Victoria) Act 2000**;

‘**fund**’ means the WorkCover Authority Fund established under section 513 of the Act;

‘**health information**’ has the same meaning it has in section 3 of the **Health Records Act 2001** (Vic.);

‘**personal information**’ has the same meaning it has in section 3 of the **Privacy and Data Protection Act 2014** (Vic.);

‘**privacy legislation**’ means laws in respect of personal and health information, including but not limited to the **Privacy and Data Protection Act 2014** (Vic.), the **Health Records Act 2001** (Vic.) and the **Privacy Act 1988** (Cth);

‘**privacy principles**’ means the Information Privacy Principles set out in the **Privacy and Data Protection Act 2014** (Vic.) and the Health Privacy Principles set out in Schedule 1 of the **Health Records Act 2001** (Vic.);

‘**TAC**’ means the Transport Accident Commission, a body corporate established pursuant to the **Transport Accident Act 1986**;

‘**TAC claims**’ means claims under the Act or the **Accident Compensation Act 1985** for which the TAC may be liable to pay the Authority under the Act or the **Accident Compensation Act 1985**;

‘**WorkCover Insurance Act**’ means the **Accident Compensation (WorkCover Insurance) Act 1993** (Vic.) prior to its repeal.

5. Termination of Insurance in relation to tail claims

5.1 Termination of rights and obligations under WorkCover insurance policies and statutory contracts of insurance in relation to tail claims

Any rights, obligations or liabilities (including any accrued rights, obligations or liabilities) in relation to tail claims:

- (a) under a statutory contract of insurance arising under section 435 of the Act;
- (b) under any WorkCover insurance policy to which a self-insurer and the Authority are or were parties under the WorkCover Insurance Act;
- (c) under any WorkCover insurance policy to which an employer that is a body corporate to which section 434 of the Act applies, and the Authority are or were parties under the WorkCover Insurance Act;
- (d) under any WorkCover insurance policy arising under the WorkCover Insurance Act in respect of a self-insurer which are or were transferred to the Authority by operation of law,

will terminate on the assumption date.

5.2 No right of indemnity

A self-insurer to which this Order applies has no right to be indemnified by the Authority under a statutory contract of insurance subject to and in accordance with the Act or under a WorkCover insurance policy arising under the WorkCover Insurance Act in relation to tail claims.

6. Liability for tail claims**6.1 Compensation**

A self-insurer must pay from its own funds all compensation and all fees, costs, damages and expenses with respect to tail claims without recourse to the Authority for any reimbursement.

6.2 Indemnity

A self-insurer indemnifies the Authority against all liability, fees, costs, damages and expenses suffered or incurred by the Authority resulting directly or indirectly from a failure by a self-insurer to satisfy any tail claim.

6.3 No limit on liability

There is no limit on the liability of a self-insurer under this clause, and in particular the liability of a self-insurer is not limited to the final settlement amount payable by the Authority to a self-insurer under clause 9.

7. Delivery of documents

The Authority must deliver to a self-insurer within 7 days of the assumption date or as soon as practicable after that date all documents, files, disks, tapes, CDs and other records in their possession or under their control in respect of tail claims.

8. Recoveries

In respect of all tail claims for which the Authority has paid compensation or other payments a self-insurer shall not obtain recovery of any contributions under sections 367, 368 or 369 of the Act or sections 137, 137A or 138 of the **Accident Compensation Act 1985**.

9. Settlement amount**9.1 Definitions**

In this clause, the following definitions apply:

‘**adjusted estimated discounted liability**’ for an injury year means the estimated discounted liability plus IBNR claim loading for that injury year plus GUF loading for that injury year plus future claims handling expenses for that injury year;

‘**adjusted funding ratio**’ means the funding ratio divided by the loss ratio for each injury year in which claims were incurred by the Authority multiplied by the factor required to reconcile the net assets produced by the adjusted funding ratio with the net assets of the Authority;

‘**certification date**’ means the date on which the self-insurer:

- (a) certifies all remuneration paid or payable by the self-insurer under the Act or the WorkCover Insurance Act; or
- (b) makes payment of all outstanding premiums required to be paid in accordance with the Act or the WorkCover Insurance Act, all outstanding penalties under the Act or the WorkCover Insurance Act and all other outstanding amounts that are payable under the Act or the WorkCover Insurance Act, whichever is the later;

‘**estimated discounted liability**’ means the amount assessed using the Authority’s statistical case estimate model (as adopted by the Authority at the time of any assessment) to determine the estimated outstanding liability of the Authority in respect of specified tail claims (and for the avoidance of doubt, this does not include any tail claims for which liability immediately prior to the assumption date did not rest with the Authority), discounted for future investment earnings using discount rates from the actuarial valuation of the scheme as adopted by the Authority at the time of any assessment;

‘final settlement amount’ means the amount calculated as at the assumption date, being (i) or (ii) below, whichever is less:

- (i) the sum of the following figures for all injury years: the adjusted estimated discounted liability for each injury year multiplied by the adjusted funding ratio for that injury year;
- (ii) the sum of the adjusted estimated discounted liability for all injury years;

‘funding ratio’ means the ratio of the Authority’s total net assets to its total net liabilities based on the actuarial valuation of the scheme as adopted by the Authority at the time of any assessment;

‘future claims handling expenses’ means the expenses estimated to be incurred in claims administration of the specified tail claims (and for the avoidance of doubt, this does not include any tail claims for which liability immediately prior to the assumption date did not rest with the Authority), calculated as a percentage (determined by the Authority) of the sum of the estimated discounted liability, the IBNR claim loading and the GUF loading;

‘GUF’ means ‘gross up factor’, and may have a negative or positive value;

‘GUF loading’ means the amount which aligns the statistical case estimate model with the Authority’s actuarially assessed scheme liabilities and adjusts for recoveries, calculated as a percentage (determined by the Authority) of the sum of the estimated discounted liability and the IBNR claim loading;

‘IBNR’ means ‘incurred but not reported’;

‘IBNR claim loading’ means the actuarial value of IBNR claims, calculated as a percentage (determined by the Authority) of the estimated discounted liability and payments to date;

‘injury year’ means 1 July to 30 June;

‘loss ratio’ means the Authority’s incurred claims cost for an injury year, divided by the Authority’s earned premium for that year (where incurred claims cost is defined as the value, discounted to the year of premium payment, of paid claims to date plus actuarially assessed discounted liabilities);

‘provisional settlement amount’ means the amount calculated, as at 28 days prior to the assumption date (or as at such other date prior to the assumption date that the Authority determines), being (i) or (ii) below, whichever is less:

- (i) 80% of the sum of the following figures for all injury years: the adjusted estimated discounted liability for each injury year multiplied by the adjusted funding ratio for that injury year;
- (ii) 80% of the sum of the adjusted estimated discounted liability for all injury years;

‘specified tail claims’ means:

- (a) a reported claim, whenever made, within that part of the definition of ‘tail claim’ in subparagraph 395(4)(a)(i) and paragraph 395(4)(b) of the Act, where liability for, and responsibility for the management of, such claim is assumed by an employer under section 395(2) of the Act;
- (b) a reported claim, whenever made, within that part of the definition of ‘tail claim’ in subparagraph 396(5)(a)(ii) and paragraph 396(5)(b) of the Act, where liability for, and responsibility for the management of, such claim is assumed by a holding company under section 396(3) of the Act;
- (c) a reported claim, whenever made, within that part of the definition of ‘tail claim’ in paragraphs 397(5)(a) and 397(5)(b) of the Act, where liability for, and responsibility for the management of, such claim is assumed by a self-insurer under section 397(3) of the Act.

9.2 Payment of provisional settlement amount

The Authority shall pay to a self-insurer the provisional settlement amount on the assumption date or as soon as is practicable thereafter.

9.3 Final settlement amount – payment by Authority

If the final settlement amount exceeds the provisional settlement amount, the difference between these amounts is payable by the Authority to a self-insurer within 28 days after the certification date and such payment shall, subject to subclause 9.5, constitute full and final payment of the final settlement amount.

9.4 Final settlement amount – payment by self-insurer

If the provisional settlement amount exceeds the final settlement amount, the difference between these amounts is payable by a self-insurer to the Authority within 28 days after receiving notice in writing from the Authority of the amount of the difference.

9.5 GST Payable

9.5.1 Words or expressions used in this subclause that are defined in the **A New Tax System (Goods and Services Tax) Act 1999** (Cth) have the same meaning in this clause.

9.5.2 Despite any other provision in this Order, if a self-insurer or the Authority ('Supplier') makes a supply under or in connection with this Order to the other party to this Order ('Recipient') on which GST is imposed:

- (a) the consideration payable or to be provided for that supply under this Order but for the application of this clause ('GST exclusive consideration') is increased by, and the Recipient must also pay to the Supplier, an amount calculated by multiplying the GST exclusive consideration by the rate of GST applicable to that supply; and
- (b) the amount by which the GST exclusive consideration is increased must be paid to the Supplier by the Recipient without set off, deduction or requirement for demand, at the same time as the GST exclusive consideration is payable or to be provided.

9.5.3 The Recipient need not make a payment for a taxable supply made under or in connection with this Order until the Supplier has given the Recipient a tax invoice for the supply to which the payment relates.

9.5.4 The Supplier must give the Recipient an adjustment note for an adjustment arising from an adjustment event relating to a taxable supply made under or in connection with this Order within 7 days after the date the Supplier becomes aware of the adjustment event.

9.5.5 If an amount paid to the Supplier by the Recipient under subparagraph 9.5.2(b) differs, by reason of the occurrence of an adjustment event, from the amount of GST payable by the Supplier in respect of the relevant supply:

- (a) if the amount paid by the Recipient exceeds the GST payable by the Supplier, the Supplier will pay to the Recipient an amount equal to the difference; and
- (b) if the amount paid by the Recipient is less than the GST payable by the Supplier, the Recipient will pay to the Supplier an amount equal to the difference.

10. Self-insurance liabilities and section 403 of the Act

Nothing in this Order limits or affects any liability of a self-insurer, or abrogates any right or entitlement of the Authority, under Subdivision 3 of Division 6 of Part 8 of the Act.

11. Confidentiality

11.1 Confidential information

In this clause **confidential information** means

- (a) all information obtained by a self-insurer in managing tail claims in accordance with this Order; and
- (b) any other information provided by the Authority to a self-insurer pursuant to this Order which is designated confidential or which otherwise would be understood by a reasonable person in the position of a self-insurer to be confidential in nature, excluding information which at the time of the disclosure is in the public domain or after disclosure becomes part of the public domain otherwise than by disclosure in breach of this Order.

11.2 Obligations in relation to confidential information

In relation to confidential information, a self-insurer must and must use its best endeavours to ensure that each officer, employee, agent or subcontractor of a self-insurer:

- (a) keeps confidential all confidential information; and
- (b) does not make a record of, divulge or communicate to any third party any confidential information for any purpose other than a purpose authorised under section 412 of the Act or such purpose as may be authorised by law or under a similar or corresponding statutory provision.

11.3 Compliance with the Act

Nothing contained in this Order reduces or derogates from any requirement imposed upon any person by the Act, including sections 588 and 595 of the Act, in relation to maintaining the secrecy or confidentiality of any document or information acquired by a self-insurer in the performance or discharge of its duties or obligations under this Order.

12. Privacy

12.1 Health information and personal information

If the Authority provides the self-insurer with personal information or health information, or the self-insurer obtains health or other personal information in connection with or as a result of this Order, the self-insurer agrees that:

- (a) in relation to that personal information or health information, it will be bound by the relevant Privacy Legislation, and in particular the Privacy Principles in the relevant Privacy Legislation, in the same way as the Authority is bound;
- (b) in particular, it will not collect, store, use or disclose that personal information or health information except to the extent that such collection, use or disclosure is necessary for the performance of its obligations under this Order; and
- (c) it will only collect, use, disclose, store, transfer or otherwise handle that personal information or health information it collects in accordance with such reasonable policies or directions relating to the collection, use, disclosure, storage, transfer or handling of personal information or health information as are notified by the Authority to the self-insurer from time to time.

12.2 Restrictions on access to health information and personal information

The self-insurer must ensure that access to health information and personal information is restricted to those employees and contractors who need to know the information for the purposes of the self-insurer fulfilling its obligations under this Order, and that those employees and contractors are aware of and agree to fulfil the self-insurer's obligations under this clause.

13. Notices**13.1 Service**

A party giving notice or notifying under this Order must do so in writing.

13.2 Time of receipt

A notice given in accordance with subclause 13.1 is taken to be received:

- (a) if hand-delivered, on delivery;
- (b) if sent by prepaid post, three days after the date of posting;
- (c) if sent by facsimile, when the sender's facsimile system generates a message confirming successful transmission of the total number of pages of the notice unless, within one day after that transmission, the recipient informs the sender that it has not received the entire notice; and
- (d) if sent by electronic communication, as determined in accordance with section 13A of the **Electronic Transactions (Victoria) Act 2000**.

13.3 Deemed receipt

If any notice would be taken to be received under subclause 13.2 outside the hours of 9.00 am to 5.00 pm on a business day then the notice will be taken to be received at 9.00 am on the next business day.

ROBIN SCOTT MP
Minister for Finance

Workplace Injury Rehabilitation and Compensation Act 2013

MINISTERIAL ORDER

Terms and Conditions of Approval as a Self-insurer

I, Robin Scott MP, Minister for Finance hereby issue the following Order pursuant to subsection 380(3) and in accordance with section 380(4) of the **Workplace Injury Rehabilitation and Compensation Act 2013**.

Dated 14 April 2016

ROBIN SCOTT MP
Minister for Finance

1. Citation

This Order may be cited as the Self-insurer Terms and Conditions of Approval Order 2016.

2. Objective

The objective of this Order is to specify the terms and conditions of approval that a self-insurer is subject to for the purposes of Part 8 of the **Workplace Injury Rehabilitation and Compensation Act 2013**.

3. Application

This Order comes into effect on the date it is published in the Government Gazette.

4. Definitions

Unless the context otherwise requires, or the contrary intention appears, terms in this Order have the same meaning as they have in the Act.

In this Order:

‘the Act’ means the **Workplace Injury Rehabilitation and Compensation Act 2013**.

5. Terms and conditions of approval as a self-insurer**5.1 Case estimating**

A self-insurer must estimate its expected liability for each new reported claim and record the possible recovery on each claim.

All claims estimates must be reviewed periodically as determined by the self-insurer but no less frequently than at 6 monthly intervals.

An estimate of expected claims liabilities must represent the expected total net liabilities on the claims outstanding.

5.2 Claim form

A self-insurer must ensure that copies of the claim forms, approved by the Authority under section 20(1) of the Act, are kept at a place and in a manner that is readily accessible at all reasonable times to its workers.

5.3 Document retention

All documents relating to a claim must be retained by the self-insurer for as long as they may foreseeably need to be accessed by the self-insurer, the Authority or another self-insurer for the purposes of the Act and must be retained in a form in which they are able to be so accessed.

Requirements under the applicable Public Record Office Victoria Standards in relation to the retention and disposal of documents of the Authority continue to apply to tail claims assumed by self-insurers, if those tail claims were at any previous time the liability of, or under management of, the Authority.

5.4 **Audit**

A self-insurer is subject to field audits by persons authorised by the Authority in regard to its adherence to –

- (a) the Act or the regulations; or
- (b) any terms or conditions of its approval as a self-insurer; or
- (c) a Ministerial Order; or
- (d) any other subordinate instrument made under the Act or the regulations.

For the purposes of an audit, self-insurers must furnish to the Authority or a person authorised by the Authority, any books or other information as may reasonably be required in writing by the Authority.

5.5 **Self-Audit Program**

A self-insurer must participate in a Self-Audit Program approved by the Authority.

A self-insurer must forward to the Authority at its head office a copy of the findings of the approved Self-Audit Program in the time specified by the Authority and in a form approved by the Authority. The findings are to be accompanied by a statement, signed by at least one responsible officer of the self-insurer, certifying that the conduct of the self-audit was in accordance with the approved Self-Audit Program, that the findings of the self-audit are true and correct and that appropriate remedial action, if required, will occur within a timeframe as determined by the Authority in consultation with the self-insurer.

For the purposes of this term and condition, a responsible officer of the self-insurer is –

- (a) if the self-insurer is a body corporate, a director or member of the governing body of the self-insurer;
- (b) if the self-insurer is the Municipal Association of Victoria (MAV), the person occupying the position, however styled, which is responsible for the day to day operations of the MAV.

5.6 **Data requirements**

A self-insurer must provide data relating to any of its activities as a self-insurer in the form and in respect of such periods as are specified in writing by the Authority.

Such returns must be lodged with the Authority within 30 days of the expiry of the period in respect of which the return is due.

Upon request in writing by the Authority, a self-insurer must provide any additional information as may reasonably be required concerning the means by which data about any of its activities as a self-insurer is collected, collated, stored or retrieved. Such additional information must be provided to the Authority within 30 days of the request being received by the self-insurer or such other period agreed between the Authority and the self-insurer.

A self-insurer must modify existing practices, or introduce new practices, for the collection, collation, storing, retrieval and transfer of data to the extent necessary to provide the data in the form required by the Authority.

5.7 **Information**

A self-insurer must, on the written request of the Authority, furnish to the Authority or a person authorised by the Authority any information relating to any aspect of its activities as a self-insurer as may reasonably be required by the Authority, including the name, address and contact number of any employee who has lodged a workers' compensation claim.

Such information must be provided within 30 days of the request being received by the self-insurer or such other period agreed between the Authority and the self-insurer.

5.8 Duties of self-insurers for any agents appointed

If a self-insurer appoints a person to act as the self-insurer's agent under section 392 of the Act, the self-insurer must –

- (a) take all reasonable measures to ensure that the agent complies with all requirements of –
 - i. the Act or the regulations;
 - ii. any terms or conditions to which the self-insurer's approval is subject;
 - iii. a Ministerial Order; and
 - iv. any other subordinate instrument made under the Act or the regulations applicable to the functions undertaken by the agent;
- (b) provide written notice to the Authority as soon as it becomes aware that an agent appointed under section 392 of the Act has failed to comply with any of the requirements in 5.8(a) above;
- (c) ensure, so far as is reasonably possible, that the agent provides the Authority or a person authorised by the Authority, access to any records, data or other information which concerns the agent's activity as an agent of the self-insurer; and
- (d) notify the Authority immediately in the event of any change to the arrangement entered into by the self-insurer under section 392 of the Act.

5.9 Immediate notification of certain events affecting self-insurer

A self-insurer must immediately notify the Authority if –

- (a) at any time the self-insurer is unable to pay any of its debts as and when those debts fall due; or
- (b) the self-insurer becomes aware of any event that may prevent the self-insurer from meeting any other requirement for approval and operation as a self-insurer in accordance with –
 - i. the Act or the regulations; or
 - ii. any terms or conditions of its approval as a self-insurer; or
 - iii. a Ministerial Order; or
 - iv. any other subordinate instrument made under the Act or the regulations.

5.10 Strategically significant matters

A self-insurer must –

- (a) notify the Authority as soon as it becomes aware of any strategically significant matter (as defined in guidelines made by the Authority) to which it is a party, in a form approved by the Authority; and
- (b) provide supporting information in relation to any strategically significant matter in accordance with guidelines made by the Authority.

5.11 Documentation of claims management policies

A self-insurer, irrespective of whether an agent has been appointed under section 392 of the Act to manage claims on its behalf, must –

- (a) document its claims management policies, provide these policies to the Authority and make the policies readily available to its workers; and
- (b) maintain current claims management policies in accordance with any amendments to the Act or the regulations or a Ministerial Order or any other subordinate instrument made under the Act or the regulations that occur from time to time.

- B A self-insurer may elect to adopt the WorkSafe Claims Manual in place of developing and maintaining their own claims management policies. If a self-insurer adopts the WorkSafe Claims Manual, the self-insurer must notify the Authority and make the WorkSafe Claims Manual readily available to its workers.
- C If a self-insurer does not elect to adopt the WorkSafe Claims Manual then any policy documented by the self-insurer which differs from the Authority's Claims Manual is to be provided to the Authority prior to implementation by the self-insurer.

5.12 Relevant remuneration

- A The return which each self-insurer must submit pursuant to subsection 389(1) of the Act must be in accordance with Form A of this Order.
- B A self-insurer must submit a relevant remuneration return as referred to in this clause no later than 31 August next following the end of the financial year in respect of which the return is completed.

5.13 Insurance in respect of contingent liabilities

- A A contract of insurance which a self-insurer must have in force at all times in accordance with section 393(1)(b) of the Act in respect of its contingent liabilities shall be a contract of insurance effected with an insurer approved by the Australian Prudential Regulation Authority pursuant to the **Insurance Act 1973** of the Commonwealth, other than an insurer which is deemed to be related to the self-insurer by reason of section 50 of the **Corporations Act 2001**, or with an insurer which is wholly owned by any State or Territory of the Commonwealth.
- B The contract of insurance referred to in subclause A must be for an unlimited amount in excess of the self-insurer's liability for any one event or series of events arising out of any occurrence during the policy period.
- C A self-insurer's liability under the contract of insurance referred to in subclause A must be an amount chosen by the self-insurer which is not greater than \$5,000,000.
- D A self-insurer must submit to the Authority –
 - (a) a certified copy of the contract of insurance effected in accordance with this Order by the day of commencement as a self-insurer and thereafter within 21 days after any day on which –
 - i. the contract, including the terms set out in the policy of insurance, is altered; or
 - ii. the contract of insurance is effected with a different insurer; and
 - (b) an annual certificate of currency of that contract of insurance.
- E If a self-insurer wholly acquires an employer that is a body corporate to which section 434 of the Act applies and the contract of insurance held by the self-insurer in accordance with subsection 393(1)(b) of the Act specifies the name of the employer or employers which the contract of insurance covers, the self-insurer must within 28 days of the acquisition –
 - (a) revise the contract of insurance to include coverage for the employer acquired by the self-insurer; and
 - (b) submit to the Authority a certified copy of the revised contract of insurance within 28 days of the employer being wholly acquired by the self-insurer.

- F If a self-insurer wholly acquires another self-insurer and the contract of insurance held by the self-insurer in accordance with subsection 393(1)(b) of the Act specifies the name of the employer or employers which the contract of insurance covers, the self-insurer must on or before the date the acquired self-insurer's approval as a self-insurer is revoked –
- (a) revise the contract of insurance to include coverage for the acquired self-insurer; and
 - (b) submit to the Authority a certified copy of the revised contract of insurance within 28 days of the date the acquired self-insurer's approval as a self-insurer is revoked.

5.14 **Contributions by self-insurers**

The specified surcharge for the purposes of subsection 388(5) of the Act is \$112 per day for each day up to, but not including, the day on which the contribution is paid. The surcharge is to be varied in respect of the financial year beginning on 1 July 2016 and each subsequent financial year, in accordance with the formula in section 545 of the Act.

ROBIN SCOTT MP
Minister for Finance

FORM A

CONTRIBUTION BY SELF-INSURER TO WORKCOVER AUTHORITY FUND
Section 388 Workplace Injury Rehabilitation and Compensation Act 2013

RETURN OF 'RELEVANT REMUNERATION' FOR THE YEAR ENDED 30 JUNE

Name of Self-insurer:

Address:

Estimated/Certified* amount of 'relevant remuneration' paid or payable by the self-insurer and each of its eligible subsidiaries during the year ended 30 June.

\$

Dated at on

Signed

(Print Name)

Position held by signatory

(*Delete whichever is not applicable)

Accident Compensation Act 1985
Workplace Injury Rehabilitation and Compensation Act 2013

MINISTERIAL DIRECTIONS

Ministerial Directions with Respect to Procedures Under Section 134AB of the
Accident Compensation Act 1985 and Division 2 of Part 7 of the **Workplace Injury**
Rehabilitation and Compensation Act 2013

I, Robin Scott MP, Minister for Finance, make the following directions under section 134AF of the **Accident Compensation Act 1985** and section 352 **Workplace Injury Rehabilitation and Compensation Act 2013**. I hereby revoke the 'Ministerial Directions', Victoria Government Gazette, No. S 235, 20 December 2001, 3, effective from 1 July 2016.

Dated 14 April 2016

ROBIN SCOTT MP
Minister for Finance

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1. Preamble

These are Directions with respect to procedures under section 134AB of the **Accident Compensation Act 1985** ('AC Act') and Division 2 of Part 7 of the **Workplace Injury Rehabilitation and Compensation Act 2013** ('WIRC Act') and are made pursuant to section 134AF of the AC Act and section 352 of the WIRC Act. Pursuant to the provisions of the AC Act and the WIRC Act, employers, the Authority, self-insurers, workers and the legal representatives of each must comply with these Directions.

2. Objectives of these Directions

The objectives of these Directions are to ensure that:

- (a) procedures under section 134AB of the AC Act and Division 2 of Part 7 of the WIRC Act facilitate the just, efficient, timely and cost effective resolution of common law applications by injured workers;
- (b) injured workers receive appropriate damages where employers or other persons are at fault in respect of a compensable injury;
- (c) all applications under the AC Act and the WIRC Act are managed consistently and are the subject of quality decision making by the Authority and self-insurers; and
- (d) the Authority, self-insurers, the worker and all legal representatives act in a manner consistent with the obligations imposed by the **Civil Procedure Act 2010** and co-operate so as to settle or compromise claims for the appropriate amount of damages, without unnecessary resort to legal processes.

3. Definitions

Unless the context otherwise requires, or the contrary intention appears, terms defined in section 5 of the AC Act and in section 3 of the WIRC Act have the same meaning.

In these Directions:

'**AC Act**' means the **Accident Compensation Act 1985**;

'**advice**' means the advice of the Authority or self-insurer referred to in section 134AB(7) of the AC Act or section 330(1) of the WIRC Act;

'**application**' means an application in the form referred to in section 134AB(5)(a) of the AC Act or section 328(4)(a) of the WIRC Act;

'**application and supporting documents**' means an application in the form referred to in section 134AB(5)(a) of the AC Act or section 328(4)(a) of the WIRC Act, and the accompanying documents referred to in section 134AB(5)(b) and (c) of the AC Act or section 328(4)(b) and (c) of the WIRC Act;

'**the Authority**' means the Victorian WorkCover Authority continued in existence by section 491 of the WIRC Act;

'**claim**' means the proposed claim for damages at common law, in respect of each cause of action which the worker seeks to maintain;

'**claim for non-economic loss**' means a claim for compensation for non-economic loss made under section 98C or section 98E of the AC Act or Part 5, Division 5 of the WIRC Act;

'**consent and authority**' means the form of authority to release medical information approved by the Authority for the purpose of section 134AB(5)(b) of the AC Act and section 328(4)(b) of the WIRC Act;

'**County Court Rules**' means the County Court Civil Procedure Rules 2008;

'**damages proceeding**' means a proceeding for the recovery of damages commenced in accordance with the provisions of the AC Act or the WIRC Act;

'**medical information**' includes any notes, records, correspondence and/or medical reports held by or of any medical practitioner, hospital, health service provider, or any other person concerning any medical treatment provided to the worker;

‘medical report’ means a medical report as defined in section 134AB(37) of the AC Act or section 325 of the WIRC Act;

‘response date’ means the response date as defined in section 134AB(37) of the AC Act or section 325 of the WIRC Act;

‘statutory conference’ means a meeting, discussion or series of meetings or discussions commenced in accordance with section 134AB(12) of the AC Act or section 333 of the WIRC Act;

‘statutory offer’ and **‘statutory counter offer’** mean the offers referred to in section 134AB(12) of the AC Act or section 333 of the WIRC Act;

‘WIRC Act’ means the **Workplace Injury Rehabilitation and Compensation Act 2013**.

4. **Application of these Directions**

These Directions apply to an application made to the Authority or self-insurer on or after 1 of July 2016.

5. **Timing of application**

An application cannot be made by a worker prior to completion of the requirements in section 134AB(4) of the AC Act or section 328(2) of the WIRC Act.

6. **Contents of application and supporting documents**

6.1 The form approved by the Authority pursuant to section 134AB(5)(a) of the AC Act or section 328(4)(a) of the WIRC Act is to be published on a Government internet website and made available for inspection by members of the public without charge at the office of the Authority during normal business hours.

6.2 The details required by these Directions to be specified in or included in or attached to an application must be specified in or included in or attached to the application itself. Any documents referred to in the application must accompany the application. Failure to provide the details or documents required to be specified or included or attached shall constitute a failure to comply with these Directions.

6.3 An application must in respect of each claim:

- (a) specify the injury or injuries relied upon in the application for damages;
- (b) specify whether, in respect of any injury relied upon, a claim for non-economic loss has been made and, if such a claim has been made, the impairment determinations that have been accepted by the worker and whether the worker has accepted the entitlement to compensation;
- (c) where the worker does not have a deemed serious injury within the meaning of section 134AB(15) of the AC Act or section 335(1) of the WIRC Act, specify:
 - (i) the sub-paragraph or sub-paragraphs of the definition of ‘serious injury’ in section 134AB(37) of the AC Act or section 325 of the WIRC Act the worker relies upon to constitute each serious injury contended for; and
 - (ii) any body function or body functions alleged to be impaired or lost, on which reliance is placed for the purpose of establishing a serious injury; and
 - (iii) whether, for the purposes of section 134AB(38)(b) of the AC Act or section 325(2)(b) of the WIRC Act, the worker relies upon consequences with respect to pain and suffering and/or loss of earning capacity;
- (d) have attached to it a Statement of Claim naming each person against whom the worker claims to have a cause of action, which states each cause of action in a manner in compliance with Order 13 of the County Court Rules and which contains the particulars required by Rule 13.10 of the County Court Rules;

- 6.4 Where a worker seeks to rely upon an injury occurring both before and after 1 July 2014, whether or not section 5(2) of the WIRC Act applies, the worker may include all allegations of injury in one application regardless of whether the application or any subsequent proceeding is governed by section 134AB of the AC Act or Division 2 of Part 7 of the WIRC Act.
- 6.5 An application must be accompanied by:
- (a) a copy of all medical reports; and
 - (b) affidavits attesting to such other material;
existing when the application is made and of which the worker or his or her legal representative is aware and on which the worker intends to rely, or the substance of which the worker intends to adduce in evidence, whether for the purpose of establishing the worker has a serious injury (unless the worker has a deemed serious injury) or for establishing an entitlement to damages at common law; together with an affidavit attesting to information contained in a report (other than a medical report) or document that is within the worker's possession, custody or power, a copy of that report or document (but not necessarily as an exhibit to the affidavit); and
 - (c) a consent and authority.
- 6.6 Where a worker or a worker's legal representative has obtained medical information, which is relevant to the application, such medical information should be provided with the application or promptly when received. Where medical information has been obtained and is not provided, the Authority or a self-insurer will not be liable to reimburse the worker or the worker's solicitors for the costs of obtaining or copying the medical information.
- 6.7 The affidavit of the applicant must contain the following information, in respect of each claim:
- (a) a description of the applicant's
 - (i) background, employment history, prior state of health and any relevant pre-existing injuries;
 - (ii) hobbies, recreations, sporting pursuits, social and domestic activities (recreational activities) including the nature, extent and frequency of the applicants participation in such recreational activities, prior to the injury or injuries;
 - (b) a description of the injury or injuries relied upon (including the date or dates the injury or injuries occurred);
 - (c) a description of how each injury relied upon in the application occurred, whether on a specific date, or over a period of time;
 - (d) when and from whom the applicant has received treatment in relation to the injury or injuries;
 - (e) a summary of the treatment obtained, including medical, physiotherapy, surgery, medication and the like, from the date of each injury relied upon until the making of the application;
 - (f) a description of the treatment and the medication the applicant is receiving/ taking as at the date of the application and what treatment is expected to continue into the future;
 - (g) separately in respect of each body function alleged to be impaired, or disfigurement or behavioral disturbance or disorder on which reliance is placed, a description of the nature and extent of all the pain and suffering consequences suffered by the applicant resulting from the impairment, disfigurement, disturbance or disorder (including an explanation of the impact

on the worker's ability to engage in hobbies, recreation, sporting pursuits, social and domestic activities, the nature and extent of any alleged pain, and the effect of each injury upon relationships and sleep);

- (h) in respect of any disfigurement on which reliance is placed, photographs which show the extent of the disfigurement at the time of the making of the application;
 - (i) for the period of three years prior to each injury or injuries relied upon in the application to the date of the application –
 - (i) the name and address of each employer of the applicant, the period of employment with each employer and the applicant's gross earnings with each employer in respect of each period referred to;
 - (ii) particulars of any other employment (whether voluntary or paid and including any self-employment) in which the applicant has engaged, the period of each such employment and the applicant's gross earnings in respect of each period referred to;
 - (j) where the applicant relies upon consequences with respect to loss of earning capacity for the purpose of establishing an injury is serious –
 - (i) the calculations as to loss of earning capacity, having regard to the provisions of section 134AB(38)(f) and (g) of the AC Act or section 325(2)(f) and (g) of the WIRC Act;
 - (ii) particulars of the applicant's past and future economic loss, and loss of earning capacity, for the purpose of any entitlement to damages;
 - (iii) complete copies of the applicant's taxation returns (along with returns of each partnership, corporation or trust in which the applicant has a material interest), or other proof of income where such returns are unavailable and cannot be obtained, for the period of three years prior to each injury or injuries relied upon in the application to the date of the application;
 - (k) particulars of all absences from employment or periods of alternate or modified duties as a consequence of the injury or injuries;
 - (l) details of all rehabilitation and/or retraining which the applicant has attempted or undertaken or which has been offered to the applicant;
 - (m) details of all attempts by the applicant to obtain alternative employment, further or additional employment or voluntary employment.
- 6.8 Affidavits or reports from non-medical expert witnesses must state, specify or provide the opinion of the expert and (with any necessary modification) comply with the requirements in Order 44.03(2) and (4) of the County Court Rules.
- 6.9 Any affidavits from other witnesses must contain the substance of any evidence of the deponent which the worker intends to adduce in evidence in support of the application.

7. Access to employer's premises prior to making an application

- 7.1 Subject to 7.3, if for the purposes of preparing an affidavit or a report from a non-medical expert witness in accordance with this Direction, the worker's legal representative and the expert witness require access to the premises of that worker's employer at the time of the injury or injuries (the 'injury premises'), access on reasonable terms to that part of the employer's premises where the injury or injuries occurred should be granted by the employer.

- 7.2 Where the injury premises remain in the possession or control of the employer, a request for such access must be made in writing addressed to the Authority or self-insurer (as appropriate) at the address for service referred to in Direction 8.
- 7.3 This Direction applies only where the injury premises are, at the time of the request referred to in 7.1, in the possession or control of the employer with whom the worker was employed at the time of the relevant injury or injuries.

8. Service of the application and supporting documents

- 8.1 Where the injury or injuries the subject of the application were sustained by the worker in his or her employment with an employer who is not a self-insurer, the application and supporting documents must be:
- (a) addressed to the Director, Dispute Management Division, Victorian WorkCover Authority, at the address of the head office of the Authority as published on a Government internet website from time to time; and
 - (b) served either –
 - (i) by registered mail; or
 - (ii) by hand delivery during normal business hours to the head office of the Authority as published on a Government internet website from time to time; or
 - (iii) in accordance with Direction 8.6.
- 8.2 Where the injury or injuries the subject of the application were sustained by the worker in his or her employment with an employer who is a self-insurer, the application and supporting documents must be:
- (a) addressed to the self-insurer at the address the self-insurer has notified to the Authority as its address for service in the State of Victoria; and
 - (b) served either
 - (i) by registered mail; or
 - (ii) by hand delivery during normal business hours to the self-insurer at that address; or
 - (iii) in accordance with paragraph 8.6.
- 8.3 The Authority must keep an up to date register of the address for service of each self-insurer and provide details of that address to the worker or the worker's legal representative on request.
- 8.4 In the event that a self-insurer wishes to alter its address for service such alteration will be effectively made upon receipt by the Authority of written notification addressed to the Director, Dispute Management Division, at the address of the head office of the Authority as published on a Government internet website from time to time.
- 8.5 For the purpose of section 134AB(5A) of the AC Act and section 329(6) of the WIRC Act which require that a copy of the application and supporting documents must also be served on each person against whom the worker claims to have a cause of action, the worker or the worker's legal representative must forthwith provide to the Authority or self-insurer (or their legal representative in the matter if one is known) details of the date on which such documents were served and the address at which such documents were served.
- 8.6 For the purpose of Directions 8.1 and 8.2, where the Authority (in respect of applications addressed to it) or a self-insurer (in respect of applications addressed to that self-insurer) gives notice that for the purpose of these Directions it will accept service of applications through an electronic communication, and where the published requirements of the Authority or that self-insurer are complied with, the application will be taken to have been properly served in accordance with these Directions.

- 8.7 The Authority or self-insurer will acknowledge receipt of the application and supporting documents, in writing, and will record the date on which they were received and the date by which the advice is to be provided.

9. The advice

- 9.1 The advice of the Authority or self-insurer which is required by section 134AB(8) of the AC Act or section 330(2) of the WIRC Act must be accompanied by¹:
- (a) a copy of all medical reports; and
 - (b) affidavits attesting to such other material;
existing when the advice is given and of which the employer, Authority or self-insurer (or the legal representative of any of them) is aware and on which they intend to rely or the substance of which they intend to adduce in evidence, together with;
 - (c) a proposed defence to the Statement of Claim attached to the worker's application and supporting documents which complies with Order 13 of the County Court Rules;
 - (d) copies of the documents referred to in paragraph 9.2(d);
 - (e) a copy of all documents obtained by the Authority or self-insurer or their legal representative to the Consent and Authority, unless they have already been provided to the worker's solicitors.
- 9.2 For the purpose of Direction 9.1, the advice or an affidavit of the employer, Authority, self-insurer or the legal representative of them, must include the following information in respect of each claim relied upon by the worker:
- (a) particulars of all absences of the worker as a consequence of the injury or injuries from employment with the employer or self-insurer or periods on alternate or modified duties with the employer or self-insurer including a description of such duties;
 - (b) details of rehabilitation and/or retraining the worker has attempted or undertaken, or refused to attempt or undertaken, and details of attempts by the worker to obtain alternative employment or further or additional employment;
 - (c) details of all requests made by or on behalf of the worker concerning retraining or the obtaining of alternative employment;
 - (d) a list of documents which the employer, Authority or self-insurer has in their possession and on which they intend to rely;
 - (e) where the Authority, an employer or self-insurer (or their legal representative) has information (the rebuttal information) which rebuts material relied upon by the worker in the application or the material supporting the application, the rebuttal information, unless it is already in the possession of the worker or a legal representative of the worker prior to the time of service of the advice.
- 9.3 Affidavits or reports from non-medical expert witnesses must state, specify or provide the opinion of the expert and (with any necessary modification) comply with the requirements in Order 44.03(2) and (4) of the County Court Rules.
- 9.4 Any affidavits from other witnesses must contain the substance of any evidence of the deponent which the Authority, employer or self-insurer intends to adduce in evidence, including the substance of any surveillance reports and exhibits of any surveillance film on which they intend to rely or the substance of which they intend to adduce in evidence in any proceedings related to the application.

¹ The Authority and self-insurers should, as a matter of practice, provide the medical reports, affidavits and documents referred to in 9.1(a)–(e) in all applications pursuant to section 134AB of the AC Act or Division 2 of Part 7 of the WIRC Act.

10. Service of the advice

10.1 The advice is to be served:

- (a) in the event that the worker is legally represented, at the address of the legal representative as specified in the application;
- (b) otherwise, by:
 - (i) registered mail forwarded to the worker at the residential address of the worker as specified in the application; or
 - (ii) being left at the residential address of the worker as specified in the application; or
 - (iii) personal service on the worker.

10.2 For the purpose of Direction 10.1(a), where a worker's legal representative gives notice to the Authority or a self-insurer that for the purpose of these Directions it will accept service of an advice in relation to an application through an electronic communication, and where any published requirements of that legal representative are complied with, the advice will be taken to have been properly served in accordance with these Directions.

11. Rebuttal affidavit of the worker

11.1 Section 134AB(10) of the AC Act or section 331 of the WIRC Act provides that, within 28 days of receiving the advice (the required period), the worker may serve an affidavit attesting to further material (whether or not existing before the worker made the application) in rebuttal of material (other than medical reports) attested to in affidavits accompanying the advice.

11.2 Where a worker (or a worker's legal representative) has further material which rebuts material relied upon by the employer, Authority or self-insurer, and which was not included in or with the worker's application and was not otherwise in the possession of the employer, Authority or self-insurer at the time of service of the advice, the worker must provide the further material within the required period.

12. Conferences

12.1 The parties and their legal representatives shall cooperate so as to arrange a statutory conference to commence within 21 days after the response date.

12.2 Whenever practicable, a statutory conference shall be attended by the worker, a representative of the Authority or self-insurer able to give instructions in relation to the claim and the legal representatives of each.

13. Offers

13.1 A statutory offer by the Authority or self-insurer must be recorded by the Authority or self-insurer's legal representative in accordance with the Statutory Offer Form attached to these Directions and is to be open for acceptance for 21 days after it is made.

13.2 A statutory counter offer must be recorded by the worker or worker's legal representative in accordance with Statutory Counter Offer Form attached to these Directions and is open for within 21 days after it is made.

14. Settlements

Where a claim or proceeding under section 134AB of the AC Act or Division 2 of Part 7 of the WIRC Act is settled or compromised, whether before or after the commencement of a damages proceeding and whether by acceptance of a statutory offer or statutory counter offer or otherwise, the worker must execute a release if and when called upon to do so by the employer, Authority, self-insurer or other party (or their legal representatives). Such a release must be forwarded to the worker or the worker's legal representative within two business days of such settlement or compromise.

15. Employer's responsibilities²

Employers who are not self-insurers and who are respondents to an application or a proceeding under section 134AB of the AC Act or Division 2 of Part 7 of the WIRC Act must:

- (a) make available to the Authority (or its legal representative) all documents and information reasonably required for the purposes of such application or proceeding;
- (b) upon request, forward to the Authority (or its legal representative) any documents relevant to the application or proceeding received from the worker or his or her legal representative;
- (c) co-operate with and assist the Authority (and its legal representative) in the defence of the application or proceeding.

16. Failure to comply with these Directions

16.1 Where, within 21 days of receiving the application and supporting documents, the Authority or self-insurer (or their legal representatives) gives notice to the worker or worker's legal representative ('the non-compliance notice') that any part of the application and supporting documents do not comply with Direction 6 above, the period referred to in section 134AB(7) of the AC Act or section 330(1) of the WIRC Act is altered so that time ceases to run until the Direction has been complied with.

16.2 A notice served under Direction 16.1 above must:

- (i) specify why that part of the application and supporting documents do not comply with Direction 6; and
- (ii) state that the period within which the application is to be dealt with ceases to run from the date of the notice, and that time under section 134AB(7) of the AC Act or section 330(1) of the WIRC Act will commence to run from the date the Authority or self-insurer (or their legal representative) gives notice in writing ('the satisfaction notice') that is satisfied that Direction 6 above has been complied with.

16.3 Where the Authority or self-insurer (or their legal representative) gives a non-compliance notice, the worker (or the worker's legal representative) must give written acknowledgement of receipt of the notice, and specify the date on which the notice was received. Such acknowledgement must be given forthwith upon receipt on a non-compliance notice.

17. Costs

Costs on applications or proceedings under section 134AB of the AC Act or Division 2 of Part 7 of the WIRC Act may be the subject of a legal costs order made pursuant to sections 134AG, 134AGA and 134AGB of the AC Act and sections 354, 355 and 356 of the WIRC Act.

ROBIN SCOTT MP
Minister for Finance

² These responsibilities are in addition to the responsibilities an employer has whether under the AC Act, the WIRC Act, any policy or statutory contract of insurance, the **Civil Procedure Act 2010** or otherwise.

Statutory Offer Form

SECTION 134AB(12)(b) Accident Compensation Act 1985

SECTION 333(1)(b) Workplace Injury Rehabilitation and Compensation Act 2013

STATUTORY OFFER

Worker: _____

Employer: _____

Self-Insurer: _____

Date of Worker’s Application under Section 134AB / Section 328: _____

Statutory offer for the purposes of Section 134AB(12)(b) / Section 333(1)(b)

(Amount in words)

(\$ _____)

(Figure)

Legal Representative of the Authority

or Self-Insurer:

Date:

*References in this document to s134AB are to section 134AB of the **Accident Compensation Act 1985**, and other section references are to the **Workplace Injury Rehabilitation and Compensation Act 2013**

Statutory Counter Offer Form

SECTION 134AB(12)(c) Accident Compensation Act 1985

SECTION 333(1)(c) Workplace Injury Rehabilitation and Compensation Act 2013

STATUTORY COUNTER OFFER

Worker: _____

Employer: _____

Self-Insurer: _____

Date of Worker’s Application under Section 134AB / Section 328: _____

Statutory counter offer for the purposes of Section 134AB(12)(c) / Section 333(1)(c)

(Amount in words)

(\$ _____)

(Figure)

Legal Representative of the Authority

or Self-Insurer:

Date:

*References in this document to s134AB are to section 134AB of the **Accident Compensation Act 1985**, and other section references are to the **Workplace Injury Rehabilitation and Compensation Act 2013**

Planning and Environment Act 1987

BENALLA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C29

The Minister for Planning has approved Amendment C29 to the Benalla Planning Scheme.

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

The Amendment applies to all land in the municipality and implements the 'Benalla Planning Scheme Review, Review Report October 2013' by restructuring and updating the Municipal Strategic Statement.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Benalla Rural City Council, 1 Bridge Street East, Benalla.

RACHAEL JOINER

Director

Planning Services and Impact Assessment

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

BOROONDARA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C214

The Minister for Planning has approved Amendment C214 to the Boroondara Planning Scheme.

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

The Amendment affects a number of Council-owned properties and corrects a number of anomalies through rezoning sites or parts of sites that have incorrect zoning.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Boroondara City Council, 8 Inglesby Road, Camberwell.

RACHAEL JOINER

Director

Planning Services and Impact Assessment

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
BRIMBANK PLANNING SCHEME
Notice of Approval of Amendment
Amendment C179 (Part 1)

The Minister for Planning has approved Amendment C179 (Part 1) to the Brimbank Planning Scheme.

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

The Amendment corrects a number of mapping anomalies, updates terminology in the Local Planning Policy framework and updates reference and incorporated documents.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Brimbank City Council, 6–18 Alexandra Avenue, Sunshine.

RACHAEL JOINER
Director
Planning Services and Impact Assessment
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
HINDMARSH PLANNING SCHEME
Notice of Approval of Amendment
Amendment C7

The Minister for Planning has approved Amendment C7 to the Hindmarsh Planning Scheme.

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

The Amendment updates Clause 21.03–5 of the Municipal Strategic Statement and introduces Clause 22.03 Floodplain Management; updates the Land Subject to Inundation Overlay (LSIO) mapping and schedule; and introduces and applies the Floodway Overlay (FO) to manage development in the floodplains in Jeparit and Dimboola.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Hindmarsh Shire Council: Administration Centre, 92 Nelson Street, Nhill; Dimboola Customer Service Centre, 101 Lloyd Street, Dimboola; Jeparit Customer Service Centre, 10 Roy Street, Jeparit; and Rainbow Customer Service Centre, 15 Federal Street, Rainbow.

RACHAEL JOINER
Director
Planning Services and Impact Assessment
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
MOONEE VALLEY PLANNING SCHEME
Notice of Approval of Amendment
Amendment C161

The Minister for Planning has approved Amendment C161 to Moonee Valley Planning Scheme. The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment applies the Heritage Overlay to 41, 43 and 45 Regent Street, Ascot Vale, on an interim basis.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Moonee Valley City Council, Civic Centre, 9 Kellaway Avenue, Moonee Ponds.

RACHAEL JOINER
Director
Planning Services and Impact Assessment
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
GLEN EIRA PLANNING SCHEME
Notice of Lapsing of Amendment
Amendment C126

The Glen Eira City Council has resolved to abandon Amendment C126 to the Glen Eira Planning Scheme.

The Amendment C126 proposed to rezone part of the Virginia Park Estate from Commercial 2 to Commercial 1 Zone and amend the existing Development Plan Overlay Schedule 2 which have lapsed.

The Amendment C126 lapsed on 21 July 2015.

RACHAEL JOINER
Director
Planning Services and Impact Assessment
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
GREATER GEELONG PLANNING SCHEME
Notice of Lapsing of Amendment
Amendment C262

The Greater Geelong City Council has resolved to abandon Amendment C262 to the Greater Geelong Planning Scheme.

Greater Geelong Planning Scheme Amendment C262 proposed to apply the Public Acquisition Overlay 2 (Proposed Public Open Space) to the land at 28 Malop Street, Geelong.

The Amendment C262 lapsed on 15 March 2016.

RACHAEL JOINER
Director
Planning Services and Impact Assessment
Department of Environment, Land, Water and Planning

ORDERS IN COUNCIL

Local Government Act 1989

ALTERATION OF ELECTORAL STRUCTURE OF THE
CARDINIA SHIRE COUNCIL

Order in Council

The Governor in Council under section 220Q(k) of the **Local Government Act 1989** alters the boundaries of wards of the Cardinia Shire Council as described in plan LEGL./16-195 contained in the Schedule of this Order and lodged in the Central Plan Office.

Under section 220S(1)(a) of the **Local Government Act 1989**, this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of Cardinia Shire Council.

Dated 19 April 2016

Responsible Minister:

NATALIE HUTCHINS MP

Minister for Local Government

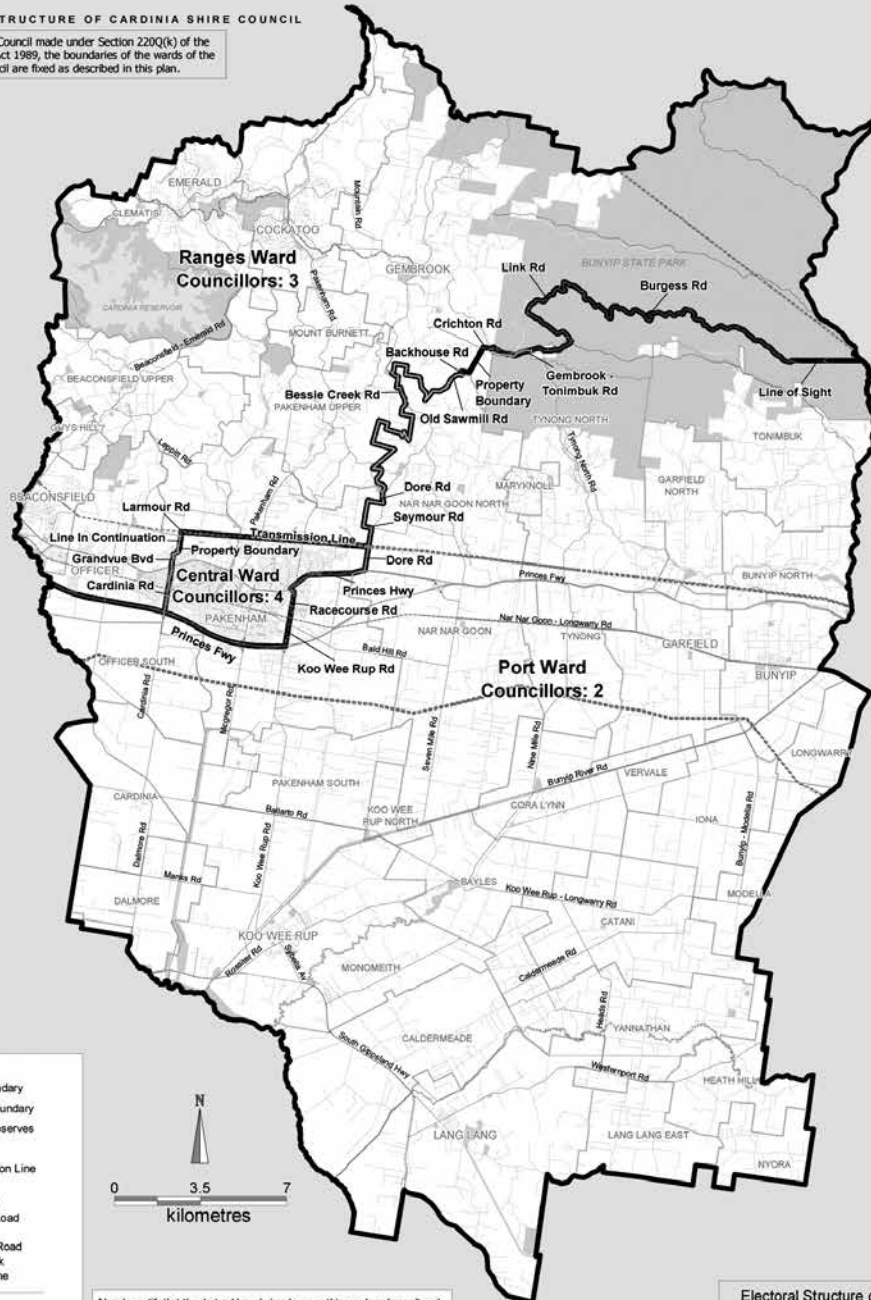
ANDREW ROBINSON
Clerk of the Executive Council

SCHEDULE

Cardinia Shire Council

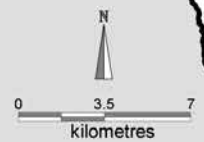
ELECTORAL STRUCTURE OF CARDINIA SHIRE COUNCIL

NOTE: By Order in Council made under Section 220Q(k) of the Local Government Act 1989, the boundaries of the wards of the Cardinia Shire Council are fixed as described in this plan.



Legend

- Ward Boundary
- Locality Boundary
- Parks & Reserves
- Lakes
- Transmission Line
- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- River/Creek
- Railway Line



DATA SETS FOR ALIGNMENT:
ROADS AS AT NOV 2015
LOCALITY AS AT SEPT 2015
FEATURES OF INTEREST SEP 2015
PROPERTY GRID AS AT NOV 2015

I hereby certify that the electoral boundaries shown on this map have been aligned to Vicmap data to represent those boundaries as presented in the Electoral Subdivision Review Final Report for Cardinia Shire Council, submitted to the Minister for Local Government on 18 November, 2015.

Warwick Gately AM, Electoral Commissioner

Electoral Structure of
Cardinia Shire Council
LEGL/16-195

Map prepared by the Victorian Electoral Commission
Vicmap spatial data provided by Department of Environment, Land, Water & Planning
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Local Government Act 1989
ALTERATION OF ELECTORAL STRUCTURE OF THE
WHITTLESEA CITY COUNCIL

Order in Council

The Governor in Council under section 220Q(k) of the **Local Government Act 1989** alters the boundaries of wards of the Whittlesea City Council as described in plan LEGL./15-512 contained in the Schedule of this Order and lodged in the Central Plan Office.

Under section 220S(1)(a) of the **Local Government Act 1989**, this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of Whittlesea City Council.

Dated 19 April 2016

Responsible Minister:

NATALIE HUTCHINS MP

Minister for Local Government

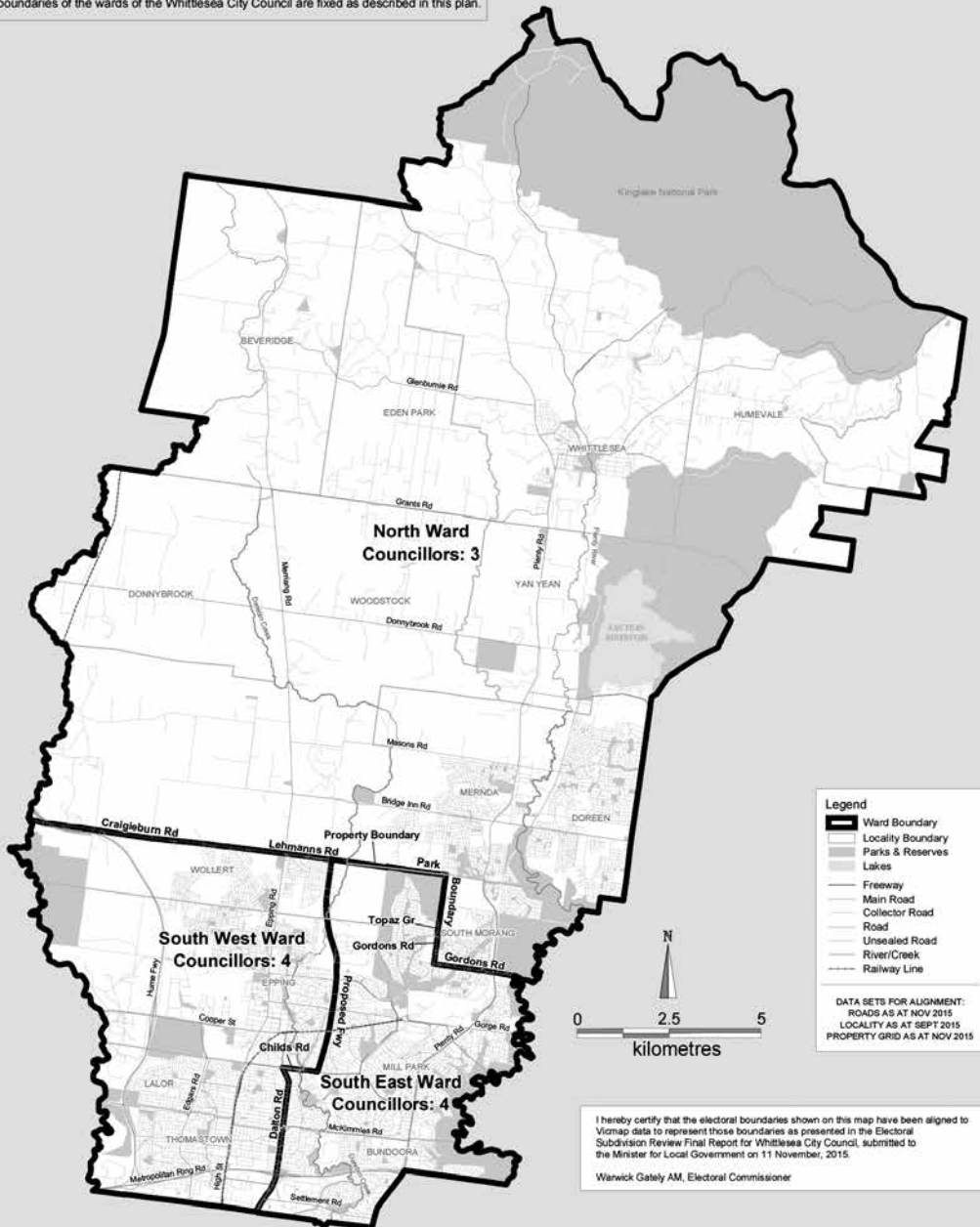
ANDREW ROBINSON
Clerk of the Executive Council

SCHEDULE

Whittlesea City Council

ELECTORAL STRUCTURE OF WHITTLESEA CITY COUNCIL

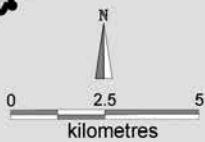
NOTE: By Order in Council made under Section 220Q(k) of the Local Government Act 1989, the boundaries of the wards of the Whittlesea City Council are fixed as described in this plan.



Legend

- Ward Boundary
- Locality Boundary
- Parks & Reserves
- Lakes
- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- River/Creek
- Railway Line

DATA SETS FOR ALIGNMENT:
ROADS AS AT NOV 2015
LOCALITY AS AT SEPT 2015
PROPERTY GRID AS AT NOV 2015



I hereby certify that the electoral boundaries shown on this map have been aligned to Vicmap data to represent those boundaries as presented in the Electoral Subdivision Review Final Report for Whittlesea City Council, submitted to the Minister for Local Government on 11 November, 2015.

Warwick Gately AM, Electoral Commissioner

Electoral Structure of
Whittlesea City Council
LEGL./15-512

Crown Land (Reserves) Act 1978

INCORPORATION OF COMMITTEES OF MANAGEMENT

Order in Council

The Governor in Council, under section 14A(1) of the **Crown Land (Reserves) Act 1978**, being satisfied that it is in the public interest to declare to be corporations the committees of management appointed under section 14(2) of the Act of the lands described in Column 2 hereunder:—

- (a) declares that the committees of management shall be corporations;
- (b) assigns the names shown in Column 1 to the corporations.

Schedule G4/2016

Column 1 Corporate name	Column 2 Crown Reserves currently managed by Committee
Yeodene Public Hall and Recreation Reserve Committee of Management Incorporated	The Crown land in the Parish of Yeo temporarily reserved as a site for a Public Hall by Order in Council of 15 December, 1959 (vide Government Gazette of 23 December, 1959 – page 3718) and also temporarily reserved for the additional purpose of Public Recreation by Order in Council of 17 March, 1964 (vide Government Gazette of 25 March, 1964 – page 657). File Ref : Rs 7882, 0511770.
Bostocks Creek Public Hall Committee of Management Incorporated	Crown Allotment 2C, Section 12, Parish of Tandarook temporarily reserved for Public Hall by Order in Council of 22 September, 1981 (vide Government Gazette of 30 September, 1981 – page 3227). File Ref : Rs 11844, 0511796.

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

Dated 19 April 2016

Responsible Minister

HON LISA NEVILLE

Minister for Environment, Climate Change and Water

ANDREW ROBINSON
Clerk of the Executive Council

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**SUBORDINATE LEGISLATION ACT 1994
NOTICE THAT STATUTORY RULES ARE
OBTAINABLE**

Notice is hereby given under section 17(3) of the **Subordinate Legislation Act 1994** that the following Statutory Rules were first obtainable from SAI Global Bookshop, 85 Buckhurst Street, South Melbourne, on the date specified:

- | | | | |
|-------------------------------|---|-------------------------------|---|
| 19. <i>Statutory Rule:</i> | Children, Youth and Families (Children's Court Family Division) (Amendment No. 6) Rules 2016 | 22. <i>Statutory Rule:</i> | Marine (Drug, Alcohol and Pollution Control) Amendment Regulations 2016 |
| <i>Authorising Act:</i> | Children, Youth and Families Act 2005 | <i>Authorising Act:</i> | Marine (Drug, Alcohol and Pollution Control) Act 1988 |
| <i>Date first obtainable:</i> | 18 April 2016 | <i>Date first obtainable:</i> | 18 April 2016 |
| <i>Code A</i> | | <i>Code A</i> | |
| 20. <i>Statutory Rule:</i> | Drugs, Poisons and Controlled Substances Amendment (Administration of Schedule 3 and 4 Poisons by Pharmacists) Regulations 2016 | 23. <i>Statutory Rule:</i> | Rail Safety (Local Operations) Amendment Regulations 2016 |
| <i>Authorising Act:</i> | Drugs, Poisons and Controlled Substances Act 1981 | <i>Authorising Act:</i> | Rail Safety (Local Operations) Act 2006 |
| <i>Date first obtainable:</i> | 18 April 2016 | <i>Date first obtainable:</i> | 18 April 2016 |
| <i>Code A</i> | | <i>Code A</i> | |
| 21. <i>Statutory Rule:</i> | Building Amendment (Brimbank and Wellington Siting Requirements) Regulations 2016 | 24. <i>Statutory Rule:</i> | Road Safety (Drivers) and (General) Amendment Regulations 2016 |
| <i>Authorising Act:</i> | Building Act 1993 | <i>Authorising Act:</i> | Road Safety Act 1986 |
| <i>Date first obtainable:</i> | 18 April 2016 | <i>Date first obtainable:</i> | 18 April 2016 |
| <i>Code A</i> | | <i>Code A</i> | |
| | | 25. <i>Statutory Rule:</i> | Heavy Vehicle National Law Application (Infringements) Amendment Regulations 2016 |
| | | <i>Authorising Act:</i> | Heavy Vehicle National Law Application Act 2013 |
| | | <i>Date first obtainable:</i> | 18 April 2016 |
| | | <i>Code A</i> | |
-

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