

# Victoria Government Gazette

By Authority of Victorian Government Printer

No. G 36 Thursday 5 September 2019

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# **Advertisers Please Note**

As from 5 September 2019

The last Special Gazette was No. 354 dated 4 September 2019.

The last Periodical Gazette was No. 1 dated 29 May 2019.

# **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

# 2019 AFL GRAND FINAL PUBLIC HOLIDAY Grand Final Friday

The Friday before the Australian Football League (AFL) Grand Final was declared a public holiday and published in Special Gazette S229 dated 19 August 2015. The 2019 public holiday will fall on Friday 27 September 2019.

Please Note: this office will be closed on Friday 27 September 2019.

The Victoria Government Gazette (General) for GRAND FINAL FRIDAY week (G40/19) will be published on **Thursday 3 October 2019**.

# Copy deadlines:

Private Advertisements
Government and Outer

Budget Sector Agencies Notices

9.30 am on Monday 30 September 20199.30 am on Tuesday 1 October 2019

### Office Hours:

The Victoria Government Gazette Office is open normal office hours during that week, i.e. 8.30 am to 5.30 pm **Monday** to **Thursday**, excluding the public holiday.

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

MARGARET ROSE TERBOS, late of Unit 4, 7 Houston Street, Epping 3076, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 June 2019, are required by the executrix, Wendy Joy Rowe, care of Arthur J. Dines & Co., solicitors, 2 Enterprise Drive, Bundoora, in the said State, to send particulars to her by 4 November 2019, after which date the executrix may convey or distribute the assets, having regards only to claims to which she has notice.

Dated 29 August 2019 ARTHUR J. DINES & CO., solicitors, 2 Enterprise Drive, Bundoora 3083.

STEPHEN HOWARD MILLER, late of 21 Westley Street, Ferntree Gully, Victoria, accountant, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 February 2019, are required by Australian Unity Trustees Limited, ACN 162 061 556, of 15/271 Spring Street, Melbourne, Victoria, having been duly authorised by the administrator, Raymond Miller, being the only sibling of the deceased, to send particulars to it by 6 November 2019, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

AUSTRALIAN UNITY TRUSTEES LEGAL SERVICES,

15/271 Spring Street, Melbourne, Victoria 3000.

Re: The estate of JOAN BARBARA BRETT, late of 23 Woff Street, Beaumaris, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 June 2019, are required by the executors, Anne Brett-Ivany and Kaye Brett, to send particulars to them, care of the undersigned solicitors, by a date not later than two months from the date of publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

BEAUMARIS LAW, legal practitioners, 6/1 North Concourse, Beaumaris 3193.

Re: LAMBERTUS FREDERICK HAZELHOFF, late of 6 Durham Road, Kilsyth, Victoria, builder.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 June 2019, are required by the personal representatives, Martin Conrad Hazelhoff and Regina Margareth McInnes, care of the undermentioned lawyers, to send particulars to the personal representatives by a date not later than two months from the date of publication hereof, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which the personal representatives then have notice.

CETROLA LEGAL,

Suite G1, 63 Stead Street, South Melbourne, Victoria 3205.

RICHARD KELVIN FREEMAN, late of 1 Lightfoot Street, Mont Albert, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 July 2018, are required by the executors, Janine Noel Browne and Perpetual Trustee Company, to send particulars of their claims to them, care of the undermentioned solicitors, by 11 November 2019, after which date the executors will distribute the estate, having regard only to claims of which they have notice.

COLE (NATALIE) LAWYERS, Level 1, 75 Doncaster Road, Balwyn North, Victoria 3104.

Re: ARTHUR NORMAN WORCESTER, late of 16 Ellimata Court, Strathdale, Victoria, retired toolmaker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 March 2019, are required by the executor, Equity Trustees Wealth Services Limited, ACN 006 132 332, of Level 1, 575 Bourke Street, Melbourne, Victoria, to send particulars to it, care of the undermentioned

lawyers, by 5 November 2019, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

DAVID DAVIS & ASSOCIATES, Suite 2, 733 High Street, Thornbury, Victoria 3071. anna@ddavis.com.au

Re: CAROL MARGARET ANDREW, late of 3/3 North Street, Preston, Victoria, mental health nurse, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 June 2019, are required by the trustees, Trevor Alan Andrew and Ian Robert Andrew, to send particulars to the trustees, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

Re: SHIRLEY MILLICENT SATCHELL, late of 126/16–24 Box Forest Road, Glenroy, Victoria, nurse, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 April 2019, are required by the trustee, Katalin Szacsuri, 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.

ALISON GWEN LEWIS, late of Room 43, 1st Floor, Ruckers Hill Aged Care Facility, 14–24 Pearl Street, Northcote, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 August 2019, are required by the executors, Marcia Ann Lewis and Eleanor Jane Lewis, to send particulars of their claims to the

undermentioned solicitors, within 60 days 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 the executors then have notice.

DEVENISH, lawyers, 23 Ringwood Street, Ringwood, Victoria 3134.

Re: ANTHONY SNOWDEN ALLEN, late of 2 Benbrook Avenue, Mont Albert North, Victoria 3129 (the deceased).

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 June 2019, are required by the personal representative of the estate of the deceased, Christopher Raymond Long, care of the undermentioned lawyers, to send particulars to him by 5 November 2019, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

EASTERN BRIDGE, Suite 1, 123 Whitehorse Road, Balwyn, Victoria 3103. pwere@easternbridge.com.au Tel: (03) 9006 5800.

# Re: Estate of WENDY CHRISTINE BENNETT-TEAGUE.

Creditors, next-of-kin or others having claims in respect of the estate of WENDY CHRISTINE BENNETT-TEAGUE, late of 15A Naretha Street, Swan Hill, in the State of Victoria, nurse, deceased, who died on 27 July 2019, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 11 November 2019, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

JOLIMAN LAWYERS, Beveridge Dome, 194–208 Beveridge Street, Swan Hill 3585.

Creditors, next-of-kin and others having claims in respect of the estate of ARTHUR FREDERICK JOHN MEGNA, also known as Arthur Frederick Megna, also known as Fred Megna, late of 10 Boston Road, Lalor, Victoria 3075, process worker, deceased, who died on 3 April 2019, are required by the executor,

Rosemaree J. Megna, also known as Rose Maree Megna, care of the undermentioned solicitors, to send particulars of their claims by 15 November 2019, after which date the executor 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 12 August 2019.

Dated 29 August 2019

KAROLIDIS AND CO.,

Shop 2 and 3, 785 Pascoe Vale Road, Glenroy, Victoria 3046.

PO Box 526, Glenroy, Victoria 3046. DX 94706 Glenroy. Ph: (03) 9942 7790. NK:VM:19/0947. Contact Nick Karolidis.

Re: DEB KUMAR CHAUDHURI, late of 11 Octantis Street, Doncaster East, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 7 June 2019, are required by the trustee, Helen Indrani Chaudhuri, to send particulars of their claims, care of the undermentioned solicitors, by 11 November 2019, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

KATHY WILSON LEGAL, 113 Whitehorse Road, Deepdene, Victoria 3103.

JENNIFER ANN WIGHT, deceased, late of Unit 65, 89 Galloway Drive, Mernda, Victoria 3754.

Creditors, next-of-kin and all others having claims on the estate of the abovenamed deceased, who died on 20 November 2018, are required by the executors, Ian John Axford and Suzanne Gay Gavel, to send particulars of their claims to them, care of their lawyers, Novatsis & Alexander of 980 High Street, Reservoir, Victoria, within two months from the date of publication of this notice, after which the executors will distribute the estate, having regard only to claims of which they have notice.

NOVATSIS & ALEXANDER, lawyers, 980 High Street, Reservoir 3073.

Creditors, next-of-kin and others having claims in respect to the estate of ANNA BROSZKO-ZAJAC, late of 31 Hampstead Road, Maidstone, pensioner, deceased, who died

on 2 June 2019, are required to send particulars of such claims to the executor, care of the undermentioned solicitors, by 7 November 2019, after which date the executor will convey or distribute the assets, having regard only to the claims of which the executor then has notice.

PIETRZAK SOLICITORS, 832 High Street, Kew East, Victoria 3102.

Creditors, next-of-kin and others having claims in respect to the estate of GIOVINA DE LUTIIS, also known as Giovanna De Luttis, late of 26 Sherlowe Crescent, Viewbank, retired, deceased, who died on 19 June 2019, are required to send particulars of such claims to the executor, care of the undermentioned solicitors, by 7 November 2019, after which date the executor will convey or distribute the assets, having regard only to the claims of which the executor then has notice.

PIETRZAK SOLICITORS, 832 High Street, Kew East, Victoria 3102.

Re: JANICE HOPE ESTELLE HAIG, late of 3 Regent Parade, Cheltenham, Victoria 3192, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 7 July 2019, are required by the executors, Wayne Robert Haig, Garry Robert Haig and Leanne Joy Corrigan, to send particulars to them, care of the undermentioned solicitors, by 8 November 2019, after which date the executors may convey and distribute the assets, having regard only to the claims of which they then have notice.

TRAGEAR & HARRIS LAWYERS, 1/23 Melrose Street, Sandringham 3191.

Estate of ANNE VASSALLO LA ROSA, late of Apartment 9, 130 King Street, Doncaster East, Victoria 3109, widowed, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 February 2018, are required by the executors, Gerard Vincent Vassallo La Rosa and Raymond Vassallo La Rosa, care of PO Box 575, Greensborough, Victoria 3088, to send particulars to them by 31 October 2019, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

### ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 10 October 2019 at 1.30 pm, at Level 6, 446 Collins Street, Melbourne (unless process is stayed or satisfied), all the estate and interest (if any) of the person(s) named below, in the land described below, will be auctioned by the Sheriff:

Charles Nover Thomas and Charlotte Nover Thomas of Unit 1, 250–254 Sunshine Avenue, Kealba 3021, as shown on Certificate of Title as Charles Nover Thomas and Charlote Nover Thomas, joint proprietors of an estate in fee simple in the land described on Certificate of Title Volume 10756 Folio 659 upon which is erected a unit and known as Unit 1, 250–254 Sunshine Avenue, Kealba 3021.

The following recordings in the Register affect or may affect the land as at 28 June 2019:

- Registered Mortgage (Dealing Number AG446475N),
- Registered Caveat (Dealing Number AJ824248S),
- Registered Caveat (Dealing Number AL190441L),
- Owners Corporation Plan No. PS447990P,
- Agreement Section 173 Planning and Environment Act 1987 T643745E 18/04/1995.

The Sheriff is unable to provide access to this property. Refer to the advertisement on realestate.com.au for further information.

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 visit the Sheriff's Office Victoria Real Estate Section website at www.justice.vic. gov.au/sheriffrealestate for an information sheet on Sheriff's Auctions, a contract of sale and further information. Alternately, you can contact the Sheriff's Office Victoria Real Estate Section at realestatesection@justice.vic.gov.au

SHERIFF OF VICTORIA

### ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 10 October 2019 at 1.30 pm, at Level 6, 446 Collins Street, Melbourne (unless process is stayed or satisfied), all the estate and interest (if any) of the person(s) named below, in the land described below, will be auctioned by the Sheriff:

Flavio Rinvenuto of 50 Lamberth Street, Kensington 3031, as shown on Certificate of Title as Flavio Gabriele Rinvenuto, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 6319 Folio 609 upon which is erected a dwelling and known as 50 Lamberth Street, Kensington 3031.

The following recordings in the Register affect or may affect the land as at 2 September 2019:

- Registered Mortgage (Dealing Number AD496338S),
- Registered Caveat (Dealing Number AF884094P),
- Registered Caveat (Dealing Number AG920622K),
- Registered Caveat (Dealing Number AJ151550T),
- Registered Caveat (Dealing Number AJ186877M).

The Sheriff is unable to provide access to this property. Refer to the advertisement on realestate.com.au for further information.

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 visit the Sheriff's Office Victoria Real Estate Section website at www.justice.vic.gov.au/sheriffrealestate for an information sheet on Sheriff's Auctions, a contract of sale and further information. Alternately, you can contact the Sheriff's Office Victoria Real Estate Section at realestatesection@justice.vic.gov.au

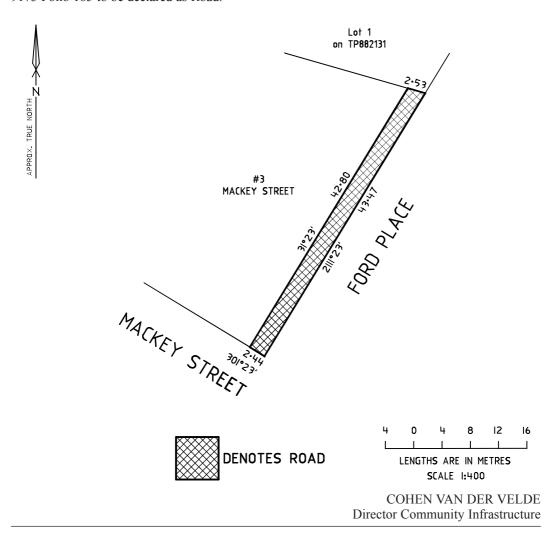
SHERIFF OF VICTORIA

# GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES NOTICES



### ROAD DECLARATION

Pursuant to section 11 and Clause 2(a) of the **Road Management Act 2004**, and under delegation from Baw Baw Shire Council, I authorise that the area shown on the plan below Volume 9173 Folio 185 to be declared as Road.

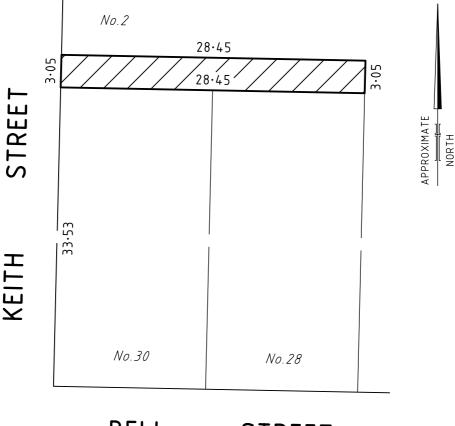


### MORELAND CITY COUNCIL

### Road Discontinuance

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Moreland City Council, at its ordinary meeting held on 10 July 2019, resolved to discontinue the road at the rear of 28 and 30 Bell Street, Coburg, shown by hatching on the plan below, and to sell the land from the road by private treaty to the abutting property owners.

The land from the road 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.



BELL STREET

GRANT THORNE Acting Chief Executive Officer

### CITY OF CASEY

### Proposed Local Law (Amendment)

Notice is given pursuant to sections 119 and 223 of the **Local Government Act 1989** (Act) that, at its ordinary council meeting on 4 June 2019, Casey City Council (Council) resolved to give notice of its intention, pursuant to Part 5 of the Act, to make the City of Casey Council Community Local Law 2018 (Amendment) Local Law.

The purpose of City of Casey Community Local Law 2018 (Amendment) Local Law is to:

- a. provide for the peace, order and good government of the **municipal district**;
- b. promote a physical and social environment free from hazards to health, in which the residents of the **municipal district** can enjoy a quality of life that meets the general expectations of the community; and
- prevents and suppresses nuisance which adversely affect the enjoyment of life within the municipal district or the health, safety and welfare of persons within the municipal district.

These objectives are achieved by:

- regulating and controlling activities of people within the municipal district which may be dangerous, unsafe or detrimental to the quality of life of other people in, or in the environment of, the municipal district; and
- b. providing standards and conditions for specific activities to protect the safety and welfare of people within, and the **environment** of, the **municipal district**.

The general purpose of the proposed City of Casey Community Local Law 2018 (Amendment) Local Law is to:

## • **Insert** a clause relating to:

## **Dilapidated Building**, providing:

- that a person who owns or occupies land must not allow a building on that land to become dilapidated;
- must not fail to maintain any building on that land in a state of good repair; and
- the owner of a vacant building must take all reasonable steps to secure the building from unauthorised access.

For the purposes of the above clauses, a building is dilapidated if it is in a state of disrepair or has deteriorated or fallen into a state of partial ruin as a result of age, neglect, or poor maintenance or misuse.

In addition, penalties are to be fixed for Infringement Notices under the Local Law.

## • **Delete** a clause relating to:

The use of **Drones on Private Property**.

'A person must not, except with a permit, launch or land a drone on or from any private property'.

Deletion of this clause will action an earlier decision of Council and taken following extensive consultation with the local community on this issue.

• **Delete** the following words in Clause 19 (1) to correct an error:

'Use permit'.

A copy of the proposed Local Law, and the accompanying Community Impact Statements are available for inspection, and may be obtained, during office hours at the Casey City Council Office, Bunjil Place, 2 Patrick Northeast Drive, Narre Warren, or Cranbourne Customer Service Centre, Cranbourne Park Shopping Centre, Shop 156, South Gippsland Highway, Cranbourne.

These documents are also available on Council's website at www.casey.vic.gov.au

Any person affected by the proposed Local Law may make a submission relating to the proposed Local Law (Amendment) under section 223 of the Act. Any submissions may be included in an agenda for a meeting of the Council or for a meeting of a Committee of the Whole Council, that will be made available to the public.

Written submissions to be submitted to the Council under section 223 of the Act must be received by Council by 5.00 pm on 4 October 2019. NOTE: NOT LESS THAN 28 DAYS AFTER DATE ON WHICH NOTICE IS PUBLISHED.

Submissions regarding the proposed Local Law (Amendment) must be in writing and should be marked 'Local Law 2018 (Amendment) Review Submission' and addressed to the Chief Executive Officer, PO Box 1000, Narre Warren, Victoria 3805.

Council will consider any written submission relating to the proposed Local Law in accordance with section 223 of the Act.

Any person who has made a written submission under section 223 of the Act to Council and has requested to be heard in support of their written submission is entitled to appear in person, or to be represented by a person specified in the submission, at a meeting of Council to be held in the Function Centre, Bunjil Place, Narre Warren, on 15 October 2019 commencing at 6.30 pm.

All submissions will be handled as authorised or required by law including under the **Privacy and Data Protection Act 2014**. Submitters should note that all submissions received (including any personal information contained therein) are included within the official Council Agenda and Minutes, which are permanent public documents, which are available on Council's website. If you do not wish to be identified in Agendas and Minutes, please indicate this in your submission.

Any person requiring further information concerning the proposed Local Law should, in the first instance, contact Council's Service Centre on 9705 5200.

### MACEDON RANGES SHIRE COUNCIL

Notice of Adopted Local Law – General Purposes and Amenity (Amendment) Local Law No. 13 of 2019

Notice is given pursuant to section 119(3) of the Local Government Act 1989 that Macedon Ranges Shire Council, at its Ordinary Council Meeting held on 24 July 2019, resolved to amend the General Purposes and Amenity Local Law No. 10 of 2013 (Local Law No. 10) by adopting the General Purposes and Amenity (Amendment) Local Law No. 13 of 2019 (Local Law No. 13).

Local Law No. 13 is effective from 24 July 2019, except for the substituted clause 8(1)(d) in clause 7 which will come into operation on 1 July 2020.

The purposes and general purport of Local Law No. 13 are to:

- make technical amendments to Local Law No. 10 applying to the use of Council land or roads for trading purposes; and
- provide greater clarity about how standards set out in Council policies and other incorporated documents apply to trading related uses, activities and equipment on Council land or roads; and
- insert new definitions for trading and mobile trading; and
- eliminate any duplication where Council's planning scheme requirements could apply.

A copy of Local Law No. 13 can be viewed at Council service centres during office hours or online at mrsc.vic.gov.au

MARGOT STORK Chief Executive Officer

## Planning and Environment Act 1987

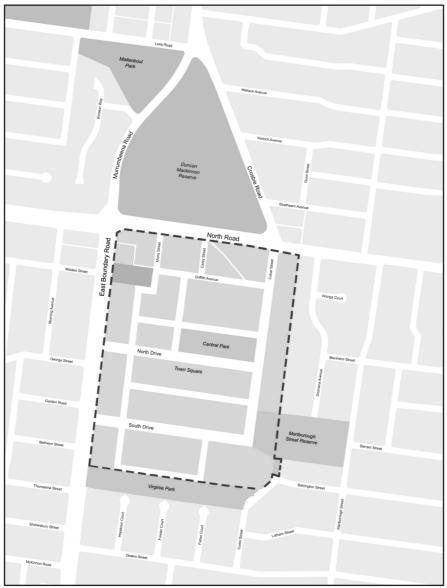
## GLEN EIRA PLANNING SCHEME

Notice of the Preparation of an Amendment

Amendment C155

The land affected by the Amendment is the land described within the East Village Comprehensive Development Plan, December 2018 (the CDP), shown in Map 1 below and known as East Village. The CDP affects approximately 25 hectares of predominately industrial/commercial land, bounded by North Road (north), East Boundary Road (west), Virginia Park (south) and existing residential development (east), in Bentleigh East. Seven residential-zoned properties are included within the CDP.

Map 1 Amendment area



The Amendment proposes to:

- amend the Municipal Strategic Statement (MSS) at Clause 21.01 and Clause 21.03 to remove reference to Virginia Park Industrial Estate and Virginia Park Business Centre as forming the base of industry in Glen Eira and being the municipality's largest industrial area;
- amend the Local Planning Policy Framework at Clause 21.06 Business and 21.07 Industry to remove reference to Virginia Park Industrial Estate and Virginia Park Business Centre, removes reference to rezoning land to Commercial 1 Zone, Business 2 Zone, Business 3 Zone and Industrial 1 Zone, and inserts reference to East Village;
- incorporate two new documents into the Planning Scheme by listing the documents in the Schedule to Clause 72.04 as:
  - East Village Comprehensive Development Plan, December 2018;
  - East Village Development Contributions Plan, October 2018;
- insert Schedule 2 to Clause 37.02 Comprehensive Development Zone (CDZ2) into the Scheme;
- insert Map 4CDZ and rezones the land to CDZ2;
- insert Clause 45.06 Development Contributions Plan Overlay (DCPO) into the Scheme;
- insert Schedule 1 to Clause 45.06 into the Scheme;
- insert Map 4DCPO and applies the Development Contributions Plan Overlay Schedule 1 (DCPO1) to the land within the CDP area;
- amend Map 4EAO to apply the Environmental Audit Overlay (EAO) to land within the CDP area previously zoned Industrial 1 Zone (IN1Z);
- delete Map 4DPO (Development Plan Overlay) from the planning scheme maps;
- update the schedule to Clause 53.01 to require subdivision within the Commercial North sub precinct, Commercial west sub precinct and Commercial north (subject to drainage control) sub precinct to provide a contribution towards open space of 5.7%. All other land within the precinct will be required to provide a contribution of 11.4%;
- update the schedule to Clause 72.03 to reflect mapping changes; and
- update the Schedule to Clause 72.08 Background Documents to include East Village Structure Plan 2018–2031 as a background document to Amendment C155.

You may inspect the Amendment, the explanatory report about the Amendment, and any documents that support the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, corner of Hawthorn Road, and Glen Eira Road, Caulfield; at Council's website, www.gleneira.vic.gov.au/east-village; at VPA's website, www.vpa. vic.gov.au; or 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 9 October 2019. A submission must be lodged online or sent to Glen Eira Council, PO Box 42, Caulfield 3162.

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

AIDAN MULLEN Manager City Futures



Mildura Rural City Council

# Planning and Environment Act 1987 MILDURA PLANNING SCHEME

Notice of the Preparation of Amendment Amendment C106mild

Mallee CMA Flood Mapping Update
- Public Exhibition

Mildura Rural City Council has prepared Amendment C106mild to the Mildura Planning Scheme.

The land affected by the Amendment includes various parcels of public and privately owned land along the Murray River and its tributaries in the municipality. The land is generally located between Hattah and the South Australian border.

The Amendment proposes to implement the results of accurate flood modelling following receipt of high quality Light Detection and Ranging (LiDAR) data by the Mallee Catchment Management Authority (MCMA). The data has provided increased accuracy of the existing flood controls within the planning scheme. The improved data therefore updates the boundaries of the Land Subject to Inundation Overlay (LSIO) and Flood Overlay (FO).

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 Service Centres; and Mildura, Merbein and Red Cliffs Libraries.

The Amendment can also be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection from date of gazettal.

Information providing assistance to view the Amendment details is available on Council's website, www.mildura.vic.gov.au/mildura-floodmapping

Drop in sessions for residents to find out more about the proposed changes and speak to Council and MCMA staff will be held from 3 pm-7 pm as follows:

 Merbein: Monday 16 September 2019 at the White Cliffs Room, Merbein Community Hub

- Lake Cullulleraine: Tuesday 17 September 2019 at the Function Room, Cullulleraine Sporting Complex
- Nangiloc: Wednesday 18 September 2019 at the Public Hall, Nangiloc
- Red Cliffs: Thursday 19 September 2019 at AS Kenyon Library, Jamieson Avenue.

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 postal 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 postal contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend any public hearing held to consider submissions.

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 Friday 25 October 2019. A submission must be sent to: Peter Douglas, Coordinator Strategic Planning, Mildura Rural City Council, PO Box 105, Mildura, Victoria 3502, or floodmapping@mildura.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.

SARAH PHILPOTT Chief Executive Officer

# Planning and Environment Act 1987

MITCHELL PLANNING SCHEME

Notice of the Preparation of an Amendment Amendment C106mith

The Victorian Planning Authority has prepared Amendment C106mith to the Mitchell Planning Scheme.

The land affected by the Amendment is bounded by the Hume Freeway to the east, Camerons Lane to the south, Old Sydney Road to the west and Hadfield Road reservation to the north.

The Amendment proposes to incorporate a new document into the Mitchell Planning Scheme titled *Beveridge North West Precinct Structure Plan, August 2019.* 

You may inspect Amendment C106mith to the Mitchell Planning Scheme, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, Victorian Planning Authority, Level 25, 35 Collins Street, Melbourne, or at any time on the VPA website, www.vpa.vic.gov.au; during office hours at the office of Mitchell Shire Council, Level 1, 61 High Street, Wallan; and at any time at the Department of Environment, Land, Water and Planning website, www.delwp.vic.gov.au/public-inspection

Two public information sessions regarding the Amendment will be held on:

- 19 September 2019 between 4.00 pm-8.00 pm at the Greater Beveridge Community Centre at the corner of Lithgow Street and Mandalay Circuit, Beveridge; or
- 25 September 2019 between 4.00 pm-8.00 pm at the Greater Beveridge Community Centre at the corner of Lithgow Street and Mandalay Circuit, Beveridge.

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 the planning authority to consider submissions and to notify such persons of the opportunity to attend any public hearing held to consider submissions.

The closing date for submissions is 7 October 2019. A submission must be made at www.vpa. vic.gov.au/bnwfeedback/, sent to the Victorian Planning Authority, Level 25, 35 Collins Street, Melbourne, Victoria 3000, or via email to amendments@vpa.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, until the end of the of two months after the Amendment comes into operation or lapses.

For more information visit www.vpa.vic. gov.au or call Tony Marks, Strategic Planning Manager or Morris Edwards, Senior Planner, on (03) 9651 9600.

STUART MOSELEY 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 4 November 2019, 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.

JANKOVIC, Joseph, late of Bupa Greensborough, 264 Diamond Creek Road, Greensborough, Victoria 3088, deceased, who died on 18 August 2018.

KRIMPELBEIN, Jakob, late of 6 Satinwood Court, Langwarrin, Victoria 3910, deceased, who died on 21 May 2019. Date of Grant 21 August 2019.

MANUELPILLAI, Dilip Pius Inpakumar, late of 25 Lomond Drive, Glen Waverley, Victoria 3150, deceased, who died on 27 March 2019.

POPE, Brian Charles, late of 598 Thompson Road, Norlane, Victoria 3214, deceased, who died on 15 May 2019.

WHITELEY, Graham Wilson, late of Rosebud Regis, 1 Wyuna Street, Capel Sound, Victoria 3940, deceased, who died on 22 March 2019.

Dated 27 August 2019

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 6 November 2019, 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.

- BAKER, Barry John, late of Namarra Nursing Home, 294 Kooyong Road, Caulfield, Victoria 3162, deceased, who died on 28 June 2019.
- FINTA, Elizabeth, late of Wantirna Health, 251 Mountain Highway, Wantirna, Victoria 3152, deceased, who died on 16 July 2019.
- HIGHAM, Eva May, late of Unit 250, Fiddlers Green Retirement Village, 57 Gloucester Avenue, Berwick, Victoria 3806, deceased, who died on 27 April 2019.
- MARSHALL, John Wayne, late of Lyndoch Living, 10 Hopkins Road, Warrnambool, Victoria 3280, deceased, who died on 14 March 2019.
- MARTINESZ, Irvine Brian, late of 12 Glenelg Avenue, Frankston, Victoria 3199, deceased, who died on 22 February 2019.
- PLANE, Darrell Frank, late of Sumner House, 128 Fitzroy Street, Fitzroy, Victoria 3065, deceased, who died on 3 July 2019.
- SETTI, Umberto, late of Sandy Lodge SRS, 38–40 Station Street, Aspendale, Victoria 3195, deceased, who died on 24 May 2019.
- SHARPE, Bryan, late of Nagambie Health Independent Living Units, 22 Church Street, Nagambie, Victoria 3608, deceased, who died on 20 June 2018.
- SHIVA, Nathan, late of Unit 9, 54 Narong Road, Caulfield North, Victoria 3161, deceased, who died on 27 June 2019.
- SULLIVAN, Olive Ronda, late of Room 16, Willow Wood Aged Care, 135 Duff Street, Cranbourne, Victoria 3977, deceased, who died on 10 August 2019.
- ZHUGAILO, Sabina, late of Scared Heart Mission, 101 Grey Street, St Kilda, Victoria 3182, deceased, who died on 3 February 2019.

Dated 28 August 2019

### INTERIM EXEMPTION

### Application No. H234/2019

The King David School applied to the Victorian Civil and Administrative Tribunal under section 89 of the **Equal Opportunity Act 2010** (the Act) for an interim exemption to enable the applicant to, from time to time, for the purpose of achieving gender balance as far as possible:

- (a) advertise for prospective male or female students to enrol;
- (b) structure its waiting lists so prospective male or female students are favoured;
- (c) allocate student placements so male or female students are favoured; and
- (d) offer bursaries, scholarships and enrolments targeted at prospective and existing male or female students (the exempt conduct).

Upon reading the material filed in support of this application, including the affidavit of enrolments officer Adina Cavallaro and hearing evidence from her and the principal Marc Light, the Tribunal is satisfied that it is appropriate to grant an interim exemption from sections 38, 44, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct until the application is finally heard and determined.

In granting this interim exemption, the Tribunal noted:

- this is the first exemption sought by the School;
- the hearing of the exemption is currently listed for 4 November 2019;
- the school aims to provide a genuine co-educational experience for its students;
- in 2019 at one year level, 68% of students are male;
- the Tribunal is not currently satisfied that an exception applies to the exempt conduct. Accordingly, in the absence of an exemption the exempt conduct would amount to prohibited discrimination;

• when making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the Charter of Human Rights and Responsibilities Act 2006 (Charter). Arguably, this exemption limits the right to equality and in particular the right to equal and effective protection against discrimination of students who would wish to be offered a place at the school on the sole basis of their place on a waiting list or obtain a scholarship or bursary based on gender neutral criteria. I am satisfied that for the purposes of this interim exemption, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an interim exemption from the operation of sections 38, 44, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

This interim exemption is to remain in force from the day on which notice of the interim exemption is published in the Government Gazette until 30 November 2019.

Dated 27 August 2019

B. STEELE Senior Member

### Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of Cemetery Trust Fees and Charges

I, Bryan Crampton as Delegate of the Secretary to the Department of Health and Human Services for the purposes of section 40(2) of the Cemeteries and Crematoria Act 2003, give notice that I have approved the scales of fees and charges fixed by the following cemetery trusts.

The approved scales of fees and charges will take effect from the date of publication of this notice in the Victoria Government Gazette and will be published on the internet.

The fees will be published on the internet at http://www.health.vic.gov.au/cemeteries

The Leongatha Cemetery Trust

The Linton Cemetery Trust

The Noradjuha Cemetery Trust

The Warracknabeal Cemetery Trust

Dated 27 August 2019

**BRYAN CRAMPTON** 

Manager

Cemetery Sector Governance Support Program

# Co-operatives National Law (Victoria)

### BORONIA PRIMARY SCHOOL CO-OPERATIVE LTD

On application under section 601AA of the **Corporations Act 2001** (the Act), notice is hereby given under section 601AA(4A) of the Act, as applied by section 453(a) 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 its registration will be dissolved.

Dated at Melbourne 5 September 2019

DAVID JOYNER Deputy Registrar of Cooperatives

### **Dangerous Goods Act 1985**

## DANGEROUS GOODS (TRANSPORT BY ROAD AND RAIL) REGULATIONS 2018

### Exemption

This exemption from compliance with provisions of the Dangerous Goods (Transport by Road or Rail) Regulations 2018 (DG Transport Regulations) is granted by the Victorian WorkCover Authority in accordance with regulation 169.

### **Purpose:**

To exempt Linfox Australia Pty Ltd (ABN 72 092 352 228) from transporting dangerous goods within Victoria in a manner that is not in full compliance with the requirements of the DG Transport Regulations.

### Granted to:

Linfox Australia Pty Ltd (ABN 72 092 352 228), 55 English Street, Essendon Fields, Victoria 3041, as the Prime contractor; their drivers and loaders.

### Regulations exempted from:

## **DG Transport Regulations**

Regulations 109, 110, 111 and 113 of those Regulations.

In accordance with regulation 169(2) of the DG Transport Regulations, the Victorian WorkCover Authority is satisfied that:

- (a) it is not reasonably practicable for Linfox Australia Pty Ltd (ABN 72 092 352 228) to comply with the relevant provisions;
- (b) issuing the exemption is not likely to create a risk of death or injury to a person, or harm to the environment or to property, greater than would be the case if Linfox Australia Pty Ltd (ABN 72 092 352 228) were required to comply with the above regulations; and
- (c) the exemption will not cause unnecessary administrative or enforcement difficulties. This exemption is subject to the conditions listed below.

### **Conditions:**

- 1. All jellybeans are to be transported in sealed plastic within a sealed tamperproof tin.
- 2. Class 6.1 dangerous goods are not to be transported on the same pallet as the jellybeans.
- 3. The food packages must be clearly marked to differentiate them from dangerous goods.
- 4. Any issue relating to the contamination of food product must be reported to the Victorian WorkCover Authority or corresponding local Dangerous Goods Transport Authority as soon as is practicable.
- 5. A copy of this exemption shall be carried with the documentation for each consignment to which it applies.
- 6. This exemption has effect only when all the conditions are complied with in full.
- 7. All other applicable requirements of the DG Transport Regulations shall be observed.

This exemption starts on 9 August 2019 and is valid until 29 February 2020.

Note: This exemption applies in Victoria and by virtue of Part 15 – Mutual Recognition of the Model Subordinate Law is applicable in all participating Jurisdictions.

MICHAEL COFFEY
Head of Hazardous Industries and Industry Practice
Authorised Officer
Victorian WorkCover Authority (trading as WorkSafe Victoria)

### **Domestic Animals Act 1994**

### DECLARATION BY MINISTER OF A DECLARED BIRD ORGANISATION

- I, Jaclyn Symes, Minister for Agriculture –
- (a) being satisfied
  - (i) under section 58T(1)(b) of the **Domestic Animals Act 1994** ('the Act') that the Victorian Lizard Canary Society Inc. represents members with an interest in
    - (A) birds and bird keeping; and
    - (B) the promotion of aviculture; and
    - (C) the wellbeing of birds, whether in captivity or in the wild; and
  - (ii) under section 58T(1)(c) of the Act that the Victorian Lizard Canary Society Inc. has processes in place to educate its members about, and to ensure its members comply with the *Code of Practice for the Housing of Caged Birds* (made pursuant to section 7 of the **Prevention of Cruelty to Animals Act 1986**) –

declare under section 58T(1) of the Act the Victorian Lizard Canary Society Inc. as a declared bird organisation; and

This declaration remains in force until 31 August 2024.

Dated 26 August 2019

JACLYN SYMES Minister for Agriculture

### **Domestic Animals Act 1994**

### DECLARATION BY MINISTER OF A DECLARED BIRD ORGANISATION

- I, Jaclyn Symes, Minister for Agriculture –
- (a) being satisfied
  - (i) under section 58T(1)(b) of the **Domestic Animals Act 1994** ('the Act') that the Geelong & District 'All Breeds' Pigeon Club Inc. represents members with an interest in
    - (A) birds and bird keeping; and
    - (B) the promotion of aviculture; and
    - (C) the wellbeing of birds, whether in captivity or in the wild; and
  - (ii) under section 58T(1)(c) of the Act that the Geelong & District 'All Breeds' Pigeon Club Inc. has processes in place to educate its members about, and to ensure its members comply with the *Code of Practice for Bird Sales* published by the Victorian Avicultural Council Inc., Revision February 2017, which is available at http://www.victorianaviculturalcouncil.com/uploads/9/5/6/4/95642650/code\_of\_practice\_for\_bird sales feb 2017 1 .pdf –

declare under section 58T(1) of the Act the Geelong & District 'All Breeds' Pigeon Club Inc. as a declared bird organisation.

This declaration remains in force until 31 August 2024.

Dated 19 August 2019

JACLYN SYMES Minister for Agriculture

# **Judicial Entitlements Act 2015**

### **CERTIFICATE PURSUANT TO SECTION 35**

Certificate 1/2019

I certify that, pursuant to section 35 of the **Judicial Entitlements Act 2015**, the conditions of service set out in the attached schedules are authorised. Unless otherwise provided, the conditions take effect from 1 July 2019.

Dated 26 August 2019

HON. JILL HENNESSY MP Attorney-General Minister for Workplace Safety

Schedule 1				
Condition of service	Entit	Entitlement		
Transfer of accrued annual leave – Supreme and County Court judges	(1)	A judge of the Supreme Court or the County Court is entitled to have unused annual leave transferred from an immediately prior Victorian public office, if that prior office is pensionable.		
Definitions	(2)	For the purposes of this schedule:		
		(a) an office is <b>pensionable</b> if the holder of that office can, under a relevant Act, become eligible for a pension upon retirement or resignation as a result of service in that office;		
		(b) relevant Act has the same meaning as in section 16A of the State Superannuation Act 1988;		
		(c) leave is <b>unused</b> if the leave has accrued, and has not been paid out, taken or cancelled; and		
		(d) a <b>Victorian public office</b> includes a Victorian judicial office.		
	(3)	This schedule applies to judges of the Supreme Court or the County Court who hold that office on or after 1 July 2019.		

## **Note to Schedule 1:**

- 1. A reference in this schedule to a judge:
  - a. in relation to the Supreme Court, includes the Chief Justice, the President of the Court of Appeal and a Judge of Appeal;
  - b. in relation to the County Court, includes the Chief Judge;
  - c. does not include an associate judge of the Supreme or County Court; and
  - d. does not include a reserve judge or reserve associate judge of the Supreme or County Court.

Schedule 2				
Condition of service	Enti	titlement		
Long service leave – associate judges of the	(1)	An associate judge of the Supreme Court is entitled to long service leave.		
Supreme Court	(2)	An associate judge of the Supreme Court:		
		(a) accrues and may access six months of long service leave after seven years of service, one month of which can be accessed after five years of service; and		
		(b) accrues and may access 6/7th of one month of long service leave for each completed year of service after seven years of service.		
	(3)	If a person is an associate judge of the Supreme Court on 1 July 2019, clause (2) applies to that person from the date that the person was appointed as an associate judge or master of the Supreme Court.		
	(4)	This schedule:		
		(a) supersedes the entitlements in schedule 2 to Certificate 1/2018, in relation to an associate judge of the Supreme Court, who:		
		i. holds office on 1 July 2019; or		
		ii. is appointed on or after 1 July 2019;		
		(b) does not affect the entitlements of an associate judge of the Supreme Court who ceased to hold office before 1 July 2019; and		
		(c) does not affect the entitlements of an associate judge of the County Court or a magistrate.		
Definitions	(5)	For the purpose of this schedule:		
		(a) Certificate 1/2018 means the certificate issued pursuant to section 35 of the Judicial Entitlements Act 2015 and signed by the Attorney-General on 8 January 2018.		

# **Note to Schedule 2:**

1. The long service leave balance of an associate judge of the Supreme Court after 1 July 2019 must be calculated to include a deduction of all long service leave that was taken by, or paid out to, the associate judge, before and after 1 July 2019.

Schedule 3			
Condition of service	Entitlement		
Public transport – a judge or associate judge of the Supreme Court and a judge of the County	(1) A judge of the Supreme Court, an associate judge of the Supreme Court and a judge of the County Court are entitled to travel on Victorian public transport (trains, trams and buses) at no personal cost.		
Court	(2) The reference to 'gold pass', in the condition of service entitled 'Acting Judges' in schedule 1 to the 2007 Certificate, is amended to read 'public transport';		
	(3) This schedule:		
	(a) supersedes the condition of service entitled 'gold pass' in schedule 1 to the 2007 Certificate; and		
	(b) takes effect on 1 July 2019.		
Definitions	(4) For the purposes of this schedule:		
	(a) 2007 Certificate means the certificate signed by the Attorney-General on 19 July 2007, under section 15 of the Judicial Remuneration Tribunal Act 1995.		

### **Notes to Schedule 3:**

- Section 43 of the Judicial Entitlements Act 2015 provides that any certificate issued under section 15 of the Judicial Remuneration Tribunal Act 1995, as in force immediately before its repeal, is taken to be an entitlement certificate under the Judicial Entitlements Act 2015.
- 2. Until the issue of this certificate, the entitlement to free travel on public transport for a judge of the Supreme or County Court was provided under the certificate signed by the Attorney-General on 19 July 2007, under section 15 of the **Judicial Remuneration Tribunal Act** 1995. That certificate referred to a 'Gold Pass', which is an obsolete historical reference.
- 3. This certificate expands the class of judicial officers who are entitled to this public transport condition of service to include associate judges of the Supreme Court. The certificate signed by the Attorney-General on 19 July 2007, under section 15 of the **Judicial Remuneration Tribunal Act 1995**, did not provide this entitlement to associate judges of the Supreme Court.
- 4. The entitlement to free travel on public transport includes V/Line services, but does not include taxis.

Schedule 4				
Condition of service	Entit	tlement		
Long service leave –	(1)	A reserve judge is entitled to long service leave.		
reserve judges of the Supreme and County	(2)	The long service leave entitlement of a reserve judge accrues at the following rates:		
Courts		(a) six months of long service leave after the completion of seven years of service, one month of which can be accessed after five years of service; and		
		(b) after the completion of seven years of service, 6/7ths of one month of long service leave for each completed year of service after seven years of service.		
	(3)	For the purpose of clause (2), a reserve judge:		
		(a) only accrues long service leave:		
		i. on or after 6 February 2019; and		
		ii. when the reserve judge is engaged to undertake the duties of a judge of the court on a full-time basis;		
		(b) does not accrue any long service leave:		
		i. when he or she is engaged to undertake the duties of a judge of the court on a sessional basis; or		
		ii. when he or she is not engaged to undertake the duties of a judge of the court; and		
		(c) does not accrue any long service leave for service that was undertaken before 6 February 2019, which was undertaken when he or she was a reserve judge.		
	(4)	A reserve judge may, if there is any long service leave that has accrued and is accessible, take or be paid out long service leave in the following manner:		
		(a) the reserve judge may, with the approval of the relevant head of jurisdiction (i.e. the Chief Justice or Chief Judge, as applicable), take long service leave while the reserve judge is engaged to undertake the duties of a judge of the court on a full-time basis;		
		(b) the reserve judge may take long service leave while the reserve judge is engaged to undertake the duties of a judge of the court on a sessional basis; and		
		(c) the reserve judge may be paid long service leave at any time that the reserve judge is not engaged to undertake the duties of a judge of the court.		
	(5)	If, at the time that a person ceases being a reserve judge, there is any long service leave that has accrued and is accessible, the person is entitled to be paid out at the cessation of the person's appointment as a reserve judge.		

Schedule 4				
Condition of service	Entit	ntitlement		
	(6)	The pay	yment under clause 4(c) and (5) is based on:	
		1	if the person is a reserve judge of the Supreme Court, the salary that would be payable if the judge were engaged, on a full-time basis, to undertake the duties of a Judge of the Court (other than a Judge of Appeal); or	
		1	if the person is a reserve judge of the County Court, the salary that would be payable if the judge were engaged on a full-time basis to undertake the duties of a judge of the County Court.	
	(7)	If a reserve judge, immediately prior to appointment to that office, served as a judge of the Supreme Court, a judge of the County Court, an interstate judge, a reserve judge or the Chief Magistrate:		
			the years of service in the prior office are recognised as if they had been served as a reserve judge; and	
		(	the balance of any long service/sabbatical leave entitlement accrued or accruing in the prior office (other than entitlements accrued as an interstate judge) (which has not been taken or paid out) can be carried over to the office of reserve judge.	
	(8)	A person who was appointed as a reserve judge shortly after the commencement of the Courts Legislation Amendment (Reserve Judicial Officers) Act 2013 is taken, for the purposes of this schedule, to have served as a judge of the Supreme Court immediately prior to their appointment as a reserve judge.		
	(9)		hedule takes effect on 6 February 2019.	
Definitions	For th	he purposes of this schedule:		
	(10)	A reserve judge is not engaged to undertake the duties of a judge of the court when the person is:		
			engaged under section 81GA of the Constitution Act 1975; or	
			engaged under section 12H of the <b>County Court Act</b> 1958; or	
		(c) a	a serving judge of a court of another State, the Northern Territory or the Australian Capital Territory or of the Commonwealth, who receives a salary in relation to his or her office in that other State or Territory or the Commonwealth; or	
			not otherwise paid a Victorian salary for their service as a reserve judge of the Supreme Court or reserve judge of the County Court.	

Schedule 4				
<b>Condition of service</b>	Entitlement			
	(11) A reserve judge:			
	(a) is a reserve judge of the Supreme Court or a reserve judge of the County Court; and			
	(b) is <u>not</u> a reserve associate judge of the Supreme Court or a reserve associate judge of the County Court.			

#### Notes to Schedule 4:

- 1. If a reserve judge takes the one month of long service leave under clause (2), after five years of service, the reserve judge will only be able to access five months of long service leave if the reserve judge completes seven years of service.
- 2. The reference to 'immediately prior' in clause (7) reflects the wording in Certificate 2/2014, which was issued pursuant to section 35 of the **Judicial Entitlements Act 2015** and signed by the Attorney-General on 30 June 2014. Consistently with the examples in Certificate 2/2014:
  - a. the requirement for the previous position to be immediately prior would permit a short interval between the end of the appointment as a tenured judge and the start of the appointment as a reserve judge, but the service periods must not be disjointed in time by the holding of another office or position or unreasonably lengthy amount of time; and
  - b. examples of circumstances in which an acceptable interval between appointments might occur would be to enable leave to be taken, travel for personal purposes, or where there was a delay in the reserve appointment occurring.

An interval between appointments that would not meet the requirement of 'immediately prior' would be where:

- the person worked in a non-judicial role during the interval, such as in private legal practice; or
- there was a significant period between the ending of the former appointment and the commencement of the appointment of reserve judge, even if no other office or position was held during that period.

## **Examples for Schedule 4:**

### Example 1:

- Dr Ng served four years and nine months as a tenured judge before retiring.
- Dr Ng retires after 6 February 2019, when schedule 4 of this certificate takes effect.
- Dr Ng is immediately appointed as a reserve judge.
- After the two years service as a reserve judge, Dr Ng takes one month of LSL (when engaged on a full-time basis with the approval of the head of jurisdiction).
- Dr Ng then serves an additional:
  - three months of service as a reserve judge (engaged on a full-time basis)
  - five months as a reserve judge (engaged on a sessional basis).
- In total, as a reserve judge, Dr Ng serves a total of two years and four months (engaged on a full-time basis).
- Applying the terms of this schedule:
  - When Dr Ng retired as a tenured judge, she was not entitled to any LSL (because she served less than 5 years)
  - The four years and nine months of service as a tenured judge are counted as service, for LSL purposes, as a reserve judge

- The two years (engaged on a full-time basis) as a reserve judge are counted as service for LSL purposes
- Dr Ng is able to take the one month of LSL, whilst engaged on a full-time basis, because:
  - o Dr Ng was, at that stage, taken to have undertaken six years and nine months service for LSL purposes (and can therefore access one month of service)
  - o the head of jurisdiction approved the taking of LSL during an engagement on a full-time basis
- Dr Ng is taken to be undertaking one month's service for LSL purposes during the period that she took LSL (i.e. LSL accrued whilst Dr Ng took LSL, since she was engaged on a full-time basis during that month)
- The additional three months of service as a reserve judge (engaged on a full-time basis) also counts as service for LSL purposes
- The **five months** of service as a reserve judge (engaged on a sessional basis) are **not** counted as service for LSL, because a reserve judge does not accrue LSL when he or she is engaged on a sessional basis
- At the expiration of the term as a reserve judge, Dr Ng is taken to have served **seven years and one month** and is entitled to be paid out **five months of LSL** (i.e. six months after seven years, less the one month that has already been taken).

### Example 2:

- Ms Smith, served three years as a tenured judge before retiring.
- Ms Smith is immediately appointed as a reserve judge, two years prior to 6 February 2019, when schedule 4 of this certificate takes effect.
- Ms Smith completes two years of full-time engagement as a reserve judge, after 6 February 2019.
- Ms Smith's first appointment as a reserve judge expires.
- Ms Smith is appointed (for the second time) as a reserve judge.
- During the second term as a reserve judge, Ms Smith serves a further two years of full-time engagement.
- Ms Smith does not take any LSL during either of her appointments as a reserve judge.
- Applying the terms of this schedule:
  - When Ms Smith retired as a tenured judge, she was not entitled to any LSL
  - The three years of service as a tenured judge are counted as service for LSL as a reserve judge
  - Any service <u>as a reserve judge</u> that occurred <u>before</u> 6 February 2019, when schedule
     4 of this certificate takes effect, does <u>not</u> count as service for LSL
  - The **two years** of service as a reserve judge that occurred after 6 February 2019, when schedule 4 of this certificate takes effect, are counted as service for LSL purposes
  - At the expiration of the first term as a reserve judge, Ms Smith is taken to have served
    five years and is entitled to access one month of long service leave. Ms Smith is paid
    out one month of LSL
  - The **five years** of prior service (as a tenured judge and a reserve judge) are recognised for the purposes of Ms Smith's second term as a reserve judge
  - The further two years of service as a reserve judge count as service for LSL purposes
  - At the expiration of the second term as a reserve judge, Ms Smith is taken to have served seven years and is entitled to be paid out **five months of LSL** (i.e. six months after seven years, less the one month that has already been paid out).

### Example 3:

- Mr Ali served 12 years and 4 months as a tenured judge before retiring.
- At the time of Mr Ali's retirement, all the accessible LSL is paid out (i.e. Mr Ali has taken or been paid out  $(6 + (6 \times 6/7))$  months).
- Mr Ali is immediately appointed as a reserve judge, which occurs after 6 February 2019, when schedule 4 of this certificate takes effect.
- Mr Ali undertakes nine months of service as a reserve judge (engaged on a full-time basis).
- Applying the terms of this schedule:
  - Mr Ali's 12 years and 4 months of service as a tenured judge are counted as service for LSL as a reserve judge
  - Mr Ali has served an additional nine months of service as a reserve judge for LSL purposes
  - At the expiration of his term as a reserve judge:
    - o Mr Ali is taken to have served 13 years and one month
    - o the LSL associated with 12 of those years was paid out or taken when Mr Ali was a tenured judge, or upon his retirement as a tenured judge
    - o the LSL for the additional 12 months of service (i.e. 6/7 of one month LSL) is paid out.

Schedule 5				
Condition of service	Entitle	ement		
Professional development allowance	(1)	A judicial officer who is specified in column 1 of in clause (4) below, is entitled to a professional de allowance.		
	(2)	The professional development allowance of a Sup Court judge is, immediately before 1 July 2019, \$ annum.		
	(3) The professional development allowance is to increase annually (on 1 July of each year, including 1 July 2019 in accordance with the Consumer Price Index (All Grownell), comparing the relevant June quarters.			
	(4)	A judicial officer who is specified in Column 1 of the following table is entitled to the percentage of professional development allowance of a judge of Supreme Court, specified in Column 2 of the follotable:	the	
	Colum	n I	Column 2	
	Presid and the	me Court judge (including the Chief Justice, the ent of the Court of Appeal, a Judge of Appeal, e Chief Judge (where the Chief Judge is a dual ission holder))	100.00%	
	Associate judge of the Supreme Court who is the Senior Master  Associate judge of the Supreme Court who is a Specialist Supreme Court Master		89.00%	
			80.50%	
		tate judge of the Supreme Court (other than an tate Judge referred to in item 2 or 3 of this table)	84.65%	
	Judge of the County Court (including the Chief Judge (where the Chief Judge is not a dual commission holder))  86.		86.64%	
		trate (including the Chief Magistrate, a Deputy Magistrate, and the Deputy State Coroner)	69.29%	
	(5)	The professional development allowance may be	used for:	
		(a) the purchase of books and periodicals;		
		(b) the cost of acquiring and maintaining electrifacilities for official purposes;	ronic	
		(c) the subscription costs to relevant online res	ources; and	
		(d) the cost of attending professional conference courses, tuition, or other activities that are sedirected towards the professional development judicial officer.	similarly	
	(6) An activity to which clause (5)(d) applies, m			
	(a) directly relevant to the duties, or the proposition of the judicial officer; and		sed duties,	
		(b) approved by the head of jurisdiction of the officer.	judicial	

1842

Schedule 5				
Condition of service	Entitlement			
	(7)	A judicial officer must seek prior written approval from the head of jurisdiction of the judicial officer to use the professional development allowance for the cost of an activity to which clause (5)(d) applies.		
	(8)	When determining whether to approve a request to use the professional development allowance for the cost of an activity to which clause (5)(d) applies, the head of jurisdiction of the judicial officer must consider:		
		(a) whether the professional development activity represents value for money, having regard to the needs of the court;		
		(b) whether a comparable professional development activity is offered by the Judicial College of Victoria and, if so, whether there are special reasons to justify why the similar activity offered by the Judicial College of Victoria is not to be chosen; and		
		(c) if the professional development activity is to take place overseas, whether there are special circumstances to justify attendance at the activity overseas.		
	(9)	The reference to 'judicial library allowance', in the condition of service entitled 'Acting Judges' in schedule 1 to the 2007 Certificate, is amended to read 'judicial professional development allowance'.		
	(10)	This schedule:		
		(a) commences on 1 July 2019;		
		(b) supersedes the entitlement entitled 'Library Allowance' in schedule 1 to the 2007 Certificate; and		
		(c) does not affect the entitlements of an associate judge of the County Court.		
Definitions	certifi	For the purposes of this schedule, <b>2007</b> Certificate means the certificate signed by the Attorney-General on 19 July 2007, under section 15 of the Judicial Remuneration Tribunal Act 1995.		

### **Notes to Schedule 5:**

 Section 43 of the Judicial Entitlements Act 2015 provides that any certificate issued under section 15 of the Judicial Remuneration Tribunal Act 1995, as in force immediately before its repeal, is taken to be an entitlement certificate under the Judicial Entitlements Act 2015.

### **Explanatory notes for the certificate**

1. This certificate implements Recommendations 1 to 8 of the *Judicial Entitlements Panel Own Motion Recommendations to the Attorney-General August 2018 Report* (Panel Report) as accepted or varied by the Attorney-General in her Recommendation Statement (made pursuant to section 34 of the **Judicial Entitlements Act 2015** and laid before both Houses of Parliament on 6 February 2019).

### 2. This certificate:

- (a) Introduces a new entitlement for a person appointed to the office of judge of the Supreme Court or County court to transfer the unused annual leave that the person accrued in a prior, pensionable, Victorian public office.
- (b) Introduces a new entitlement for an associate judge of the Supreme Court who is engaged on a full-time basis to potentially receive long service leave.
- (c) Introduces a new entitlement for an associate judge of the Supreme Court to receive the same public transport travel entitlement as a judge of the Supreme or County Court.
- (d) Restates the entitlement of a judge of the Supreme or County Court to free travel on public transport as a means of clarifying the reference to a 'Gold Pass' in the certificate that was signed by the Attorney-General on 19 July 2007.
- (e) For the purposes of judges, associate judges and reserve judges of the Supreme Court, judges and reserve judges of the County Court and magistrates replaces the library allowance provided under the certificate signed by the Attorney-General on 19 July 2007 with a professional development allowance. The professional development allowance:
  - retains all uses to which the library allowance could have been put and provides for an additional use, which is professional development activities. Professional development activities might be, for example, conferences and seminars:
  - (ii) abolishes the condition of the library allowance that the allowance only covered 80 per cent of the cost of a purchase and required the judicial officer to pay for 20 per cent of the cost. Under the new terms, the allowance will cover 100 per cent of the cost up to the annual limit on the allowance, provided the requirements of the allowance are met; and
  - (iii) retains the quantum of the library allowance for Supreme Court judges (including the Chief Justice, the President of the Court of Appeal, and a Judge of Appeal) and provides that the amount that all other entitled judicial officers receive is a specified percentages of the quantum a Supreme Court judge is to receive.
- 3. As a result of clause (2) of schedule 3 and clause (9) of schedule 5 of this Certificate, the condition of service entitled 'Acting Judges' in schedule 1 to the 2007 Certificate, should now be read as follows:

'Acting/reserve Judges of the Supreme and County Courts continue to receive the benefits of office available on a pro-rata basis (where appropriate) as set out below:

- *motor vehicle*;
- judicial professional development allowance;
- travel allowances:
- travel card; and
- public transport.'

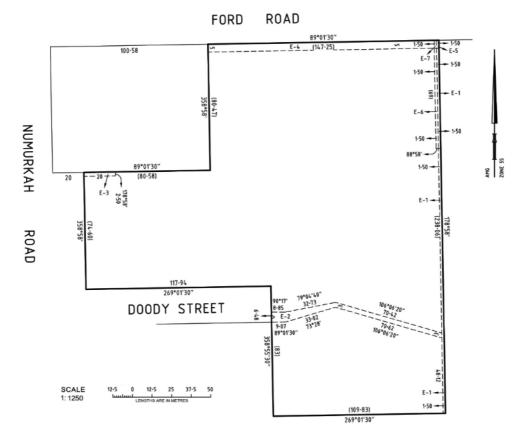
# **Land Acquisition and Compensation Act 1986**FORM 7

Sch. 2 S. 21(a) Reg. 16

# Notice of Acquisition

### Compulsory Acquisition of Interest in Land

The Greater Shepparton City Council declares that by this notice it acquires the following interests in part of Lot S2 on Plan of Subdivision 527826J being part of the land contained in Certificate of Title Volume 10944 Folio 702, shown as easements 'E-6' and 'E-7' on the below plan.



**Interest(s) acquired:** That of McCamish Properties Pty Ltd (ACN 006 879 152), North Shepparton Commercial Pty Ltd (ACN 607 221 929) and all other interests.

Published with the authority of the Greater Shepparton City Council.

For and on behalf of the Greater Shepparton City Council

Signed Kaye Elizabeth Thomson

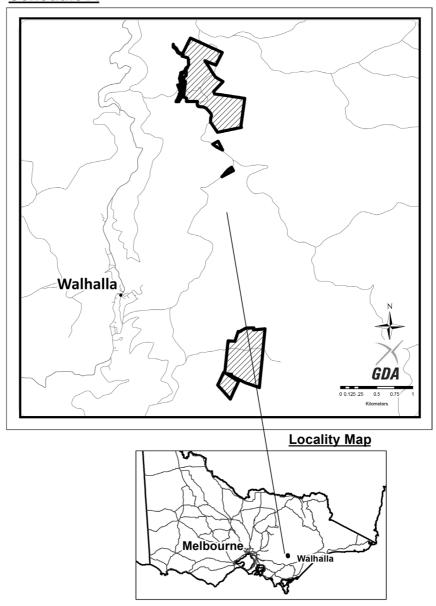
Name Kaye Elizabeth Thomson, Acting Chief Executive Officer

Dated 4 September 2019

# Mineral Resources (Sustainable Development) Act 1990 EXEMPTION OF LAND FROM A LICENCE

I, Anthony Hurst, Executive Director, Earth Resources Regulation, pursuant to section 7 of the **Mineral Resources (Sustainable Development) Act 1990** (the 'Act') and acting under delegation from the Minister for Resources dated 23 January 2017, hereby exempt all that land situated within the boundaries of the hatched area on attached Schedule A, from being subject to any and all licences under the Act.

# Schedule A



Dated 29 August 2019

### 1846

# Major Transport Projects Facilitation Act 2009 DECISION TO DISCONTINUE PART OF ROAD

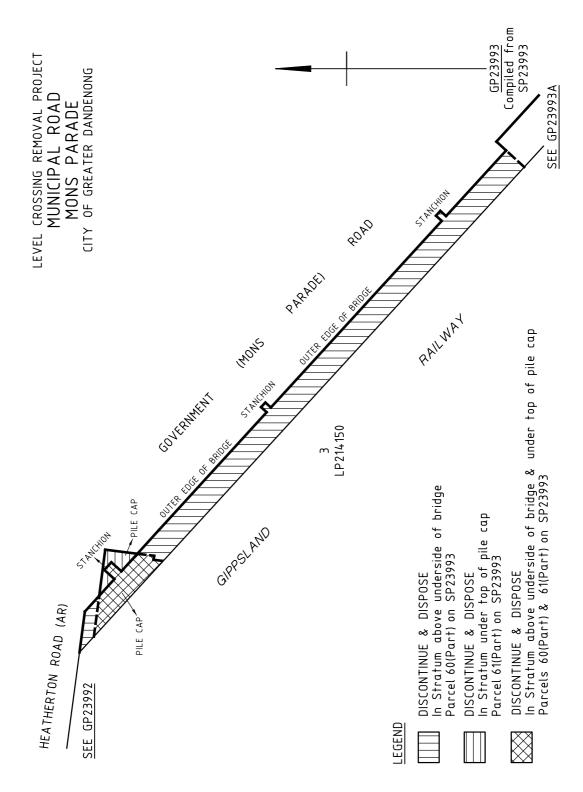
Portion of Mons Parade, Noble Park

Under section 186 of the **Major Transport Projects Facilitation Act 2009** (Act), the Chief Executive Officer, Level Crossing Removal Project, as delegate of the project authority for the Caulfield Dandenong Rail Upgrade Project (Project) determines that the parts of the road as shown on the attached gazettal plans GP 23993, GP 23993A, GP 23993B and GP 23993C shall be discontinued from the date of publication in accordance with section 189 of the Act for the purposes of the Project.

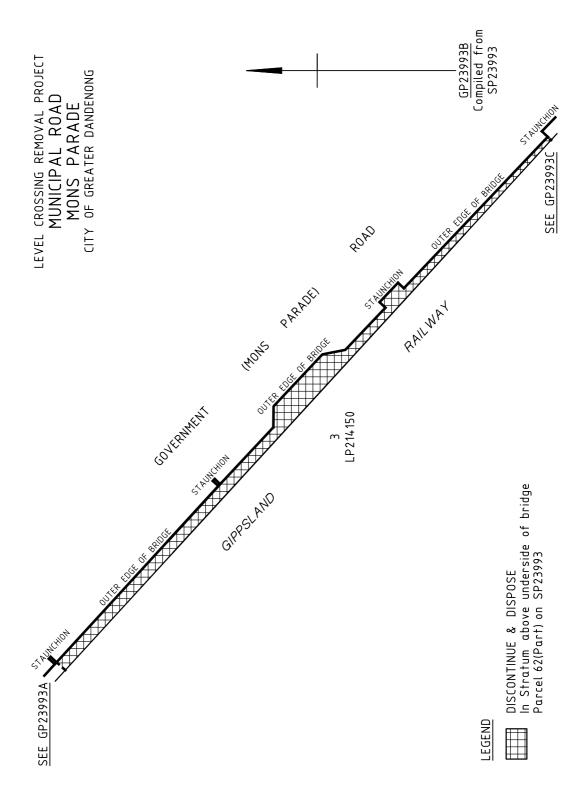
The decision to discontinue the parts of the road identified on the plans takes effect upon publication of this notice under section 189(1) of the Act and the land is taken to be unalienated land of the Crown free and discharged from all trusts, limitations, reservations, restrictions, encumbrances, estates and interests.

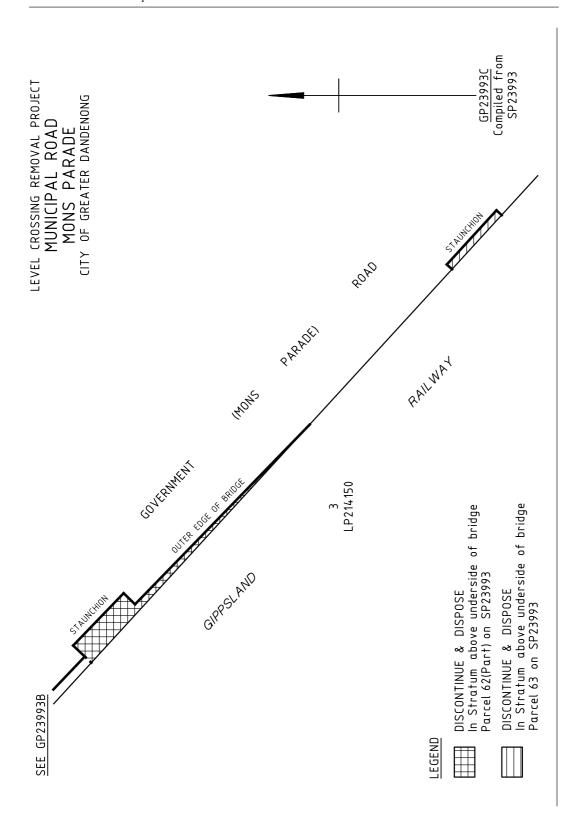
Dated 23 August 2019

signed by KEVIN DEVLIN Chief Executive Officer Level Crossing Removal Project



LEGEND







### Heritage Act 2017

NOTICE UNDER SECTION 137 OF THE HERITAGE ACT 2017 REGARDING COVENANT PURSUANT TO SECTION 134 OF THE HERITAGE ACT 2017

HERITAGE PLACE NO. H2306

Former Melford Motors, 615–645 Elizabeth Street, Melbourne

Heritage Council of Victoria has entered into a Covenant pursuant to section 134(1) of the **Heritage Act 2017** in relation to the above Heritage Place with VG Property Holdings No. 4 Pty Ltd, the owner of the above Heritage Place

The Covenant binds the owner of the above Heritage Place to the development, use or conservation of the Heritage Place in accordance with the terms of the Covenant.

H2306 Former Melford Motors, 615–645 Elizabeth Street, Melbourne. Under the **Heritage Act 2017**. Date of covenant: 5 August 2019 VG Property Holdings No. 4 Pty Ltd and the Heritage Council

### Agreement:

Implement the approved Heritage Audit Management Plan for the place which provides for the future erection of the reconstructed 'Melford Sign' and a regime for the ongoing conservation, maintenance and interpretation of the place.

The form of the Covenant is viewable at the offices of Heritage Victoria, Level 7, 8 Nicholson Street, East Melbourne, telephone (03) 9938 6894, during business hours.

Any person wishing to make a written submission in response to the Covenant should write to the Executive Director, Heritage Victoria, care of the above address within 28 days of the publication of this notice.

STEVEN AVERY Executive Director

### **Public Holidays Act 1993**

- I, Adem Somyurek, Minister for Small Business, under section 8 of the **Public Holidays Act 1993**, declare –
- Tuesday 5 November 2019 is not a public holiday in all areas of the municipal district of Golden Plains Shire.
- Friday 8 November 2019 is appointed a full-day public holiday for all areas in the municipal district of Golden Plains Shire west of Wingeel Road, Gumley–Mt Mercer Road and Meredith–Mt Mercer Road to celebrate the Ballarat Show.
- Friday 18 October 2019 is appointed a full-day public holiday for all areas in the municipal district of Golden Plains Shire east of Wingeel Road, Gumley–Mt Mercer Road and Meredith–Mt Mercer Road to celebrate the Royal Geelong Show.

Dated 12 August 2019

HON. ADEM SOMYUREK MP Minister for Small Business

### Water Act 1989

# GOULBURN-MURRAY WATER CONNECTIONS PROJECT

Notice of Adoption of a Reconfiguration Plan

CG09 RP01 TO23 RP10 TO32 RP03

On 27 August 2019, the Connections Reconfiguration Committee, being a committee established by Goulburn–Murray Water under the **Water Act 1989**, determined to adopt Reconfiguration Plan CG09 RP01, Reconfiguration Plan TO23 RP10 and Reconfiguration Plan TO32 RP03.

A copy of each Reconfiguration Plan map can be inspected, free of charge, at the Goulburn–Murray Water website at www.connectionsproject.com.au and free of charge, during office hours, at the offices of the Goulburn–Murray Water Connections Project, 55 Welsford Street, Shepparton.

FRANK FISSELER Project Director Connections Project Goulburn–Murray Water

### Planning and Environment Act 1987

### CASEY PLANNING SCHEME

Notice of Approval of Amendment Amendment C192case

The Minister for Planning has approved Amendment C192case to the Casey Planning Scheme.

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

The Amendment revises the curtilage of the Heritage Overlay (HO110) applying to 31–35 Robinson Road, Narre Warren North and introduces the *Treeby Incorporated Plan, August 2019*.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Casey City Council, 2 Patrick NE Drive, Narre Warren, Victoria 3085.

STUART MENZIES
Director
State Planning Services
Department of Environment, Land, Water and Planning

### Planning and Environment Act 1987

### **GOLDEN PLAINS PLANNING SCHEME**

Notice of Approval of Amendment Amendment C80gpla

The Minister for Planning has approved Amendment C80gpla to the Golden Plains Planning Scheme.

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

The Amendment implements the recommendations of the Flood Risk Management Study Barwon Rivers at Inverleigh (Water Technology Pty Ltd, 2018) by making revisions to existing Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO) mapping, makes changes to the Local Planning Policy Framework at Clause 22.11 (Floodplain Management), and introducing new schedules to the LSIO and FO to provide permit exemptions for specified buildings and works.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Golden Plains Shire Council, 2 Pope Street, Bannockburn, Victoria 3311.

STUART MENZIES
Director
State Planning Services
Department of Environment, Land, Water and Planning

### Planning and Environment Act 1987

### MITCHELL PLANNING SCHEME

Notice of Approval of Amendment

Amendment C143mith

The Minister for Planning has approved Amendment C143mith to the Mitchell Planning Scheme.

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

The Amendment introduces the interim *Beveridge Central Infrastructure Contributions Plan, July 2019* by applying the Infrastructure Contributions Overlay Schedule 2 (ICO2) to land within the Beveridge Central precinct.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Mitchell Shire Council, 113 High Street, Broadford, or the offices of the Victorian Planning Authority, Level 25, 35 Collins Street, Melbourne, Victoria.

STUART MENZIES

Director

State Planning Services

Department of Environment, Land, Water and Planning

# Planning and Environment Act 1987 YARRIAMBIACK PLANNING SCHEME

Notice of Approval of Amendment

Amendment C22yari

The Minister for Planning has approved Amendment C22yari to the Yarriambiack Planning Scheme.

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

The Amendment corrects specific zoning anomalies by rezoning three privately owned sites in Murtoa from Public Use Zone to Township Zone.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Yarriambiack Shire Council, 36 Lyle Street, Warracknabeal.

STUART MENZIES
Director

State Planning Services

Department of Environment, Land, Water and Planning

# 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 TIMG Bookshop, Level 10, 575 Bourke Street, Melbourne 3000, on the date specified:

73. *Statutory Rule*: Supreme Court

(Court of Appeal E-Filing and Other Amendments) Rules 2019

Authorising Act: Supreme Court

Act 1986

Date first obtainable: 4 September 2019

Code B

74. Statutory Rule: Parliamentary

Salaries,

Allowances and Superannuation (Provision of Motor Vehicles) Regulations 2019

Authorising Act: Parliamentary

Salaries,

Allowances and Superannuation Act 1968

Date first obtainable: 4 September 2019

Code A

75. Statutory Rule: Children, Youth

and Families Amendment (Remission of Sentences) Regulations 2019

Authorising Act: Children, Youth

and Families Act 2005

ACI 2003

Date first obtainable: 4 September 2019

Code A

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