



Victoria Government Gazette

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GENERAL

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As from 10 November 2011

The last Special Gazette was No. 364 dated 9 November 2011.

The last Periodical Gazette was No. 1 dated 14 June 2011.

How To Submit Copy

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

- 1 Treasury Place, Melbourne (behind the Old Treasury Building)
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VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

HENDERIKUS SPONSIUS ANTHONIN REMMERS (also known as Hank Sponsius Remmers), late of DutchCare Limited, Han and Judy Overbeek Lodge, 736 Mount Dandenong Road, Kilsyth, Victoria, cleaning contractor, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 26 December 2010, are required by the executrix, Karen Temminghoff, care of Messrs Aughtersons, 267 Maroondah Highway, Ringwood, Victoria, to send particulars thereof to her, care of the office of Messrs Aughtersons, 267 Maroondah Highway, Ringwood, Victoria, within two months of the date of publication of this notice, after which the executrix will distribute the estate, having regard only to claims of which she has notice.

AUGHTERSONS, solicitors,
267 Maroondah Highway, Ringwood,
Victoria 3134.

Re: Estate of AGNES MILOWKA, 40 Paton Crescent, Boronia 3155, marketing manager, deceased.

Creditors, next-of-kin and all others having claims in respect of the deceased, who died on 27 February 2011, are required by the executor, Christopher Milowka, 40 Paton Crescent, Boronia 3155, to send particulars of such claims to the said executor by 10 January 2012, after which date the executor will distribute the assets, having regard only to the claims of which he has notice.

Re: BERNADETTE JACKSON, deceased.

Creditors, next-of-kin and other persons having claims against the estate of BERNADETTE JACKSON, deceased, late of 2/14 Lording Street, Upper Ferntree Gully, Victoria, retired, who died on 6 April 2011, are required by the trustee, Veronica Frances Sloane of 1362 Taggerty Road, Thornton, Victoria, hotelier, to send particulars of their claims to her, care of the undermentioned solicitors, by 16 January 2012, after which date she may convey or distribute the estate, having regard only to the claims of which she then has notice.

DE KEVER SPAULDING LEGAL PTY LTD,
lawyers,
173 Boronia Road, Boronia 3155.

Re: Estate of BEATRICE JOAN BAILEY, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of BEATRICE JOAN BAILEY, late of 106 Hannon Street, Sea Lake, in the State of Victoria, widow, deceased, who died on 25 August 2011, are to send particulars of their claim to the executor, care of the undermentioned legal practitioners, by 10 January 2012, after which the executor will distribute the assets, having regard only to the claims of which he then has notice.

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

SHANNON IRIS LINDSAY, late of 7/6 Elizabeth Street, Carnegie, Victoria, lawyer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 June 2011, are required by the trustee, Liane Joan Sanderson, to send particulars to the trustee by 10 January 2012, care of the undermentioned solicitors, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

FISCHER McCRAE, solicitors,
Level 3, 389 Lonsdale Street, Melbourne 3000.

Re: LORNA CATHERINE GOULDING, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 July 2011, are required by the trustees, Valma Joy Loechel and Nancy Elaine McIntosh, to send particulars to them, care of the undersigned, by 11 January 2012, 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, solicitors,
4 McCallum Street, Swan Hill, Victoria 3585.

Re: DAVID JOHN HOOPER, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 July 2011, are required by the trustees, Samantha Isabel Anderson and Garry William Hooper, to send particulars to them, care of the undersigned, by 11 January 2012, 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, solicitors,
4 McCallum Street, Swan Hill, Victoria 3585.

Re: Estate RAYMOND ROBERT PRENTICE, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 June 2011, are required by the trustees, Colin John Prentice and Martina Capri Prentice, to send particulars to them, care of the undersigned, by 9 January 2012, 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, solicitors,
4 McCallum Street, Swan Hill, Victoria 3585.

HELEN MARY HUMPHREYS, late of 30 Dickens Street, Bentleigh, Victoria, retired bookkeeper, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 August 2011, are required by the applicants for grant of probate, Geoffrey Bryan Humphreys and Kerri Ann Clark, to send particulars to them, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the applicant for grant of probate may convey or distribute the assets, having regard only to the claims of which they then have notice.

GEOFFREY A. FOX & ASSOCIATES,
solicitors,
112 Patterson Road, Bentleigh 3204.

LOIS MARY WILSON, late of 61/1133 Frankston Dandenong Road, Carrum Downs, stenographer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 September 2011, are required by the trustees, care of Harris & Chambers Lawyers of 4/250 Charman Road, Cheltenham 3192, to send particulars to them by 11 January 2012, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

HARRIS & CHAMBERS LAWYERS,
4/250 Charman Road, Cheltenham 3192.

EMILY MAY ROHR (also known as Maye Rohr and May Rohr), late of 17 Bayside Crescent, Hampton, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 June 2011, are required by the executor, Heather Mary Alison Shiels, to send particulars to her, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

LYTTLETONS, solicitors,
53 Marcus Road, Dingley 3172.

Re: MAVIS ELSIE JARVIS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 July 2011, are required by the trustee, Equity Trustees Limited of Level 2, 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee by 23 January 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

GEOFFREY ROBERT ANNISS.

Creditors, next-of-kin and others having claims against the estate of GEOFFREY ROBERT ANNISS, late of 16 Hansen Street, East Brighton, Victoria, retired, who died on 21 May 2011, are required to send particulars of their claims to the executor, care of the undermentioned solicitor, by 12 January 2012,

after which date the executor will proceed to distribute the assets, having regard only to the claims of which she shall then have had notice.

VERNA A. COOK, solicitor,
5/8 St Andrews Street, Brighton 3186.

Re: MILLICENT VICTORIA SOMERS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 January 2011, are required by the trustee, Hannah Elizabeth Gregory, to send particulars to the trustee, care of the undermentioned solicitors, by 10 January 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

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

Re: KENNETH LEONARD ROBINSON, late of 34 Miller Street, Preston, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 July 2011, are required to send particulars of their claims to Equity Trustees Limited of GPO Box 2307, Melbourne, Victoria 3001, by 27 January 2012, after which date the executor may convey or distribute the assets, having regard only to the claims of which they may then have notice.

WILLS & PROBATE VICTORIA, lawyers,
Level 3, 20–22 McKillop Street,
Melbourne 3000.

SALE BY THE SHERIFF

On Thursday 15 December 2011 at 2.30 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 Bill Kafaltis of Unit 2, 13 Barrington Street, Bentleigh East, proprietor of an estate in fee simple in the land described on Certificate of Title Volume 09431 Folio 776 upon which is erected a unit known as Unit 11, 163 Centre Dandenong Road, Cheltenham.

Registered Mortgage (Dealing No. AD659793L), Registered Caveat (Dealing No. AD981924Y), Registered Caveat (Dealing No. AE225154L), Registered Caveat (Dealing No. AG241347Q) and Owners Corporation Plan No. RP016569 affect the said estate and interest.

Payment Terms – Full payment at fall of hammer. Cash/Eftpos (Debit Cards only), bank cheque or solicitors trust account cheque. No Credit Cards.

There are no exceptions to these terms.

Contact Sheriff's Asset Administration Services on (03) 9947 1539 or realestatesalessection@justice.vic.gov.au for enquiries.

SHERIFF

SALE BY THE SHERIFF

On Thursday 15 December 2011 at 2.30 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 Darren Lindsay Nelson and Marlene Patrice Panther of 225 Bungower Road, Somerville, as shown on Certificate of Title as Darren Lindsay Nelson and Marlene Patrice Panther-Nelson, joint proprietors of an estate in fee simple in the land described on Certificate of Title Volume 09498 Folio 841 which consists of approximately 1.154 hectares upon which is erected a dwelling house known as 225 Bungower Road, Somerville.

Registered Mortgage (Dealing No. AH237882G) affects the said estate and interest.

Payment Terms – Full payment at fall of hammer. Cash/Eftpos (Debit Cards only), bank cheque or solicitors trust account cheque. No Credit Cards.

There are no exceptions to these terms.

Contact Sheriff's Asset Administration Services on (03) 9947 1539 or realestatesalessection@justice.vic.gov.au for enquiries.

SHERIFF

GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES NOTICES

MOYNE SHIRE COUNCIL

Local Law No. 1 2011 Meeting Procedure

After advertising the council's intention to adopt Local Law No. 1 2011 Meeting Procedure and calling for submissions, as per section 223 of the **Local Government Act 1989**, Moyne Shire Council, at its 27 September 2011 ordinary meeting, resolved to adopt the Local Law.

Copies of the Local Law (Meeting Procedures) are available for inspection during normal office hours at: Moyne Shire Council offices – Princes Street, Port Fairy; 1 Jamieson Avenue, Mortlake; High Street, Macarthur; or at any time on the council's website at www.moyne.vic.gov.au/locallaws

Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C149

Authorisation A02026

The City of Ballarat has prepared Amendment C149 to the Ballarat Planning Scheme.

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

The land affected by the Amendment is land within the Farming Zone under the Ballarat Planning Scheme in the vicinity of the Ballarat (Dowling Forest) Racecourse.

The Amendment proposes to implement the planning scheme changes recommended by the 'Dowling Forest Precinct Master Plan, February 2011' (the 'Master Plan') and the 'Implementation of the Dowling Forest Precinct Master Plan, April 2011' (the 'Implementation Report') into the Ballarat Planning Scheme. The Master Plan and the Implementation Report provide a long term framework to guide the future use, development and subdivision of land in the area adjoining the Dowling Forest Racecourse.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, City of Ballarat, Town Hall, Sturt Street, Ballarat, Victoria 3550; at the City of Ballarat website, www.ballarat.vic.gov.au; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 16 December 2011. A submission must be sent to Strategic Planning, City of Ballarat, PO Box 655, Ballarat, Victoria 3353 or strategicplanning@ballarat.vic.gov.au

SEAN O'KEEFFE
Manager Strategic Planning

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C166

Authorisation A2081

The Greater Bendigo City Council has prepared Amendment C166 to the Greater Bendigo Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Greater Bendigo City Council as planning authority to prepare the Amendment. The Minister also authorised the Greater Bendigo City Council to approve the Amendment under section 35B of the Act.

The land affected by the Amendment is various 47 properties within the municipality.

The Amendment proposes to correct zone and overlay anomalies.

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

during office hours, at the office of the planning authority, City of Greater Bendigo, Hopetoun Mill Office, 15 Hopetoun Street, Bendigo or www.bendigo.vic.gov.au; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 12 December 2011. A submission must be sent to the City of Greater Bendigo, PO Box 733, Bendigo, Victoria 3552.

CRAIG NIEMANN
Chief Executive Officer

Planning and Environment Act 1987

MARIBYRNONG PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C72

Authorisation A02027

The Maribyrnong City Council has prepared Amendment C72 to the Maribyrnong Planning Scheme.

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

The land affected by the Amendment is Edgewater Estate, Maribyrnong, which is bounded by Gordon Street to the west, Owen Street to the south, the Maribyrnong River to the east and Pipemakers Park, Maribyrnong to the north.

The Amendment implements a new planning framework for the Edgewater Estate, Maribyrnong to recognise the developed nature of most of the estate by:

- rezoning part of Edgewater Estate from Comprehensive Development Zone (CDZ3) to part Residential 1 Zone (R1Z), part Business 1 Zone (B1Z), part Mixed Use Zone (MUZ) and part Public Park & Recreation Zone (PPRZ);
- amending Schedule 3 to the Comprehensive Development Zone (CDZ3) to accurately describe the land to which the zone will consequentially apply;

- removing the Land Subject to Inundation Overlay Schedule 1 (LSIO1) from the whole of the estate;
- removing the Development Contributions Plan Overlay Schedule 2 (DCPO2) from the whole of the estate;
- applying a new Land Subject to Inundation Overlay (LSIO) to areas currently prone to flooding across the estate; and
- applying a new Design and Development Overlay and schedule (DDO11) to the residential areas of the estate that are to be rezoned.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, the Maribyrnong City Council Offices, corner Hyde and Napier Streets, Footscray 3011; Maribyrnong Library, 200 Rosamond Road, Maribyrnong 3032; at the Maribyrnong City Council website, www.maribyrnong.vic.gov.au; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 12 December 2011.

A submission must be sent to the Manager, Strategy and Economic Development, Maribyrnong City Council, PO Box 58, Footscray 3011.

ADRIAN HAVRYLUK
Acting Manager
Strategy and Economic Development

Planning and Environment Act 1987

MURRINDINDI PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C35

Authorisation A02048

The Murrindindi Shire Council has prepared Amendment C35 to the Murrindindi Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the

Minister for Planning authorised the Murrindindi Shire Council as planning authority to prepare the Amendment. In accordance with section 11(1) of the Act, the Minister for Planning has also authorised Murrindindi Shire Council to approve the Amendment under section 35B of the Act.

The Amendment affects a range of sites throughout Murrindindi Shire.

The Amendment proposes to rezone various parcels of land throughout Murrindindi Shire and amend Environmental Significance Overlay maps in the Kinglake West area to correct planning scheme anomalies and reflect land ownership and use.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the Alexandra, Yea and Kinglake offices of the planning authority, Murrindindi Shire Council; during opening hours at the Marysville Rebuilding Advisory Centre, Murchison Street, Marysville; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 12 December 2011. A submission must be sent to the Murrindindi Shire Council, PO Box 138, Alexandra 3714.

MARGARET ABBEY
Chief Executive Officer
Murrindindi Shire Council

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 16 January 2012, 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.

GARDNER, Evelyn Joyce, late of Spurway Nursing Home, 89–91 Murrumbeena Road, Murrumbeena, Victoria 3163, deceased, who died on 26 February 2011.

HAWES, Damond Edward Joseph, also known as Damond Hawes, late of 12 Wilagh Street, Thomastown, Victoria 3074, deceased, who died on 28 February 2011.

NOLAN, Margaret Alice, late of Narracan Gardens Aged Care Facility, 17 Amroo Way, Newborough, Victoria 3825, deceased, who died on 22 July 2011.

POWELL, Ruby Louisa, late of Domain Gardens, 14 Sandpiper Place, Frankston, Victoria 3199, home duties, deceased, who died on 5 August 2010.

RIDDIFORD, Donald James, formerly of 131 Windsor Crescent, Mont Albert, Victoria 3127, but late of Regis Waverley Gardens, 5 Bakers Road, Dandenong, Victoria 3175, retired, deceased, who died on 24 April 2011.

SCHWARZ, Helga Anna Suzanna, late of 3 Vista Street, St Albans, Victoria 3021, pensioner, deceased, who died on 17 July 2011.

SKINNER, Edna May, late of Baptcare Westhaven Community, 50 Pickett Street, Footscray, Victoria 3011, home duties, deceased, who died on 10 July 2011.

TAYLOR, Gweneth Ruth, late of Summerwood Hostel Aged Care, 475 Swansea Road, Lilydale, Victoria 3140, deceased, who died on 27 March 2011.

THORP, Angus Keith, also known as Peter Thorp, late of Unit 4, 21 French Street, Thomastown, Victoria 3074, pensioner, deceased, who died on 8 February 2011.

Dated 7 November 2011

ROD SKILBECK
Manager
Client Services

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 9 January 2012, 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.

CARPENTER, Irene, late of 8 Plume Street, Norlane, Victoria 3214, deceased, who died on 19 August 2011.

CRUSE, Neville Bruce, late of Golden Gate Lodge, Stawell Road, Ararat, Victoria 3377, pensioner, deceased, who died on 28 July 2011.

COOMBS, Garry Richard, also known as Gary Coombs, late of Nagambie Hospital, 22 Church Street, Nagambie, Victoria 3608, retired, deceased, who died on 14 May 2011.

DAVIES, Beryl Osment, late of PO Box 50, Mt Alexander Hospital (High Care Unit), Castlemaine, Victoria 3450, pensioner, deceased, who died on 23 March 2011.

DE GARROOD, Judith, formerly of 22 Cochran Street, North Brighton, but late of Regis Shelton Manor Aged Care Residence, 93 Ashleigh Avenue, Frankston, Victoria 3199, retired, deceased, who died on 6 August 2011.

FERNS, Maurice, late of Kingston Gardens Ages Care, 201 Clarke Road, Springvale, Victoria 3172, pensioner, deceased, who died on 24 August 2011.

GRIERSON, Ian William, late of 5 Kathryn Close, Pakenham, Victoria 3810, deceased, who died on 15 May 2011.

GRIFFITH, Paul Richard, late of Coopers Road, Macclesfield, Victoria 3782, deceased, who died on 27 May 2011.

HILL, Reginald, late of Crest Nursing Home, 11 Johnston Street, Annadale, New South Wales, deceased, who died on 7 June 2011.

LOVICK, Kathryn May, late of Kialla Lakes Estate, 7 Silvan Crest, Shepparton, Victoria 3630, deceased, who died on 30 April 2011.

O'CALLAGHAN, Thomas Michael, late of Waterdale Aged Care Facility, 250 Waterdale Road, Ivanhoe, Victoria 3079, deceased, who died on 2 August 2011.

POLLOCK, Andrew, late of Unit 2, 3 Dundee Drive, West Wodonga, Victoria 3690, pensioner, deceased, who died on 6 June 2011.

PRACHNIAR, Daniel Justin, late of Unit 3, 45 Ormond Road, East Geelong, Victoria 3219, pensioner, deceased, who died on 9 April 2011.

TABOR, Douglas William, late of 21 Fontein Street, West Footscray, Victoria 3012, retired, deceased, who died on 7 September 2011.

VARNYAS, Zsofi, also known as Sofia Varnyas, late of Mecwa, 70 Charles Street, Prahran, Victoria 3181, deceased, who died on 5 January 2011.

WILLIAMS, Barbara Mary, late of 14 Aintree Road, Glen Iris, Victoria 3146, retired, deceased, who died on 15 August 2011.

Dated 31 October 2011

ROD SKILBECK
Manager
Client Services

EXEMPTION

Application No. A248/2011

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by 370 Degrees Group Limited (the applicant). The application for exemption is to enable the applicant to advertise for female applicants for Information Technology Traineeships and Cadetships (the exempt conduct).

Upon reading the material filed in support of this application, including the affidavit of Michael Guminski, having heard oral submissions from the applicant and having read and heard submissions from the Victorian Equal Opportunity and Human Rights Commission, the Tribunal is satisfied that it is appropriate to grant an exemption from section 182 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption the Tribunal noted:

- The applicant has been granted previous exemptions to engage in the exempt conduct since 2001. The last granted exemption expired on 1 September 2010 and so no current exemption applies.
- The applicant has been and remains keen to encourage females to participate in the Information Technology (IT) sector by applying for traineeships and cadetships. Those roles allow participants to undertake study while working within the industry. The participants are employed by the applicant

and are placed with appropriate employers. In 2007 only 9 women were undertaking IT traineeships in Victoria as compared to 110 males. Since then the participation rate has improved to the point that, as at 2010, 40% of the trainees employed by the applicant were female.

- The applicant currently intends to recruit a total of 20 people in traineeships or cadetships. While the applicant will not reserve any positions for women only, it wishes to advertise in such a way as to encourage females to apply and thereby increase the number of females within the group of potential trainees and cadets. The applicant believes that will ultimately lead to greater participation by females in the IT sector.
- No exception 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 males who view advertising material which specifically targets women. 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 section 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 9 November 2016.

Dated 7 November 2011

A. DEA
Member

EXEMPTION

Application No. A309/2011

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by Interchange Loddon Mallee Region Inc. (the applicant). The application for exemption is to enable the applicant to

advertise for and employ only males to provide direct and/or personal care to male clients with disabilities (the exempt conduct).

Upon reading the material filed in support of this application, including the affidavit of Joolee Hughes, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 16, 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 is a non-government, non-profit community based organisation that provides respite, recreation and support, through a range of different programmes, to families who have a child or family member with a disability.
- The applicant's primary funding source is the Department of Human Services. The main programme offered by the applicant includes options for respite and recreation for clients with a disability or care needs. Staff are employed to support clients and the programmes offered may include holidays, camps, weekend and after hours' activities and one-to-one support for those with high support needs.
- The programmes are offered on a one-to-one or small group basis, usually in public settings, and are aimed to increase client self-esteem, independence and to provide recreational leisure options as well as respite. Workers also become positive role models for clients. Male clients usually respond more positively and easily with other males. Usually their progress with goals and aims is faster and sustained when matched up with the 'right' worker.
- The male clients range in ages from adolescents to elderly, and many display challenging behaviours. Some are physically violent and require occasional restraint; some make sexually inappropriate conversation or engage in inappropriate sexual behaviour, for example, by exposing themselves or masturbating. Some are dependent on their support worker for personal care functions including toileting, washing, changing and lifting.

- At the time of commencing with a client, a comprehensive ‘matching’ and risk assessment process is undertaken and a worker is selected based on their skills, experience and the specific requirements of the client. In most cases the basic requirement is a male-to-male match.
 - Due to the requirements of male clients, as outlined above, it is inappropriate for female workers to be engaged to work with them. Currently 70% of clients waiting for the service are male and, when advertising for these positions, the response is usually predominantly from females.
 - Advertising particularly for male workers is in the interests of all concerned, as their employment would meet the specific individual needs of male clients in a way that is best for those clients and which cannot always be met by women, who may be at risk of injury or sexual harassment if so employed.
 - Previous exemptions have been granted to the applicant (A58/2005 and A156/2008), with the latter expiring on 1 June 2011.
 - Section 26 of the Act contains an exception to allow the limiting of offers of employment to people of one sex if it is a genuine occupational requirement of the employment that the employees be people of that sex. Sub-section 2 sets out a non-exhaustive list of genuine occupational requirements which include where the employee is required to enter lavatories ordinarily used by people of that sex while it is in use by people of that sex (sub-section (2)(d)) and where the employee is required to enter areas ordinarily used only by people of that sex while those people are in a state of undress (sub-section (2)(e)). Although the workers engaged by the applicant may be required from time to time to enter male lavatories or male change rooms, that is not always required for each of the applicant’s clients and so it is not an inherent requirement. While it is preferable for the staff to be male for the reasons described, I am not satisfied that the employment of a female would mean the required tasks could not be completed. In those circumstances section 26 would not apply and nor would any other exception under the Act. I am satisfied that 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 females who would wish to be employed to provide direct and/or personal care to male clients with disabilities. I am satisfied that in all of the circumstances discussed above, the limit imposed by this exemption is reasonable and justified under the Charter and it is appropriate for the exemption to be granted.
- The Tribunal hereby grants an exemption from the operation of sections 16, 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 9 November 2016.
- Dated 7 November 2011
- A. DEA
Member
-
- Department of Treasury and Finance
SALE OF CROWN LAND
BY PUBLIC AUCTION
- On 3 December 2011 at 11.00 am on site
- Reference:** F07/26640.
- Address of Property:** 32 Station Street, Drysdale.
- Crown Description:** Crown Allotment 2004, Parish of Bellarine.
- Terms of Sale:** Deposit 10%, Balance 30/60/90 days.
- Area:** 2382 square metres.
- Officer Co-ordinating Sale:** Deanne Leaver, Senior Project Manager, Land and Property Group, Department of Treasury and Finance, Level 5, 1 Treasury Place, Melbourne, Victoria 3002.
- Selling Agent:** Stockdale & Leggo, Shop 2a/19 Clifton Springs Road, Drysdale, Victoria 3222.
- GORDON RICH-PHILLIPS MLC
Assistant Treasurer
-

Associations Incorporation Act 1981

SUB-SECTION 36E(5)

Notice is hereby given that the incorporation of the associations mentioned below is cancelled in accordance with section 36E(5) of the **Associations Incorporation Act 1981**.

Broadband Public Tenants Assoc. Inc.; Snowy River Archers Inc.; Cranbourne Community Pre-School Services Inc.; Bendigo Carpet Bowls Association Inc.; BarwonPrimeLambGroup Inc.; Inner Wheel Club of Highton Inc.; Sunshine Park Estate Kindergarten Inc.; Albanvale Community Kindergarten Inc.; Westergate Kindergarten Inc.; Willis Street Kindergarten Inc.; Kingsville Hyde Management Inc.; Epalock Crescent Kindergarten Inc.; East Sunshine Kindergarten Inc.; Deer Park Pre-School Centre Inc.; Albion Kindergarten Inc.; South Sunshine Kindergarten Inc.; Sunshine Heights Kindergarten Inc.; North Sunshine Kindergarten Inc.; Ridgeway Parade Kindergarten Inc.; North Maidstone Pre School Play Centre Inc.; Fairbairn Road Kindergarten Inc.; J. & P. Cam Recreation Reserve Committee Inc.; Warrenbayne Community Tanker Inc.; Australian Professional Snowsport Instructors Inc.; Gippsland Gay & Lesbian Network Inc.; Polish Senior Citizens Club of Moorabbin Inc.; Australian Over 70 Cricket Association Inc.; Warburton Woolcrafters Inc.; The Australian Interior Textile and Carpet Wool Council Inc.; Theatre Works Australia Inc.; Dunkeld Recreation Reserve Committee of Management Inc.; Bilad-El Sudan Development Foundation Inc.; Health Benefits Council of Victoria Inc.; Longwarry Senior Citizens Club Inc.

Dated 10 November 2011

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

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

Dated 1 November 2011

SECRETARY
Department of Education and
Early Childhood Development

Country Fire Authority Act 1958DECLARATION OF
FIRE DANGER PERIOD

In pursuance of the powers conferred by section 4 of the **Country Fire Authority Act 1958**, I, Mick Bourke, Chief Executive Officer of the Country Fire Authority, after consultation with the Secretary to the Department of Sustainability and Environment, hereby declare the following periods to be the Fire Danger Period in the municipal districts of the municipalities or parts of municipalities specified, commencing on the dates shown and, unless varied by subsequent declaration, ending at 0100 hours on 1 May 2012.

To commence from 0100 hours on 14 November 2011:

Swan Hill Rural City Council.

Buloke Shire Council (Northern Part) – that part north of the Beulah–Birchip, Birchip–Wycheproof, Boort–Wycheproof arterial road, but excluding the road reserve and excluding the townships of Birchip and Wycheproof.

Yarriambiack Shire Council (Northern Part) – that part north of the wire netting fence.

Hindmarsh Shire Council (Northern Part) – that part north of the wire netting fence.

MICK BOURKE
Chief Executive Officer

Land Acquisition and Compensation Act 1986

FORM 7

S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation declares that by this notice it acquires the following interest in the land described as 322–410 Shell Road, Ocean Grove, being more particularly described as Certificate of Title Volume 9032 Folio 361:

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 29A(2) of the **Children's Services Act 1996**, the Secretary, Department of Education and Early Childhood Development, hereby declares that Swan Hill Community House Occasional Care, licence ID 10454, is exempt from the qualified staff member requirements as set out in regulations 55(2)(a)(ii), 55(2)(b)(ii) and 55(3) of the Children's Services Regulations 2009.

An easement for sewerage purposes over that part of the land contained in Certificate of Title Volume 9032 Folio 361 which is shown as E-1 comprising an area of 5,828 m² on Plan for Creation of Easement dated 23 August 2011, a copy of which is available for perusal at the offices of Barwon Region Water Corporation at 61-67 Ryrie Street, Geelong.

Published with the authority of Barwon Region Water Corporation.

For and on behalf of
Barwon Region Water Corporation

Signed MICHAEL WATSON
(Authorised officer of the Authority)

Name Michael Watson, Secretary

Dated 10 November 2011

Land Acquisition and Compensation Act 1986

FORM 7 S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Secretary to the Department of Transport, as acquiring authority, declares that by this notice it acquires the following interest in the land described as Parcel 354 on Survey Plan SP22225A, being part of the land contained in Certificate of Title Volume 11010 Folio 176:

The estate in fee simple of Alphafield Pty Ltd and all other interests.

Published with the authority of the Secretary to the Department of Transport.

Dated 10 November 2011

For and on behalf of the
Secretary to the Department of Transport
Signed TIM CULLINAN

Director

Property and Commercial Development

Land Acquisition and Compensation Act 1986

FORM 7 S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Secretary to the Department of Transport, as acquiring authority, declares that by this notice it acquires the following interest in the land described as Parcel 355 on Survey Plan SP22225A, being part of the land contained in Certificate of Title Volume 8900 Folio 279:

The estate in fee simple of Russell Victor Crichton and all other interests.

Published with the authority of the Secretary to the Department of Transport.

Dated 10 November 2011

For and on behalf of the
Secretary to the Department of Transport
Signed TIM CULLINAN

Director

Property and Commercial Development

Land Acquisition and Compensation Act 1986

FORM 7 S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Secretary to the Department of Transport, as acquiring authority, declares that by this notice it acquires the following interest in the land described as Parcel 356 on Survey Plan SP22225A, being part of the land contained in Certificate of Title Volume 10686 Folio 142:

The estate in fee simple of Robert Kent and Gina Louise Farrugia and all other interests.

Published with the authority of the Secretary to the Department of Transport.

Dated 10 November 2011

For and on behalf of the
Secretary to the Department of Transport
Signed TIM CULLINAN

Director

Property and Commercial Development

Land Acquisition and Compensation Act 1986

FORM 7 S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Secretary to the Department of Transport, as acquiring authority, declares that by this notice it acquires the following interest in the land described as Parcel 357 on Survey Plan SP22225A, being part of the land contained in Certificate of Title Volume 8900 Folio 282:

The estate in fee simple of Joseph Cassar and Stella Cassar and all other interests.

Published with the authority of the Secretary to the Department of Transport.

Dated 10 November 2011

For and on behalf of the
Secretary to the Department of Transport
Signed TIM CULLINAN
Director
Property and Commercial Development

Land Acquisition and Compensation Act 1986

FORM 7 S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Secretary to the Department of Transport, as acquiring authority, declares that by this notice it acquires the following interest in the land described as Parcel 371 on Survey Plan SP22226A, being part of the land contained in Certificate of Title Volume 8900 Folio 283:

The estate in fee simple of Tony Sant and Mary Sant and all other interests.

Published with the authority of the Secretary to the Department of Transport.

Dated 10 November 2011

For and on behalf of the
Secretary to the Department of Transport
Signed TIM CULLINAN
Director
Property and Commercial Development

Land Acquisition and Compensation Act 1986

FORM 7 S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Secretary to the Department of Transport, as acquiring authority, declares that by this notice it acquires the following interest in the land described as Parcel 372 on Survey Plan SP22226A, being part of the land contained in Certificate of Title Volume 8900 Folio 308:

The estate in fee simple of Estate of Wu Chow Lan and all other interests.

Published with the authority of the Secretary to the Department of Transport.

Dated 10 November 2011

For and on behalf of the
Secretary to the Department of Transport
Signed TIM CULLINAN
Director
Property and Commercial Development

Land Acquisition and Compensation Act 1986

FORM 7 S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Secretary to the Department of Transport, as acquiring authority, declares that by this notice it acquires the following interest in the land described as Parcel 370 on Survey Plan SP22226A, being part of the land contained in Certificate of Title Volume 8900 Folio 309:

The estate in fee simple of George Calleja and Helen Calleja and all other interests.

Published with the authority of the Secretary to the Department of Transport.

Dated 10 November 2011

For and on behalf of the
Secretary to the Department of Transport
Signed TIM CULLINAN
Director
Property and Commercial Development

Land Acquisition and Compensation Act 1986

FORM 7 S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Secretary to the Department of Transport, as acquiring authority, declares that by this notice it acquires the following interest in the land described as Parcel 374 on Survey Plan SP22226A, being part of the land contained in Certificate of Title Volume 8900 Folio 307:

The estate in fee simple of Christopher Joseph Binney and Rhonwen Elva Binney and all other interests.

Published with the authority of the Secretary to the Department of Transport.
Dated 10 November 2011

For and on behalf of the
Secretary to the Department of Transport
Signed TIM CULLINAN
Director
Property and Commercial Development

Land Acquisition and Compensation Act 1986

FORM 7

S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Secretary to the Department of Transport, as acquiring authority, declares that by this notice it acquires the following interest in the land described as Parcel 375 on Survey Plan SP22226A, being part of the land contained in Certificate of Title Volume 8900 Folio 284:

The estate in fee simple of Allan Maxwell Hayes and Rita Carmel Hayes and all other interests.

Published with the authority of the Secretary to the Department of Transport.
Dated 10 November 2011

For and on behalf of the
Secretary to the Department of Transport
Signed TIM CULLINAN
Director
Property and Commercial Development

Local Government Act 1989

SENIOR OFFICER REMUNERATION THRESHOLD INCREASE

I, Jeanette Powell MP, Minister for Local Government, acting under subsection 97B(2) of the **Local Government Act 1989**, specify \$127,000 as the threshold amount for the purposes of paragraph (c) of the definition of senior officer as determined under subsection 97B(1) of that Act.

This threshold amount takes effect on 1 December 2011.
Dated 28 October 2011

JEANETTE POWELL MP
Minister for Local Government

Local Government Act 1989

MOUNT ALEXANDER SHIRE COUNCIL

By-Election Date

I, Jeanette Powell MP, Minister for Local Government, under section 38(1AB) and 38(1AC) of the **Local Government Act 1989** hereby:

- a) fix 25 February 2012 as the date of an election to be held to fill an extraordinary vacancy in Calder Ward of the Mount Alexander Shire Council; and
- b) specify 16 December 2011 as the entitlement date for that election.

Dated 28 October 2011

JEANETTE POWELL MP
Minister for Local Government

PUBLIC NOTICE CONCERNING NEIGHBOURHOOD SAFER PLACES

Three public land reserves established under the **Crown Land (Reserves) Act 1978** have been identified as meeting the Country Fire Authority Assessment Guidelines for neighbourhood safer places. As the Minister responsible for the **Crown Land (Reserves) Act 1978**, I consent to the use of the following reserves as Neighbourhood Safer Places.

Reserve No.	Municipality	Township Name	General Location	Description
0303754	Glenelg Shire	Dartmoor	Ascot Street, Dartmoor	Dartmoor Public Recreation Reserve
1201929	Bass Coast Shire	Cowes	10–14 Church Street (between Park Street and Dunsmore Road)	Cowes Recreation Reserve
1202962	Bass Coast Shire	Grantville	Corner Bass Highway and Pier Road	Memorial Park

Dated 25 October 2011

PETER WATKINSON
Executive Director, Public Land Division

Housing Act 1983

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

Housing Choices Australia Limited and Melbourne Affordable Housing

I, Doug Craig, Acting 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 Deed of Novation dated 14 October 2011 between the Director, Housing Choices Australia Limited and Melbourne Affordable Housing 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
06053	561	25 Noble Street, Newtown
06949	731	25 Noble Street, Newtown
08693	748	11/160 Lee Street, Carlton
09478	542	25 Noble Street, Newtown
10041	335	13/700 Lygon Street, Carlton
10220	546	25 Dowding Close, Fawkner
10739	385	4–6 Wendover Avenue, Norlane

Dated 31 October 2011

Signed at Melbourne in the State of Victoria
DOUG CRAIG
Acting Director of Housing

Electoral Act 2002
Section 17A

APPLICATION OF THE EQUAL OPPORTUNITY ACT 2010

Section 17A of the **Electoral Act 2002** provides that (in accordance with section 75 of the **Equal Opportunity Act 2010**) the Victorian Electoral Commission (VEC) may discriminate against a person in relation to offering employment (or appointment as a member of the audit committee of the Commission) on the basis of that person's political belief or activity.

The VEC is an independent and impartial statutory authority responsible for the conduct of Victorian Parliamentary elections, local council elections and other statutory, commercial and community elections. The VEC is also responsible for the maintenance of the Victorian register of electors, the promotion of public awareness on electoral matters, the conduct and promotion of electoral research, and the conduct of local government boundary reviews. The VEC must ensure that all staff and contractors are, and are seen to be politically neutral in the manner that they carry out their duties.

The following guidelines apply in relation to the implementation of section 17A of the **Electoral Act 2002**:

The VEC will request and consider information pertaining to the following criteria when determining whether or not a person should be offered employment (or appointment as a member of the audit committee).

1. Current membership or membership within the past 15 years of any political party in any State or Territory or the Commonwealth.
2. A course of conduct within the past 15 years, directed to supporting the aims of a political party or an independent candidate in a State, Territory or Federal election.
3. A person who has held the office of councillor for a Victorian local council within the past 15 years.
4. A course of conduct within the past 15 years directed towards supporting the political aims of a local councillor.
5. A person who has publicly engaged in conduct promoting a political position in respect of an issue currently before the electorate for the election for which that person is to be employed. (This could include letters to the editor, comments on talk back radio, publication of comments on the internet etc.)
6. A person who is a member of a lobby group (not being a union or professional association) which promotes a political position in respect of an issue currently before the electorate in the election for which that person is to be employed.

Preferred applicants will be offered the role subject to the satisfactory assessment of their disclosure against their above criteria. The Electoral Commissioner or his delegate will assess each disclosure to determine if any activities disclosed have the potential to compromise the VEC's independence and impartiality.

The following factors are applied when assessing disclosures:

- an applicant who does not complete the form will not be appointed;
- any activity consistent with criteria (1) or (2) will automatically exclude the applicant from a role with the VEC;
- any activity consistent with criteria (3) to (6) will be considered in terms of the role being sought; the nature of the activity and its potential to compromise the independence and impartiality of the VEC, and the time the activity took place; and
- where applicants have not engaged in any activities consistent with criteria (1) to (6), the appointment will proceed.

Applicants who disagree with the VEC's assessment of their disclosure may request to have the decision reviewed by lodging a written request to: Electoral Commissioner Level 11, 530 Collins Street, Melbourne, Victoria 3000.

Express notice will be provided to prospective employees, contractors or appointees to the VEC's audit committee, alerting them that they may be adversely affected by these provisions.

All disclosures will be kept private and handled in accordance with the VEC's Privacy Policy – a copy of which can be viewed at www.vec.vic.gov.au/files/vecprivacy.pdf

The VEC will report on the implementation of these provisions in its Annual Reports.

S. H. TULLY
Victorian Electoral Commission

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.

Feature Naming:

Place Name	Naming Authority and Location
Ranelagh Estate	Mornington Peninsula Shire Council See map at www.dse.vic.gov.au/namingplaces
Kay Langan Skate Park	Surf Coast Shire Council 85 Mountjoy Parade, Lorne 3232 See map at www.dse.vic.gov.au/namingplaces

Road Naming:

Change Request Number	Road Name	Locality	Proposer and Location
33777	Cyril Beechey Lane	Cranbourne	Casey City Council Formerly known as Stevensons Road. The road traverses north off Ballarto Road.
33777	Laurie Cleary Lane	Cranbourne	Casey City Council Formerly known as Cemetery Road. The road traverses north off Ballarto Road.
34021	Melville Road	Numurkah	Moira Shire Council Formerly known as Melville South Road. The road traverses south off Katamatite–Nathalia Road to Purdies Road.
29313	Dalby Lane	Wodonga	Wodonga City Council The road traverses south off Wornes Drive.
34772	Protea Lane	Dromana	Mornington Peninsula Shire Council The road traverses east off Lombardy Avenue.

Office of Geographic Names

Land Victoria
570 Bourke Street
Melbourne 3000

JOHN E. TULLOCH
Registrar of Geographic Names

Planning and Environment Act 1987

ARARAT PLANNING SCHEME

Notice of Approval of Amendment

Amendment C23

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

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

The Amendment restructures and streamlines the Local Planning Policy Framework by removing repetition and superfluous content, integrating all local policies at clause 22 of the Ararat Planning Scheme into the Municipal Strategic Statement, and consequently deleting clause 22. The revision also updates factual information in the Municipal profile.

The Amendment also corrects anomalies in the Schedule to clause 61.03 to accurately reflect the planning scheme maps comprising the scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Ararat Rural City Council, corner Vincent and High Streets, Ararat.

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

Planning and Environment Act 1987

BRIMBANK PLANNING SCHEME

Notice of Approval of Amendment

Amendment C144

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

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

The Amendment applies to land known as Lot 4, TP 828422, 2A Foleys Road, Deer Park.

The Amendment introduces a Public Acquisition Overlay Schedule 3 (PAO3) in order to identify part of the site as land proposed to be acquired by Council for the purposes of constructing a road.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Brimbank City Council, Keilor Office, Old Calder Highway, Keilor.

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

Planning and Environment Act 1987

CARDINIA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C86

The Minister for Planning has approved Amendment C86 to the Cardinia Planning Scheme.

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

The Amendment:

- introduces Schedule 17 to the Development Plan Overlay;
- rezones the land from a Farming Zone to a Residential 1 Zone;
- applies the Development Plan Overlay (Schedule 17) to the land; and
- makes minor changes to the Schedule to Clause 61.03.

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

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

Planning and Environment Act 1987

CASEY PLANNING SCHEME

Notice of Approval of Amendment

Amendment C114

The Minister for Planning has approved Amendment C114 to the Casey Planning Scheme.

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

The Amendment applies the Public Acquisition Overlay 3 (PAO3) to land at 61–63 Webb Street to provide for the acquisition of the land for the construction of the Brechin Drive extension.

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

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

- incorporates a Precinct Structure Plan, a Native Vegetation Precinct Plan and a Development Contributions Plan for the land;
- includes reference to the Clyde North Precinct Structure Plan in Schedule 3 to the Special Use Zone (Hillcrest College);
- introduces Schedule 3 to the Urban Growth Zone and updates the schedules to Clauses 34.01, 36.03, 52.01, 52.16, 61.03 and 81.01;
- applies the Environmental Audit Overlay and Public Acquisition Overlay to specified land; and
- includes reference to the precinct structure plan in Clauses 21.03 and 22.07.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of Casey City Council, Customer Service Centre, Municipal Offices, Magid Drive, Narre Warren.

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

Planning and Environment Act 1987

CASEY PLANNING SCHEME

Notice of Approval of Amendment

Amendment C153

The Minister for Planning has approved Amendment C153 to the Casey Planning Scheme.

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

The Amendment applies to land within the Clyde North Precinct Structure Plan to the north of Thompsons Road. The Amendment:

- reduces the area of the Urban Floodway Zone and applies the Urban Growth Zone Schedule 3 to the remainder of the land;
- amends the boundary of HO129 and deletes HO132 on the planning scheme maps;
- applies the Development Contributions Plan Overlay 13 to the precinct;

Planning and Environment Act 1987

LATROBE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C68

The Minister for Planning has approved Amendment C68 to the Latrobe Planning Scheme.

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

The Amendment makes map corrections to remove the Heritage Overlay from 178–180 Commercial Road, Morwell (Lot 1 TP249118), 182 Commercial Road, Morwell (Lot 1 TP128446), 20 Gordon Street, Traralgon (Lot 1 TP255625) and 22 Gordon Street, Traralgon (Lot 1 TP432597).

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at

www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Latrobe Council, 141 Commercial Road, Morwell.

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

Planning and Environment Act 1987

MAROONDAH PLANNING SCHEME

Notice of Approval of Amendment
Amendment C42

The Minister for Planning has approved Amendment C42 to the Maroondah Planning Scheme.

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

The Amendment makes clarifications to the existing Schedule to the Heritage Overlay, deletes seven existing Heritage Overlay citations, adds 47 new Heritage Overlay citations and introduces the Neighbourhood Character Overlay with accompanying Schedule Nos. 1 and 2, in accordance with the 'Maroondah Heritage Study Stage Two, November 2003'.

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

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

Planning and Environment Act 1987

MOORABOOL PLANNING SCHEME

Notice of Approval of Amendment
Amendment C57

The Minister for Planning has approved Amendment C57 to the Moorabool Planning Scheme.

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

The Amendment removes Vegetation Protection Overlay Schedule 2, introduces Schedule 8 to the Environmental Significance Overlay and updates clauses 21.0 and 21.11 and the Schedule to clause 61.03.

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

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

Planning and Environment Act 1987

WHITEHORSE PLANNING SCHEME

Notice of Approval of Amendment
Amendment C129

The Minister for Planning has approved Amendment C129 to the Whitehorse 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 nine properties at 28–44 William Street, Box Hill (even properties only), on a permanent basis and makes consequential changes to the Local Planning Policy Framework at Clauses 21.04, 22.01 and 22.03 to reference the William Street Precinct.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Whitehorse City Council, 379–397 Whitehorse Road, Nunawading 3131.

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

ORDERS IN COUNCIL

Fisheries Act 1995

ORDER IN COUNCIL UNDER SECTION 73 OF THE FISHERIES ACT 1995

Order in Council

The Governor in Council under section 73 of the **Fisheries Act 1995** authorises a person who is authorised to fish commercially for rock lobster, giant crab and scallop under that Act to take protected aquatic biota subject to the following conditions –

- (a) the taking is incidental to fishing activities and occurs unintentionally;
- (b) the taking is in the course of normal fishing activities;
- (c) all reasonable efforts are taken to release the protected aquatic biota to the waters from which it was taken in a viable condition as soon as possible; and
- (d) the incidental interaction with the protected aquatic biota is reported to Fisheries Victoria as soon as practical.

Notes:

1. The **Fisheries Act 1995** defines ‘take’ to mean gain possession or control by any means.
2. A person who is authorised to take and release protected aquatic biota under this order is not in breach of section 71 of the **Fisheries Act 1995**.

This legislative instrument comes into effect on the date published in the Government Gazette.

Dated 8 November 2011

Responsible Minister
PETER WALSH
Agriculture and Food Security

MATTHEW McBEATH
Clerk of the Executive Council

Livestock Disease Control Act 1994

ORDER DECLARING DISEASES AND EXOTIC DISEASES

Order in Council

The Governor in Council under section 6 of the **Livestock Disease Control Act 1994** –

- (a) revokes the Order made by the Governor in Council listed in Schedule 1; and
- (b) declares the contagious or infectious diseases and conditions listed in Schedule 2 to be diseases for the purposes of the Act; and
- (c) declares the contagious or infectious diseases and conditions listed in Schedule 3 to be exotic diseases for the purposes of the Act.

This Order comes into operation and has effect for 12 months on the day it is published in the Government Gazette.

SCHEDULE 1

Revocation

Order	Date Order made by Governor in Council	Publication of Order in Government Gazette
Order declaring diseases and exotic diseases	20 April 2010	Published in Government Gazette No. G16 on 22 April 2010 at page 798.

SCHEDULE 2***Diseases**

*Section 3 definition of 'disease'

Part A Diseases of Mammals and Birds

Anaplasmosis	Lead Poisoning (in food production animals)
Anthrax	Leptospirosis
	Listeriosis
Babesiosis	
Bovine genital campylobacteriosis	Mucosal disease
Bovine malignant catarrh	
Bovine malignant tumour of the eye larger than 2 cm	Ovine brucellosis
Buffalo fly	Ovine footrot
	Ovine ked
	Ovine lice
Caprine arthritis encephalitis	
Cattle tick	Paratuberculosis (Johne's disease)
Cysticercosis (<i>C. bovis</i>)	Psittacosis
	Pullorum disease (<i>Salmonella pullorum</i>)
Enzootic bovine leukosis	
Equine herpes-virus 1 (abortigenic and neurological strains)	Salmonellosis
Equine infectious anaemia	Strangles
Equine viral arteritis	Swine brucellosis (<i>B. suis</i>)
Infectious bovine rhinotracheitis	Trichomoniasis
Infectious laryngotracheitis	Tuberculosis (other than <i>Mycobacterium bovis</i>)
	Verocytotoxigenic <i>E. coli</i>

Part B Diseases of Bees

American foul brood disease (<i>Paenibacillus larvae</i>)	European foul brood disease
Braula fly (<i>Braula coeca</i>)	Nosema (<i>Nosema apis</i>)
Chalk brood disease	Small hive beetle (<i>Aethina tumida</i>)

Part C Diseases of Fish**Diseases of Fin Fish**

Aeromonas salmonicida – atypical strains
 Epizootic haematopoietic necrosis – EHN virus
 Epizootic ulcerative syndrome (*Aphanomyces invadans*)

Diseases of Amphibians

Chytridiomycosis – *Batrachochytrium dendrobatidis*
 Ranavirus

Diseases of Molluscs

Bonamiosis (*Bonamia* species)

SCHEDULE 3***Exotic Diseases**

Section 3 definition of 'exotic disease'

Part A Exotic Diseases of Mammals and Birds

African horse sickness	Jembrana disease
African swine fever	Leishmaniosis
Aujeszký's disease	Louping ill
Australian lyssaviruses including bat lyssavirus	Lumpy skin disease
Avian influenza (highly pathogenic)	Maedi-visna
Avian influenza (low pathogenic virus subtypes)	Malignant catarrhal fever (wildebeest associated)
Bluetongue	Menangle virus (porcine paramyxovirus)
Borna disease	Nairobi sheep disease
Bovine Viral Diarrhoea Virus Type 2	Newcastle disease
<i>Brucella canis</i>	Nipah virus
Brucellosis – bovine (<i>B. abortus</i>)	Peste des petits ruminants
Brucellosis – caprine and ovine (<i>B. melitensis</i>)	Porcine myocarditis (Bungowannah virus)
Camel pox	Porcine reproductive and respiratory syndrome
Chagas disease (<i>T. cruzi</i>)	Post-weaning multi-systemic wasting syndrome
Classical swine fever	Potomac fever
Contagious agalactia	Pigeon Paramyxovirus Type 1
Contagious bovine pleuropneumonia	Pulmonary adenomatosis (Jaagsiekte)
Contagious caprine pleuropneumonia	Rabies
Contagious equine metritis	Rift Valley fever
Crimean Congo haemorrhagic fever	Rinderpest
Cysticercosis (<i>C. cellulosae</i>)	<i>Salmonella enteritidis</i> infection in poultry
Devil facial tumour disease	Salmonellosis (<i>S. abortus-equi</i>)
Dourine	Salmonellosis (<i>S. abortus-ovis</i>)
Duck virus enteritis (duck plague)	Screw worm fly – New World (<i>Cochliomyia hominivorax</i>)
Duck virus hepatitis	Screw worm fly – Old World (<i>Chrysomya bezziana</i>)
East coast fever (<i>Theileria parva</i>) and Mediterranean Theileriosis (<i>Theileria annulata</i>)	Sheep pox and goat pox
Elaphostrongylosis	Sheep scab
Encephalitides (tick-borne)	Spongiform encephalopathies
Enzootic abortion of ewes	Surra (<i>Trypanosoma evansi</i>)
Epizootic haemorrhagic disease (clinical disease)	Swine influenza
Epizootic lymphangitis	Swine vesicular disease
Equine encephalomyelitis (eastern, western and Venezuelan)	Teschen disease (Porcine enterovirus encephalomyelitis)
Equine encephalosis	Transmissible gastroenteritis
Equine influenza	Transmissible spongiform encephalopathies (bovine spongiform encephalopathy, chronic wasting disease of deer, feline spongiform encephalopathy, scrapie)
Equine piroplasmiasis (<i>Babesia caballi</i> and <i>Theileria equi</i>)	Trichinellosis
<i>Fasciola gigantica</i>	Trypanosomiasis (tsetse fly associated)
Foot and mouth disease	Tuberculosis (<i>Mycobacterium bovis</i>)
Fowl typhoid (<i>S. gallinarum</i>)	Tularaemia
Getah virus	Turkey rhinotracheitis (avian metapneumovirus)
Goat pox	Vesicular exanthema
Glanders	Vesicular stomatitis
Haemorrhagic septicaemia	Warble fly myiasis
Heartwater	Wesselsbron disease
Hendra virus	West Nile virus clinical infection
Infectious bursal disease (hypervirulent and exotic antigenic variant forms)	
Japanese encephalitis	

Part B Exotic Diseases of Bees

Africanised bees	Tropilaelaps mite (<i>Tropilaelaps claeae</i>)
Tracheal mite (<i>Acarapis woodi</i>)	Varroosis (<i>Varroa destructor</i>)
	Varroosis (<i>Varroa jacobsoni</i>)

Part C Exotic Disease of Fish**Exotic Diseases of Fin Fish**

Bacterial kidney disease (*Renibacterium salmoninarum*)
 Channel catfish virus disease
 Enteric Redmouth disease (*Yersinia ruckeri* – Hagerman strain)
 Enteric septicaemia of catfish (*Edwardsiella ictaluri*)
 Epizootic haematopoietic necrosis – European catfish virus/European sheatfish virus
 Furunculosis (*Aeromonas salmonicida* subsp. *salmonicida*)
 Grouper iridoviral disease
 Gyrodactylosis (*Gyrodactylus salaris*)
 Infectious haematopoietic necrosis
 Infectious pancreatic necrosis
 Infectious salmon anaemia
 Koi herpesvirus disease
 Piscirickettsiosis (*Piscirickettsia salmonis*)
 Red sea bream iridoviral disease
 Spring viraemia of carp
 Viral encephalopathy and retinopathy
 Viral haemorrhagic septicaemia
 Whirling disease (*Myxobolus cerebralis*)

Exotic Diseases of Molluscs

Abalone viral mortality
 Abalone viral ganglioneuritis
 Akoya Oyster disease
 Bonamiosis (*Bonamia ostreae*, *Bonamia exitiosus*)
Marteilioides chungmuensis
 Marteiliosis (*Marteilia refringens*, *Marteilia sydneyi*)
 Mikrocytosis (*Mikrocytos mackini*)
 Perkinsosis (*Perkinsus marinus*, *Perkinsus olseni*)
 Iridoviroses
 Withering syndrome of abalones (*Xenohalotis californiensis*)

Exotic Diseases of Crustacea

Crayfish plague (*Aphanomyces astaci*)
 Gill-associated virus
 Infectious hypodermal and haematopoietic necrosis
 Infectious myonecrosis
Monodon slow growth syndrome
 Taura syndrome
 White spot disease
 White tail disease
 Yellowhead disease – Yellowhead virus
 Milky haemolymph diseases of spiny lobsters (*Panulirus* spp.)

Dated 8 November 2011

Responsible Minister

PETER WALSH

Minister for Agriculture and Food Security

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

118. *Statutory Rule:* Supreme Court
(Chapter I
Amendment
No. 30) Rules 2011

Authorising Act: Supreme Court
Act 1986

Date first obtainable: 7 November 2011
Code A

119. *Statutory Rule:* Supreme Court
(Judicial Registrars
Mediation
Amendment)
Rules 2011

Authorising Act: Supreme Court
Act 1986

Date first obtainable: 7 November 2011
Code A

120. *Statutory Rule:* Supreme Court
(Chapter VI
Amendment No. 7)
Rules 2011

Authorising Act: Supreme Court
Act 1986
Criminal Procedure
Act 2009

Date first obtainable: 7 November 2011
Code A

121. *Statutory Rule:* Gambling
Regulation
Amendment
Regulations 2011

Authorising Act: Gambling
Regulation
Act 2003

Date first obtainable: 10 November 2011
Code A

122. *Statutory Rule:* Drugs, Poisons
and Controlled
Substances (Drugs
of Dependence
- Synthetic
Cannabinoids)
Regulations 2011

Authorising Act: Drugs, Poisons
and Controlled
Substances
Act 1981

Date first obtainable: 10 November 2011
Code A

123. *Statutory Rule:* Magistrates'
Court (Reference
Amendment)
Rules 2011

Authorising Act: Magistrates' Court
Act 1989

Date first obtainable: 10 November 2011
Code A

124. *Statutory Rule:* Magistrates' Court
(Miscellaneous
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(Amendment No. 1)
Rules 2011

Authorising Act: Magistrates' Court
Act 1989

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