



# Victoria Government Gazette

No. G 42 Thursday 17 October 2002

**GENERAL**

## GENERAL AND PERIODICAL GAZETTE

Copy to: Gazette Officer  
The Craftsman Press Pty. Ltd.  
125 Highbury Road,  
Burwood Vic 3125  
Telephone: (03) 9926 1233  
Facsimile: (03) 9926 1292  
DX: 32510 Burwood  
Email: [gazette@craftpress.com.au](mailto:gazette@craftpress.com.au)

### Advertising Rates and Payment

*All prices include GST*

#### Private Notices

Payment must be received in advance with advertisement details.

33 cents per word – Full page \$198.00.

Additional costs must be included in prepayment if a copy of the gazette is required. Copy Prices – Page \$1.65 – Gazette \$3.52 – Certified copy of Gazette \$3.85 (all prices include postage). *Cheques should be made payable to The Craftsman Press Pty. Ltd.*

#### Government and Outer Budget Sector Agencies Notices

Not required to prepay.

Advertisements may be faxed or sent via email with a cover sheet, marked to the attention of the Gazette Officer. Floppy Disks (Mac & PC) can also be accepted.

Costs can be calculated on the following basis:

Per Line	Typeset
Single column	\$1.71
Double column	\$3.41
Full Page	\$71.28

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#### Copy Deadline for General Gazette

9.30 a.m. Monday – (Private Notices)

9.30 a.m. Tuesday – (Government and Outer Budget Sector Agencies Notices)

### Advertisers should note:

- Late copy received at The Craftsman Press Pty. Ltd. after deadlines will be placed in the following issue of VGG, irrespective of any date/s mentioned in the copy (unless otherwise advised).
- Late withdrawal of advertisements (after client approval, before printing) will incur 50 per cent of the full advertising rate to cover typesetting, layout and proofreading costs.
- Proofs will be supplied only when requested or at the direction of the Gazette Officer.
- No additions or amendments to material for publications will be accepted by telephone.
- Orders in Council may be lodged prior to receiving assent with the Governor's or Clerk's signature. They will only be published once approved and signed.
- Accounts over 90 days will be issued with a letter of demand.
- Government and Outer Budget Sector Agencies please note: *See style requirements on back page.*

## SPECIAL GAZETTES

Copy to: Gazette Officer  
The Craftsman Press Pty. Ltd.  
125 Highbury Road  
Burwood Vic 3125  
Telephone: (03) 9926 1233  
Facsimile: (03) 9926 1292  
Email: [gazette@craftpress.com.au](mailto:gazette@craftpress.com.au)

### Advertising Rates and Payment

#### Private Notices

Full Page \$396.00

Payment must be received in advance with notice details.

#### Government and Outer Budget Sector Agencies Notices

	Typeset
Full Page	\$96.25

#### Note:

The after hours number for Special Gazettes is:  
Telephone: 0419 327 321

## SUBSCRIPTIONS AND RETAIL SALES

Copies of the *Victoria Government Gazette* can be purchased from The Craftsman Press Pty. Ltd. by subscription.

#### The *Victoria Government Gazette*

General and Special – \$187.00 each year

General, Special and Periodical – \$249.70 each year

Periodical – \$124.30 each year

Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds will not be given.

*All payments should be made payable to The Craftsman Press Pty. Ltd.*

#### Subscription enquiries:

The Craftsman Press Pty. Ltd.  
125 Highbury Road, Burwood Vic 3125  
Telephone: (03) 9926 1233

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**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)  
MELBOURNE CUP HOLIDAY**

**Please Note:**

The Victoria Government Gazette for Melbourne Cup week will be published on **Thursday 7 November 2002**.

**Copy deadlines:**

Private Advertisements **9.30am on Friday 1 November 2002.**

Government and Outer

Budget Sector Agencies Notices **9.30am on Monday 4 November 2002.**

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

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**PRIVATE ADVERTISEMENTS**

**DISSOLUTION OF PARTNERSHIP**

Notice is hereby given that the partnership between Daniel Francis Chisholm, Katherine Mary Chisholm, both of 68 The Boulevarde, Richmond, and Robert James Morton, Jacqueline Andrea Morton, both of 34 Addison Street, Moonee Ponds and Paul Litton Reed, Belinda Anne Reed, both of 25 Riverview Road, North Balwyn, carrying on business as Reservoir Newsagency has been dissolved as from 30 June 2001.

CARMELA VERDE, late of 35 Elliott Street, West Heidelberg, Victoria, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 12 August 2002, are required by Paul Morris Natoli, the executor of the deceased's Will, to send particulars of their claim to the said executor care of the undermentioned solicitors by a date not later than two months from the date of publication hereof, after which date he will convey or distribute the assets having regard only to the claims of which he then has notice.

A.B. NATOLI PTY, solicitors,  
24 Cotham Road, Kew 3101.

FERDINANDO BELTRAMI, late of 102 Lake Road, Blackburn, Victoria, managing director, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 25 June 2002, are required by Maria Beltrami, Alba Veronese and Ugo Beltrami, the executors of the deceased's Will, to send particulars of their claim to the said executors care of the undermentioned solicitors by a date not later than two months from the date of publication hereof, after which date they will convey or distribute the assets having regard only to the claims of which they then have notice.

A.B. NATOLI PTY, solicitors,  
24 Cotham Road, Kew 3101.

SAOFAIGA SWAN, late of 10 Temby Way, Hoppers Crossing, Victoria, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 6 June 1999, are required

by Stephanie Fetalai Swan and Jennifer Filitaa Swan, the executors of the deceased's Will, to send particulars of their claim to the said executors care of the undermentioned solicitors by a date not later than two months from the date of publication hereof, after which date they will convey or distribute the assets having regard only to the claims of which they then have notice.

A.B. NATOLI PTY, solicitors,  
24 Cotham Road, Kew 3101.

In the Will of MICHAEL ANTHONY JARVIS, late of Ranch Road, Tintalra, dairy farmer, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 March 2002, are required by the executor appointed in the Will of the deceased dated 7 September 2001 namely, Andrew Kurnof of Leakes Road, Cudgewa North, to send particulars to him care of the undermentioned solicitors within two (2) months from the date of publication of this notice, after which date the executor may convey or distribute the assets having regard only to the claims of which he then has notice.

On 9 August 2002, the Will of the deceased was proved by Andrew Kurnof, the executor appointed therein.

Address to which claims should be sent:

ADAMS LEYLAND, solicitors,  
PO BOX 878, Albury, NSW 2640.

JOAN LAVENDER CUMBRAE-STEWART, late of Unit 95, Oak Tree Hill Retirement Village, 37 View Mount Road, Glen Waverley, Victoria, architect, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 May 2002, are required by Equity Trustees Limited, ACN 004 031 298, the proving executor of the Will of the deceased, to send particulars of their claims to the executor in the care of the undermentioned solicitor by 18 December 2002 after which date the executor may convey or distribute the assets having regard only to the claims of which it then has notice.

ANDREW G. J. ROWAN, solicitor,  
Level 4, 472 Bourke Street, Melbourne 3000.

LINDSAY ARTHUR O'NEILL, late of Rushall Park, Flat 3, 3 Grice Avenue, Clifton Hill, Victoria, retired music teacher, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 July 2002, are required by Equity Trustees Limited, ACN 004 031 298, the proving executor of the Will of the deceased, to send particulars of their claims to the executor in the care of the undermentioned solicitor by 18 December 2002 after which date the executor may convey or distribute the assets having regard only to the claims of which it then has notice.

ANDREW G. J. ROWAN, solicitor,  
Level 4, 472 Bourke Street, Melbourne 3000.

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KATHLEEN SHELLY. Would any person who may have knowledge of any relations or next-of-kin of KATHLEEN SHELLY, (born 16/06/1923) who was late of Nazareth House, 218 Mill Street, Ballarat and who died on 15 April 2001, please contact BJT Legal of 38 Lydiard Street South, Ballarat, Victoria, the solicitors acting on behalf of the estate.

BJT LEGAL, solicitors,  
38 Lydiard Street South, Ballarat, Victoria.

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Re: MAURICE LINDSAY ROBIE, late of 35 Stuart Street, Noble Park, Victoria, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 July 2002, are required by the trustee, Norma Frances Robie of 35 Stuart Street, Noble Park, Victoria, widow, the wife, to send particulars to the trustee by 2 January 2003 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

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Creditors, next-of-kin and others having claims in respect of the estate of ARTHUR JOHN MATTHEWS, late of RMB 1400, Ararat–St. Arnaud Road, Shays Flat, Landsborough, Victoria, farmer, deceased, who died on 16 June 2002, are required by the executors, Peter John Matthews of 50 McComb Road, Frankston; Maureen Patricia Traynor of

30 Marie Crescent, Wendouree; Winifred Rosemary Brickman of 22 Shute Avenue, Berwick and John Darren Matthews of 326 Edgar Street, Portland, to send particulars to them care of their undermentioned solicitors by 17 December 2002 after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

BRIGGS, FRANCIS & ASSOCIATES,  
barristers & solicitors,  
94 Barkly Street, Ararat 3377.

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Re: Estate FLORENCE JEAN NICOL, deceased. Creditors, next-of-kin or others having claims in respect of the estate of FLORENCE JEAN NICOL, late of Kanella Nursing Home, 31 Mitchell Street, Brunswick, Victoria, widow, who died on 4 September 2001, are to send particulars of their claims to the personal representative/s care of the undermentioned solicitors by 18 December 2002 after which date the personal representative/s will distribute the assets having regard only to the claims of which they then had notice.

BRUCE M. COOK & ASSOCIATES,  
barristers & solicitors,  
Level 19,  
535 Bourke Street, Melbourne, Vic. 3000.

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Re: MANUEL TOI WILSON, also known as Emanuel Toi Wilson, deceased. Creditors, next-of-kin or others having claims in respect of the estate of MANUEL TOI WILSON, late of 17 Gloucester Way, Epping, Victoria, casting engineer, who died on 12 September 2001, are to send particulars of their claims to the personal representative/s care of the undermentioned solicitors by 18 December 2002 after which date the personal representative/s will distribute the assets having regard only to the claims of which they then had notice.

BRUCE M. COOK & ASSOCIATES,  
barristers & solicitors,  
Level 19, AMP Tower,  
535 Bourke Street, Melbourne, Vic. 3000.

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CHARLOTTE MORRISON ANDERSON, late of "Darnlee" Aged Care, 33 Lansell Road, Toorak, Victoria, retired Professor of Paediatrics, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the

deceased, who died on 15 April 2002 at Melbourne, in the said State, are required by the trustee, June Mary Anderson of Unit 3, 27 Cratloe Road, Mount Waverley, Victoria, Lecturer, to send particulars to her by 17 December 2002 (60 days) after which date the trustee may convey or distribute the assets having regard only to the claims of which she then has notice.

COMITO & CO.,  
solicitors for the estate & trustee  
660 High Street, Thornbury 3071.

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Re: KATHLEEN MAY WILLIAMS, late of 23 Gibson Street, Broadmeadows, Victoria, pensioner, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 July 2002, are required by the trustees, Karen Colleen Williams of 23 Gibson Street, Broadmeadows, Victoria and Marlene Rosalina Paradowski of 12 Alan Street, St Albans, Victoria, to send particulars to the trustees 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 & CO., solicitors,  
209 Glenroy Road, Glenroy 3046.

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Re: RYSZARD JASKULA, late of 41 Morley Street, Glenroy, Victoria, machinist, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 July 2000, are required by the trustee, Dzisiaw Jaskula of 157 Beverley Road, Rosanna, Victoria, to send particulars to the trustee within 60 days from the publication, 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 & CO., solicitors,  
209 Glenroy Road, Glenroy 3046.

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Re: Estate of KEITH LESLIE JAMES. Creditors, next-of-kin or others having claims in respect of the estate of KEITH LESLIE JAMES, late of 91 Memorial Drive, Swan Hill, in the State of Victoria, farmer, deceased, who died on 9 July 2002, are to send particulars of their claim to the executors care of the undermentioned

legal practitioners by 8 January 2003 after which date the executors will distribute the assets having regard only to the claims of which they then have notice.

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

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BARRY ROBERT JONES, late of 3 Robross Street, Cheltenham, printing/sales executive. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 August 2002, are required by the trustee, care of G.W.H. Chambers, solicitor of 338 Charman Road, Cheltenham, to send particulars to her by 18 December 2002 after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

G.W.H. CHAMBERS, solicitor,  
338 Charman Road, Cheltenham 3192.

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Re: HILDA LYAL JONES, late of 64 Thurla Street, Swan Hill, Victoria, pensioner, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 August 2002, are required by the trustee, William Boyce Jones to send particulars to the trustee by 25 December 2002 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

GARDEN & GREEN, solicitors,  
4 McCallum Street, Swan Hill 3585.

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CLIVE FREDERICK STAMMERS, late of 52 Murphys Road, Neerim, farmer, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 November 2000, are required by the trustees, Elsie Joan Stammers and Barry John Stammers, to send particulars of their claims to them care of the undersigned solicitors by 17 December 2002 after which date the trustees may convey or distribute the assets having regard only to the claims of which they then have notice.

GRAY FRIEND & LONG, solicitors,  
70 Queen Street, Warragul 3820.

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Creditors, next-of-kin and others having claims against the estate of GWENDOLINE VICTORIA PEARMAIN, late of 6 Maude Street, Cheltenham, Victoria, who died on 29 July 2002, are required by the executor, Philip David Pearmain of 9 McGown Road, Mt Eliza, to send detailed particulars of their claims to the said executor, c/- Hassall & Byrne, solicitors of 250 Charman Road, Cheltenham 3192 by 17 December 2002 after which date it will proceed to distribute the said estate having regard only to the claims of which it then has notice.

HASSALL & BYRNE, solicitors,  
250 Charman Road, Cheltenham.

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RONALD GEOFFREY CURTIS, late of 1/3 Sandpiper Close, Frankston, Victoria, pensioner, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 July 2002, are required by the executor, Robert Edward Taylor of 10 Lawton Place, Gordon, ACT, to send particulars to the executor by 17 January 2003 after which date the executor may convey or distribute the assets having regard only to the claims of which it then has notice.

LEWIS HOLDWAY, commercial lawyers,  
20 Queen Street, Melbourne, Victoria 3000.

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IRENE MARGARET BROMLEY, late of 8/52-70, Centre Dandenong Road, Dingley, Victoria, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 July 2002, are required by the executor, Kaye Lynette Rochford, 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.

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Re: RENATO ANTONIO DALLE MOLLE, in the Will called Renato Dalle Molle, late of Main Road Whorouly, Victoria, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 February 2002,

are required by the trustees, Bruna Francesca Dalle Molle of Main Road, Whorouly, Victoria, retired, the wife; Leanne Francesca Pigdon, in the Will called Leanne Francesca Dalle Molle of 155 Cambridge Crescent, Werribee, Victoria, school teacher, the daughter and Robby Nando Dalle Molle of Main Road, Whorouly, Victoria, mill hand, the son, to send particulars to the trustees by 31 December 2002 after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

McSWINEYS, solicitors,  
57 Reid Street, Wangaratta 3677.

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Re: EDNA MAY NELSON, late of St Annes Nursing Home, 33 Wattle Road, Hawthorn, Victoria, but formerly of Montgomery Hostel, 294 Kooyong Road, Caulfield, Victoria, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 June 2002, are required by the trustee, John Lyston Chisholm of Level 29, 200 Queen Street, Melbourne, Victoria, solicitor, to send particulars to the trustee by 16 December 2002 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MADDOCKS, lawyers,  
140 William Street, Melbourne 3000.

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Re: ELIZABETH HARRIET NORRIS, late of 20 Henty Street, Murrumbeena, Victoria, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 August 2002, are required by the trustee, Kathleen Jill Philpott of 14 Busana Way, Nunawading, Victoria, retired teacher, niece, to send particulars to the trustee by 16 December 2002 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MADDOCKS, lawyers,  
140 William Street, Melbourne 3000.

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Re: GWENYTH MYRNONG GREEN, (deceased). Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 April 2002, are

required by the trustees, Ian Lesley Green and Graham Charles Green, to send particulars to the trustees by 19 January 2003 after which date the trustees may convey or distribute the estate having regard only to the claims of which the trustees have notice. Such notice should be sent to the address noted below.

MITCHELL BURKE & CO., solicitors,  
111 Yarra Street, Geelong 3220.

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Re: ERIC LEONARD WEHNER, late of Lochiel House, Boundary Road, Orbost, Victoria, retired grazier. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 July 2002, are required by Maree McLeod of 98 Ocean Drive, Port Fairy, Victoria and Dorothy Ann Hawthorne of 124 Landrigan Road, Carisbrook, Victoria, the executors appointed in the Will, to send particulars to their solicitor within sixty 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 they then have notice.

MOSLEY & PALMER, solicitors,  
PO Box 243, Orbost, Victoria 3888.

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Re: MAURICE DESMOND MURPHY, late of 31 Brougham Street, Richmond, Victoria 3121, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 April 2002, are required by the trustee, William Edward Clarke, in the Will called William Clarke of 3 Cooke Street, Abbotsford, Victoria, process worker, no relationship, to send particulars to the trustee by 18 December 2002 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

OAKLEY THOMPSON & CO., solicitors,  
Level 17, 500 Collins Street, Melbourne 3000.

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BERNARD ARTHUR SCHAEFER, late of 14 Gaetana Street, Avondale Heights, Victoria, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 March 2002, are required by the executor, Trevor Thomas Evans of 109 Gibson Road, Warragul, Victoria, to send particulars to him (care of the undersigned) by 17 December 2002 after which date the executor may convey or distribute the assets having

regard only to the claims of which he then has notice.

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

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GLADYS MAY SHARP, late of Surrey Hills Private Nursing Home, 16 Florence Road, Surrey Hills, Victoria, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 June 2002, are required by the executor, David Anthony Rush of 431 Riversdale Road, Hawthorn East, Victoria, to send particulars to him (care of the undersigned) by 17 December 2002 after which date the executor may convey or distribute the assets having regard only to the claims of which he then has notice.

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

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Re: DOROTHEA FRECKER, late of Eventide Homes, Patrick Street, Stawell, Victoria, but formerly of 341 Riversdale Road, Hawthorn, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 August 2002, are required by the trustee, Bronwyn Evanne Tiddy of 19 Sharpley Avenue, Stawell, Victoria, to send particulars to the trustee care of the undermentioned solicitors by 17 December 2002 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

SENGHPAS, solicitors,  
153 Main Street, Stawell 3380.

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MURIEL IRENE DAVIES, late of Unit 5, 21–23 College Street, Elsternwick, Victoria, retired public servant, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 August 2002, are required by the executor, Courtney Richard Dyer of 221 Glen Huntly Road, Elsternwick, Victoria, solicitor, to send particulars of their claims to the executor care of the undersigned solicitors by 20 January 2003 after which date the executor will convey or distribute the assets, having regard only to the claims of which he then has notice.

W. J. GILBERT & CO., lawyers,  
221 Glen Huntly Road, Elsternwick.

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IRENE JESSIE MARSHALL, late of Mayflower Retirement Community, 7 Centre Road, Brighton East, Victoria, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 July 2002, are required by the executor, Carol Lynn James of 18B Florence Street, Mentone, Victoria, secretary, to send particulars of their claims to the executor care of the undersigned solicitors by 17 January 2003 after which date the executor will convey or distribute the assets, having regard only to the claims of which she then has notice.

W. J. GILBERT & CO., lawyers,  
221 Glen Huntly Road, Elsternwick.

Re: CRISTINE HAMILTON, late of 12 The Trossachs, Frankston, Victoria, retired postal worker, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 July 2002, are required to send particulars of their claims to the executors, Bryan Allan Smith of 42 Grays Road, Gaythorne, Queensland and Jan Maree Brummelen of 22 Carlisle Crescent, Oakleigh, by 17 December 2002 after which date the executors will convey or distribute the assets, having regard only to the claims of which the executors then had notice.

WHITE CLELAND PTY, solicitors,  
3/454 Nepean Highway, Frankston 3199.

Re: EILEEN MARY BLENCOE. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 July 2002, are required to send particulars of their claims to the executor C/- Permanent Trustee Company Limited, 356 Collins Street, Melbourne 3000 by 27 December 2002 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 5, 360 Little Bourke Street, Melbourne.

In the Supreme Court of the State of Victoria  
SALE BY THE SHERIFF

On Friday 22 November 2002 at 11.00 a.m. at the Sheriff's Office, corner Fenwick & Little Malop Streets, Geelong. (Unless process be stayed or satisfied).

All the estate and interest (if any) of Leonard Alfred Teelow of 83 Cox Street, Penshurst, joint proprietor with Pauline June Teelow of an estate in fee simple in the land described on Certificate of Title Volume 9489, Folio 356 upon which is erected a house known as 83 Cox Street, Penshurst.

The property can be located by travelling from Geelong in a westerly direction along the Hamilton Highway to Mortlake, continue in a north westerly direction along the Hamilton Highway to Penshurst, the property is located in the Township of Penshurst.

Registered Mortgage No. T6826607 affects the said estate and interest.

Terms – Cash only.

SW-01-010712-8

Dated 17 October 2002

V. PARKIN  
Sheriff's Office

In the Supreme Court of the State of Victoria  
SALE BY THE SHERIFF

On Wednesday 20 November 2002 at 2.30 p.m. at the Sheriff's Office, 8-20 King Street, Oakleigh. (Unless process be stayed or satisfied).

All the estate and interest (if any) of V. A. Corporation of Australia Pty Ltd of 14-18 St. Kilda Road, St. Kilda, proprietor of an estate in fee simple in the land described on Certificate of Title Volume 9727, Folio 767 which is vacant land known as 181-185 St. Kilda Road, St. Kilda.

Registered Mortgage Nos. W452863J and X762708F and Instrument No. P826706L affect the said estate and interest.

Terms – Cash/Eftpos

(Debit Cards only. No Credit Cards).

SW-02-0062211-0

Dated 17 October 2002

V. PARKIN  
Sheriff's Office

**Unclaimed Moneys Act 1962**

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
ANTHONY SPANO PTY LTD			
	\$		
Thi Theoh Thuy Nguyen, 2/17 Eldridge Street, Footscray	381.50	Cheque	12/12/97

02260

CONTACT: ANTHONY SPANO OR EMMA SPANO, PHONE: (03) 9689 1939.

**Unclaimed Moneys Act 1962**

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
BARRY PLANT DOHERTY (WANTIRNA) PTY LTD			
	\$		
Burchell	186.68	Cheque	July 1998

02263

CONTACT: AMANDA GLEESON, PHONE: (03) 9801 4777.

**Unclaimed Moneys Act 1962**

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
C. J. KEANE & CO.			
	\$		
Mr Clifford, Unit 1, Nobility Street, Moolap	200.00	Cheque	01/12/98
Page Powers & Kucina, 2 Nimbus Crt, Whittington	440.00	"	04/12/98

R. Hewitson, 48 Portarlinton Rd, Moolap	380.00	”	03/12/98
S. T. & T. N. Lucas, 1/6 Nobility Street, Moolap	300.00	”	10/12/98
L. Moran, 38 Pembroke Drive, Ocean Grove	640.00	”	14/12/98
Colin Howarth, 47 Sydenham Ave, Manifold Heights	235.00	”	23/03/99
Clifton Williams, 6/2/10 Kooroui Crt, Drysdale	320.00	”	”

02264

CONTACT: JANETTE CARLAND, OFFICE ADMINISTRATOR. DIRECT LINE 5244 6104.

**Unclaimed Moneys Act 1962**

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
E. P. JOHNSON & DAVIES			
	\$		
Alan Nicholson, 22 Anderson Street, Lilydale	1,000.00	Cheque	27/09/01
Alix Mason, 90 Old Gosford Road, Wamberal, NSW	2,000.00	”	”

02029

CONTACT: ALISON LAIRD, PHONE: (03) 9654 1211.

**Unclaimed Moneys Act 1962**

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
FACTORY AUTOMATION & ROBOTICS PTY LTD			
	\$		
JB Construction Industries Pty Ltd, 8 Tatman Drive, Altona	160.66	Cheque	12/09/00
Viking Office Products, PO Box 371, Rydalmere, NSW	219.93	”	01/11/00

02262

CONTACT: CARMEL SCOTT, PHONE: (03) 5223 1000.

**Unclaimed Moneys Act 1962**

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
J. R. BUXTON PTY LTD			
	\$		
Johnson, 135 Martin Street, Brighton	477.00	Cheque	1998
Zbitnew, L., 1 Dudley Street, Brighton	2,130.61	"	1992
Hashizume, J., 110 Dendy Street, Brighton	1,994.00	"	1995
Hamilton, 323 Alma Road, Caulfield North	1,560.00	"	1998
Laver, 183 Kerferd Road, Albert Park	1,473.00	"	1998
Rawalala, J., 7/4 Burns Street, Elwood	136.01	"	1993
Seager, L. C., 32 Edward Street, Elsternwick	239.70	"	1993

02265

CONTACT: DENISE SARAH, PHONE: (03) 9528 6222.

**Unclaimed Moneys Act 1962**

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
LA TROBE UNIVERSITY			
	\$		
Mr Noriko Ueno, 1/259 Gower Street, Preston	300.00	Cheque	25/04/98
Miss Corinne Griffiths, 10/102 Park Street, St Kilda West	115.00	"	09/05/98
Miss Natasha Cuenca, 176 Murray Rd, East Preston	305.00	"	25/05/98
Mr Ronald Fletcher, 39 Albion St, East Brunswick	165.00	"	30/05/98
Ms Ivanica Govic, 8 Wales Street, Northcote	805.00	"	"
Miss Emma Samin, 27 Swan Street, Eltham	1,718.00	"	"
Ms Sara Dyer, 12 Kellett Way, Roxburgh Park	152.50		20/06/98
Miss Gail Lorimer-Clarke, 4 Bowen Street, Prahran	152.50	"	"
Mr Ahmad Ighal, c/o Chisholm College, La Trobe University	211.75	"	11/07/98
Rebel Sport Ltd, Greensborough Plaza, Greensborough	163.96	"	08/08/98
Mrs Rebecca Browne, 6 Eden Avenue, Watsonia	230.00	"	22/08/98
Mr Devendra Gottipati, 12/12 May Street, Elwood	121.10	"	21/08/98
Ms Kylie Mulquiny, 402 South Street, Ballarat	170.00	"	05/09/98
Ms Marguerite Cook, 19 Akuna Avenue, Notting Hill	152.50	"	14/11/98
Ms Jodie Earl, 2/11 Dunolly Crescent, Reservoir	190.00	"	"
Ms Amaal Finn, 42 Shiers Street, Alphington	152.50	"	"

Miss Lisa Lothian, 4/8 Irvine Crescent, West Brunswick	305.00	''	''
Ms Pitsa Pappas, 476 Wellington Street, Clifton Hill	190.00	''	''
Mr Piaf Clarke, 501 Glenferrie Road, Hawthorn	152.50	''	21/11/98
Ms Alma Kaltak, 4/25 Charles Street, Preston	152.50	''	''
Ms Chiaki Koyama, 123 The Fairway, Kingsbury	152.50	''	''
Mr Cameron Lawson, 62 Flinders Street, Thornbury	152.50	''	''
Mr Heath Colbert, 98 Fulham Road, Alphington	110.00	''	''
University of Sydney, ACIRRT Institute, Building H03, NSW	110.00	''	26/11/98
Ms Anne O'Shea, 17 Latham Street, Northcote	152.50	''	28/11/98
Miss Despina Parasidis, 45 Whiting Avenue, Indented Heads	152.50	''	''
Ms Jessica Weston, 35A Race Street, Flora Hill	309.00	''	''
Mr Ashley Wright, 1/21 Forster Street, Mitcham	152.50	''	''
Ms Manyin Suen, 5/487 Rathdowne Street, Carlton	152.50	''	05/12/98
Miss Michele Venables, 2/3 Glenroy Road, Hawthorn	152.50	''	''
Mr Myles Newlove, 55 Frensham Road, Watsonia	147.00	''	21/12/98
Mr Shuichi Takano, 6/176 Power Street, Hawthorn	274.00	''	01/12/98
Dataflux, PO Box 203, Fairfield	180.00	''	09/01/99
Mr Yin Hai Ye, 190 Liberty Pde, West Heidelberg	120.00	''	26/03/99
Ms Amy Bilsen, 31 Silverton Ave, Ferntree Gully	960.00	''	20/03/99
Mrs Rachel Byrne, 9 Kyle Court, Pakenham	125.00	''	10/04/99
Ms Tijen Erkardes, 100 Pringle Ave, Bankstown, NSW	165.00	''	08/05/99
Knox Private Hospital, Att'n: Wendy Poulter, 262 Mountain Highway, Wantirna	130.00	''	13/05/99
Miss Megan Mebberson, C/- Chisholm College, La Trobe University	150.00	''	21/05/99
Mrs Emily Van Beveren, 5/10 Ashby Grove, Ivanhoe	320.00	''	19/05/99
Mr Karl Wollensack, 7 Bridge Street, Bethanga	165.00	''	05/06/99
Ms YingHui Chou, 1 The Fairway, Kingsbury	160.00	''	26/06/99
Mr Wandy Rarung, 5/113 Williams Road, Prahran	160.00	''	17/07/99
Mr Timothy Donaldson, 401 Balcombe Road, Beaumaris	160.00	''	07/08/99
Ms Janet Cameron, 94 Carrington Road, Box Hill	160.00	''	25/08/99
Ms Cassie Lewis, 209 Barkly Street, Brunswick	160.00	''	''
Mr David John Martin, 3 Herlihys Rd, Lwr Templestowe	120.00	''	''
Mr Tonny Tonny, 566 Waterdale Rd, Heidelberg West	160.00	''	''
Mr Kieran Haberle, 14 Sharon Street, Bendigo	132.50	''	22/06/98
Ms Jaymie Drake, 4 Spring Gully Road, Bendigo	132.50	''	07/09/98
KB Contractors & Soil Supplies, Karinyah Dve, Myers Flat	200.00	''	05/10/98
Mr Dale Sutton, RSD L1045, McKinnons Rd, Lockwood	265.00	''	30/11/98
Mr Paul Keating, 114 Lily Street, Bendigo	135.00	''	14/12/98
Ms Joy Carlisle-Graham, 10 Duncan Crt, Shepparton	224.00	''	01/06/99

02232

CONTACT: VICKIE TWOMEY, PHONE: (03) 9479 1101.

**PROCLAMATIONS**

ACTS OF PARLIAMENT

Proclamation

I, The Honourable Justice John Harber Phillips, Administrator of the State of Victoria, as the Governor's deputy, declare that I have today assented in Her Majesty's name to the following Bills:

No. 42/2002 **Agricultural Industry Development (Further Amendment) Act 2002**

No. 43/2002 **Juries (Amendment) Act 2002**

Given under my hand and the seal of Victoria at Melbourne on 15 October 2002.

(L.S.) JOHN HARBER PHILLIPS  
Administrator  
As the Governor's deputy  
By His Excellency's Command

STEVE BRACKS  
Premier

- (2) Section 5(2) comes into operation on –
- (a) the day after the day on which this Act receives the Royal Assent; or
  - (b) the day on which the **Electoral Act 2002** comes into operation – whichever is the later day.
- (3) Subject to sub-section (4), the remaining provisions of this Act come into operation on a day or days to be proclaimed.
- (4) If a provision of this Act referred to in sub-section (3) does not come into operation before 1 November 2002, it comes into operation on that day.

No. 42/2002 (1) Section 1, this section and sections 3, 8, 9, 11, 12, 13, 16 and 18 come into operation on the day after the day on which this Act receives the Royal Assent.

(2) Subject to sub-sections (3) and (4), the remaining provisions of this Act come into operation on a day or days to be proclaimed.

(3) If a provision of this Act, other than sections 20 and 21, does not come into operation on or before 1 July 2003, it comes into operation on that day.

(4) If sections 20 and 21 do not come into operation on or before 1 July 2004, those sections come into operation on that day.

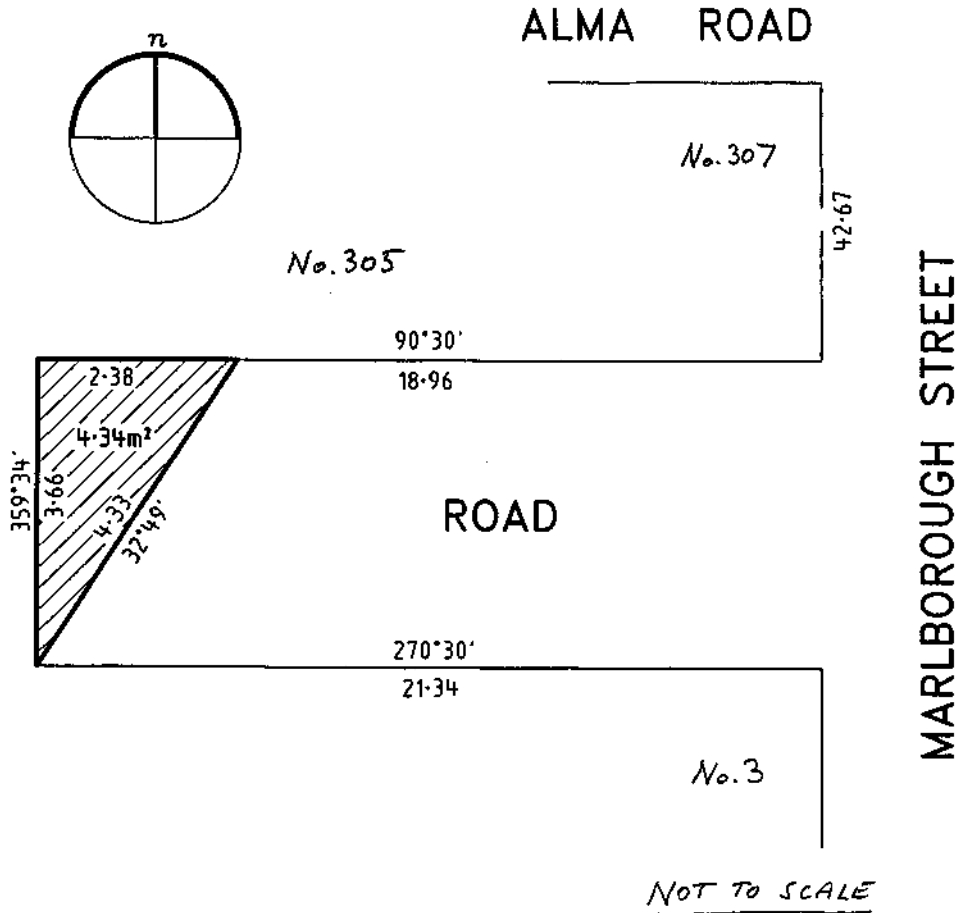
No. 43/2002 (1) This section and section 1 come into operation on the day after the day on which this Act receives the Royal Assent.

**GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES  
NOTICES**

GLEN EIRA CITY COUNCIL

Road discontinuance

At a meeting held on 7 October 2002 and acting under section 206 clause 3 of schedule 10 to the **Local Government Act 1989**, Glen Eira City Council resolved to discontinue and sell that part of the road shown by hatching on the plan below.



ANDREW NEWTON  
Chief Executive Officer

MELBOURNE CITY COUNCIL

Notice of Intention to Sell Land

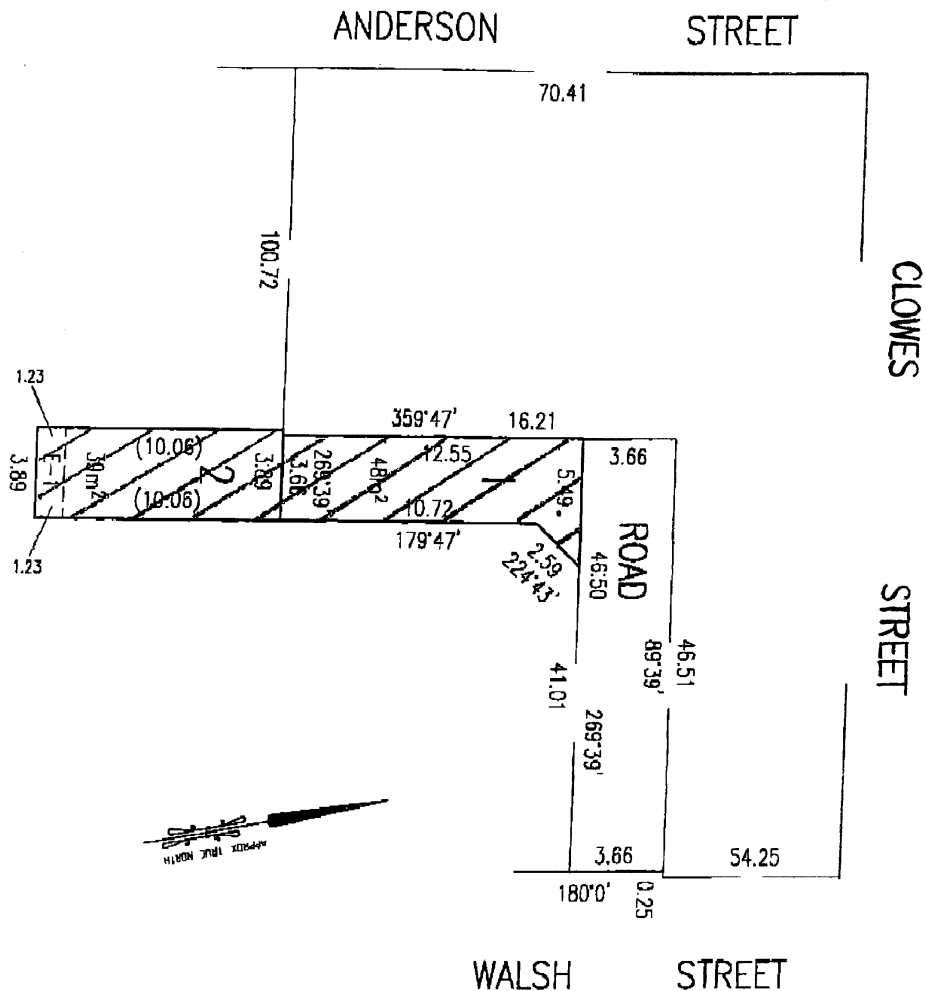
Pursuant to and in accordance with sections 8(3) and 189(2) of the **Local Government Act 1989** ("the Act") Melbourne City Council gives notice of its intention to sell by private treaty the land contained in a former road and being shown hatched on the plan below to the abutting owner Melbourne Girls Grammar School ("the purchaser") on the following terms:

- (a) the price of the land is \$117,535.00;
- (b) the purchase price is payable by a deposit of 10%, with the residue payable within 60 days of the day of sale;

- (c) the purchaser will, at the request of Council, cause the Certificate of Title to the former road to be consolidated with the abutting land;
- (d) the purchaser will comply with the requirements of the servicing authorities in regard to the matter; and
- (e) any other terms and conditions as the Manager Governance Services considers appropriate.

A Special Committee known as the Submissions Committee will consider any written submission on the proposed sale in accordance with Section 223 of the Act, received by the Council within 14 days after the publication of this notice. Any person who has made a written submission is entitled to appear in person, or by a person acting on his or her behalf, before a meeting of the Special Committee to be held at 3.30 p.m., Monday 2 December 2002, in the Melbourne Town Hall, Administration Building, Swanston Street, Melbourne.

Written submissions should be addressed to the Manager Governance Services, Melbourne City Council, PO Box 1603M, Melbourne 3001. Persons making written submissions should also state whether they wish to be heard in support of their written submission.



MICHAEL MALOUF  
Chief Executive Officer



MELBOURNE CITY COUNCIL  
 Proposal of Intention to Sub-lease

In accordance with Sections 190(3)(b) and 223 of the **Local Government Act 1989** (“the Act”) to grant a sub-lease on Part Ground Floor, Building 3, Riverside Quay, Southbank (“the Land”), to Acton Grove Pty Ltd, subject to the approval of the landlord under Council’s lease, on the following terms and conditions;

- (i) Sub-lease of 5 years with a further option of 5 years;
- (ii) a commencing rental of \$40,000 per annum with CPI increases. On the commencement of any further term, the rental will be reviewed to market;
- (iii) the sub-lessee will be responsible for the payment of all rates, taxes, charges, levies and GST during the sub-lease and option term, any additional taxes or charges that may be introduced during these periods; and
- (iv) such other terms and conditions as may be required by the Manager Governance Services.

The Council gives notice in accordance with Sections 207A and 223 of the Act that any person has a right to make a submission in relation to the proposals.

A Special Committee known as the Building 3 Property Committee will consider any written submission in accordance with Section 223 of the Act which is received by the Council within 14 days after the publication of this notice. Any person who has made a written submission is entitled to appear in person or by a person acting on his or her behalf before a meeting of the Special Committee to be held at 3.30pm, Friday 1 November 2002 in the Melbourne Town Hall Administration Building, Swanston Street, Melbourne.

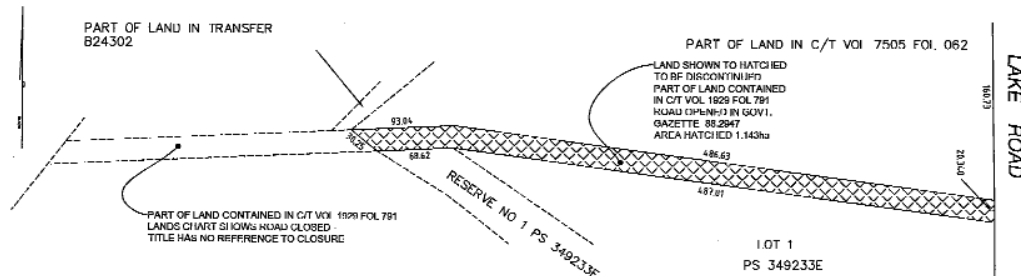
Written submissions should be addressed to Manager Governance Services, Melbourne City Council, PO Box 1603M, Melbourne 3001. Persons making written submissions should also state whether they wish to be heard in support of their written submission.

Dated 7 October 2002

MICHAEL MALOUF  
 Chief Executive Officer

TOWONG SHIRE COUNCIL  
 Road Discontinuance

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Towong Shire Council, at its Ordinary Meeting on 7 October 2002, formed the opinion that the road situated off Lake Road, Bethanga and shown by hatching on the plan below, is not reasonably required as a road for future public use and resolved to discontinue the road and to transfer the load by private treaty to the adjoining landowner.



RAY PARK  
 Chief Executive Officer

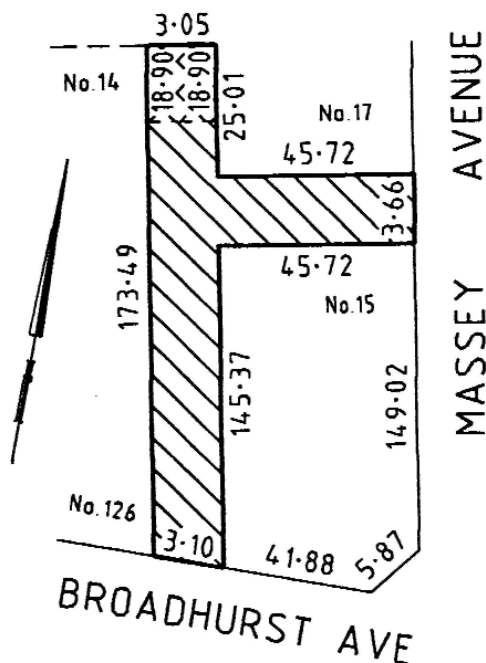
DAREBIN CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Darebin City Council at its ordinary meeting held on 7 October, 2002, formed the opinion that the road at the rear of 2 to 14 Godley Street and 1 to part 19 Massey Avenue and adjacent to 15 and 17 Massey Avenue, Reservoir, and shown by hatching and cross-hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The section of road shown hatched is to be sold subject to the right, power or interest held by the Darebin City Council in the road in connection with any drains or pipes under the control of that authority in or near the road.

The section of road shown cross-hatched is to be sold subject to the right, power or interest held by both Yarra Valley Water and the Darebin City Council in the road in connection with any sewers, drains or pipes under the control of those authorities in or near the road.



PHILLIP SHANAHAN  
Chief Executive Officer



**Public Holidays Act 1993**

The Moorabool Shire Council under Section 7 of the **Public Holidays Act 1993**, appoints Tuesday 5 November 2002 (Melbourne Cup Day) as a Public Holiday throughout the entire Moorabool Shire.

ANDREW PARK  
Chief Executive Officer



**ROADS AND COUNCIL LAND LOCAL LAW**  
(Local Law No. 2 of 2002)

Notice is given that the Yarra City Council, at its meeting of 1 October 2002, resolved to make the 'Roads and Council Land Local Law No. 2 of 2002' pursuant to the **Local Government Act 1989**.

The Local Law was made for the purpose of regulating:

- traffic hazards;
- vehicle crossings;
- behaviour on roads and council land;
- occupation of roads for works;
- signs, goods and furniture on footpaths and roads;
- the sale of goods, street collections, 'junk mail' and spruiking;
- the numbering of allotments;
- spoils of roads;
- the parking, display or repair of motor vehicles; and
- the administration and enforcement of this Local Law.

And for ensuring:

- a safe environment in and around building works; and
- the protection of Council assets.

The general purport of the Local Law is to clarify permitted activities on roads and Council land so as to enhance community amenity and safety.

A copy of the Roads and Council Land Local Law No. 2 of 2002 may be obtained from:

- the Richmond Town Hall, (333 Bridge Road, Richmond), or the Collingwood Town Hall, (140 Hoddle Street, Abbotsford) during normal office hours; and
- Council's web site: [www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)

For further information, contact Chris Reside on (03) 9205 5137 or email [residec@yarracity.vic.gov.au](mailto:residec@yarracity.vic.gov.au).

STEVE DUNN  
Acting Chief Executive Officer

### Land Acquisition and Compensation Act 1986

FORM 1      Ss 6 and 8(1)  
Reg. 7

Notice of Intention to Acquire

TO:            LOUIS TRISTAN DOMINGUE,  
                  4/265 Malvern Road,  
                  SOUTH YARRA.

AND TO: All or any other interests in the land.

The Glen Eira City Council intends to acquire an interest in fee simple in the whole of the land in Certificate of Title Volume 03314, Folio 709 situated at 5 Shepparson Avenue, Carnegie (the land).

The Glen Eira City Council thinks that the land is suitable for the development of the Carnegie Library and Community Centre (CL&CC), for the following reasons:

1. the balance of the land making up the area identified as the future site of the CL&CC (but for one other parcel) is Council-owned;
2. an existing carpark is located near the land, which could be utilised by the future patrons of the CL&CC;
3. the land is located in close proximity to a bus service and the railway station, and thus would be easily accessible to patrons of the CL&CC;
4. being on the eastern side of the Carnegie Shopping Centre, adjacent to the intersection of Jersey Parade and Shepparson Avenue, the land is in an ideal location for the proposed future development;
5. the provision of a library, recreation centre and associated facilities in this central location will enhance the quality of life in

Glen Eira and prove a valuable tool for the edification and amenity of the citizens of the municipality. The Glen Eira City Council thinks that the land is suitable for the development as the Carnegie Library and Community Centre.

The land:

- is reserved for a public purpose under the Glen Eira Planning Scheme; or
- is not exempted from the reservation requirements under section 5 of the **Land Acquisition and Compensation Act 1986**; or
- is not in a class of land exempted from reservation under section 5 of the **Land Acquisition and Compensation Act 1986**; or
- has not been certified by the Governor in Council as land which need not be reserved; or
- is not special project land under section 201I(3) of the **Planning and Environment Act 1987**.

At the present time it is expected that the Glen Eira City Council may require possession of the land on approximately 20 March 2003. This date may change.

The Glen Eira City Council requires you to provide it with information about the following:

1. the name of any other person who has, or you think may have, an interest in the land. (Such a person might be a tenant or a mortgagee or a person to whom you have agreed to sell the land);
2. if you have a current building permit or approval or a planning permit concerning the land;
3. if you have sold or let or in any other way dealt with the land or were intending to deal with the land immediately before you received this notice;
4. if you know of any other person proposing to do any of those things mentioned in paragraph 3;
5. any other matters of which you are aware which will help the Glen Eira City Council to work out what compensation you should receive for the land. (This information may include details of any mortgage, lease or other arrangement affecting the land. If you

claim financial loss, please provide financial documents and other records to substantiate all losses. All documents provided will be treated in confidence).

For and on behalf of the Glen Eira City Council.

Dated 3 October 2002

Mr TIM FREDERICO  
Manager Corporate Assets  
Glen Eira City Council

### **Planning and Environment Act 1987**

#### **BAYSIDE PLANNING SCHEME**

##### **Notice of Amendment**

##### **Amendment C29**

The City of Bayside has prepared this Amendment C29 to the Bayside Planning Scheme.

Land affected by the Amendment:

The following nineteen (19) properties included in the Heritage Overlay Schedule at Clause 43.01 of the Bayside Planning Scheme, as listed below:

- 13–15 Asling Street, Brighton;
- Bathing Boxes, Brighton Foreshore;
- 1 Bay Street, Brighton;
- 50 Beach Road, Hampton;
- 2 Belle Avenue, Brighton;
- 35 Bolton Avenue, Brighton;
- 66 Champion Street, Brighton;
- 32 Cole Street, Brighton;
- 2 Deauville Street, Beaumaris;
- 5 Emily Street, Brighton;
- 6 Emily Street, Brighton;
- 666 Hawthorn Road, East Brighton;
- 1 Lorac Avenue, Brighton;
- 11 Martin Street, Beaumaris;
- 17 Roslyn Street, Brighton;
- 36 Roslyn Street, Brighton;
- 54 Sussex Street, Brighton;
- 25 Tennyson Street, Brighton;
- 7 Webb Street, Brighton.

The Amendment proposes to change the Bayside Planning Scheme by: removing interim

Heritage Overlay controls or amend planning scheme map boundaries for nineteen (19) items in the Schedule to the Heritage Overlay at Clause 43.01 of the Bayside Planning Scheme.

A copy of the Amendment can be inspected, free of charge, during office hours at: Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne 3000; Department of Infrastructure, South East Metropolitan Office, 12 Lakeside Drive, East Burwood, Vic. 3153; Bayside City Council, Corporate Centre, Royal Avenue, Sandringham, Vic. 3191; Brighton Library, 14 Wilson Street, Brighton, Vic. 3186; Sandringham Library, Waltham Street, Sandringham, Vic. 3191; Beaumaris Library, Reserve Road, Beaumaris, Vic. 3193 and Hampton Library, Service Street, Hampton, Vic. 3188.

A full copy of the Amendment can be viewed on Council's website at [www.bayside.vic.gov.au](http://www.bayside.vic.gov.au)

Submissions about the Amendment must be in writing and be sent to: Chief Executive Officer, Bayside City Council, PO Box 27, Sandringham, Vic. 3191.

Submissions may support, oppose or make comment about any element of the proposed Amendment. Submissions should include your name and address.

Submissions to this Amendment should be received by 15 November 2002.

IAN WILSON  
Chief Executive

### **Planning and Environment Act 1987**

#### **EAST GIPPSLAND PLANNING SCHEME**

##### **Notice of Amendment**

##### **Amendment C17**

East Gippsland Shire Council has prepared Amendment C17 to the East Gippsland Planning Scheme.

The Amendment applies to the land located on the northwest corner of Princes Highway and Marriage Lane (unconstructed), Bairnsdale, known as:– Lot 1 & 2 LP 206926L, County Tanjil, Parish Moormurang, Volume 2368, Folio 568, Princes Highway, Bairnsdale.

The Amendment places a 10 metres wide strip of land along Princes Highway, Bairnsdale, in a Public Acquisition Overlay (PAO1), in favour of VicRoads.

The Amendment, explanatory report and associated documents, can be inspected, free of charge, during office hours, at: East Gippsland Shire Council, Bairnsdale Head Office, 273 Main Street, Bairnsdale, Vic. 3875; East Gippsland Shire Council, Lakes Entrance Office, Palmers Road, Lakes Entrance; Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, Vic. 3000 and Department of Infrastructure, Eastern Region Office, 120 Kay Street, Traralgon, Vic. 3844.

Any persons affected by the Amendment may make a submission in writing, which must be sent to Nick Kearns, Strategic Planner, East Gippsland Shire Council, PO Box 1618, Bairnsdale, Vic. 3875 by 18 November 2002.

JOSEPH CULLEN  
Chief Executive

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### **Planning and Environment Act 1987**

#### **GLENELG PLANNING SCHEME**

##### Notice of Amendment to a Planning Scheme Amendment C4

The Glenelg Shire Council has prepared Amendment C4 to the Glenelg Planning Scheme.

The Amendment affects all land covered by the Glenelg Planning Scheme.

The Amendment proposes to:

- replace the existing Municipal Strategic Statement contained at Clause 21 of the Planning Scheme with a revised Municipal Strategic Statement;
- include a revision of the List of amendments to the Planning Scheme to include Amendment C4.

A copy of the Amendment can be inspected free of charge during office hours at: Glenelg Shire Council, Customer Service Centre, Cliff Street, Portland, Vic. 3305; the Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, Vic. 3000 and Department of Infrastructure, Regional Office, 180 Fyans Street, South Geelong, Vic. 3220.

Submissions about the Amendment must be sent to the Town Planning Department, Glenelg Shire Council, PO Box 152, Portland, Vic. 3305 by 5pm on Friday 15 November 2002.

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### **Planning and Environment Act 1987**

#### **MORNINGTON PENINSULA PLANNING SCHEME**

##### Notice of Amendment to a Planning Scheme Amendment C45

##### Notice of an Application for Planning Permit Application CP02/006

The land affected by the Amendment is bounded by Canadian Bay Road to the east, Nepean Highway to the south, Mount Eliza Way to the west, and the southern boundary of the Mount Eliza Shopping Centre to the north.

The land affected by the application is 170 and 172 Canadian Bay Road, Mount Eliza.

The Amendment proposes to replace the Design and Development Overlay (DDO) Schedule 2 Bayside and Village Design over the land with (DDO) Schedule 1 Township Design.

The application is for a permit to develop the land for four (4) single storey dwellings and the removal of native vegetation.

The person who requested the Amendment and the applicant for the permit is Branjar Investments Pty Ltd.

You may inspect the Amendment and the application, and any documents that support the Amendment and application, and the explanatory report about the Amendment and application at the office of the planning authority, the Mornington Peninsula Shire Council: Mornington Office – Queen Street, Mornington; Hastings Office – Marine Parade, Hastings; Rosebud Office – Besgrove Street, Rosebud and at the Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne.

This can be done during office hours and is free of charge.

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

The closing date for submission is 18 November 2002. A submission must be sent to: The Manager – Strategic Planning,

Mornington Peninsula Shire Council, Private Bag 1000, Rosebud 3939.

LYNTON SHEDDEN  
Manager – Strategic Planning  
Mornington Peninsula Shire Council

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**Planning and Environment Act 1987**

**WEST WIMMERA PLANNING SCHEME**

Notice of Amendment

Amendment C2

West Wimmera Shire Council has prepared Amendment C2 to the West Wimmera Planning Scheme.

The Amendment applies to:–

- (a) Crown Allotments 1 of 35 and 16A and 17 of Section 24, Parish of Edenhope, Wimmera Highway, Edenhope.

This will rezone the properties from Public Conservation and Resource Zone to a Special Use Zone 1 with a Schedule No 1 ‘Racecourse’.

- (b) Crown Allotment 71A, Parish of Harrow, Nhill–Harrow Road.

This will rezone the properties from Public Park and Recreation Zone and Rural Zone to a Special Use Zone 2 with a Schedule No 2 ‘Golf Course’.

The Department of Natural Resources and Environment have requested the rezoning of Crown Allotment 17 in order to facilitate its sale to the Edenhope Race Club Inc. and Crown Allotment 71A to facilitate its sale to the Harrow Golf Club Inc. The sale cannot proceed under the current zonings.

A copy of the Amendment can be inspected, free of charge, during office hours, at: West Wimmera Shire Council, 49 Elizabeth Street, Edenhope 3318; Department of Infrastructure, Western Regional Office, 88 Learmonth Road, Wendouree 3355; West Wimmera Shire Council, 25 Baker Street, Kaniva 3419 and Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne 3000.

Submissions about the Amendment must be sent to: The Chief Executive Officer, West Wimmera Shire Council, PO Box 201, Edenhope 3318 by 18 November 2002

REX MOONEY  
Chief Executive Officer  
West Wimmera Shire Council

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**Planning and Environment Act 1987**

**WYNDHAM PLANNING SCHEME**

Notice of Amendment

Amendment C48

The Wyndham City Council has prepared Amendment C48 to the Wyndham Planning Scheme.

The Amendment affects land zoned Rural Living located on the south-west corner of the intersection of Point Cook and Sneydes Road, Point Cook, known more specifically as Lot 2, Plan of Subdivision 325664 (Deutgam), No. 360–438 Point Cook Road, Point Cook.

The Amendment proposes to amend the Schedule to the Rural Living Zone to allow subdivision of the land into minimum lot sizes of 0.4 hectares and allow a minimum area for which no permit is required to use the land for a dwelling, of 0.4 hectares.

The Amendment is consistent with the relevant clauses of the State Planning Policy Framework and the Municipal Strategic Statement of the Wyndham Planning Scheme. The Point Cook Concept Plan (2000) identifies the area as suitable for low density residential development.

A copy of the Amendment can be inspected, free of charge, during office hours, at: Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne 3000 and Wyndham City Council, Civic Centre, Town Planning Department, 45 Princes Highway, Werribee 3030.

Submissions about the Amendment must be in writing and sent to: Ms Darlene Swan, Strategic Planner, Wyndham City Council, PO Box 197, Werribee 3030 by not later than 18 November 2002.

JOHN MOORE  
Strategic Planning Co-ordinator

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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, ACN 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 17 December 2002 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.

BINGHAM, George Dawson, late of Numurah District Health Service, Coombs Memorial Drive, Numurkah, pensioner, who died 21 December 2001.

CULLEN, Albert Edwin, late of 15 Caravel Avenue, Clifton Springs, retired, who died 12 August 2002.

COLLIS, Eileen Anne, late of Cranbourne Nursing Home, Craig Road, Cranbourne, pensioner, who died 2 August 2002.

JURANOVICH, Edmond, late of 22 View Street, St Albans, who died 7 February 2002.

WATTS, Caroline, late of Newcomb Nursing Home, 117 Helms Street, Newcomb, widow, who died 12 March 2002.

RYAN, Kevin Thomas, late of Leys Road, Eskdale, pensioner, who died 2 September 2002.

Dated at Melbourne, 8 October 2002

LAURIE TAYLOR  
Manager, Estate Management  
State Trustees Limited

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STATE TRUSTEES LIMITED  
ACN 064 593 148

Section 79

Notice is hereby given that State Trustees Limited, ACN 064 593 148 intends administering the estates of:-

CECIL BRUCE CALDWELL, late of Aarons Lodge, 36-38 Power Road, Dandenong, Victoria, retired, deceased, who died 13 August 2002, leaving a Will dated 19 January 1994.

EILEEN DEMMERT, late of St Aidans Nursing Home, 79 Mansfield Street, Thornbury, Victoria, seamstress, deceased, who died 10 September 2002 leaving a Will dated 21 June 1989.

ERNEST HENRY KNOX, late of Unit 6, 37 Echuca Street, Moama, New South Wales, retired, deceased, who died 20 June 2002, leaving a Will dated 22 March 1994.

THOMAS BASIL MOORE, late of 25 Vale Street, Reservoir, deceased intestate, who died 18 July 2002.

VERONICA VIOLET MORGAN, late of Violet Town Bush Nursing Home, Cowslip Street, Violet Town, Victoria, pensioner, deceased, who died 13 August 2002, leaving a Will dated 13 March 1969.

Creditors, next-of-kin and others having claims against the abovementioned estates are required pursuant to Section 33 of the **Trustee Act 1958** to send particulars of their claims against the abovementioned estates to State Trustees Limited, 168 Exhibition Street, Melbourne, Victoria, on or before 17 December 2002 after which date State Trustees Limited, ACN 064 593 148, may convey or distribute the assets of the abovementioned estates having regard only to the claims of which it then has notice.

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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, ACN 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 24 December 2002 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.

GIBSON, Robert James, late of Unit 3, 15 Kemp Street, Thornbury, retired, who died 30 August 2002.

JACKSON, Herbert, also known as Harry Jackson and Herbert Chas Jackson, late of 56 Kashmir Crescent, Frankston, retired, who died 12 August 2002.

PARK, James Stanley, late of 128 Fitzroy Street, Fitzroy, pensioner, who died 14 July 2002.

MARSHALL, Harry Charles, late of 24 Derrick Street, Lalor, retired, who died 14 July 2002.

THOMAS, Stephen John, late of 20 First Avenue, Altona North, who died 18 June 2002.

TUBRIDY, Annie Madeline, late of St Leigh Private Nursing Home, 33 Bay Road, Sandringham, who died 3 August 2002.

WEBB, Dorothea Winifred, late of 20 Savige Avenue, Mount Waverley, retired, who died 12 September 2002.

WILSON, Norman Henry, late of PO Box 20, Lindell Unit, Beechworth Hospital, Beechworth, pensioner, who died 27 August 2002.

Dated at Melbourne, 8 October 2002

LAURIE TAYLOR  
Manager, Estate Management  
State Trustees Limited

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 17 October 2005.

Dated 10 October 2002

Mrs A. COGLAN  
Deputy President

#### EXEMPTION

Application No. A321 of 2002

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act), by Werribee Legal Service Inc (the applicant). The application for exemption is to enable the applicant to allow for the permanent representation of two people aged 25 years or under on the applicant's Committee of Management.

Upon reading the material submitted in support of the application, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 59, 60 and 100 of the Act to enable the applicant to allow for the permanent representation of two people aged 25 years or under on the applicant's Committee of Management.

In granting this exemption the Tribunal noted:

- the applicant is a generalist legal service that incorporates YouthLaw and youth participation services;
- the applicant is committed to the principles of youth participation and wishes to guarantee a voice for young people when determining the direction and management of the applicant;
- the applicant has referred the Tribunal to a discussion paper "Youth Participation: Exploring the Options" prepared in July 2002 by YouthLaw which recommended direct participation of two young people on the Committee of Management.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 59, 60 and 100 of the Act to enable the applicant to allow for the permanent representation of two people aged 25 years or under on the applicant's Committee of Management.

#### EXEMPTION

Application No. A345 of 2002

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act), by YouthLaw – Young People's Legal Rights Centre Inc (the applicant). The application for exemption is to enable the applicant to allow for the reservation of two positions on its Committee of Management for people aged 25 years or under.

Upon reading the material submitted in support of the application, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 59, 60, 100 and 195 of the Act to enable the applicant to allow for the reservation of two positions on its Committee of Management for people aged 25 years or under.

In granting this exemption the Tribunal noted:

- the applicant is a specialist legal service for young people aged 25 or under. The service conducts legal advice and assistance, community development, legal education, law reform and policy development activities on behalf of young people across Victoria;
- the applicant is committed to the principles of youth participation and wishes to guarantee a voice for young people when determining the direction and management of the applicant;
- enshrining in its constitution a permanent membership of at least two young people on its Committee of Management, together with other strategies, would promote meaningful engagement of young people with the service and the community more broadly and would ensure a voice for young people in the control and directions of the applicant.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 59, 60, 100 and 195 of the Act to enable the



applicant to allow for the reservation of two positions on its Committee of Management for people aged 25 years or under.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 17 October 2005.

Dated 10 October 2002

Mrs A. COGHLAN  
Deputy President

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

**Date of Auction:** Saturday 9 November 2002.

**Reference No.:** 98/02731.

**Address of Property:** Ebdon Street, Kyneton.

**Crown Description:** Allotment 2001, Parish: Kyneton.

**Terms of Sale:** Deposit 10%, Balance 60 days.

**Area:** 0.671 hectares.

**Officer Co-ordinating Sale:** Mark French,  
Victorian Government Property Group,  
Department of Treasury and Finance, Level  
5, 1 Treasury Place, Melbourne, Vic. 3002.

**Selling Agent:** Connally's Real Estate  
(Kyneton), 166B Mollison Street, Kyneton.

JOHN LENDERS MP  
Minister for Finance

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**Adoption Act 1984**

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

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

Judy Burn

Dated 4 October 2002

ANDY BEVAN  
Manager, Community Care Services  
Southern Metropolitan Region

**Building Act 1993**

BUILDING REGULATIONS 1994

Notice of Accreditation

Pursuant to Part 14 of the Building Regulations 1994 a Certificate of Accreditation (Number V02/05) has been issued to Air-Cell Insulation, by the Building Commission for "Air-Cell Building Insulation".

The Building Regulations Advisory Committee appointed under Division 4 of Part 12 of the **Building Act 1993**, after examination of an application for the accreditation of Air-cell Building Insulation, determined that Air-cell Building Insulation complies with the requirements of Clause Vic 1.1 (Performance Requirement) of Volume 2 of the Building Code of Australia 1996, as adopted by the Building Regulations 1994.

Conditions for use and identification are provided on the Certificate and in the five (5) double sided data sheets attached to the Certificate.

COLIN McBURNEY  
Secretary

Building Regulations Advisory Committee

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**Children and Young Persons' Act 1989**

APPOINTMENT OF HONORARY  
PROBATION OFFICERS

I, Jan Snell, Regional Director, Department of Human Services, Barwon-South Western Region, under Section 34(4) of the **Children and Young Persons' Act 1989**, appoint the undermentioned persons as Honorary Probation Officers for the Children's Court in the State of Victoria for the period ending 31 December 2004.

Denno, Geraldine, 53 Cypress Crescent, Leopold 3224; Stubbs, Karen, 12 Collins Street, Geelong West 3218; Miller, Anne, 12 Kosciuszko Avenue, Corio 3214; Ryan, Renee, 358 Aberdeen Street, Manifold Heights 3218.

Dated 27 September 2002

JAN SNELL  
Regional Director

**Children and Young Persons' Act 1989**APPOINTMENT OF HONORARY  
PROBATION OFFICERS

I, Jan Snell, Regional Director, Department of Human Services, Barwon-South Western Region, under Section 34(4) of the **Children and Young Persons' Act 1989**, appoint the undermentioned persons as Honorary Probation Officers for the Children's Court in the State of Victoria for the period ending 31 December 2004.

Birthisel, Barbara Anne, 75 Merri View Road, Woodford 3281; Campbell, Mary Anne, 183 Kings Street, Hamilton 3300; Crispe, Lisa, 5 Waveny Avenue, Warrnambool 3280; Cunningham, Bobby, 28 Dales Road, Warrnambool 3280; Eales, Ronald George, 9 Ekard Avenue, Warrnambool 3280; Griffith, Yvonne, 145 Rippon Road, Hamilton 3300; Smith, Daisyanne, RMB 1065E, Sinclair Settlement Road, Heywood 3304; Van Kalken, Jozephus Johannes, 11 Kenna Avenue, Hamilton 3300; Young, Heather, 41 Bostock Street, Warrnambool 3280; Lewis, Anna, 199 Swanston Street, Geelong South 3220; Herbertson, Margaret, 6 Whaler Court, Portland 3305; Hinchcliffe, Annette, 49 Hurd Street, Portland 3305; Jackson, Lesley Ann, 65 Gawler Street, Portland 3305; Lovett, Denise, 56 Lindsay Street, Heywood 3304; Mifsud, Jason, 53 Merrivale Drive, Warrnambool 3280; Roberts, Peggy Northcliffe, PO Box 503, Portland 3305; Sumner, Doreen, 56 Koroit Street, Warrnambool 3280; Wells, Linda, 28 Crawley Street, Warrnambool 3280; Williams, Gary, 42 Taits Road, Barwon Heads 3227.

Dated 26 July 2002

JAN SNELL  
Regional Director

**Co-operatives Act 1996**

CENTRE CO-OPERATIVE LIMITED  
EASTWOOD PRIMARY SCHOOL HALL  
DEVELOPMENT CO-OPERATIVE LIMITED  
ELTHAM HIGH SCHOOL  
CO-OPERATIVE LIMITED

Notice is hereby given in pursuance of Section 316(1) of the **Co-operatives Act 1996** and Section 601AB(3)(e) of the Corporations Law that, at the expiration of two months from the date hereof, the names of the aforementioned Co-operatives will, unless cause is shown to the

contrary, be struck off the register and the Co-operatives will be dissolved.

Dated at Melbourne 14 October 2002

ANN HAMMANN  
Assistant Registrar of Co-operatives

**Food Act 1984**

## SECTION 19DB

Registration of a Food Safety Program Template

I, Jennifer McDonald, Manager, Food and Health Development, under section 19DB of the **Food Act 1984** notify that the Sodexho Food and Management Services Food Safety Program Template is registered for use by Sodexho Food and Management Services businesses, a class of food business, that operate a Class 2 food premises as declared under section 19C of the **Food Act 1984**.

This notice takes effect on 17 October 2002.

Dated 30 September 2002

JENNIFER McDONALD  
Manager,  
Food and Health Development  
Delegate of the Secretary to the  
Department of Human Services



**Heritage**  
VICTORIA

**Heritage Act 1995**

## NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2001 in the category described as a Heritage place:

Former Victoria Car Park (Scots Church Car Park), 103-107 Russell Street & 181-191 Little Collins Street, Melbourne, Melbourne City Council.

## EXTENT:

1. The Building marked B1 on Diagram Number 2001 held by the Executive Director.
2. All the land marked L1 on Diagram Number 2001 held by the Executive Director.

Dated 17 October 2002

RAY TONKIN  
Executive Director

**Medical Practice Act 1994**

## NOTICE

Re: Dr John Robert Pettiford

A Panel of the Medical Practitioners Board of Victoria on 9 October 2002 concluded a Formal Hearing into the professional conduct of Dr John Robert Pettiford a registered medical practitioner.

The Panel determined pursuant to section 50(1)(a) of the **Medical Practice Act 1994** ("the Act") that Dr Pettiford had engaged in unprofessional conduct of a serious nature.

The Panel further determined that pursuant to section 50(2)(h) of the Act that the registration of Dr Pettiford be cancelled effective immediately.

Dated 9 October 2002

JOHN H. SMITH  
Deputy Chief Executive Officer

**Mineral Resources Development Act 1990**EXEMPTION FROM EXPLORATION  
LICENCE OR MINING LICENCE

I, Richard Aldous, Executive Director Energy and Minerals, pursuant to section 7 of the **Mineral Resources Development Act 1990** and under delegation by the Minister for Energy and Resources—

1. HEREBY EXEMPT all that Crown land situated within the boundaries of exploration licence applications 4540 & 4710 that have been excised from the application, from being subject to an exploration licence or mining licence.
2. Subject to paragraph 3, this exemption applies until the expiration of 2 years after the grant of licence (if the licence is granted), or until the expiration of 28 days after the application lapses or is withdrawn or refused.
3. This exemption is REVOKED in respect of any land that ceases to lie within the boundaries of the application or licence, at the expiration of 28 days after the said land ceases to lie within the boundaries of the application or licence.

Dated 11 October 2002

RICHARD ALDOUS  
Executive Director  
Energy and Minerals

**Mineral Resources Development Act 1990**EXEMPTION FROM EXPLORATION  
LICENCE OR MINING LICENCE

I, Richard Aldous, Executive Director Energy and Minerals, pursuant to section 7 of the **Mineral Resources Development Act 1990** and under delegation by the Minister for Energy and Resources —

1. HEREBY EXEMPT all that Crown land situated within the boundaries of exploration licence applications 4704, 4705, 4707 & 4708 that have been excised from the application, from being subject to an exploration licence or mining licence.
2. Subject to paragraph 3, this exemption applies until the expiration of 2 years after the grant of the licence (if the licence is granted), or until the expiration of 28 days after the application lapses or is withdrawn or refused.
3. This exemption is REVOKED in respect of any land that ceases to lie within the boundaries of the application or licence, at the expiration of 28 days after the said land ceases to lie within the boundaries of the application or licence.

Dated 8 October 2002

RICHARD ALDOUS  
Executive Director  
Energy and Minerals

**Physiotherapists Registration Act 1998**

## FEES PAYABLE TO THE BOARD

In accordance with Section 85(1)(c) of the **Physiotherapists Registration Act 1998** the Board has fixed the following fees which will be payable to the Board from 1 December 2002.

	\$
General registration	150.00
General registration for a period of less than 3 months	50.00
Specific registration	150.00
Specific registration for a period of less than 3 months	50.00
Endorsement of Registration	
Division 1	160.00
Division 2	210.00
Division 3	210.00

Renewal of registration	95.00
Additional renewal fee	40.00
Restoration of registration	160.00
Copy of register	50.00
Copy of register on computer disk	40.00
Extract from register	25.00
Issue of Replacement Certificate	50.00

Dated 10 October 2002

M.E. STRICKLAND  
Registrar

I have decided that the proposed Health (Pest Control) Regulations 2002 should be made with two amendments. Proposed regulation 7(a) is to be altered to clarify the qualification provisions and an amendment is to be made to Schedule 3 to clearly identify the name of the second prescribed course of training.

Dated 17 October 2002

JOHN THWAITES  
Minister for Health**Physiotherapists Registration Act 1998**FORMAL HEARING HELD UNDER  
SECTION 41

Notice is hereby given that on 28 August 2002 a Panel of Physiotherapists Registration Board of Victoria held a Formal Hearing into the activities of a registered physiotherapist, namely Mr Wing-Sing Peter To, registration number 4034. As a result of the hearing the Panel made the following determination:

that in 6 months from the date of this determination, he provides a report to the Board by a registered psychiatrist nominated by the Board at Mr To's expense which assesses –

- his understanding and acceptance of appropriate professional boundaries; and
- the likelihood of whether or not he may re-offend in relation to the offences and behaviour with respect to which the current determinations have been made.

Dated 23 September 2002

M. E. STRICKLAND  
Registrar**Subordinate Legislation Act 1994**

## NOTICE OF DECISION

Proposed Health (Pest Control)  
Regulations 2002

I, John Thwaites, Minister for Health and Minister responsible for administering the **Health Act 1958**, give notice under section 12 of the **Subordinate Legislation Act 1994** in respect of the proposed Health (Pest Control) Regulations 2002.

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Health (Pest Control) Regulations 2002 and public submissions invited. No submissions were received.

**Transport Act 1983**

## VICTORIAN TAXI DIRECTORATE

## Department of Infrastructure

## Commercial Passenger Vehicle Applications

Notice is hereby given that the following applications will be considered by the Victorian Taxi Directorate, a division of the Department of Infrastructure after 20 November 2002.

Notice of any objection to the granting of an application should be forwarded to reach the Manager, Licensing & Certification, Victorian Taxi Directorate, Level 6, 14–20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 14 November 2002.

Copies of objections are forwarded to the applicants.

It will not be necessary for interested parties to appear on the date specified, unless advised in writing by the Department.

John Milanese, Spotswood. Application for variation of conditions of licence SV2153 which authorises the licensed vehicle to operate for the carriage of international tourists to places of interest throughout the State of Victoria, where an integral feature of the hiring will be for non-English speaking passengers to be accompanied by a driver/tour guide/interpreter competent in the appropriate language on pre-booked tours in respect of a 1992 or later model Toyota van with seating capacity for less than 12 seats to change the vehicle to a 1999 or later Ford Transit Commuter Bus or similar type of vehicle with seating capacity of 11 passengers.

Dated 14 October 2002

ROBERT STONEHAM  
Manager – Licensing and Certification  
Victorian Taxi Directorate

**Transport Act 1983**

TOW TRUCK DIRECTORATE OF VICTORIA

Tow Truck Application

Notice is hereby given that the following applications will be considered by the Licensing Authority after 20 November 2002.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, Level 6, Level 6, 14–20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 14 November 2002.

It will not be necessary for interested parties to appear on the date specified, unless advised in writing.

Stonnington Towing Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW022 and TOW025 which authorises the licensed vehicles to be managed, controlled and operated from a depot situated at 400 Neerim Road, Murrumbena to change the depot address to 53 Church Street, Abbotsford.

Jacana Falls Pty Ltd. Application for variation of conditions of tow truck licence number TOW543 which authorises the licensed vehicle to be managed, controlled and operated from a depot situated at 400 Neerim Road, Murrumbena to change the depot address to 53 Church Street, Abbotsford.

C. Bourke. Application for variation of conditions of tow truck licence number TOW267 which authorises the licensed vehicle to be managed, controlled and operated from a depot situated at 54 Fortune Street, Rutherglen to change the depot address to 82–86 Fortune Street, Rutherglen.

Dated 17 October 2002

STEVE STANKO  
Director

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**Transport Act 1983**

ROAD DECLARATIONS AND DEDICATIONS

The Roads Corporation pursuant to the **Transport Act 1983**, upon publication of this notice declares or varies the declaration of the roads or renames the roads described below and shown hatched and cross-hatched on the plans attached, and further declares that the roads are fit to be used as a public highway and are now absolutely dedicated to the public for use as a public highway within the meaning of any law now or hereafter in force.

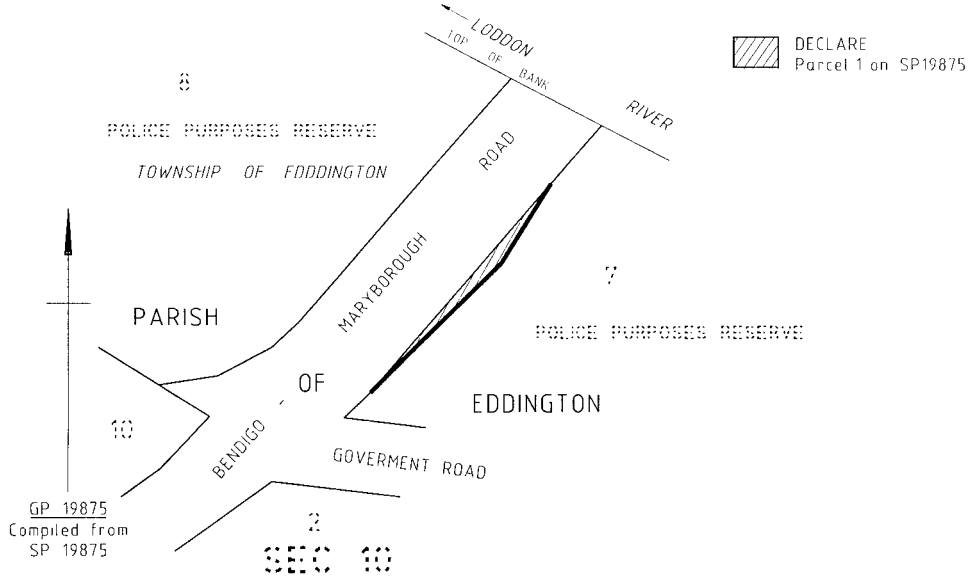
**MAIN ROAD**

- a) Bendigo–Maryborough Road in the Shire of Loddon shown hatched on the plan numbered GP 19875.

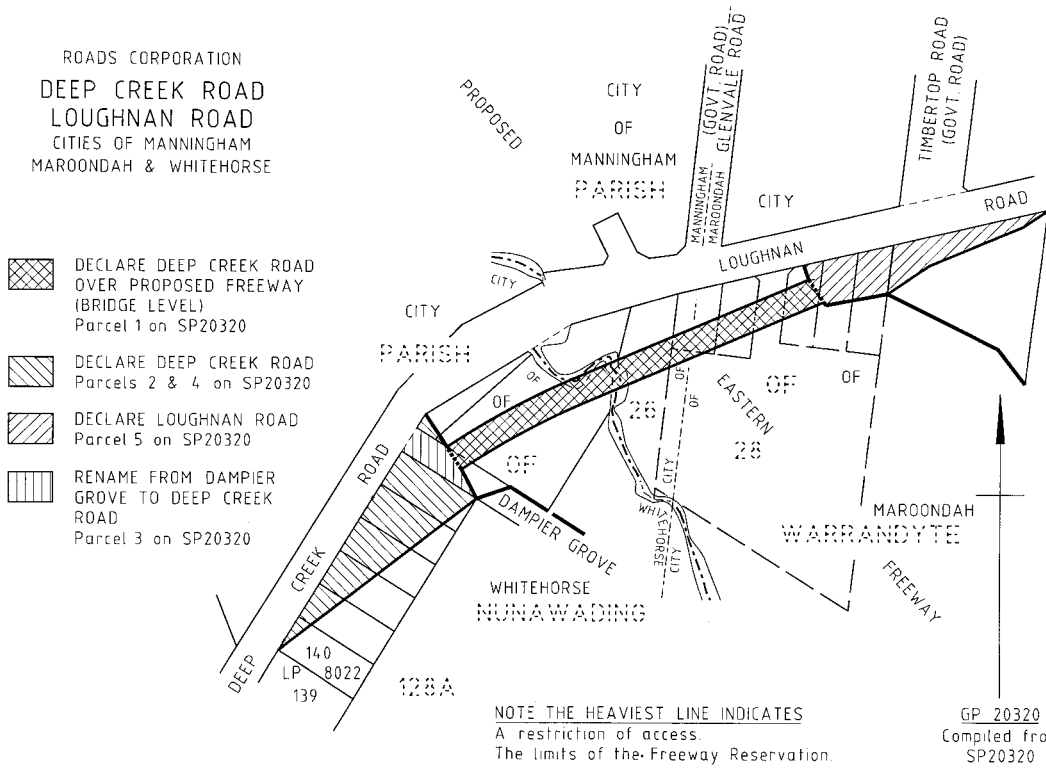
**ROAD**

- b) Deep Creek Road and Loughnan Road in the Cities of Manningham, Maroondah and Whitehorse shown hatched and cross-hatched on the plan numbered GP 20320.
- c) Park Road in the City of Manningham shown hatched and cross-hatched on the plan numbered GP 20321.

ROADS CORPORATION  
 MAIN ROAD  
 BENDIGO - MARYBOROUGH ROAD  
 SHIRE OF LODDON

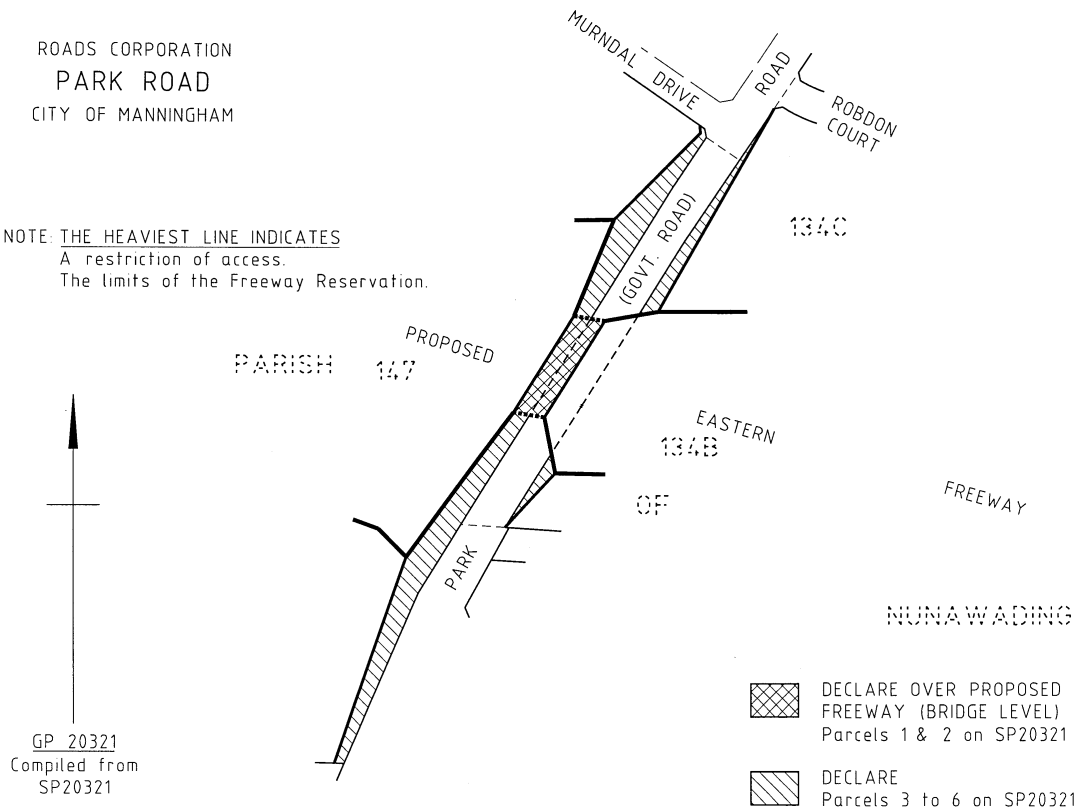


ROADS CORPORATION  
 DEEP CREEK ROAD  
 LOUGHNAN ROAD  
 CITIES OF MANNINGHAM  
 MAROONDAH & WHITEHORSE



ROADS CORPORATION  
PARK ROAD  
CITY OF MANNINGHAM

NOTE: THE HEAVIEST LINE INDICATES  
A restriction of access.  
The limits of the Freeway Reservation.



GP 20321  
Compiled from  
SP20321

Dated 4 October 2002

DAVID ANDERSON  
Chief Executive  
Roads Corporation

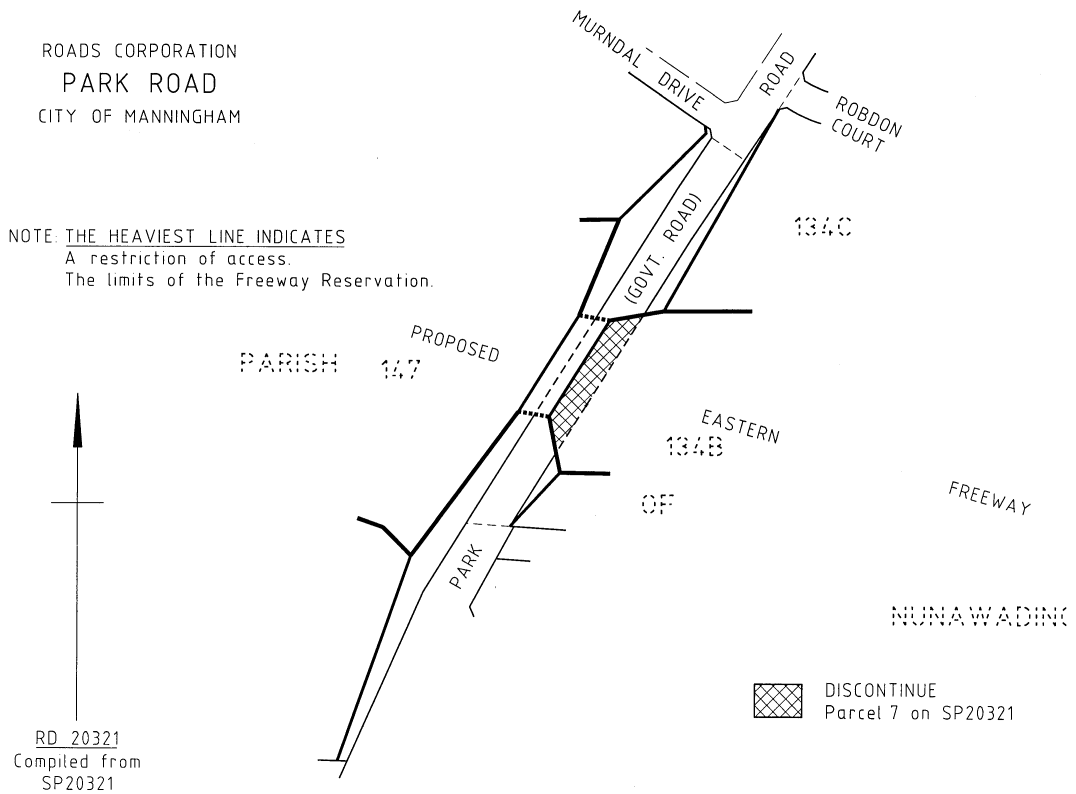
**Transport Act 1983**

**DISCONTINUANCE OF ROADS OR PARTS OF ROADS**

The Roads Corporation, in pursuance of the powers conferred by Clause 2, Schedule 4 of the **Transport Act 1983**, hereby approves the discontinuance of the roads or parts of roads as described in the schedule and on the plan attached:

**SCHEDULE**

- a) The land in the City of Manningham described as Park Road, Parish of Nunawading, shown cross-hatched on plan numbered RD 20321.



Dated 4 October 2002

DAVID ANDERSON  
Chief Executive  
Roads Corporation



**Crown Land (Reserves) Act 1978**CROWN LAND RESERVES (HORSHAM POLICE PADDOCK RESERVE)  
REGULATIONS 2002

## Table of Provisions

I, Sherryl Garbutt, Minister for Environment and Conservation, make the following Regulations

**PART 1 – PRELIMINARY**

1. ***Title***  
These Regulations may be cited as the Crown Land Reserves (Horsham Police Paddock Reserve) Regulations 2002.
2. ***Objective***  
The objective of these Regulations is to provide for the –
  - (a) care, protection and management of the reserve;
  - (b) preservation of good order and decency in the reserve;
  - (c) provision of services and facilities on the land and the conditions under which any services or facilities may be used;
  - (d) carrying out of works and improvements;
  - (e) safety of persons in or occupying or using the reserve or any part thereof;
  - (f) issuing of permits in relation to the reserve; and
  - (g) imposition collection and receipt of tolls, fees, rents or other charges for or in respect of entry to the reserve or any specified part thereof or any improvement services or facilities thereon (including car parks) by any persons and/or vehicles.
3. ***Authorising provision***  
These Regulations are made under section 13 of the **Crown Land (Reserves) Act 1978**.
4. ***Commencement***  
These Regulations come into operation on the date they are published in the Victoria Government Gazette.
5. ***Revocations***  
Any Regulations previously approved in respect of the reserve are hereby revoked.
6. ***Definitions***  
In these Regulations –
  - “*Act*” means the **Crown Land (Reserves) Act 1978**;
  - “*appointed person*” means an officer or employee of the Committee appointed in writing by the Committee as an appointed person for the purposes of these regulations;
  - “*authorised officer*” means an authorised officer appointed under section 83 of the **Conservation, Forests and Lands Act 1987** for the purposes of the **Land Act 1958**;
  - “*bicycle path*” has the same meaning as in the Road Rules – Victoria;
  - “*camp*” means
    - (a) to erect, occupy or use a tent or any similar form of accommodation; or
    - (b) to erect, park, occupy or use a caravan, camper van or other movable form or temporary structure of accommodation;
  - “*Central Plan Office*” means the Central Plan Office of the Department of Natural Resources and Environment;
  - “*Committee*” means the committee of management appointed to manage the reserve under section 14 of the Act;

“*damage*” means to alter, to cut, to destroy, to deface, to soil or to vandalise;

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

“*firearm*” has the same meaning as in the **Firearms Act 1996**;

“*fireplace*” means a facility constructed of stone, metal, concrete or other non-flammable material provided by the Committee in the reserve for the purposes of lighting and maintaining fires;

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

“*footpath*” has the same meaning as in the Road Rules – Victoria;

“*Minister*” means the Minister for Environment and Conservation;

“*parking area*” means any area set aside and designated as such by the Committee from time to time;

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

“*reserve*” means the reserve Crown land reserved for recreation and drainage purposes lodged in the Central Plan Office and a copy attached to Department of Natural Resources and Environment correspondence no Rs09012;

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

“*separated footpath*” has the same meaning as in the Road Rules – Victoria;

“*shared path*” has the same meaning as in the Road Rules – Victoria;

“*take*” means –

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

“*vehicle*” has the same meaning as in the **Road Safety Act 1986**;

#### 7. **Application of Regulations**

- (1) These Regulations do not apply to any of the following persons when acting in the course of that person’s duties –
  - (a) a member of the Committee;
  - (b) an appointed person;
  - (c) any other officer or employee of the Committee; or
  - (d) an authorised officer, a person authorised by or an employee of the Secretary.
- (2) A person acting in accordance with a lease, licence, tenancy or permit granted or issued under the Act or a corresponding previous enactment over land in the reserve is not subject to these Regulations, to the extent that the activities authorised by that lease, licence, tenancy or permit are inconsistent with these Regulations.

### PART 2 – POWERS OF COMMITTEE

#### 8. **Committee may erect buildings and carry out works**

- (1) The Committee may erect buildings and carry out works to provide facilities or

services on the reserve provided the consent required to be obtained in accordance with regulation 16 has been obtained.

**9. Issuing, compliance production and cancellation of permits**

- (1) The Committee may issue a permit for any purpose for which a permit is required under Part 3.
- (2) A permit issued under sub-regulation (1) authorises the holder to enter and use the reserve –
  - (a) for the purpose specified in the permit; and
  - (b) for the period specified in the permit; and
  - (c) subject to any terms and conditions in respect of that entry or use determined by the Committee and specified in the permit.
- (3) The holder of any current permit must comply with any terms and conditions of that permit.
- (4) The Committee or an appointed person may revoke or cancel a permit at any time.
- (5) Upon revocation or cancellation of a permit under sub-regulation (4), the Committee or an appointed person must, where practicable, notify the permit holder in writing of the revocation or cancellation of the permit within a reasonable time after the revocation or cancellation.
- (6) A person who holds a permit issued under this Part must produce the permit for inspection when requested to do so by the Committee, an authorised officer or appointed person.

**10. Fees and charges**

- (1) The reserve is open to the public free of charge except as otherwise determined by the Committee in accordance with sub-regulation (2).
- (2) The Committee may determine such reasonable fees that it considers necessary for entry to the reserve or use of improvements, services or facilities in the reserve.
- (3) If the Committee has determined that a fee is payable for entry to the reserve or use of improvements, services or facilities in the reserve under sub-regulation (2), the Committee must cause notices to be displayed in such a place and manner that the particulars are reasonably likely to be seen by persons about to enter the reserve or use the improvements, services or facilities in the reserve, indicating the fee payable for entry to the reserve or use of the improvements, services or facilities in the reserve.
- (4) A person must not enter the reserve or use the improvements, services or facilities within the reserve without paying the appropriate fee, if any, determined by the Committee under sub-regulation (2).

**11. Committee may prohibit or restrict entry to the reserve, entry or access to any part of the reserve or use of the reserve.**

- (1) The Committee may prohibit or restrict entry to the reserve or access to any part of the reserve or use of the reserve –
  - (a) to a person who is in possession of alcohol;
  - (b) to a person with glass bottles, glass containers or glass utensils in their possession;
  - (c) for reasons of public safety;
  - (d) for the protection of flora, fauna, geological or geomorphological features or cultural values;
  - (e) to re-establish or plant vegetation.

**PART 3 – USE AND CONTROL OF THE RESERVE****12. Prohibitions and Restrictions:**

- (1) In the reserve a person must not –
- (a) contrary to the instruction indicated on any sign, bring any dog, other than a guide dog, or any other animal into, or allow an animal under that person's control to remain in the reserve;
  - (b) on bringing any dog or animal into the reserve, allow that dog or animal to cause any nuisance, injury, unreasonable disturbance or damage to any person, flora, fauna, garden, shrub, tree, building, fencing or other improvement or any other dog or animal;
  - (c) drive, park or leave standing any vehicle;
    - (i) on any footpath; or
    - (ii) on any road, accessway or parking area contrary to any sign erected by the Committee;
  - (d) use any bicycle path, footpath, separated footpath or shared footpath contrary to any sign erected by the Committee;
  - (e) launch, fly, land, control or operate any model aircraft, model helicopter, aircraft, helicopter, glider, hang glider or similar flying machine, kite, hot air balloon or parachute;
  - (f) erect any building, tent or any other structure or occupy or use any building, tent or other structure or camp within the reserve;
  - (g) light or maintain a fire other than in a fireplace provided by the Committee;
  - (h) leave any fire unextinguished;
  - (i) take, cut, damage, displace, deface or interfere with any timber, tree, shrub, plant, wildflower or other vegetation;
  - (j) plant or knowingly introduce any seed, tree, shrub, fern or other vegetation or any part of a tree, shrub or other vegetation;
  - (k) take, destroy or damage any lair or nest or take any fauna or its lair or nest or take any skeletal remains;
  - (l) move or interfere with any sign, noticeboard, equipment, seat, table, gate, post, fence, bridge, facility, building or structure;
  - (m) take any stone including any soil, sand or gravel unless acting in accordance with a lease, licence, permit or other authority under the **Extractive Industries Development Act 1995**, the **Mineral Resources Development Act 1990** or the **Petroleum Act 1998**;
  - (n) enter, occupy or use the whole or any part of any building or structure unless it is an amenity or facility for public use and any fee required to be paid under these Regulations has been paid and any times or periods or conditions relating to the entry or use of the building or structure are complied with;
  - (o) use any amenity or facility set aside for use of persons of the opposite sex unless that person is a child under the age of 6 years and is accompanied by an adult;
  - (p) engage in any game or sport likely to cause interference, disturbance, inconvenience or danger to other persons using the reserve for other purposes;

- (q) participate in any organised function, rally, concert, festival, tour, fete or public meeting or similar event which has not been authorised by the Committee;
  - (r) preach or deliver any address or use any amplifier, public address system, loud hailer or similar device;
  - (s) operate any portable or stationary generator, air-compressor, chainsaw, oxy-acetylene or electrical cutting or welding apparatus or other machinery;
  - (t) leave any gate open except where the gate is already open;
  - (u) possess or carry or use any firearm, trap or snare;
  - (v) propel or throw any stone or missile which is likely to cause danger or unreasonable disturbance to other persons or to animals or is likely to damage any flora or property;
  - (w) climb upon any portion of any building, improvement, embellishments, seat, tree, post, pole, gate, fence, hedge, mast, cable fountain or other structure;
  - (x) interfere with or interrupt any authorised entertainment.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

**13. Commercial Activities**

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

**14. Offensive behaviour**

In the reserve, a person must not –

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

**15. Royalties**

A person authorised by a current permit issued under Part 2 to take stone from the reserve must pay to the Secretary the royalty specified in Schedule 5 of the Extractive Industries Development Regulations 1996, in respect of the type and quantity of stone taken.

**PART 4 – WORKS AND IMPROVEMENTS****16. Consent of Minister**

- (1) The Committee must obtain all the necessary approvals and permits and the consent of the Minister or the consent of the Minister's authorised delegate before undertaking any works or improvements on the reserve.
- (2) The consent of the Minister or the Minister's authorised delegate is not required if the works and improvements are –
  - (a) for the purpose of carrying out repairs or maintenance of structures, facilities and other improvements; or
  - (b) minor works or improvements necessary to keep the reserve in good order or appearance; or
  - (c) to provide information to the public; or
  - (d) works and improvements agreed to under a management or development plan which has been approved by the Minister or the Minister's authorised delegate.

**PART 5 – GENERAL****17. Obstruction**

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

**18. Direction and direction to leave**

- (1) An appointed person or authorised officer may direct a person in charge of a vehicle to move the vehicle or remove the vehicle from the reserve if—
    - (a) the vehicle is parked or standing contrary to any sign erected in accordance with these Regulations; or
    - (b) in the opinion of the appointed person or authorised officer the vehicle is obstructing or likely to obstruct the passage of people or other vehicles in the reserve; or
    - (c) the vehicle is a danger or likely to be a danger to people using the reserve or is likely to cause injury or damage to property in the reserve; or
    - (d) the vehicle is being driven in a manner which is likely to prejudice the safety of persons or cause injury or damage to property in the reserve.
  - (2) An appointed person or an authorised officer may direct any person whom that officer believes on reasonable grounds has contravened these Regulations to leave the reserve or any part of the reserve.
  - (3) When directed to do so by an appointed person or an authorised officer, a person must immediately –
    - (a) move a vehicle as directed within the reserve; or
    - (b) remove a vehicle from the reserve; or
    - (c) leave the reserve or the part of the reserve.
-

### Notes

#### **Contravention of regulations**

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

#### **Litter**

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

#### **Motor Vehicles**

Under the Land Conservation (Vehicle Control) Regulations 1992, motor vehicles are prohibited from being within a reserve except on a road, in a parking area or in an area declared to be a free access area. A contravention may result in the imposition of penalties under those regulations.

#### **Fire**

In addition to Regulation 12, the lighting of fires is governed by the Fire Protection Regulations 1992 and failure to adhere to those Regulations may result in the imposition of penalties.

#### **Bicycle Path, Footway, Segregated footway or Shared Footway**

The meanings of bicycle path, footway, segregated footway and shared footway are –

“Bicycle path” means a length of path beginning at a bicycle path sign or bicycle path road marking, and ending at the nearest of the following –

- (a) an end bicycle path sign or end bicycle path road marking;
- (b) a separated footpath sign or separated footpath road marking;
- (c) a road (except a road related area);
- (d) the end of the path.

“Footpath” (except in rule 13 of Road Rules – Victoria) means an area open to the public that is designated for, or has as one of its main uses, use by pedestrians.

Note: rule 13 of Road Rules – Victoria defines road related area.

“Separated Footpath” means a length of footpath beginning at a separated footpath sign or separated footpath road marking, and ending at the nearest of the following:

- (a) an end separated footpath sign or end separated footpath road marking;
- (b) a bicycle path sign or bicycle path road marking;
- (c) a no bicycles sign or no bicycles road marking;
- (d) a road; or
- (e) the end of the footpath.

“Shared path” is an area open to the public (except a separated footpath) that is designated for, or has as one of its main uses, use by both riders of bicycles and pedestrians, and includes a length of path for the use by both bicycles and pedestrians beginning at a shared path sign and ending at the nearest of the following –

- (a) an end shared path sign;
- (b) a no bicycles sign or no bicycles road marking;
- (c) a bicycle path sign;
- (d) a road (except a road related area);
- (e) the end of the path.

Dated 30 September, 2002

SHERRYL GARBUTT  
Minister for Environment and Conservation

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**Dairy Act 2000**

**DAIRY FOOD SAFETY VICTORIA**

Notice of Code of Practice for Dairy Food Safety

Dairy Food Safety Victoria wishes to advise that the Code of Practice for Dairy Food Safety has been finalised. The Code of Practice for Dairy Food Safety was approved by the Minister for Agriculture on 3 September 2002, and will come into effect as of 1 December 2002. The Code will set the minimum mandatory standard for the production, manufacture, storage and transport of milk and dairy foods to safeguard public health.

A copy of the Code of Practice for Dairy Food Safety can be viewed within this edition of the Gazette, is also available for public inspection between the hours of 9.00am and 5.00pm at the office of Dairy Food Safety Victoria, 651 Victoria Street, Abbotsford, 3067 (phone: (03) 9426 5999) or at [www.dairysafe.vic.gov.au](http://www.dairysafe.vic.gov.au).

JOANNE PATTERSON  
Industry Services Manager



**CODE OF PRACTICE FOR DAIRY FOOD SAFETY****SEPTEMBER 2002****1. INTRODUCTION****1.1 OVERVIEW**

All dairy premises operating in Victoria are required to be licensed with Dairy Food Safety Victoria (DFSV), under Part 3, Section 22 of the **Dairy Act 2000**.

All Victorian food businesses, including dairy premises, are required under the **Food Act 1984**, to comply with the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000), including Chapter 3, Food Safety Standards.

This Code sets the minimum mandatory standards for the production, manufacture, storage and transport of milk and dairy foods to safeguard public health and must be used by all dairy premises in conjunction with the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000).

All dairy premises are required to hold a current industry licence and each licensee is required to have an approved Food Safety Program (FSP) in place. Food Safety Programs will be audited on a regular basis.

This Code has been developed in consultation with the Victorian dairy industry using a risk-based approach and considering the international Codex requirements and the provisions of the **Dairy Act 2000**.

Part 4, Section 31 of the **Dairy Act 2000** authorises Dairy Food Safety Victoria to make Codes of Practice. The Minister must approve any Code of Practice made under this Part of the **Dairy Act 2000**.

The *Code of Practice for Dairy Food Safety* (DFSV, 2002) replaces the *Code of Practice for the Quality Assurance of Milk and Dairy Produce* (VDIA, 1995), which was made under the **Dairy Industry Act 1992**.

This Code was approved by the Minister for Agriculture and Aboriginal Affairs on 3 September 2002 and comes into operation from 1 December 2002.

**1.2 POWERS OF AUTHORISED OFFICERS UNDER THE DAIRY ACT**

Dairy Food Safety Victoria has powers under Part 3, Section 26 of the **Dairy Act 2000** to refuse to issue; issue or renew subject to conditions; refuse to renew; refuse to transfer; cancel; or suspend a dairy industry licence.

Part 5 of the **Dairy Act 2000** describes the actions that may be taken by a Dairy Food Safety Victoria Authorised Officer. These include: detaining product, and placing orders on premises and equipment.

**1.3 VICTORIAN DAIRY FOOD SAFETY FRAMEWORK**

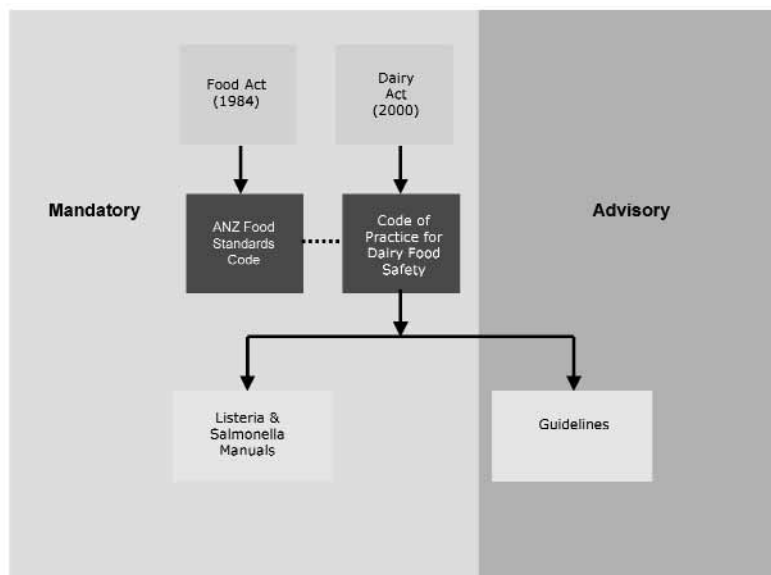
The **Dairy Act 2000** provides for a Code of Practice to “apply, adopt or incorporate” any matter contained in other documents for the purposes of the application of the Act.

This Code of Practice has adopted the following documents as mandatory requirements:

- *Australian Manual for Control of Listeria in the Dairy Industry (Listeria Manual)*, (ADASC, 1999).
- *Australian Manual for Control of Salmonella in the Dairy Industry (Salmonella Manual)*, (ADASC, 1999).
- *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000).

Advisory guidelines are available to assist dairy premises with the implementation of this Code of Practice. A list of the recommended guidelines is available from any Dairy Food Safety Victoria Office or from the DFSV website: [www.dairysafe.vic.gov.au](http://www.dairysafe.vic.gov.au)

The following diagram shows the Victorian dairy food safety framework.



## 2. GENERAL PRINCIPLES

The following over-arching general principles apply to all milk and dairy foods produced or manufactured in Victoria.

- A. Hygienic practices must be applied throughout the food chain so that milk and dairy foods are safe and suitable for their intended use.
- B. Milk and dairy foods must be produced, handled, stored and transported under conditions that prevent contamination of the product.
- C. From raw milk production to the point of consumption, all dairy foods must be subject to a combination of control measures, and these control measures must be shown to achieve the appropriate level of public health protection.
- D. All dairy farms, milk carriers, dairy food manufacturers and dairy food distributors must have an approved Food Safety Program. The requirements of a Food Safety Program are specified in this Code for each industry sector.
- E. The Food Safety Program must be based on the Codex HACCP principles as outlined in *Codex Alimentarius, Basic Texts on Food Hygiene, FAO/WHO, Annex Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for Its Application*.
- F. The Food Safety Program must include a mechanism for making and validating changes to the program.
- G. Hygienic practices must be validated as effective for achieving the appropriate level of public health protection for dairy foods. Risk assessment based on Codex principles and methodologies must be used where possible as the basis for:
  - a. Validation of selected control measures; and
  - b. Evaluation of new technologies, processes and product formulations to ensure that they are consistent with production of milk and dairy foods that are safe and suitable for the intended purpose.
- H. Hygienic and Good Manufacturing Practices (GMP) for milk and dairy foods must be implemented within the context of HACCP as described in the *Codex Guidelines for the Application of the Hazard Analysis Critical Control Point (HACCP) System, Annex to the Recommended International Code of Practice - General Principles of Food Hygiene*.

### **3. DAIRY FARMS**

#### **3.1 INTRODUCTION**

The owner of a dairy farm is responsible for ensuring that milk intended for sale, whether it be cow, goat, sheep or buffalo:

A. Is produced in accordance with a Food Safety Program described in Section 3.2; and

B. Meets the standards described in Section 3.3.

Non-compliances with the Food Safety Program, or this Code or other regulatory requirements must be investigated to determine the root cause. Action must be taken to correct the non-compliance and to prevent a recurrence of the non-compliance.

#### **3.2 REQUIREMENTS OF A DAIRY FARM FOOD SAFETY PROGRAM**

A dairy farm Food Safety Program must provide for the following:

##### **3.2.1 Physical Contaminants**

Milk produced for human consumption must be clean and free from foreign matter that would render the milk unsafe.

##### **3.2.2 Chemical Contaminants**

All veterinary, agricultural and cleaning and sanitising chemicals must be stored in a secure area.

###### **3.2.2.1 Veterinary and Agricultural Chemicals**

Milk from animals that have been treated with antibiotics or other veterinary drugs must not contain residues at levels exceeding the Maximum Residue Limit (MRL) as specified in Standard 1.4.2 of the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000).

Only veterinary drugs and agricultural chemicals registered by the National Registration Authority (NRA) may be used. Agricultural chemicals and veterinary drugs must also be used according to label instructions, including adherence to the withholding periods.

Milk contaminated with residues exceeding the MRL must be managed in an environmentally responsible way. Milk contaminated with residues exceeding the MRL must not contaminate the food chain.

Milk that does not comply with the above must not be sold for human consumption.

###### **3.2.2.2 Pest Control**

Pests must be controlled to prevent contamination of the milk by pests or pest activities, such as faeces, urine, hair and nesting material, and in a way that does not result in pesticide residues in the milk.

The risk of contaminating milk by pesticides must be prevented.

###### **3.2.2.3 Environmental Contaminants**

Hazards relating to the location, water source, previous use of and activities of neighbouring properties of a dairy farm must be identified and managed in order to prevent the risk of environmental contamination of the milk.

Milk and dairy foods must comply to Standard 1.4.1, *Contaminants and Natural Toxicants*, of the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000). Dairy foods containing contaminants exceeding Maximum Levels (MLs) must be excluded from sale for human consumption.

Milk containing metal contaminants, non-metal contaminants and natural toxicants at levels exceeding the ML must not be used to manufacture dairy foods for human consumption.

#### 3.2.2.4 Animal Feeds

All animal feeds including pasture given to milking animals must not present a risk of introducing, directly or indirectly, microbiological or chemical hazards to the milk at levels that present a health risk to the consumer or lead to contaminants in excess of MRLs or MLs.

### 3.2.3 Microbiological Contaminants

#### 3.2.3.1 Animal Health

The health status of milking animals must be managed in a manner that prevents the introduction of hazards to the milk.

Milk from diseased animals must not be used for human consumption when, such milk presents a risk to human health.

#### 3.2.3.2 Environmental Contaminants

Water and other environmental factors must not be a source or vehicle for transmission, directly or indirectly, of environmental pathogenic microbiological contaminants to the milk.

Hazards relating to the location, water source, previous use of and activities of neighbouring properties of a dairy farm must be identified and managed in order to prevent the risk of environmental contamination of the milk.

### 3.2.4 Dairy Milking Premises, Storage and Equipment

Premises used for the production and storage of milk and milking equipment, must be designed, constructed, situated and maintained in a manner that will prevent the introduction of hazards and contaminants to the milk.

### 3.2.5 Hygienic Milking

Milking must be carried out in a manner that will prevent the microbiological, chemical and physical contamination of the milk.

Adequate sanitation and employee practices must prevent contamination of milk with undesirable or pathogenic microorganisms.

A person must not be involved in milking if the person is known to be or suspected to be suffering from an infectious disease, or is a known carrier of an infectious disease where there is a reasonable likelihood of milk contamination. Infectious diseases are prescribed in the *Health (Infectious Diseases) Regulations 2001*.

### 3.2.6 Water Supply and Quality

Dairy farms must have enough water, of suitable quality to clean the premises, animals, and equipment and for cooling of the milk to prevent the risk of contamination of the milk.

Dairy farms using reclaimed water to irrigate dairy pastures must adhere to the *Environmental Guidelines for the Use of Reclaimed Water*, (EPA, 2001) and the requirements set out in *Reclaimed water on dairy farms – General Information and Requirements for Users*, (VDIA,1999).

### 3.2.7 Cleaning and Sanitising

Premises and equipment must be cleaned and sanitised to prevent the risk of contamination of milk.

Detergents and sanitisers used on surfaces that come into contact with the milk must be approved by the NRA. The risk of contaminating milk with detergents and sanitisers must be prevented.

Cleaning and sanitising programs must be documented and validated to ensure their effectiveness, and an ongoing verification program implemented.

**3.2.8 Traceability**

The Food Safety Program must ensure adequate traceability of:

- A. The use of all agricultural and veterinary chemicals;
- B. The purchase and distribution of animal feed; and
- C. The identification and treatment of individual animals.

**3.2.9 Records**

Records must be maintained to demonstrate that the Food Safety Program has been complied with.

**3.2.10 Personnel Competency**

The owner of a dairy farm must ensure that persons undertaking and supervising the milking operations and the management of the dairy farm Food Safety Program can demonstrate competency in:

- A. Skills and knowledge in the hygienic milking of dairy animals;
- B. Skills and knowledge in the administration of veterinary drugs and application of agricultural chemicals; and
- C. Skills and knowledge of food safety and food hygiene matters relevant to the activities undertaken at the premises.

**3.3 STANDARDS**

All raw milk produced must comply with the standards listed below.

- A. Standard 1.4.1 and 1.4.2 of the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000); and
- B. Milk must be cooled within 3.5 hours of the commencement of milking to a temperature not exceeding 5°C and kept at or below this temperature until collected; or

If milk is collected above 5°C it is the dairy manufacturer's responsibility to ensure that temperature control procedures are validated and equivalence demonstrated to ensure the minimisation of pathogenic microbiological growth.

**4. DAIRY FOOD CARRIERS****4.1 INTRODUCTION**

The owner of any business engaged in the transport of liquid dairy food in a bulk container, is responsible for:

- A. Transporting the dairy food in accordance with a Food Safety Program described in Section 4.2; and
- B. For ensuring that the standards described in Section 4.3 are met.

Non-compliances with the Food Safety Program, or this Code or other regulatory requirements must be investigated to determine the root cause. Action must be taken to correct the non-compliance and to prevent a recurrence of the non-compliance.

**4.2 REQUIREMENTS OF A DAIRY FOOD CARRIER FOOD SAFETY PROGRAM**

A dairy food carrier Food Safety Program must:

- A. Be based on Codex HACCP principles as outlined in *Codex Alimentarius, Basic Texts on Food Hygiene, FAO/WHO, Annex Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for Its Application*; and
- B. Provide for the following.

**4.2.1 Delivery and Collection**

Milk and milk products must be transported without undue delay, and in a manner that prevents the introduction of contaminants and the growth of pathogenic microorganisms and production of their toxins.

Milk and milk products containing detectable taints or extraneous matter must not be collected if its use would pose a potential food safety risk.

A dairy food carrier must ensure that any milk tanker or vessel used for the bulk transport of milk and milk products is used only to:

- A. Collect milk from dairy farms; and/or
- B. Transport milk and milk products; and/or
- C. Transport potable water or food grade liquids that will not contaminate milk and milk products or leave residues.

Milk tankers or vessels used to transport food grade liquids must be washed and sanitised prior to carrying milk and milk products.

#### **4.2.2 Transport Vehicles, Equipment and Vessels**

Dairy food transport vehicles, equipment and vessels must be designed, constructed and maintained in a manner that will prevent the introduction of contaminants to milk or milk products and temperature increase.

#### **4.2.3 Water Supply and Quality**

Dairy food carriers must ensure enough water, of suitable quality is used on product contact surfaces and to clean the transport vehicles, equipment and vessels.

Dairy food carriers using reclaimed or recycled water to wash the outside of tankers must adhere to the *Environmental Guidelines for the Use of Reclaimed Water*, (EPA 2001).

#### **4.2.4 Cleaning and Sanitising**

Dairy food carriers must have an adequate supply of suitable quality water to clean the dairy transport vehicle and equipment.

Recycled processing water may be used to clean dairy transport vehicles. The system must be validated to ensure that this water is of suitable quality and ongoing verification of the quality of the water demonstrated.

Dairy food carriers using reclaimed water must adhere to the *Environmental Guidelines for the Use of Reclaimed Water*, (EPA, 2001).

Cleaning and sanitising programs must be documented and validated to ensure their effectiveness, and an ongoing verification program implemented.

#### **4.2.5 Identification And Traceability**

The Food Safety Program must ensure traceability of:

- A. Milk and milk ingredients from suppliers to dairy manufacturers; and
- B. Transport vehicles, equipment, vessels and vats.

#### **4.2.6 Records**

Records must be maintained to demonstrate that the Food Safety Program is complied with.

#### **4.2.7 Personnel Competency**

The owner of a business engaged in the transport of dairy food in a bulk container must ensure that persons driving the transport vehicle and/or collecting bulk milk can demonstrate competency in skills and knowledge in food safety and food hygiene matters relevant to the activities undertaken in the job performed.

### **4.3 STANDARDS**

All dairy food carriers must ensure compliance with the standards listed below.

- A. Milk must be collected at a temperature not exceeding 5°C and kept at or below this temperature; or

If milk is collected above 5°C it is the dairy manufacturer's responsibility to ensure that temperature control procedures are validated and equivalence demonstrated to ensure the minimisation of pathogenic microbiological growth.

## **5. DAIRY MANUFACTURING PREMISES**

### **5.1 INTRODUCTION**

The owner of a dairy manufacturing premises is responsible for ensuring that dairy foods are manufactured:

- A. In accordance with a Food Safety Program described in Section 5.2; and
- B. To meet the standards described in Section 5.3.

Non-compliances with the Food Safety Program, or this Code or other regulatory requirements must be investigated to determine the root cause. Action must be taken to correct the non-compliance and to prevent a recurrence of the non-compliance.

### **5.2 REQUIREMENTS OF A DAIRY MANUFACTURING PREMISES FOOD SAFETY PROGRAM**

The Dairy Manufacturing Premises Food Safety Program must:

- A. Be based on Codex HACCP principles as outlined in *Codex Alimentarius, Basic Texts on Food Hygiene, FAO/WHO, Annex Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for Its Application*; and
- B. Provide for the following.

#### **5.2.1 Physical Contaminants**

Contamination of dairy foods during manufacturing must be prevented.

Product produced for human consumption must be free from foreign matter that would render the product unsafe. Manufacturing equipment, processes and systems must be designed and operated to prevent physical contaminants in product.

Where possible, all products must be filtered or passed through a device that detects foreign matter that would cause harm to the consumer. Product contaminated with foreign matter must be isolated.

Where this is not practicable, equipment must be inspected to detect contamination of the product with foreign matter that would cause the product to be unsafe.

#### **5.2.2 Chemical Contaminants**

##### **5.2.2.1 Veterinary and Agricultural Chemicals**

An antibiotic testing program of individual farm vat milk and/or bulk tanker milk must be implemented to verify the effectiveness of the on-farm Food Safety Program with respect to antibiotic usage and management.

Dairy foods containing residues of antibiotics, veterinary drugs or agricultural chemicals at levels exceeding MRLs as specified in *Standard 1.4.2, Maximum Residue Limits*, of the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000), must be excluded from sale for human consumption.

##### **5.2.2.2 Pest Control**

Pests must be controlled to prevent contamination of product, manufacturing and storage areas.

Pests must be controlled in a way that does not result in residues in the milk or dairy products.

Pesticides must not be stored in the manufacturing premises. They must be stored in a manner that prevents cross contamination with other dairy chemicals.

##### **5.2.2.3 Environmental Contaminants**

Milk and dairy foods must comply with *Standard 1.4.1, Contaminants and Natural Toxicants*, of the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000). Dairy foods containing contaminants exceeding MLs must be excluded from sale for human consumption.

Milk containing metal contaminants, non-metal contaminants and natural toxicants at levels exceeding the MLs must not be used to manufacture dairy foods for human consumption.

#### 5.2.2.4 Processing Chemicals

Only processing aids used in accordance with *Standard 1.3, Substances Added to Food*, of the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000) are to be used in the manufacture of dairy foods.

All processing chemicals (eg. processing aids, refrigerants and lubricants) are to be used in a way that ensures that the risk of residues of these chemicals is prevented.

#### 5.2.2.5 Allergens

Cross contamination of dairy foods with allergens (eg. eggs, nuts, seafood and soy products) must be prevented by the implementation of a validated equipment cleaning program or other validated procedure, and through the control of rework.

Product containing allergens must be labelled according to *Standard 1.2.3, Mandatory Advisory Statements and Declarations*, of the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000).

### 5.2.3 Microbiological Contaminants

#### 5.2.3.1 Pathogen Control

All dairy products must be treated to control the presence of pathogenic organisms to acceptable levels as stated in *Standard 1.6.1, Microbiological Limits for Food*, of the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000) and the User Guide, *Microbiological Limits for Foods* (ANZFA, 2000).

All dairy products must be processed according to *Standard 1.6.2, Processing Requirements*, of the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000) or by an approved alternative process that has been validated to ensure an equivalent outcome.

Effective measures must be taken to prevent cross-contamination of dairy foods from raw product, the manufacturing environment, water and personnel.

#### 5.2.3.2 Storage and Temperature Control

Dairy manufacturers must, when storing raw milk, raw materials, intermediate products and dairy foods, store them in such a way that:

- A. They are protected from the likelihood of contamination; and
- B. The environmental conditions under which they are stored will not adversely affect the safety of the food; and

Dairy manufacturers must, when storing potentially hazardous food, including non-dairy ingredients:

- A. Store it under temperature control; and
- B. If it is food intended to be stored frozen, ensure the food remains frozen during storage.

Temperature control means maintaining food at:

- A. A temperature of 5°C, or below if this is necessary to prevent the growth of infectious or toxigenic microorganisms in the food so that the microbiological safety of the food will not be adversely affected for the time the food is at that temperature; or
- B. Another temperature, if the dairy food manufacturer can demonstrate that the maintenance of the food at this temperature for the period of time for which it will be so maintained, will not adversely affect the microbiological safety of the food.



**5.2.4 Dairy Manufacturing Premises and Equipment**

Dairy manufacturing premises and equipment must be designed, situated, constructed and maintained in a manner that prevents the introduction of hazards, contaminants and the cross-contamination of finished product and allows adequate cleaning and sanitising.

Plans for the construction of new or significantly altered manufacturing premises must be reviewed by Dairy Food Safety Victoria prior to construction.

**5.2.5 Water Supply and Quality**

Dairy manufacturing premises must have an adequate supply of potable water to clean the manufacturing premises and equipment and for incorporation as an ingredient where required.

Recycled processing water may be used to clean manufacturing premises and equipment or as an ingredient. The system must be validated to ensure that this water is potable and ongoing verification of the quality of the water demonstrated.

Dairy manufacturing premises using reclaimed water must adhere to the *Environmental Guidelines for the Use of Reclaimed Water*, (EPA, 2001).

**5.2.6 Cleaning and Sanitising**

Dairy manufacturing premises and equipment must be cleaned and sanitised to prevent the risk of contamination of dairy foods.

The risk of contaminating dairy foods with detergents and sanitisers must be prevented. Cleaning and sanitising programs must be documented and validated to ensure their effectiveness, and an ongoing verification program implemented.

**5.2.7 Rework Controls**

Controls must be in place to ensure that the segregation, identification, traceability and storage of product for rework (eg. reconstituted product, holdover, pump out and other work in progress) are adequate to ensure that the finished product is safe for human consumption.

Reworked product must meet the microbiological limits in Section 5.2.3.1.

**5.2.8 Hold and Release**

A hold and release system must be in place to prevent the release or distribution of unsafe food.

**5.2.9 Disposal of Product**

Product which has been identified as unsafe for human consumption may be reprocessed in a manner that ensures the food safety of the final product.

Where this cannot be achieved the product is to be managed according to the **Environment Protection Act 1970**. Product under orders must be disposed of under direction of a Dairy Food Safety Victoria Authorised Officer and in a manner where it cannot contaminate or re-enter the food chain.

Product can be sold or reprocessed for stock feed provided it does not contaminate the human food chain.

**5.2.10 Testing Programs**

A testing program must be implemented to verify the effective operation of the Food Safety Program.

**5.2.11 Identification and Traceability**

A program must be in place to ensure identification and traceability at all stages of manufacture and storage for raw materials through to finished product.

The program must allow trace back and trace forward of all dairy product and ingredients and must be validated. An ongoing verification program must be implemented to ensure its effectiveness.

All dairy manufacturers must have a product recall plan that is also validated to ensure its ongoing effectiveness. *The Food Industry Recall Protocol, A guide to conducting a food recall*, (ANZFA, 2001) must be followed.

#### 5.2.12 Records

A dairy manufacturing Food Safety Program must ensure that records are maintained for a minimum of 3 years to demonstrate compliance to this Code of Practice.

#### 5.2.13 Notification

Dairy manufacturers must notify Dairy Food Safety Victoria of:

- A. Finished product for human consumption contaminated with notifiable public health organisms as listed in the *Health (Infectious Diseases) Regulations 2001*; and
- B. *Listeria spp.* and *Salmonella spp.* detections according to the mandatory sections of the *Australian Manual for Control of Listeria in the Dairy Industry* (ADASC, 1999) and the *Australian Manual for Control of Salmonella in the Dairy Industry* (ADASC, 1999).

#### 5.2.14 Personnel Competency

The owner of a dairy manufacturing premises must ensure that persons employed at the premises can demonstrate competency in skills and knowledge in food safety and food hygiene matters in relevant activities undertaken in the job performed.

### 5.3 STANDARDS

All dairy foods must be produced to comply with the standards listed below:

- A. *Standard 1.6.1, Microbiological Limits for Food, Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000).
- B. *Australian Manual for Control of Listeria in the Dairy Industry* (ADASC, 1999), *Australian Manual for Control of Salmonella in the Dairy Industry* (ADASC, 1999).
- C. Pathogen levels specified in the User Guide, *Microbiological Limits for Foods* (ANZFA, 2000).
- D. *Standard 1.4.1, Contaminants and Natural Toxicants, Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000).
- E. *Standard 1.4.2, Maximum Residue Limits, Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000).
- F. *Standard 1.3, Substances Added to Food, Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000).
- G. *Standard 1.2.3, Mandatory Advisory Statements and Declarations, Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000).

For the purposes of Section 36 1 (a) of the **Dairy Act 2000**, dairy food must be treated in accordance with the following standard:

- H. *Standard 1.6.2, Processing Requirements, Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000).

## 6. DAIRY DISTRIBUTORS

### 6.1 INTRODUCTION

A dairy distributor is responsible for ensuring that dairy foods in a dairy distribution system are sold and/or distributed:

- A. In accordance with a Food Safety Program described in Section 6.2.

Non-compliances with the Food Safety Program, or this Code or other regulatory requirements must be investigated to determine the root cause. Action must be taken to correct the non-compliance and to prevent a recurrence of the non-compliance.

**6.2 REQUIREMENTS OF A DAIRY DISTRIBUTOR FOOD SAFETY PROGRAM**

The dairy distributor Food Safety Program must:

- A. Be based on Codex HACCP principles as outlined in *Codex Alimentarius, Basic Texts on Food Hygiene, FAO/WHO, Annex Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for Its Application*; and
- B. Provide for the following.

**6.2.1 Contaminants**

Dairy foods must be protected during storage and distribution to prevent chemical, microbiological or physical contamination.

**6.2.2 Pest Control**

Pests must be controlled to prevent contamination of product, distribution, and storage areas and transport vehicles.

Pests must be controlled in a way that does not result in residues in the milk or dairy products.

Pesticides must be stored in a manner that prevents cross contamination with other chemicals.

**6.2.3 Temperature and Storage Control**

Dairy distributors must, store and transport dairy food, in such a way that:

- A. It is protected from the likelihood of contamination; and
- B. The environmental conditions under which it is stored and transported will not adversely affect the safety of the food.

Dairy distributors must, when storing and transporting dairy food:

- A. Store it under temperature control; and
- B. If it is food intended to be stored frozen, ensure the food remains frozen during storage and transport.

For products that need to be maintained under temperature control, temperature control means maintaining food at a temperature of:

- A. 5°C, or below if this is necessary to prevent the growth of infectious or toxigenic microorganisms in the food so that the microbiological safety of the food will not be adversely affected for the time the food is at that temperature; or
- B. Another temperature, if the dairy food distributor can demonstrate that the maintenance of the food at this temperature for the period of time for which it will be so maintained, will not adversely affect the microbiological safety of the food.

**6.2.4 Cleaning and Sanitising**

Dairy distribution premises and vehicles must be designed and constructed to be easily and properly cleaned.

Cleaning and sanitising programs must be documented and validated to ensure their effectiveness and an ongoing verification program implemented.

Residues of detergents and sanitisers in dairy distribution premises and vehicles must be prevented.

**6.2.5 Identification and Traceability**

The Food Safety Program must ensure traceability of product from receipt to delivery, including storage.

All dairy distributors must have in place a product recall plan that is validated to ensure its ongoing effectiveness. *The Food Industry Recall Protocol, A guide to conducting a food recall*, (ANZFA, 2001) must be followed.

**6.2.6 Records**

Records must be maintained to demonstrate that the Food Safety Program is complied with.

**6.2.7 Personnel Competency**

A dairy distributor must ensure that persons employed in dairy distribution can demonstrate competency in skills and knowledge in food safety and food hygiene matters relevant to the activities undertaken in the job performed.

**APPENDIX I DEFINITIONS**

The definitions in the **Dairy Act 2000**, **Food Act 1984**, and the *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000) apply throughout this Code of Practice. Further definitions are listed below:

**Bulk container**

A vessel, tank, or other container holding liquid dairy product that is intended for further processing or manufacture.

**Food Safety Program (FSP)**

(as defined under Standard 3.2.2 *Food Safety Practices and General Requirements*, *Australia New Zealand Food Standards Code – Volume 2* (ANZFA, 2000))

A program set out in a written document, including records of compliance and other related action that:

- (a) Systematically identifies the potential hazards that may be reasonably expected to occur in all food handling operations of the dairy premises;
- (b) Identifies where, in a food handling operation, each hazard identified under (a) can be controlled and the means of control;
- (c) Provides for the systematic monitoring of those controls;
- (d) Provides for corrective action when that hazard, or each of those hazards, is found not to be under control;
- (e) Provides for the regular review of the program to ensure its adequacy; and
- (f) Provides for records to be made and kept by the dairy premises demonstrating action taken in relation to, or in compliance with the Food Safety Program.

**Owner**

The owner of any business required to be licensed under the **Dairy Act 2000**, is the person(s) in whose name(s) the licence is issued. Where the “person” named is a body or association (corporate or unincorporate), it will include the person controlling the body or association, be it, the manager, secretary or some other controlling officer of that body.

**Potable Water**

(as defined under *A Guide To the Food Safety Standards*, ANZFA, 2001)

Water that is acceptable for human consumption. In cases where there is doubt as to the acceptability of a particular water supply, reference should be made to the *Australian Drinking Water Guidelines* (NHMRC, 1996).

**Reclaimed Water**

(as defined under *Reclaimed water on dairy farms, General information and requirements for users*, VDIA, 1999)

Water, which has been derived from sewerage systems (with or without the addition of abattoir and other industrial waste) and subjected to treatment to a standard acceptable for its intended use.

**Recycled Water**

(as defined under *Proposed Draft Guidelines For The Hygienic Reuse Of Processing Water In Food Plans*, Codex Alimentarius Commission, CX/FH 01/9, July 2001)

Water, other than first use or reclaimed water, that has been obtained from a food processing operation.

**Validation**

(as defined under *Codex Alimentarius, Basic Texts on Food Hygiene, FAO/WHO, Annex Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for Its Application*)

Obtaining evidence that the elements of the Food Safety Program are effective.

**Verification**

*(as defined under Codex Alimentarius, Basic Texts on Food Hygiene, FAO/WHO, Annex Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for Its Application)*

The application of methods, procedures, tests and other evaluations, in addition to monitoring to determine compliance with the Food Safety Program.

**APPENDIX II ABBREVIATIONS**

ADASC	Australian Dairy Authorities Standards Committee
ANZFA	Australia New Zealand Food Authority
AQIS	Australian Quarantine and Inspection Service
DFSV	Dairy Food Safety Victoria
EPA	Environment Protection Authority (Victoria)
FAO	Food and Agricultural Organisation
FSP	Food Safety Program
GMP	Good Manufacturing Practice
HACCP	Hazard Analysis and Critical Control Point
MRL	Maximum Residue Limit
ML	Maximum Level
NRA	National Registration Authority
QA	Quality Assurance
VDIA	Victorian Dairy Industry Authority
WHO	World Health Organisation

**APPENDIX III DAIRY FOOD SAFETY VICTORIA CONTACTS**

**ABBOTSFORD – HEAD OFFICE**

Unit 4,  
651 Victoria Street,  
Abbotsford, Vic. 3067  
PO Box 548,  
Richmond, Vic. 3121  
Phone: 61 3 9426 5999  
Fax: 61 3 9427 1895

**SHEPPARTON**

Suite 3A, 140–142 Welsford Street,  
Shepparton, Vic. 3630  
Phone: 61 3 5831 2302  
Fax: 61 3 5831 2307

**WARRNAMBOOL**

222 Lava Street,  
Warrnambool, Vic. 3280  
Phone: 61 3 5561 3089  
Fax: 61 3 5562 6884

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**Land Acquisition and Compensation Act 1986**  
**LAND ACQUISITION AND COMPENSATION REGULATIONS 1987**  
**FORM 7**

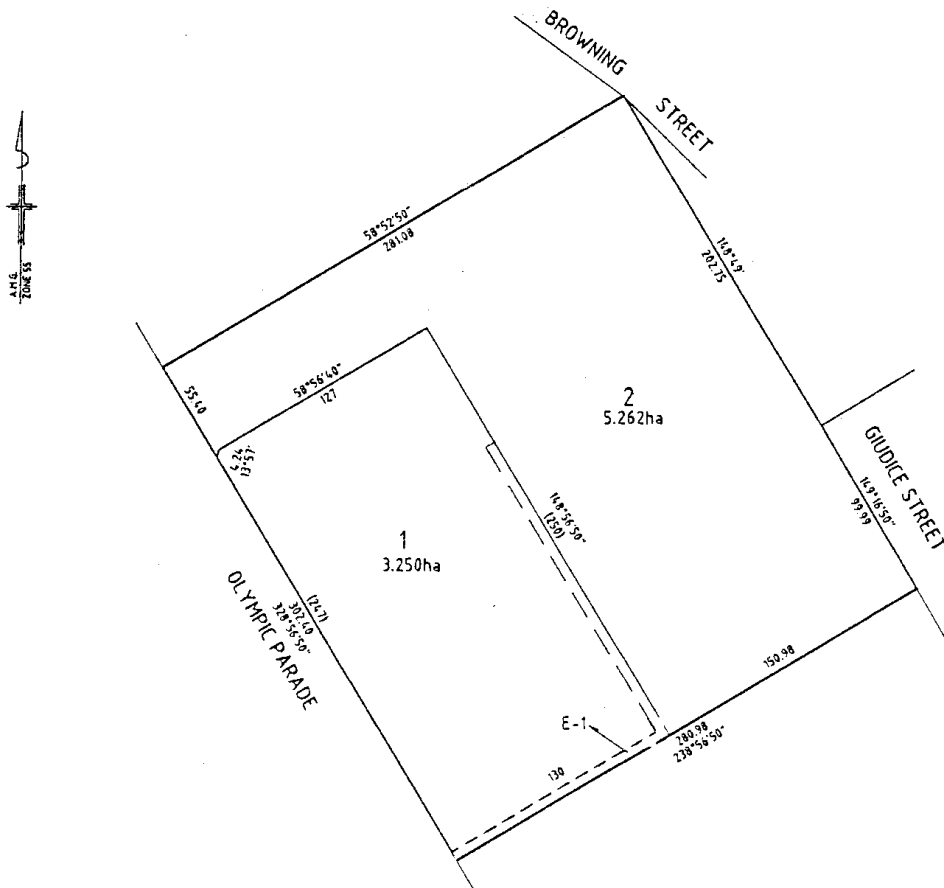
S.21  
 Reg. 16

Notice of Acquisition  
 Compulsory Acquisition of Interest in Land

The Minister for Education and Training declares that by this notice she acquires the following interest in the land which contains an area of 3.250 hectares and is located in Olympic Parade, Kangaroo Flat.

The land is described as Lot 1 on unregistered Plan of Subdivision No. 506109H, Parish of Sandhurst, more particularly being part of the land contained in Certificate of Title Volume 7923, Folio 011 – see diagram below.

The interest of DJE Investments Pty Ltd, as the registered proprietor of the holding.



Published with the authority of the Minister for Education and Training.

The unregistered Plan of Subdivision referred to in this notice may be viewed without charge at the office of Property Unit, Facilities Division, Department of Education and Training, 2 Treasury Place, Melbourne, during business hours.

Dated 10 October 2002

**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.

<b>File No.</b>	<b>Place Name</b>	<b>Proposer &amp; Location</b>
LA/12/0220	Broken River Bend, Crossmans Bend, Fullam Bend, Tolhurst Bend, Hartley Bend, Betha Bend, Wills Bend, Dead Horse Point, Dolma Bend, Girriwa Bend, Braund Bend, Hair Pin Bend, Yanga Bend, Corroboree Bend, Gona Bend, Young Bend, Barra Bend, Baillieu Bend, Arnold Bend, Farley Bend, Emu Bend, Casey Bend, Pianta Bend, Baroona Bend, Burnanga Bend, Borpa Bend, Bower Bend	Campaspe Shire. Picnic and recreation areas abutting Murray River bends, Echuca to Gunbower.
GPN 476	Tuckey Track Reserve	Mornington Peninsula Shire. Public open space in the Settlers Cove development, Sorrento.

Office of the Registrar of Geographic Names

c/-LAND VICTORIA

15th Floor,  
570 Bourke Street,  
Melbourne 3000

KEITH C. BELL  
Registrar of Geographic Names

**Geographic Place Names Act 1998**

## REGISTRATION OF AMENDMENT OF GEOGRAPHIC NAMES

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

<b>File No.</b>	<b>Place Name</b>	<b>Proposer &amp; Location</b>
PNC 1640	Part of: <ul style="list-style-type: none"> <li>● Newport to Williamstown.</li> <li>● Altona to Williamstown.</li> </ul>	Hobsons Bay City Council. As shown on version 4.1 of the map showing the suburb names and boundaries within the municipality. These plans can be viewed at the municipal offices or at the office of the Registrar of Geographic Names.
GPN 477	From Wilson Park Secondary College to Staughton College.	Department of Education. Located in Wilson Road, Melton South.



Office of the Registrar of Geographic Names

c/-LAND VICTORIA

15th Floor,  
570 Bourke Street,  
Melbourne 3000

KEITH C. BELL  
Registrar of Geographic Names

**Optometrists Registration Act 1996**

**FEES PAYABLE TO THE BOARD**

In accordance with Section 90(1)(c) of the **Optometrists Registration Act 1996** the Board has fixed the following fees which will be payable to the board from 1 December 2002 in respect of the calendar year 2003:

Section of Act	Fee	\$
5(2)(b)	General registration	240.00
5(2)(b)	Specific registration	240.00
11(3)(b)	Endorsement of registration	50.00
13(1)(b)	Renewal of registration	224.00
13(2)	Additional renewal fee (Late Fee)	50.00
14(b)	Restoration of registration	300.00
17(5)	Copy of Register	50.00
17(5)	Copy of register on computer disk	70.00
17(5)	Extract from register	12.50
—	Issue of replacement Certificate	50.00

Dated 10 October 2002

C.K. BEAMISH  
Registrar

STATE OF VICTORIA

**Petroleum Act 1998**

Notice of Grant of an Exploration Permit

An Exploration Permit numbered 164 has been granted to Morboo Ridge Pty Ltd, Level 11, 500 Collins Street, Melbourne, Vic. 3000, in respect of the area described hereunder, to have effect for a period of five (5) years from the date of grant.

**DESCRIPTION OF AREA**

**MELBOURNE MAP SHEET SJ55**

BLOCK NO.	BLOCK NO.	BLOCK NO.	BLOCK NO.
1873	1936	1937	1938
1939	1940	1941	1942
1943	1944	1945	2008

BLOCK NO.	BLOCK NO.	BLOCK NO.	BLOCK NO.
2009	2010	2011	2012
2013	2014	2015	2016
2080	2081	2082	2083
2084	2085	2086	2087
2152	2153	2154	2155
2156	2157	2158	2224
2225	2226	2227	2228
2296	2297		

Assessed to contain forty-two (42) blocks.

The area of the Exploration Permit does not include access to any surface Crown Lands other than the roads and road reserves.

Dated 10 October 2002

Signed by:  
 RICHARD ALDOUS  
 Delegate of the Minister for Energy and Resources  
 Pursuant to Instrument of Delegation  
 dated 13 December 2001.

STATE OF VICTORIA

**Petroleum Act 1998**

Notice of Grant of an Exploration Permit

An Exploration Permit numbered 165 has been granted to Knight Industries Pty Ltd, 677 Lyne Street, Albury, NSW 2641, in respect of the area described hereunder, to have effect for a period of five (5) years from the date of grant.

**DESCRIPTION OF AREA**

**MELBOURNE MAP SHEET SJ55**

BLOCK NO.	BLOCK NO.	BLOCK NO.	BLOCK NO.
2789	2790	2791	2792
2793	2861	2862	2863
2864	2865	2933	2934
2935	2936	2937	3005
3006	3007	3008	3009
3012	3013	3014	3015
3016	3017	3018	3019
3077	3078	3079	3080
3081	3084	3085	3086
3087	3088	3089	3090
3091	3149	3150	3151
3152	3153	3154	3155
3156	3157	3158	3159
3160	3161	3162	3163
3121	3222	3223	3224
3225	3226	3227	3228
3229	3230	3231	3232
3233	3234	3235	3293

BLOCK NO.	BLOCK NO.	BLOCK NO.	BLOCK NO.
3294	3295	3296	3297
3298	3299	3300	3301
3302	3303	3304	3305
3306	3307		

Assessed to contain 86 blocks.

The area of the Exploration Permit does not include access to any surface Crown Lands other than the roads and road reserves.

Dated 10 October 2002

Signed by:  
 RICHARD ALDOUS  
 Delegate of the Minister for Energy and Resources  
 Pursuant to Instrument of Delegation  
 dated 13 December 2001.

#### Private Agents Act 1966

#### NOTICE OF RECEIPT OF APPLICATIONS FOR LICENCES UNDER THE PROVISIONS OF THE PRIVATE AGENTS ACT 1966

I, the undersigned, being the Clerk of the Court at Hamilton hereby give notice that applications, as under, have been lodged for hearing by the said Court on the date specified.

Any person desiring to object to any of such applications must:—

- (a) lodge with me a notice in the prescribed form of his objection and of the grounds thereof;
- (b) cause a copy of such notice to be served personally or by post upon the applicant at least three days before the hearing of the application; and
- (c) send or deliver —
  - (i) where the objection is not made by the officer in charge of the police district in which the Court is situated — a copy of the notice to such officer; and
  - (ii) where the objection is not made by the Registrar or Deputy Registrar — a copy to the Registrar.

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>	<i>Date of Hearing of Application</i>
Tierney, Darren John	257 Coleraine Road, Hamilton 3300		257 Coleraine Road, Hamilton 3300	Commercial Agent	31/10/02

Dated at Hamilton 30 September 2002

PHILIP GRANT  
 Clerk of the Magistrate's Court Hamilton

**Private Agents Act 1966**NOTICE OF RECEIPT OF APPLICATIONS FOR LICENCES  
UNDER THE PROVISIONS OF THE **PRIVATE AGENTS ACT 1966**

I, the undersigned, being the Registrar of the Magistrates' Court at Melbourne hereby give notice that applications, as under, have been lodged for hearing by the said Court on the date specified.

Any person desiring to object to any of such applications must:—

- (a) lodge with me a notice in the prescribed form of his objection and of the grounds thereof;
- (b) cause a copy of such notice to be served personally or by post upon the applicant at least three days before the hearing of the application; and
- (c) send or deliver —
  - (i) where the objection is not made by the officer in charge of the police district in which the Court is situated — a copy of the notice to such officer; and
  - (ii) where the objection is not made by the Registrar or Deputy Registrar — a copy to the Registrar.

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
Stean Allen Klose	12A/20 Commercial Road, Melbourne	Debtor Management Group P/L	116 Bank Street, South Melbourne	Commercial Agent
Nicole Ann Barnes	3 Landers Court, Caroline Springs	Collection House Ltd	7/477 Collins Street, Melbourne	Commercial Sub-Agent
Mustafa Ayberk	15 Milleara Road, Keilor East	Collection House Ltd	7/477 Collins Street, Melbourne	Commercial Sub-Agent
Nicholas Paul Carey	1/9 Ballarat Street, Collingwood	Collection House Ltd	7/477 Collins Street, Melbourne	Commercial Sub-Agent
Lucia P. Morel	12 Reynard Street, Coburg	Collection House Ltd	7/477 Collins Street, Melbourne	Commercial Sub-Agent
Gordana Madzar	50 Manning Clark Road, Mill Park	Receivables Management Ltd	2/55 King Street, Melbourne	Commercial Sub-Agent
Cherie Jean Pickering	29 Warnes Road, Mitcham	L. & N. Nominees P/L	1/280 Queen Street, Melbourne	Commercial Sub-Agent

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
David Matthew James	11 Birchwood Drive, Mooroolbark	L. & N. Nominees P/L	1/280 Queen Street, Melbourne	Commer- cial Sub- Agent
Luke Bamkin	2/21 West Melton Drive, Melton	Receivables Management Ltd	363 King Street, Melbourne	Commer- cial Sub- Agent
Nick Elias	6 Mia Close, Reservoir	Receivables Management Ltd	363 King Street, Melbourne	Commer- cial Sub- Agent
Athena Lountzis	72A Raleigh Street, Westmeadows	Receivables Management Ltd	363 King Street, Melbourne	Commer- cial Sub- Agent
Roberta Johanne Singleton	9 Carnoustie Grove, Mornington	Receivables Management Ltd	363 King Street, Melbourne	Commer- cial Sub- Agent
Marc Anthony Pearson	13 Christie Street, Knoxfield	Receivables Management Ltd	363 King Street, Melbourne	Commer- cial Sub- Agent
Jillian Yet Sam Wong	1500 High Street, Glen Iris	Receivables Management Ltd	363 King Street, Melbourne	Commer- cial Sub- Agent
Harischandra Perera	1213 Pascoe Vale Road, Broadmeadows	Receivables Management Ltd	363 King Street, Melbourne	Commer- cial Sub- Agent
Tracey Joyce Catherine Lucas	20 Bala Street, Sebastopol	Receivables Management Ltd	363 King Street, Melbourne	Commer- cial Sub- Agent
Karyn Joy Ross	7 Doolan Street, Bacchus Marsh	Receivables Management Ltd	363 King Street, Melbourne	Commer- cial Sub- Agent
Grant Arthur Jacobson	10 Lennox Street, Yarraville	Receivables Management Ltd	363 King Street, Melbourne	Commer- cial Sub- Agent
Graeme Moore	11 Bristol Crescent, Lilydale	Receivables Management Ltd	363 King Street, Melbourne	Commer- cial Sub- Agent

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
Carlos A De Paz	16 Hurlstone Court, North Dandenong	Receivables Management Ltd	363 King Street, Melbourne	Commercial Sub-Agent
Goce Aleksoski	26 Lincoln Drive, Thomastown	Receivables Management Ltd	363 King Street, Melbourne	Commercial Sub-Agent
Imelda Felices	23/41-43 Leincester, Grove, Northcote	Receivables Management Ltd	363 King Street, Melbourne	Commercial Sub-Agent
Carmel Hackett	33 Lookover Road, Donvale	Receivables Management Ltd	363 King Street, Melbourne	Commercial Sub-Agent
Tuan Minh Tran	19/258 Ballarat Road, Footscray	Receivables Management Ltd	363 King Street, Melbourne	Commercial Sub-Agent
Lygeri (Lisa) Boutsalis	6 Barclay Drive, Cheltenham	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Alison Leary	13 Collins Street, Coburg	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Ana Clara De Freitas	55 Stockmans Way, Kensington Banks	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Tracy Anne Taylor	17 Gordonias Crescent, Narre Warren	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Kevin Adrian Marazzi	1/20 Hammerdale Avenue, East St Kilda	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Roderick Douglas Peace	2/742 Centre Road, East Bentleigh	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
Laurence Hawkins	17 Earlwood Drive, Wheelers Hill	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Steven Michael Alipan	2/92 Mount Dandenong Road, Ringwood East	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
David Peter Daniel Cannon	87 Fitzroy Street, Kilmore	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Nadine Bellette	43 Somers Parade, Altona	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Geoffrey Norman Mallows	17 Culbara Drive, Vermont	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Drew Rickards	11 Hastings Avenue, Boronia	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Murray David Spits	73 Montrose Road, Montrose	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Suzanne Louise Roberts	92 Brees Road, East Keilor	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Keith William Payne	5 Scanlan Street, Berwick	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Steven Paul Burns	15 Canberra Avenue, Hoppers Crossing	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
James Richard Whiting	16 Garfield Avenue, Ormond	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Xanthi Karteris	38 Gooch Street, Thornbury	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Barbara Anne Scott	35 Fraser Street, Airport West	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Craig Andrew Pattison	515 Dryburgh Street, North Melbourne	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Judith Lesley Sudi	4/178 Warrigal Road, Mentone	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Cheryl Katrina Moorshead	3 Paisley Avenue, Boronia	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Anthony James Sheridan	3/218 Waiora Road, Macleod	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Mara Brkic	4 Brockley Road, Fawkner	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Barbara Jane Matthee	26B Cook Road, Mitcham	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Kirstene Swifte	2/1 Crosbie Road, Murrumbeena	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent



<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
Damir Damien Stiglic	35 Bushmans Way, South Morang	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Kim Lindsay O'Brien	71 Fleetwood Drive, Narre Warren	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Garrick John Williams	9 Stanhope Court, Ringwood	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
James Anthony Lucas	55 Hilton Way, West Melton	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Dimitra Kalos	102 Point Cook Road, Point Cook	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
John Kenneth Martin	77 Main South Road, Drouin	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Kenneth Zhi-Ken Cheng	28 Fallon Street, Caulfield South	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Nicholas Harrak	17 Galloway Street, North Dandenong	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
Joanna Konomas	56 Rhodes Parade, Oak Park	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
James Missihronis	19 The Seekers Crescent, Mill Park	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
James Marslonis	6 Benaud Close, Meadow Heights	RCL Mercantile P/L	7/505 Little Collins, Street, Melbourne	Commercial Sub-Agent
John Alfred Hollingsworth	20 Baringa Road, Croydon	Stellar Call Centres P/L	Level 3, Building 10, 658 Church Street, Richmond	Commercial Agent

Dated at Melbourne 8 October 2002

MICHAEL O'CONNOR  
Registrar of the Magistrates' Court



### Water Act 1989

#### NOTICE OF INTENTION TO DECLARE PROPERTIES SERVICED WITH RESPECT TO THE PROVISION OF WATER SUPPLY AND WASTEWATER SERVICES

Water and/or Wastewater pipes have been laid and are available to provide services to each property in the areas referred below. The Central Gippsland Region Water Authority, trading as "Gippsland Water", declares the properties to be serviced for the purpose of the **Water Act 1989**, from the date of Practical Completion Certificate and water and wastewater tariffs will be liable from that date.

#### WATER

#### SERVICED AREAS AS FOLLOWS:

<i>Locality</i>	<i>Property Description</i>	<i>Practical Completion Issue Date</i>
Drouin:	Hopetoun Road, Lots 28 to 44 on PS 501009P	22/07/2002
Drouin:	Buln Buln Road, Lots 1 to 3 on PS 500280E	23/08/2002
Drouin:	Binbeal Road Lots 1 to 5 on PS 437235K	02/08/2002
Moe:	Pineridge Road and Tambo Road, Lots 1 to 3 and Lots 20 to 22 on PS 347838D Stage 1	11/09/2002
Nilma:	Chitalwood Court, Lots 11 to 23 and Lot D on PS 339835F	12/08/2002

Warragul:	Tulip Court Lots 124 to 137 on PS 312306L Stage 6	26/07/2002
Warragul:	192 and 194 Burke Street	03/09/2002
Warragul:	Montrose Street Lots 44 to 49 on PS 439857M	19/08/2002
Warragul:	Deakin Court and Myrtle Crescent Lots 1 to 11 on PS 442885N	24/09/2002
Traralgon:	Barton Place and Franklin Street Lots 133 to 153 on PS 438122T	13/12/2000
Traralgon:	Franklin Street, Bass Court and Giles Place Lots 168 to 181 and 202 to 219 on PS 502790T	03/05/2002
Traralgon:	Tasman Close and Franklin Street Lots 182 to 201 on PS 502791R	24/09/2002
Traralgon:	Stratton Drive Lot 29 on PS 446339V and Lot 19 on PS 448641L	17/07/2002
Sale:	James Court Lots 12 to 21 and 38 and 39 on PS 504058J	11/07/2002
Trafalgar:	Ferguson Place, Lots 1 to 18 on PS 501018N	16/07/2002
Morwell:	Parklands Place, Lots 1 to 17 on PS 504136Q	08/07/2002

## WASTE WATER

## SERVICED AREAS AS FOLLOWS:

Warragul:	Tulip Court Lots 124 to 137 on PS 312306L Stage 6	26/07/2002
Warragul:	192 and 194 Burke Street	03/09/2002
Warragul:	Montrose Street Lots 44 to 49 on PS 439857M	19/08/2002
Warragul:	Deakin Court and Myrtle Crescent Lots 1 to 11 on PS 442885N	24/09/2002
Drouin:	Buln Buln Road, Lots 1 to 3 on PS 500280E	23/08/2002
Traralgon:	Barton Place and Franklin Street Lots 133 to 153 on PS 438122T	13/12/2000
Traralgon:	Tasman Close and Franklin Street Lots 182 to 201 on PS 502791R	24/09/2002
Sale:	James Court Lots 12 to 21 and 38 and 39 on PS 504058J	11/07/2002
Trafalgar:	Ferguson Place, Lots 1 to 18 on PS 501018N	16/07/2002
Morwell:	Parklands Place, Lots 1 to 17 on PS 504136Q	08/07/2002
Rosedale:	Hood Street Railway Reserve	03/09/2002

JOHN MITCHELL  
Chief Executive Officer

**Water Act 1989**

I, Sherryl Maree Garbutt, Minister for Environment and Conservation and Minister responsible for administering the **Water Act 1989**, make the following Order:

Dated 25 September 2002

SHERRYL GARBUTT  
Minister for Environment  
and Conservation

**ORDER APPOINTING WIMMERA  
CATCHMENT MANAGEMENT  
AUTHORITY – 2002**

**1. Title**

This Order is called the Order appointing Wimmera Catchment Management Authority – 2002.

**2. Definitions**

In this Order “Act” means the **Water Act 1989**.

**3. Authorising Provision**

(1) This Order is made under Division 2 of Part 6 of the Act and all other available powers.

(2) This is an Order referred to in section 98(2)(a) of the Act.

(3) Under section 100(2)(a) of the Act, the affected Authorities, the Wimmera Mallee Rural Water Authority and the Wimmera Catchment Management Authority, have applied to me for this Order to be made.

(4) Under section 98(2)(a) of the Act I have agreed the terms and conditions for the take over made by this Order with the affected Authorities, the Wimmera Mallee Rural Water Authority and the Wimmera Catchment Management Authority.

**4. Commencement**

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

**5. Appointment of the Wimmera Catchment Management Authority**

On and from the date on which this Order takes effect the Wimmera Catchment Management Authority is appointed to take over all property, rights, liabilities, obligations, powers and functions under the Act of the Wimmera Mallee Rural Water Authority in respect to the management of the Wimmera Waterway Management District.

**Water Act 1989**

**NOTIFICATION OF PROPOSED  
EXTENSION TO THE TATURA WATER  
DISTRICT**

Notice is hereby given that Goulburn Valley Region Water Authority, pursuant to Section 96 of the **Water Act 1989**, has prepared a proposal for the extension of the existing water district boundary at Tatura.

Area included in the proposal is in the general vicinity of:

- Maskell Lane, Murton Road, Hampton Road and O'Reilly Road area;
- Dhurringile Road, Gowrie Road, Ferguson Road, Johnstone Road and Howley Court area;
- Flanagan Drive, Fairway Close, Rose Court and McGrath Court area;
- Troon Court, Muirfield Court and Forsyth Place area;
- Elizabeth Street, William Street and Margaret Street area;
- Cussen Road, Hogan Street, Joe Ford Drive and Trevaskis Drive area, and
- Coombs Road, Girgarre East Road, Nigro Court, Holden Street and Ross Street area.

Full details of the proposal and a copy of the plan showing the proposed district are available for inspection, free of charge, at the Authority's office located at 104–110 Fryers Street, Shepparton (during normal office hours).

Alternatively, the plan is available for inspection, free of charge, at the Greater Shepparton City Council office located at Welsford Street, Shepparton (during normal office hours).

Members of the public are invited to make a written submission to the Authority on the proposal. Any submission must set out the grounds for any objection to the proposal. Submissions should be addressed to: Chief Executive, Goulburn Valley Region Water Authority, PO Box 185, Shepparton 3630.

The Authority must receive any submission by 18 November 2002, which is one (1) month after the publication of this notice in the Government Gazette.

The Authority will consider any submission received at a Board Meeting following this date.

**Water Act 1989**

NOTIFICATION OF PROPOSED  
EXTENSION TO THE TATURA SEWERAGE  
DISTRICT

Notice is hereby given that Goulburn Valley Region Water Authority, pursuant to Section 96 of the **Water Act 1989**, has prepared a proposal for the extension of the existing sewerage district boundary at Tatura.

Area included in the proposal is in the general vicinity of:

- Dhurringile Road, Gowrie Road and Ferguson Road area;
- Flanagan Drive, Fairway Close, Rose Court and McGrath Court area;
- Troon Court, Muirfield Court and Forsyth Place area;
- Elizabeth Street, William Street and Margaret Street area;
- Cussen Road, Joe Ford Drive, Trevaskis Drive and Ross Street area.

Full details of the proposal and a copy of the plan showing the proposed district are available for inspection, free of charge, at the Authority's office located at 104–110 Fryers Street, Shepparton (during normal office hours).

Alternatively, the plan is available for inspection, free of charge, at the Greater Shepparton City Council office located at Welsford Street, Shepparton (during normal office hours).

Members of the public are invited to make a written submission to the Authority on the proposal. Any submission must set out the grounds for any objection to the proposal. Submissions should be addressed to: Chief Executive, Goulburn Valley Region Water Authority, PO Box 185, Shepparton 3630.

The Authority must receive any submission by 18 November 2002, which is one (1) month after the publication of this notice in the Government Gazette.

The Authority will consider any submission received at a Board Meeting following this date.

**Planning and Environment Act 1987**

SECTION 201I(3)

Declaration that Certain Land is  
Special Project Land

I, Mary Delahunty, Minister for Planning, declare pursuant to section 201I(3) of the **Planning and Environment Act 1987** that the land specified below, being land required for the Regional Fast Rail Project, is special project land for the purposes of section 5 of the **Land Acquisition and Compensation Act 1986**:

Volume 8310, folio 161.

Volume 10281, folio 589.

Dated 30 September 2002

MARY DELAHUNTY  
Minister for Planning

**Planning and Environment Act 1987**

CASEY PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C44

The Minister for Planning has approved Amendment C44 to the Casey Planning Scheme.

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

The Amendment:

- deletes Development Plan Overlay-Schedule 2 from land known as 167–207 Tinks Road, Narre Warren and applies Development Plan Overlay-Schedule 1 to the land.

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

Permit No.: P760/01.

Description of land: 167–207 Tinks Road, Narre Warren.

A copy of the Amendment and permit can be inspected, free of charge, during office hours, at the Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Casey City Council, Princes Highway, Narre Warren.

PAUL JEROME  
Executive Director  
Planning, Heritage and  
Building Division  
Department of Infrastructure

**Planning and Environment Act 1987**  
GREATER DANDENONG PLANNING  
SCHEME

Notice of Approval of Amendment  
Amendment C25

The Minister for Planning has approved Amendment C25 to the Greater Dandenong Planning Scheme.

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

The Amendment rezones land described as part of Crown Allotment 84, Certificate of Title Volume 9767, Folio 239, Parish of Eumemmering, generally bounded by South Gippsland Highway, Hallam Main Drain, a Gas and Fuel Easement and Eumemmering Creek, Dandenong South from an Urban Floodway Zone to a Business 3 Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Greater Dandenong City Council: Dandenong Office, 39 Clow Street, Dandenong; Springvale Office, 397–405 Springvale Road, Springvale; and Keysborough Office, Shop A7, Parkmore Shopping Centre.

PAUL JEROME  
Executive Director  
Planning, Heritage and  
Building Division  
Department of Infrastructure

**Planning and Environment Act 1987**  
KNOX PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C25

The Minister for Planning has approved Amendment C25 to the Knox Planning Scheme.

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

The Amendment corrects mapping and wording inconsistencies in the Knox Planning Scheme generally relating to the application of the Heritage and Vegetation Protection Overlays, zoning anomalies and the Schedules to Clauses 43.01 and 52.01

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Knox City Council, 511 Burwood Highway, Wantirna South.

PAUL JEROME  
Executive Director  
Planning, Heritage and  
Building Division  
Department of Infrastructure

**Planning and Environment Act 1987**

MONASH PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C9

The Minister for Planning has approved Amendment C9 to the Monash Planning Scheme.

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

The Amendment:

- introduces Clause 44.04 “Land Subject to Inundation Overlay” (LSIO) and Clause 44.05 “Special Building Overlay” (SBO) and their subsequent Schedules into the planning scheme;
- defines the land affected by the LSIO and SBO on the planning scheme maps;
- amends Clause 21.11 of the Municipal Strategic Statement to give strategic effect to the Land Subject to Inundation Overlay and Special Building Overlay;
- makes consequential changes to the Schedule to Clauses 61.01–61.04.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Monash City Council, 293 Springvale Road, Glen Waverley.

PAUL JEROME  
Executive Director  
Planning, Heritage and  
Building Division  
Department of Infrastructure

**Planning and Environment Act 1987**

MONASH PLANNING SCHEME

Notice of Approval of Amendment

Amendment C15

The Minister for Planning has approved Amendment C15 to the Monash Planning Scheme.

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

The Amendment deletes the sunset clause in Schedule 1 to the Design and Development Overlay and makes consequential changes to Clause 21.07-3 of the Monash Planning Scheme.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Monash City Council, 293 Springvale Road, Glen Waverley.

PAUL JEROME  
Executive Director  
Planning, Heritage and  
Building Division  
Department of Infrastructure

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**Planning and Environment Act 1987**

MONASH PLANNING SCHEME

Notice of Approval of Amendment

Amendment C26

The Minister for Planning has approved Amendment C26 to the Monash Planning Scheme.

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

The Amendment adds an Outdoor Advertising Policy (Clause 22.08) to the Monash Planning Scheme.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices

of the Monash City Council, 293 Springvale Road, Glen Waverley.

PAUL JEROME  
Executive Director  
Planning, Heritage and  
Building Division  
Department of Infrastructure

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**Planning and Environment Act 1987**

GREATER GEELONG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C1

The Minister for Planning has approved Amendment C1 to the Greater Geelong Planning Scheme.

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

The Amendment rezones land on the north side of Thacker Street, Ocean Grove (between the Bellvue and Woodlands Estates) from Rural Zone to Special Use Zone Schedule 8 and applies the Vegetation Protection Overlay Schedule 2 to the site. A section 173 agreement also accompanies the Amendment.

In addition, the Amendment modifies the Incorporated Document titled 'Construction or Extension of a Dwelling(s) Higher Than 7.5 Metres Above Natural Ground Level Within The Residential 1, Residential 2, Low Density Residential, Mixed Use and Township Zones' to include reference to the Special Use Zone Schedule 8 within.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the City of Greater Geelong Council, 131 Myers Street, Geelong 3220.

PAUL JEROME  
Executive Director  
Planning, Heritage and  
Building Division  
Department of Infrastructure

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**Planning and Environment Act 1987**

INDIGO PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C12

The Shire of Indigo Council has resolved to abandon Amendment C12 to the Indigo Planning Scheme.

The Amendment proposed to amend the Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LLPPF) to make reference to communal living development on the Mt Ophir estate. The schedule to the RUZ was to be altered to reduce the minimum lot size to 0.2ha and a new schedule to the Development Plan Overlay (DPO) was also to be introduced.

The Amendment lapsed on 12 July 2002.

PAUL JEROME  
Executive Director  
Planning, Heritage and  
Building Division  
Department of Infrastructure

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**Planning and Environment Act 1987**

DELATITE PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C9

The Delatite Shire Council has resolved to abandon Amendment C9 to the Delatite Planning Scheme.

The Amendment proposed to rezone part Crown Allotments 56 and 59, Parish of Mansfield from a Rural Zone (RUZ) to a Residential Zone (R1Z) and include the land in a Development Plan Overlay (DPO).

The Amendment lapsed on 11 September 2002.

PAUL JEROME  
Executive Director  
Planning, Heritage and  
Building Division  
Department of Infrastructure

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**Planning and Environment Act 1987**

GLEN EIRA PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C22

The Glen Eira City Council has resolved to abandon Amendment C22 to the Glen Eira Planning Scheme.

The Amendment proposed to amend certain clauses of the Municipal Strategic Statement (MSS) and amend provisions in the Schedule to the Residential 1 Zone to specify requirements for siting standards in Clauses 54 and 55 of the Scheme. The Amendment proposed to make the MSS clearer in respect of Council's preferred and non-preferred locations for multi-unit development throughout the City to reflect preliminary findings of Council's Housing and Residential Strategy.

The Amendment lapsed on 19 August 2002.

PAUL JEROME  
Executive Director  
Planning, Heritage and  
Building Division  
Department of Infrastructure

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**ORDERS IN COUNCIL**

**Crown Land (Reserves) Act 1978**

INCORPORATION OF COMMITTEES OF MANAGEMENT AND  
APPOINTMENT OF CHAIRPERSONS

The Administrator with the advice of the Executive Council under section 14A(1) of the **Crown Land (Reserves) Act 1978**, being satisfied that it is in the public interest to declare to be corporations the Committees of Management appointed under section 14(2) of the Act of the lands described in Column 1 of the schedule hereunder:—

- (a) declares that the Committees of Management shall be corporations;
- (b) assigns the names shown in Column 2 to the corporations; and
- under section 14B(3) of the Act, appoints the persons listed in Column 3 to be Chairpersons of the corporations.

**SCHEDULE**

<b>Column 1 Reserve details</b>	<b>Column 2 Corporate name</b>	<b>Column 3 Chairperson</b>
<b>Drumborg Public Hall &amp; Public Recreation Reserve</b> –The lands in the Parish of Drumborg temporarily reserved for Public Hall & Public Recreation by Order in Council of 15 January, 1952 (vide Government Gazette of 23 January, 1952 – page 310) and for Public Purposes (Public Hall & Recreation) by Order in Council of 16 July, 1974 (vide Government Gazette of 24 July, 1974 – page 2720) [Rs 1702].	Drumborg Hall and Recreation Reserve Incorporated	Ross BREMNER
<b>Gunbower Public Hall Reserve</b> – The land in the Parish of Patho temporarily reserved for Public purposes (Public Hall) by Order in Council of 24 June, 1975 (vide Govt. Gaz. of 2 July, 1975 - page 2361) [Rs 10058].	Gunbower Hall Committee Incorporated	Donald Charles ASHWELL
<b>Tonimbuk East Public Hall Reserve</b> – The land in the Parish of Tonimbuk East temporarily reserved for Public Hall by Order in Council of 6 May, 1952 (vide Government Gazette of 14 May, 1952 – page 2237) [Rs 6910].	Tonimbuk East Hall Committee of Management Incorporated	Douglas Arthur WHITE
<b>Muckleford Public Hall and Recreation Reserve</b> – The land in the Township of Muckleford temporarily reserved for Public Hall and Recreation purposes by Order in Council of 11 February, 1941 (vide Government Gazette of 12 February, 1941 – page 812) [Rs 5167].	Muckleford Hall and Recreation Reserve Incorporated	George Joseph MAPSON

<b>Column 1 Reserve details</b>	<b>Column 2 Corporate name</b>	<b>Column 3 Chairperson</b>
<b>Yallourn North Recreation Reserve</b> – The land in the Parish of Tanjil East temporarily reserved for Public Recreation by Order in Council of 30 June, 1964 (vide Government Gazette of 8 July, 1964 - page 2191) [Rs 8331].	Yallourn North Recreation Reserve Committee Incorporated	Ronald Lawrence FROST
<b>Shady Creek Public Hall Reserve</b> – The land in the Parish of Darnum temporarily reserved for Public Hall by Order in Council of 5 November, 1924 (vide Govt. Gaz. of 12 November, 1924 – page 3694) [Rs 3024].	Shady Creek Hall Committee Incorporated	Darryl SWAIN
<b>Glengarry Mechanics Institute Reserve</b> – The land in the Parish of Toongabbie South temporarily reserved for Mechanics' Institute by Order in Council of 1 February, 1887 (vide Government Gazette of 4 February, 1887 – page 383) [Rs 1152].	Glengarry Mechanics Institute Reserve Incorporated	Joy Llouise WALTHAM
<b>Stratford Public Recreation Reserve</b> – The land in the Township of Stratford permanently reserved for Public Recreation by Order in Council of 24 June, 1902 (vide Government Gazette of 2 July, 1902 – page 2816) [Rs 1046].	Stratford Recreation Reserve Committee of Management Incorporated	Warren BRISTOW
<b>Harrietville Camping &amp; Recreation Reserves</b> – The lands in the Township of Harrietville as coloured red on Plan “H/10-9-2002” attached to NRE file Rs 3617 being the remaining lands temporarily reserved for Camping and Public Recreation by Orders in Council of 13 March, 1968; 6 September, 1983 & 22 February, 2000 together with the adjoining part of the permanent Public purposes reserve along the Ovens River [Rs 03617].	Harrietville Recreation Reserve Committee Incorporated	Richard SHAW

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

Dated 15 October 2002

Responsible Minister  
SHERRYL GARBUTT  
Minister for Environment and Conservation

HELEN DOYE  
Clerk of the Executive Council

**Crown Land (Reserves) Act 1978****INCORPORATION OF COMMITTEES OF MANAGEMENT AND  
APPOINTMENT OF CHAIRPERSONS**

The Administrator with the advice of the Executive Council under section 14A(1) of the **Crown Land (Reserves) Act 1978**, being satisfied that it is in the public interest to declare to be corporations the Committees of Management appointed under section 14(2) of the Act of the lands described in Column 1 of the schedule hereunder:-

- (a) declares that the Committees of Management shall be corporations;
- (b) assigns the names shown in Column 2 to the corporations; and
- under section 14B(3) of the Act, appoints the persons listed in Column 3 to be Chairpersons of the corporations.

**SCHEDULE**

<b>Column 1 Reserve details</b>	<b>Column 2 Corporate name</b>	<b>Column 3 Chairperson</b>
<b>Mooroopna Mechanics Institute &amp; Public Hall Reserve</b> – The remaining land in the Parish of Toolamba temporarily reserved for Mechanics' Institute and Public Hall by Order in Council of 7 September, 1909 (vide Govt. Gazette of 15 September, 1909 – page 4188) [Rs 7485].	Mooroopna Mechanics Hall Incorporated	Helen CAREY
<b>Dookie Recreation and Racecourse Reserve</b> – The remaining land in the Parish of Pine Lodge temporarily reserved for Racing and General Recreation purposes by Order in Council of 6 October, 1873 (vide Government Gazette of 10 October, 1873 – page 1773) [Rs 741].	Dookie Recreation and Racecourse Committee of Management Incorporated	Daniel John O'KEEFFE
<b>Skipworth and Doctors Creek Public Recreation Reserves</b> – The lands in the Parish of Kevington temporarily reserved for Public Recreation and Tourist Camping by Order in Council of 29 September, 1953 together with the adjoining permanent Public purposes reserve to the Goulburn River and the land temporarily reserved for Public Recreation by Order in Council of 8 October, 1985 [Rs 7146 & Rs 9934].	Skipworth and Doctors Creek Reserves Incorporated	Kath CHAPMAN
<b>Bayles Public Hall Reserve</b> – The land in the Parish of Yallock temporarily reserved for a Public Hall by Order in Council of 20 June, 1932 (vide Government Gazette of 29 June, 1932 – page 1435) [Rs 4213].	Bayles Public Hall Incorporated	William Frank SCADDEN

<b>Column 1 Reserve details</b>	<b>Column 2 Corporate name</b>	<b>Column 3 Chairperson</b>
<b>Butson Park Public Recreation Reserve</b> – The land in the Township of Yackandandah temporarily reserved for Public Park and Public Recreation by Order in Council of 4 April, 1950 (vide Government Gazette of 5 April, 1950 – page 1963) [Rs 06523].	Butson Park Reserve Committee Incorporated	John N. DALE
<b>Sheep Station Creek Public Recreation Reserve</b> – The land in the Parish of Woori Yallock temporarily reserved for Public Recreation by Order in Council of 21 December, 1910 (vide Government Gazette of 5 January, 1911 – page 26) [Rs 1956].	Sheep Station Creek Road Reserve Committee of Management Incorporated	Neville SARGEANT
<b>Calivil Recreation Reserve</b> – The lands in the Parish of Pompapiel temporarily reserved for Public Recreation by Orders in Council of 24 June, 1902; 13 January, 1948 and 22 June, 1976 [Rs 3951].	Calivil Recreation Reserve Incorporated	Brian J. DUFFY
<b>Bruthen Public Recreation Reserve</b> – The land in the Township of Bruthen temporarily reserved for Public Recreation by Order in Council of 5 November, 1980 (vide Government Gazette of 12 November, 1980 – page 3940) [Rs 1670].	Bruthen Public Recreation Reserve Incorporated	Neville EVANS
<b>Bacchus Marsh Council Trench Reserve</b> – Crown Allotment 16, Section 16, Parish of Korkuperrimul temporarily reserved for Conservation of an area of natural and scientific interest by Order in Council of 28 May, 2002 (vide Government Gazette of 30 May, 2002 – page 1150) [07/2012290].	Bacchus Marsh Council Trench Reserve Committee of Management Incorporated	Roger PIERSON

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

Dated 15 October 2002

Responsible Minister  
SHERRYL GARBUTT  
Minister for Environment and Conservation

HELEN DOYE  
Clerk of the Executive Council

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

ORDER REGULATING THE USE OF  
CERTAIN AGRICULTURAL CHEMICAL  
PRODUCTS CONTAINING PINDONE

Order in Council

The Administrator with the advice of the Executive Council makes the following Order:

**1. Objective**

The objective of this Order is to regulate the use of certain agricultural chemical products containing pindone and to restrict the use of those products to authorised persons.

**2. Authorising provision**

This Order is made under section 25A of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**.

**3. Commencement**

This Order comes into operation on the day of its publication in the Government Gazette.

**4. Definitions**

In this Order –

“**Act**” means the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**; and

“**authorised person**” means –

- (d) a person who holds or is employed by a person who holds, a commercial operator licence under section 31 of the Act that states that it authorises the use of vermin destroyers; or
- (e) a person who holds a permit under section 25A(2)(b) of the Act that states that it authorises the use of pindone; or
- (f) a person who holds a pest control operator licence granted under Division 2A of Part 5 of the **Health Act 1958** that authorises the use of pesticides formulated for the control of pest animals.

**5. Regulation of the use of certain agricultural chemical products containing pindone**

- (1) A person must not use an agricultural chemical product that contains the constituent pindone –
  - (a) where the concentration of pindone present in the chemical product is 2.5% or greater; or

- (b) where the chemical product has a label on which contains the statement –

**“RESTRICTED CHEMICAL PRODUCT –  
ONLY TO BE SUPPLIED TO OR USED  
BY AN AUTHORISED PERSON”.**

- (2) Sub-clause (1) does not apply to an authorised person.

Note: Section 25A(1) of the Act provides for the application of a penalty of, in the case of a corporation, 400 penalty units, and in any other case, 200 penalty units, for breaching that section.

Dated 15 October 2002

Responsible Minister:  
KEITH HAMILTON  
Minister for Agriculture

HELEN DOYE  
Clerk of the Executive Council

**Gas Industry Act 2001**

EXEMPTION ORDER UNDER SECTION 24  
Order in Council

The Administrator with the advice of the Executive Council acting under section 24 of the **Gas Industry Act 2001** (“the Act”) hereby makes the following Order:

**1. Exemption**

FMCA is exempt from the requirement to obtain a licence under section 22 of the Act in respect of each activity identified in the attached Schedule, subject to the terms, conditions and limitations specified in the Schedule.

**2. Definitions**

In this Order, including the Schedule, the following terms have the following meanings unless the contrary intention appears:

“**large business customer**” means a person to whom not less than 5,000 gigajoules per annum of natural gas is distributed, supplied or sold for commercial or industrial purposes;

“**approved meter**” means any device that is of a type that the holder of a licence under the Act is permitted by law to use to measure consumption of gas for the type of

person to whom gas is being transmitted, distributed, supplied or sold;

“**Distribution Code**” means the Gas Distribution Code from time to time approved by the Essential Services Commission;

“**FMCA**” means Ford Motor Company of Australia Limited (ACN 004 116 223);

“**licensed retailer**” means the holder of a licence authorising the sale of gas by retail under the Act otherwise than through the wholesale gas market;

“**Minister**” means the Minister responsible for the **Gas Industry Act 2001**.

### 3. Commencement

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

Dated 15 October 2002

Responsible Minister:  
CANDY BROAD  
Minister for Energy  
and Resources

HELEN DOYE  
Clerk of the Executive Council  
**SCHEDULE**

### Exemption

The distribution and sale of gas outside premises owned or occupied by FMCA to a large business customer through an approved meter, as the direct consequence of a subdivision of property owned or occupied by FMCA immediately prior to the subdivision of that property.

### Conditions

This exemption is subject to the conditions that FMCA:

- (a) must not engage in the exempt activities other than incidentally to its core business function, which function must not be related to the distribution, supply or sale of gas;
- (b) must cause an easement to be recorded on the titles of all affected properties in accordance with the **Transfer of Land Act 1958** before the distribution or sale of gas occurs;
- (c) must cause the distribution or sale arrangements to be noted on any statements provided under section 32 of the **Sale of Land Act 1962** relating to all affected properties;

- (d) must observe all applicable provisions of the Distribution Code as if FMCA was a licensed gas distributor;
- (e) must not take any action which prevents a large business customer from purchasing gas from a licensed retailer of its choice;
- (f) must not take any action which prevents a licensed retailer from selling gas to a large business customer;
- (g) unless otherwise agreed, must provide, at the request of a large business customer, a separate point of supply (as defined in the **Gas Safety Act 1997**) from the relevant licensed distribution company at no cost to the large business customer if such a separate point of supply does not already exist;
- (h) accepts full liability for any claims, losses, damages or costs incurred by any materially affected person as a direct result of any breach by FMCA of any of these conditions; and
- (i) must provide (whether or not through an agent), to the Minister or the Essential Services Commission, any information requested by the Minister or the Essential Services Commission, respectively, that either may require for the reasonable administration of this Order.

### Limitations

This exemption ceases to apply where there is any restructuring of the distribution or supply arrangements other than like-for-like replacement in the course of maintenance, or the replacement of an approved meter with another approved meter.

### Parliamentary Committees Act 1968

#### REFERRAL OF TERMS OF REFERENCE TO THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE OF PARLIAMENT

#### Inquiry into Urban Cat Control and Management in Victoria

The Administrator with the advice of the Executive Council, under section 4F of the **Parliamentary Committees Act 1968** issues the following terms of reference to the Environment and Natural Resources Committee of Parliament for inquiry into urban cat control and management in Victoria:

1. Identify the source of unowned domestic cats in the urban community that enter animal welfare shelters.
2. Identify the causes of unowned domestic cats in the Victorian urban environment.
3. Assess the adequacy of the **Domestic (Feral and Nuisance) Animals Act 1994** provisions to manage cat numbers in the urban environment.
4. Provide advice on strategies to reduce the numbers of unowned domestic cats in the urban environment.

Report to be provided by the first week of the Spring 2003 sittings.

Dated 15 October 2002

Responsible Minister:  
STEVE BRACKS  
Premier

HELEN DOYE  
Clerk of the Executive Council

#### **Parliamentary Committees Act 1968**

SECTIONS 38, 39, 4F(1)(A)(II) AND 4F(3)

Order in Council

Under the powers found in sections 4F(1)(a)(ii) and 4F(3) of the **Parliamentary Committees Act 1968** the Administrator with the advice of the Executive Council refers the matters outlined below to the Economic Development Committee—

To inquire into, consider, and report on the actual and potential contribution to the economy of Victoria's culturally diverse population including new arrivals with particular emphasis on:

- The importance of Victoria's cultural diversity in improving productivity, increasing exports, attracting foreign investment and creating competitive advantage in the Australian and international markets; and in respect of the above:
  - Identify industry sectors/businesses that are actual or potential beneficiaries of cultural diversity, particularly in terms of investment and productivity improvement.
  - Whether there are particular issues for industry and business in rural and regional areas and how these regions

may benefit from cultural diversity in Victoria including by addressing labour market shortages through new or recent arrivals from overseas.

- Identify ways to take advantage of cultural diversity in the economy to increase Victoria's productivity and export markets.
- The appropriate role of Government in facilitating maximum use of Victoria's cultural diversity to promote productivity and export markets.
- Identify ways of measuring the benefits of cultural diversity including new arrivals to the Victorian economy.

The Committee is required to report to Parliament by 31 December 2003.

Dated 15 October 2002

Responsible Minister  
STEVE BRACKS  
Premier

HELEN DOYE  
Clerk of the Executive Council

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

ALTERATION OF WARD BOUNDARIES OF  
STRATHBOGIE SHIRE COUNCIL

Order in Council

The Administrator with the advice of the Executive Council makes the following Order:

- a) This Order comes into operation on the day it is published in the Government Gazette; and
- b) Under Section 220Q (k), (l) and (m) of the **Local Government Act 1989**, on the day this Order comes into operation the boundaries of the wards, the number of wards and names of the wards of the Strathbogie Shire Council shall be fixed as described in the Schedule to this Order.
- c) Under Section 220Q (n) of the **Local Government Act 1989**, the number of councillors assigned to each of the wards fixed as described in the Schedule to this Order shall be one.

Dated 15 October 2002

Responsible Minister  
BOB CAMERON MP  
Minister for Local Government

HELEN DOYE  
Clerk of the Executive Council

**SCHEDULE****Boundaries of the Wards of  
Strathbogie Shire Council  
Altered and Redefined****Honeysuckle Creek Ward**

Commencing on the northern boundary of the Shire at Arcadia Two Chain Road; thence south-easterly by Arcadia Two Chain Road to Hahnel Lane; thence easterly by that lane, a line in continuation and Heales Road to the road forming the south-western boundary of allotment 53, Parish of Balmattum; thence south-easterly by that road to the Hume Freeway; thence north-easterly by that freeway to the eastern boundary of the Shire, and thence northerly and generally south-westerly by the shire boundary to the point of commencement.

**Seven Creeks North Ward**

Commencing on the Hume Freeway at a point in line with Angle Road; thence north-westerly by a line and Angle Road to the road forming the eastern boundary of Lot 2 on Plan of Subdivision 209253; thence northerly by that road, a line in continuation and further northerly by the road forming the western boundary of allotment 29, section 3, Parish of Branjee to Pranjip Road; thence easterly by that road to the Euroa-Shepparton Road; thence north-westerly by that road to Hahnel Lane; thence easterly by that lane, a line in continuation and Heales Road to the road forming the south-western boundary of allotment 53, Parish of Balmattum; thence south-easterly by that road to the Hume Freeway; thence south-westerly by that freeway to Euroa Main Road; thence south-westerly by that road to again the Hume Freeway, thence westerly by that freeway to the point of commencement.

**Seven Creeks South Ward**

Commencing on the Hume Freeway at the Euroa Main Road near Cemetery Lane; thence southerly and westerly by the Hume Freeway to the Euroa Main Road near 3A section 1 Parish of Branjee, and thence north-easterly by the Euroa Main Road to the point of commencement.

**Lake Nagambie Ward**

Commencing on Racecourse Road at Plain Road; thence southerly by Plain Road to Cemetery Lane; thence westerly by that lane and

Nook Road to Muller Road; thence northerly by that road to the Heathcote-Nagambie Road; thence north-westerly by that road to the Goulburn River; thence generally north-easterly by that river bed through Lake Nagambie to a point in line with Racecourse Road, and thence easterly by a line and Racecourse Road to the point of commencement.

**Mount Wombat Ward**

Commencing on the southern boundary of the Shire at Sinclairs Lane; thence westerly by Sinclairs Lane to Weibye Track; thence generally northerly by that track to McLeans Road; thence westerly by that road to the Longwood-Ruffy Road; thence generally northerly by that road to the southern boundary of the Township of Old Longwood; thence westerly and northerly by the southern and western boundaries of the Township of Old Longwood to the Hume Freeway; thence north-easterly by that freeway to the eastern boundary of the Shire, thence southerly and westerly by the shire boundary to the point of commencement.

**Porcupine Hill Ward**

Commencing on the southern boundary of the Shire at Sinclairs Lane; thence westerly by Sinclairs Lane to Weibye Track; thence generally northerly by that track to McLeans Road; thence westerly by that road to the Longwood-Ruffy Road; thence generally northerly by that road to the southern boundary of the Township of Old Longwood; thence westerly and northerly by the southern and western boundaries of the Township of Old Longwood to the Hume Freeway; thence south-westerly by that freeway to the road forming the north-eastern boundary of allotment 8A, section 2, Parish of Monea South; thence north-westerly by that road to the North Eastern Railway; thence south-westerly by that railway to the Tabilk-Monea Road; thence westerly by that road to Dargalong Road; thence southerly by that road to the road forming the northern boundary of allotment 31, section G, Parish of Avenel; thence westerly by that road to Plain Road; thence southerly by that road to the Avenel-Nagambie Road; thence westerly by that road to the road forming the western boundary of Lot 1 on Plan of Subdivision 305842; thence southerly by that road to Hughes Creek; thence westerly and southerly by that



creek to the Goulburn River; thence southerly by that river to the south-western boundary of the Shire, and thence southerly, easterly and generally south-easterly by the shire boundary to the point of commencement.

#### **Goulburn Weir Ward**

Commencing on the northern boundary of the Shire at Arcadia Two Chain Road; thence south-easterly by Arcadia Two Chain Road and the Euroa–Shepparton Road to Pranjip Road; thence westerly by that road to the road forming the western boundary of allotment 29, section 3 Parish of Branjee; thence southerly by that road, a line in continuation and further southerly by the road forming the western boundary of allotment 21A, section 3 to Angle Road; thence south-easterly by that road to the Hume Freeway; thence south-westerly by that freeway to the road forming the north-eastern boundary of allotment 8A, section 2, Parish of Monea South; thence north-westerly by that road to the North Eastern Railway; thence south-westerly by that railway to the Tabilk–Monea Road; thence westerly by that road to Dargalong Road; thence southerly by that road to the road forming the northern boundary of allotment 31, section G, Parish of Avenel; thence westerly by that road to Plain Road; thence southerly by that road to the Avenel–Nagambie Road; thence westerly by that to the road forming the western boundary of Lot 1 on Plan of Subdivision 305842; thence southerly by that road to Hughes Creek; thence westerly and southerly by that creek to the Goulburn River; thence southerly by that river to the south-western boundary of the Shire, and thence westerly, northerly and generally north-easterly by the shire boundary to the point of commencement.

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

#### **ALTERATION OF WARD BOUNDARIES OF WANGARATTA RURAL CITY COUNCIL**

##### **Order in Council**

The Administrator with the advice of the Executive Council makes the following Order:

- a) This Order comes into operation on the day it is published in the Government Gazette; and
- b) Under Section 220Q (k) of the **Local Government Act 1989**, on the day this

Order comes into operation the boundaries of the wards of the Wangaratta Rural City Council shall be fixed as described in the Schedule to this Order.

Dated 15 October 2002

Responsible Minister  
BOB CAMERON MP  
Minister for Local Government

HELEN DOYE  
Clerk of the Executive Council

#### **SCHEDULE**

#### **Boundaries of the Wards of Wangaratta Rural City Council Altered and Redefined**

##### **Yarrunga Ward**

Commencing at the junction of Handley Street with Tone Road; thence south-westerly by Tone Road and southerly by Wangaratta Road to Mason Street; thence easterly by that street and Cribbes Road to the Wangaratta–Whitfield Road; thence north-westerly by that road to White Street; thence westerly by that street to the One Mile Creek; thence northerly by that creek to Vincent Road; thence westerly by that road to Greta Road; thence northerly by that road to Handley Street, and thence westerly by that street to the point of commencement.

##### **Merriwa Ward**

Commencing at the junction of Handley Street with Tone Road; thence north-easterly by Tone Road to Norton Street; thence northerly and north-easterly by that street to Docker Street; thence westerly by a line and Docker Street to Swan Street; thence northerly by that street to Edwards Street; thence south-easterly by that street to Evans Street; thence easterly by that street and a line in continuation to the Ovens River; thence south-easterly by that river to the King River; thence south-westerly by that river to its anabranch which forms the northern boundary of Kaluna Park; thence generally easterly and southerly by the northern and eastern boundaries of the park to the northern boundary of allotment 6, section 31, Township of Wangaratta; thence easterly and southerly by the northern and eastern boundaries of that allotment to the King River; thence generally south-easterly by that river to the south-eastern angle of allotment 2, section 6A, Parish of Wangaratta South; thence westerly by the

southern boundary of that allotment to Caraselle Avenue; thence southerly and south-westerly by that avenue to the Wangaratta–Whitfield Road; thence south-easterly by that road to White Street; thence westerly by that street to the One Mile Creek; thence northerly by that creek to Vincent Road; thence westerly by that street to Greta Road; thence northerly by that road to Handley Street, and thence westerly by that street to the point of commencement.

#### **Appin Ward**

Commencing at the junction of Swan Street with Edwards Street; thence north-westerly by Edwards Street and westerly by the Wangaratta–Yarrowonga Road to the Three Mile Creek; thence generally south-westerly and southerly by that creek to a point in line with the northern boundary of Lot 1 on Plan of Subdivision 333563V; thence easterly by a line and the northern boundary of that lot to Scott Street; thence southerly by that street to Orkney Street; thence easterly by that street and northerly by Appin Street to Irwin Avenue; thence easterly by that avenue and northerly by Donald Street to Shiel Street; thence easterly and northerly by that street and easterly by Garnet Avenue to Phillipson Street; thence northerly by that street to Bronmar Street; thence easterly by that street, a line in continuation and Olive Street to Swan Street, and thence northerly by that street to the point of commencement.

#### **West End Ward**

Commencing on Tone Road at Sisely Avenue; thence south-westerly by Tone Road to Sandford Road; thence northerly by that road to Racecourse Road; thence westerly by that road to Three Mile Creek; thence north-easterly by that creek to a point in line with the northern boundary of Lot 1 on Plan of Subdivision 333563V; thence easterly by a line and the northern boundary of that lot to Scott Street; thence southerly by that street to Orkney Street; thence easterly by that street and northerly by Appin Street to Irwin Avenue; thence easterly by that avenue and northerly by Donald Street to Shiel Street; thence easterly and northerly by that street and easterly by Garnet Avenue to Phillipson Street; thence northerly by that street to Bronmar Street; thence easterly by that street, a line in continuation and Olive Street to Swan Street; thence southerly by that street to Docker

Street; thence easterly by that street, a line in continuation to the junction of Docker Street and Norton Street; thence south-westerly and southerly by Norton Street to Tone Road, and thence south-westerly by that road to the point of commencement.

#### **King Ward**

Commencing on the eastern boundary of the City on the Ovens River at a point in line with the road forming the eastern boundary of allotment 9A, section N, Parish of Murrumungee; thence north-westerly by the Ovens River to the King River; thence south-westerly by that river to its anabranch which forms the northern boundary of Kaluna Park; thence generally easterly and southerly by the northern and eastern boundaries of the park to the northern boundary of allotment 6, section 31, Township of Wangaratta; thence easterly and southerly by the northern and eastern boundaries of that allotment to the King River; thence generally south-easterly by that river to the south-eastern angle of allotment 2, section 6A, Parish of Wangaratta South; thence westerly by the southern boundary of that allotment to Caraselle Avenue; thence southerly and south-westerly by that avenue to the Wangaratta–Whitfield Road; thence south-easterly by that road to Cribbes Road; thence westerly by that road and Mason Street to Wangaratta Road; thence south-westerly by that road and the Hume Freeway to the western boundary of the City, and thence generally southerly, south-easterly and generally northerly by the city boundary to the point of commencement.

#### **Ovens Ward**

Commencing on the eastern boundary of the City on the Ovens River at a point in line with the road forming the eastern boundary of allotment 9A, section N, Parish of Murrumungee; thence north-westerly by the Ovens River to a point in line with Evans Street; thence westerly by a line and Evans Street to Edwards Street; thence north-westerly by that street to College Street; thence easterly by that street to Phillipson Street; thence northerly by that street to the north-western angle of allotment 1, section 8, Parish of Wangaratta North; thence easterly by the northern boundaries of that allotment and allotment 8 and further easterly by a road to the Ovens River; thence generally north-westerly by that river to the northern boundary of the City, and thence generally

south-easterly by the city boundary to the point of commencement.

**Warby Ward**

Commencing on the western boundary of the City on the Ovens River at a point in line with the eastern boundary of allotment 4, section 6, Township of Peechelba; thence south-easterly by the Ovens River to the road forming the northern boundary of allotment 1, section 9, Parish of Wangaratta North; thence westerly by that road and the northern boundaries of allotments 8 and 1, section 8, to Phillipson Street; thence southerly by that street to College Street; thence westerly by that street and the Wangaratta-Yarrowonga Road to the Three Mile Creek; thence generally south-westerly by that creek to Racecourse Road; thence easterly by that road to Sandford Road; thence southerly by that road to Wangaratta Road; thence south-westerly by that road and the Hume Freeway to the western boundary of the City, and thence generally northerly and easterly by the city boundary to the point of commencement.

**Local Government Act 1989**

**ALTERATION OF WARD BOUNDARIES OF WHITTLESEA CITY COUNCIL**

**Order in Council**

The Administrator with the advice of the Executive Council makes the following Order:

- a) Under Section 220S (1)(a) of the **Local Government Act 1989**, this Order comes into operation on the day it is published in the Government Gazette; and
- b) Under Section 220Q (k), (l) and (m) of the **Local Government Act 1989**, on the day this Order comes into operation the boundaries of the wards, the number of wards, names of the wards of the Whittlesea City Council shall be fixed as described in the Schedule to this Order.
- c) Under Section 220Q (n) of the **Local Government Act 1989**, on the day this Order comes into operation the number of councillors assigned to each of the wards fixed as described in the Schedule to this Order shall be one.

Dated 15 October 2002

Responsible Minister  
BOB CAMERON MP  
Minister for Local Government

HELEN DOYE  
Clerk of the Executive Council

**SCHEDULE**

**Boundaries of the Wards of  
Whittlesea City Council  
Altered and Redefined**

**South West Ward**

Commencing on the southern boundary of the City at Edgars Creek; thence generally northerly by Edgars Creek to Kingsway Drive; thence westerly by that drive to Edgars Road; thence southerly by that road to Barry Road; thence westerly by that road and the northern boundary of allotment 24A, Parish of Keelbundora to the Merri Creek, being a point on the western boundary of the City, and thence southerly and easterly by the boundary to the point of commencement.

**South Central Ward**

Commencing on the southern boundary of the City at Edgars Creek; thence generally northerly by Edgars Creek to Kingsway Drive; thence easterly by that drive and a line in continuation to the northern part of Paschke Crescent; thence easterly by that crescent to Curtin Avenue; thence north-easterly and easterly by that avenue to Dalton Road; thence southerly and south-westerly by that road to the southern boundary of the City, and thence westerly by the city boundary to the point of commencement.

**South Ward**

Commencing on Plenty Road at the Metropolitan Ring Road, being a point on the southern boundary of the City; thence westerly by the Metropolitan Ring Road to Tasman Drive; thence northerly by that drive to Betula Avenue; thence north-westerly and northerly by that avenue to McKimmies Road; thence westerly by that road to Dalton Road; thence southerly and south-westerly by that road to the southern boundary of the City, and thence easterly and north-easterly by the city boundary to the point of commencement.

**Central Ward**

Commencing on Childs Road at Redleap Avenue; thence north-easterly by Redleap Avenue to Centenary Drive; thence westerly by that drive to the Yan Yean Pipe Track; thence north-easterly by that pipe track to McDonald Road; thence westerly by that road to the former Epping to Whittlesea Railway, thence westerly

by that former railway to the Darebin Creek; thence southerly and south-easterly by that creek to the Electricity Transmission Line; thence north-easterly by that Transmission Line to Childs Road, and thence south-easterly by that road to the point of commencement.

#### **North Ward**

Commencing on the Merri Creek at a point in line with O'Herns Road, being a point on the western boundary of the City; thence easterly by a line, O'Herns Road and Findons Road to Civic Drive; thence south-easterly by that drive to McDonalds Road; thence easterly by that road to the Yan Yean Pipe Track; thence north-easterly by that pipe track to the former Epping to Whittlesea Railway, thence north-easterly by that former railway to Gordons Road; thence easterly by that road to the south-eastern boundary of the City, and thence generally north-easterly, north-westerly, south-westerly and southerly by the city boundary to the point of commencement.

#### **East Central Ward**

Commencing on the Merri Creek at a point in line with O'Herns Road, being a point on the western boundary of the City; thence easterly by a line, O'Herns Road and Findons Road to Civic Drive; thence south-easterly by that drive to McDonalds Road; thence easterly by that road to the Yan Yean Pipe Track; thence north-easterly by that pipe track to the former Epping to Whittlesea Railway, thence north-easterly by that former railway to Gordons Road; thence easterly by that road to the south-eastern boundary of the City, and thence generally north-easterly, north-westerly, south-westerly and southerly by the city boundary to the point of commencement.

#### **West Ward**

Commencing on the Merri Creek at a point in line with O'Herns Road, being a point on the western boundary of the City; thence easterly by a line and O'Herns Road to Miller Street; thence southerly by that street to Cooper Street; thence easterly by that street to the former Epping to Whittlesea Railway, thence north-easterly by that former railway to the Darebin Creek; thence

southerly by that creek to a point in line with the south-eastern boundary of lot 327 on Plan of Subdivision 88814; thence south-westerly by a line to the most eastern angle of that lot, being a point on the western boundary of the W.A.Smith Reserve; thence generally southerly and westerly by that reserve to Darebin Drive; thence north-westerly and westerly by that drive to Curtin Avenue; thence westerly and south-westerly by that avenue to the northern part of Paschke Crescent; thence westerly by that crescent and a line in continuation to Kingsway Drive; thence westerly by that drive to Edgars Road; thence southerly by that road to Barry Road ; thence westerly by that road and the northern boundary of allotment 24A, Parish of Keelbundora to the Merri Creek, being a point on the western boundary of the City, and thence north-westerly by the city boundary to the point of commencement.

#### **North Central Ward**

Commencing on O'Herns Road at Miller Street; thence southerly by Miller Street to Cooper Street; thence easterly by that street to the former Epping to Whittlesea Railway; thence north-easterly by that former railway to McDonalds Road; thence westerly by that road to Civic Drive; thence north-westerly by that drive to Findon Road, and thence north-westerly and westerly by that road to the point of commencement.

#### **East Ward**

Commencing on Plenty Road at the Metropolitan Ring Road, being a point on the southern boundary of the City; thence northerly by Plenty Road to Childs Road; thence westerly and north-westerly by that road to Redleap Avenue; thence north-easterly by that avenue to Centenary Drive; thence westerly by that drive to the Yan Yean Pipe Track; thence north-easterly by that pipe track to the former Epping to Whittlesea Railway, thence north-easterly by that former railway to Gordons Road; thence easterly by that road to the south-eastern boundary of the City, and thence generally southerly and westerly by the city boundary to the point of commencement.

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**Local Government Act 1989****ORDER RE-CONSTITUTING THE DELATITE SHIRE COUNCIL AS  
THE BENALLA RURAL CITY COUNCIL AND CONSTITUTING A NEW COUNCIL  
BY THE NAME OF THE MANSFIELD SHIRE COUNCIL****INTRODUCTION**

On 12 March 2002 the Minister for Local Government, the Hon. Bob Cameron MP (the Minister), established a local government panel to conduct a review under Part 10B of the **Local Government Act 1989** (the Act) on the proposed restructure of Delatite Shire Council by splitting the Delatite Shire Council municipal district into two municipal districts, one being based on Benalla and one being based on Mansfield.

In accordance with section 220P of the Act the panel has submitted a final report on the review to the Minister.

As required by section 220P of the Act, the Minister has considered the report and has recommended to the Administrator with the advice of the Executive Council that an Order in Council be made in the following terms.

**ORDER**

The Administrator with the advice of the Executive Council acting under Part 10C of the Act hereby makes that:

**PART 1 – PRELIMINARY****1. Definitions**

*Act* means **Local Government Act 1989**;

*Administrator* means a person appointed by the Governor in Council to administer a relevant Council;

*Appointed day* means the day on which this Order comes into operation;

*CEO* means the interim Chief Executive Officer of a relevant Council;

*former Council* means the Delatite Shire Council;

*relevant Council* means the Benalla Rural City Council or the Mansfield Shire Council as the context requires, as constituted under Part 3 of this Order.

**PART 2 – COMMENCEMENT**

2. This Order comes into operation on 28 October 2002.

**PART 3 – CONSTITUTION OF RELEVANT COUNCILS****Constitution of Relevant Councils**

3. On the appointed day the Delatite Shire Council shall be re-constituted as a Rural City Council by the name of the Benalla Rural City Council.
4. On the appointed day there is constituted a body corporate constituted as a Shire Council by the name of the Mansfield Shire Council.
5. At 6:00am on the appointed day the persons holding office as Councillors of the Delatite Shire Council cease to hold such office.

**Administration**

6. The provisions of Schedule 6 apply to the CEO of a relevant Council.
7. The CEO of a relevant Council must call the first meeting of that Council which must be held within three days of the appointed day.
8. Section 89(4) of the Act does not apply to the first meeting of a relevant Council.
9. The provisions of Schedule 5 apply to the Administrator and meetings of the Administrator.
10. For the period commencing on the appointed day and ending one year from the appointed day, unless otherwise agreed by the relevant Councils, the Benalla Rural City Council must

provide the same services and perform the same functions on behalf of the Mansfield Shire Council and in the same manner as if the Mansfield Shire Council municipal district was within the Benalla Rural City Council municipal district, and for that purpose any powers, duties and functions relating to the provision of services or performance of functions imposed or conferred by any Act on the Mansfield Shire Council are deemed to be imposed by that Act on the Benalla Rural City Council.

11. The Benalla Rural City Council must be reimbursed by the Mansfield Shire Council the reasonable cost of providing services and performing functions described in clause 10 on behalf of the Mansfield Shire Council.
12. Each relevant Council must enter into an agreement with the other relevant Council on the apportionment, settlement, transfer, adjustment or determination of any property, income, assets, liabilities, expenses, staff or other matters within 120 days of the appointed day.

#### **Staff**

13. On the appointed day all members of staff of the former Council continue to be members of staff of the Benalla Rural City Council with the same terms and conditions as those with the former Council and with the benefit of all accrued rights.

### **PART 4 – BENALLA RURAL CITY COUNCIL**

#### **Boundaries**

14. On the appointed day the boundaries of the municipal district of the Benalla Rural City Council shall be fixed as described in Schedule 1.

#### **Ward Boundaries**

15. On the appointed day the ward boundaries of the municipal district of the Benalla Rural City Council shall be fixed as described in Schedule 3 and the number of Councillors to be assigned for each ward shall be one.

### **PART 5 – MANSFIELD SHIRE COUNCIL**

#### **Boundaries**

16. On the appointed day the external boundaries of the municipal district of the Mansfield Shire Council shall be fixed as described in Schedule 2.

#### **Ward Boundaries**

17. On the appointed day the ward boundaries of the municipal district of the Mansfield Shire Council shall be fixed as described in Schedule 4 and the number of Councillors to be assigned for each ward shall be as follows—
  - (a) Bonnie Doon Ward – one;
  - (b) Mansfield Ward – two;
  - (c) Tolmie Ward – one;
  - (d) Jamieson Ward – one.

#### **Transfer of Property**

18. On the appointed day all the estate and interest of the former Council in any real property situated in the geographic area described in Schedule 2 vests in the Mansfield Shire Council.

### **PART 6 – GENERAL**

#### **Holding of first elections**

19. The date for the first election of Councillors for a relevant Council is 15 March 2003.
20. In accordance with sections 3, 21, 21A and 22 of the Act the dates for the elections of the relevant Councils to be held on 15 March 2003 shall be –
 

Monday 16 December 2002	Entitlement date for the purposes of Division 1 of Part 3 of the Act;
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Monday 13 January 2003	The date by which the Electoral Commissioner must supply to the Chief Executive Officer a voters' list for the purposes of section 21(2) of the Act;
Tuesday 28 January 2003	The date by which the Chief Executive Officer must make out a voters' list for the purposes of section 22(2) of the Act.

21. For the purpose of holding the first election of Councillors a relevant Council is deemed to have decided under section 35 of the Act to hold triennial elections and sub-section (2) of that section does not apply in respect of that decision.
22. For the purpose of holding the first election of Councillors a relevant Council is deemed to have decided under section 41A of the Act that voting at that election is to be by means of postal voting.
23. Except as provided by this Order, the provisions of Part 3 of the Act apply to and in respect of the first and subsequent elections.

#### **First meeting of Councillors of a relevant Council**

24. After the first election of Councillors for a relevant Council has been held, the CEO of that Council must call the first meeting of the Council which must be held within 10 days of the day on which the returning officer declares the result of that election.
25. At 9:00am on the day on which the first meeting of the relevant Council is held under clause 24—
  - (a) the Administrator goes out of office; and
  - (b) the Councillors elected at the first election of the relevant Council assume office as Councillors of that Council.

#### **Valuations – transitional provisions**

26. As from the appointed day the system of valuation for the relevant Councils for the purpose of declaring a rate is deemed to be the same system of valuation as that which applied prior to the appointed day to the former Council.

#### **Rates – transitional provisions**

27. Any rate or charge levied by the former Council under section 158(3) of the Act for the 2002-2003 financial year is deemed to have been levied by the relevant Council insofar as it relates to the rateable land within its municipal district.
28. If immediately before the appointed day the former Council had not declared a general rate in respect of the 2002-2003 financial year, the relevant Council may, in accordance with the budget prepared by the former Council and having regard to any submissions made by a person in accordance with the Act, declare and levy any general rates, service rates and charges or municipal charge in respect of the rateable land in its municipal district.
29. If immediately before the appointed day the former Council had declared but not levied any general rate in respect of the 2002–2003 financial year, the relevant Council may levy such rates and charges as have been declared by the former Council in respect of the rateable land in its municipal district.

#### **Local laws – transitional provisions**

30. On the appointed day any local law, or part of any local law, which deals with the meeting procedures or the common seal of the former Council is revoked.
31. Sections 5(3) and 91(1) of the Act do not apply in respect of the common seal and meetings of a relevant Council while the relevant Council is under the administration of the Administrator.

32. Unless amended or revoked by an Order in Council or by the relevant Council the local laws in force in the municipal district of the relevant Council immediately before the appointed day continue to apply to that area for a period of eighteen months from the appointed day as if the local laws were made by the relevant Council.
33. A relevant Council shall be responsible for the enforcement of local laws within its municipal district and for continuing any proceedings for the enforcement of those local laws commenced before the appointed day.

#### **Enforcement and proceedings – transitional provisions**

34. To the extent that they apply to the relevant Council's geographic area, and unless amended or revoked by the relevant Council all authorisations made by the former Council under the Act or any other Act immediately before the appointed day continue to apply to the relevant Council for a period of eighteen months from the appointed day.
35. Where, immediately before the appointed day, proceedings to which the former Council was a party were pending or existing in any court or tribunal, then, except as otherwise provided in this Order, a relevant Council, as the case may be, is substituted for the former Council as a party to the proceedings and has the same rights in the proceedings as the former Council had.

#### **References – transitional provisions**

36. From the appointed day, to the extent it is applicable to the relevant Council's geographic area, any reference in any instrument or any other document of any kind to a former Council is, except as otherwise provided in this Order, to be construed as a reference to a relevant Council, unless the contrary intention appears.

#### **Delegations – transitional provisions**

37. Unless amended or revoked by the relevant Council all delegations made by the former Council or by the Chief Executive Officer of the former Council under the Act or any other Act immediately before the appointed day continue to apply to the relevant Council insofar as the delegations are applicable to that Council, for a period of eighteen months from the appointed day.
38. A relevant Council may, with the agreement of a neighbouring Council, delegate under section 98 of the Act a power, duty or function to a member of staff of that Council in respect of the period commencing on the appointed day and ending one year from the appointed day.

#### **Planning matters - transitional provisions**

39. Except where a Planning Scheme specifies the Minister administering the **Planning and Environment Act 1987** or any other person to be the responsible authority, a relevant Council is the responsible authority for the purposes of the **Planning and Environment Act 1987** in relation to the planning schemes in force in its respective municipal district.
40. Any reference in a planning scheme in force in the municipal district of a relevant Council to another Council as a responsible authority for a particular purpose is to be taken as a reference to the relevant Council in relation to the relevant part of its municipal district.
41. For the purposes of the **Planning and Environment Act 1987** and the administration, amendment or enforcement of each of the planning schemes referred to in clause 39—
  - (a) anything of a continuing nature (including a contract, agreement or proceeding) done, commenced or made by or in relation to a Council which ceases to exist by virtue of this Order may be done, enforced or completed by the relevant Council of the municipal district to which the matter relates;
  - (b) anything done by or in relation to a Council which ceases to exist by virtue of this Order that concerns a matter of a continuing nature has effect as if done by the relevant Council of the municipal district to which the matter relates.



**Borrowings**

42. Until a new budget is made by a relevant Council any proposed borrowings included in a budget of the former Council are deemed to have been included in a budget of the relevant Council insofar as those borrowings are applicable to the municipal district of the relevant Council.

**Corporate Plan – transitional provisions**

43. Until a corporate plan is prepared in accordance with section 153A of the Act by the relevant Council the corporate plan of the former Council is deemed to be the corporate plan for the relevant Council insofar as it is applicable to the municipal district of the relevant Council.

**Registrar of Titles**

44. The Registrar of Titles, on being requested to do so and on delivery of any relevant certificates of title or instrument, must make any amendments in the Register that are necessary because of the operation of this Order.

Dated: 15 October 2002

Responsible Minister:  
BOB CAMERON, MP  
Minister for Local Government

HELEN DOYE  
Clerk of the Executive Council

**SCHEDULE 1**

**BOUNDARIES OF THE MUNICIPAL DISTRICT OF  
THE BENALLA RURAL CITY COUNCIL**

Commencing on the Benalla Boundary Road at South Boundary Road; thence easterly by South Boundary Road and further easterly by the southern boundary of the Parish of Karrabumet to Miller Road; thence northerly by that road to Big Hill Road; thence north-easterly by that road to the road forming the southern boundary of Lot 2 on Plan of Subdivision 216705; thence easterly by that road to the eastern boundary of the Parish of Boweya; thence southerly by the Glenrowan–Boweya Road to the road forming the south-western boundary of allotment 2, Parish of Killawarra; thence south-easterly by that road to the northern boundary of allotment 81, Parish of Taminick; thence easterly by that boundary, the northern boundary of allotment 82 and the Wangaratta–Thoona Road to a point in line with the western boundary of allotment 88B; thence southerly by a line, the western boundary of allotment 88B and a line in continuation to the road forming the eastern boundary of Lot 6 on Plan of Subdivision 120488; thence southerly by that road to the southern boundary of that lot; thence easterly by a line in continuation of that boundary to the north-western angle of allotment 101B; thence north-easterly by the road forming the northern boundary of that allotment to its most northern angle; thence southerly by the Booth Road forming the eastern boundary of that allotment to the road forming the northern boundary of allotment 106A; thence north-easterly by that road to the road forming the eastern boundary of Lot 3 on Plan of Subdivision 221137; thence southerly by that road and the western boundaries of allotments 113C and 114 to the Taminick–Wangaratta Road; thence westerly by that road to the north-eastern boundary of allotment 54, Parish of Glenrowan; thence south-easterly by that boundary to the most eastern angle of that allotment; thence south-easterly by a direct line to the north-western angle of allotment 71; thence south-easterly by the south-western boundaries of that allotment and allotment 72 to the southern boundary of allotment 71A; thence south-westerly by that boundary and the south-eastern boundary of allotment 74A and further south-westerly by the road forming north-western boundary of the Township of Glenrowan to the Glenrowan–Boweya Road; thence south-easterly by that road to the Old Hume Highway; thence south-westerly by that highway and the Hume Freeway to Chivers Road; thence south-easterly by that road to the road forming the eastern boundary of allotment 86A, Parish of Glenrowan; thence southerly by that road to the northern boundary of the Parish of Lurg; thence

westerly by that boundary to the eastern boundary of Lot 2 on Plan of Subdivision 429142; thence southerly by that boundary and south-westerly by the south-eastern boundary of the Lot 2 to Kellys Gap Road; thence southerly and easterly by the western and southern boundaries of allotment 63, Parish of Lurg to the western boundary of Lot 2 on Plan of Subdivision 207063; thence southerly by that boundary to Croxfords Road; thence south-westerly by that road to the western boundary of allotment 39; thence southerly by that boundary and the western boundary of allotment 40B and easterly by the southern boundary of the latter allotment and Lots 1 and 2 on Plan of Subdivision 84562 to the eastern boundary of the parish; thence southerly by that boundary to the Upper Lurg Road; thence south-easterly by that road to Kilfeera Road; thence south-westerly by that road to the western boundary of the Parish of Myrree; thence southerly by that boundary to the south-western angle of allotment 31C; thence south-easterly by a direct line to the north-eastern angle of Lot 1 on Plan of Subdivision 439830; thence southerly by the eastern boundary of that lot and Lot 2 and the road forming the eastern boundary of allotment 108 to the southern boundary of the parish; thence easterly by that boundary to Middle Creek; thence southerly by that creek to the road at the north-eastern angle of allotment 27, Parish of Toombullup; thence south-easterly by that road to Healys Road; thence generally southerly by that road, Old Tolmie Road and the road forming the western boundary of allotment 31 to the road forming the southern boundary of that allotment; thence easterly by that road to the road forming the south-western boundary of allotment 62; thence south-easterly by that road to the road forming the western boundary of allotment 63B; thence southerly by that road to the Mansfield-Whitfield Road; thence westerly by that road to Holland Creek; thence north-westerly by that creek to the southern boundary of the Parish of Moorag; thence westerly, southerly, south-westerly, north-westerly and again westerly by that boundary to the eastern boundary of the Parish of Nillahcootie; thence southerly by that boundary to Back Creek; thence north-westerly by that creek to the Broken River; thence southerly by that river to Lake Nillahcootie; thence southerly by the western shore of Lake Nillahcootie to Sandy Creek; thence south-westerly by that creek to its source in the Strathbogie Ranges at Mount Strathbogie; thence westerly by a direct line to the junction of Harpers No. 3 Track with Ferraris Track; thence north-westerly by Ferraris Track to Barjarg Road; thence north-westerly by that road to the southern boundary of allotment 8A, section C, Parish of Too-rour; thence generally westerly by that boundary to Bonnie Doon Road; thence northerly by that road to the southern boundary of allotment 19; thence easterly, northerly and westerly by the southern, eastern and northern boundaries of that allotment to the eastern boundary of allotment 20; thence northerly by that boundary to the road forming the south-eastern boundary of allotment 9, section D, Parish of Lima; thence north-easterly by that road and a road (now closed by **Victorian Plantations Corporation Act 1993**) to the road (now closed by **Victorian Plantation Corporation Act 1993**) forming the northern boundary of former allotment 9B; thence westerly and south-westerly by that closed road to the north-eastern boundary of allotment 8; thence north-westerly by that boundary and south-westerly, north-westerly and again south-westerly by the northern boundary of that allotment to the road forming the north-eastern boundary of Lot 3 on Plan of Subdivision 206232; thence north-westerly by that road to the northern boundary of Lot 2; thence westerly by that boundary and the northern boundary of Lot 1 to the eastern boundary of allotment 5; thence northerly by that boundary to the road forming its northern boundary; thence westerly by that road to Chapmans Road; thence northerly by that road to Desaillys Lane, being a point on the western boundary of the former land vested in the Victorian Plantations Corporation; thence generally northerly by that boundary to Kays Track; thence generally northerly by that track to the southern boundary of allotment 81B, Parish of Warrenbayne; thence northerly by the road forming the western boundaries of allotments 81B, 81A and 80C to the road forming the northern boundary of the latter allotment; thence easterly by that road to the road forming the eastern boundary of allotment 79; thence northerly by that road and McEwan Lane to McPherson Road; thence westerly by that road to Depot Road; thence northerly by that road, the road forming the western boundary of the Township of Baddaginnie and the Baddaginnie-Goomalibee Road to the road forming the southern boundary of Lot 2 on Plan of Subdivision 136027; thence westerly by that road to the western boundary of the parish; thence northerly by that boundary and the western boundary of the Parish of Goomalibee to the Broken

River; thence westerly by that river to the eastern boundary of the Parish of Currawa; and thence northerly by that boundary and Benalla Boundary Road to South Boundary Road being the point of commencement.

**SCHEDULE 2**  
**BOUNDARIES OF THE MUNICIPAL DISTRICT OF**  
**THE MANSFIELD SHIRE COUNCIL**

Commencing on the Mansfield–Whitfield Road at Holland Creek; thence southerly by Holland Creek to a point in line with the northern boundary of allotment 12B, section A, Parish of Dueran East; thence westerly by a line and the northern boundary of that allotment to the road forming the western boundary thereof; thence southerly by that road and the road forming the western boundary of allotment 11A, section A to the road forming the north-eastern boundary of allotment 9, section A; thence south-easterly by that road and the road forming the north-eastern boundary of allotment 24B, section B to Combatong Road; thence generally south-easterly by that road to the southern boundary of allotment 8, section C; thence easterly by that boundary and a line in continuation to the King River West Branch; thence south-easterly by a direct line to the Great Dividing Range at the eastern source of the King River near Mt. Howitt; thence southerly by the Great Dividing Range to Mt. Howitt; thence south-westerly by a direct line to Mt. Selma; thence generally north-westerly along the Great Dividing Range to Mt. Matlock; thence north-westerly by the range forming the watershed between the Goulburn River and the Big River to the Big River at Enoch Point; thence northerly by that river to the Big River Arm of Lake Eildon; thence generally north-westerly by the south-western shore of that arm to its mouth; thence northerly by a line to a point 200 metres from the western shore of Lake Eildon; thence westerly and generally north-westerly by a line parallel to and 200 metres from the western shore to a point in line with the southern boundary of allotment 81; Parish of Wappan; thence westerly by a line and that boundary to the western shore of Lake Eildon; thence north-westerly by that shore to the southern boundary of Lot 2 on Plan of Subdivision 406007; thence westerly by that boundary and the northern boundary of the Lake Eildon National Park to the road forming north-eastern boundary of Lot 5 on Plan of Subdivision 316587; thence north-westerly by that road to Maintongoon Road; thence south-westerly by that road to the road forming the northern boundary of allotment 53B, section A, Parish of Maintongoon; thence westerly and north-westerly by that road to the most eastern angle of allotment 33E; thence north-westerly by the road forming the north-eastern boundary of that allotment and allotments 19B and 19D to the road forming the eastern boundary of Lot 1 on Plan of Subdivision 219833; thence northerly by that road to the eastern angle of allotment 48C, Parish of Brankeet; thence westerly by that road to the eastern boundary of allotment 67F, Parish of Merton; thence northerly by that boundary and north-westerly by the northern boundaries of that allotment and allotments 67E and 68E to the southern boundary of allotment 69A; thence easterly by that boundary and north-westerly by the north-eastern boundary of that allotment to the eastern boundary of allotment 70A; thence north-easterly by that boundary and north-easterly and north-westerly by the eastern and north-eastern boundaries of allotment 70 to the road forming the western boundary of allotment 76A; thence northerly by that road to the southern boundary of allotment 84A; thence westerly by that boundary to the MaroonDAH Highway; thence southerly by that highway to the northern boundary of allotment 83; thence westerly by that boundary and northerly and westerly by the eastern and northern boundaries of allotment 82 to the western boundary of allotment 84; thence northerly by that boundary and the road forming the eastern boundaries of allotments 86 and 6 to the northern boundary of the latter allotment; thence westerly by that boundary to the western boundary of the parish; thence northerly by that boundary to the southern boundary of allotment 5, section C, Parish of Garratanbunell; thence westerly by that boundary to the road forming the north-eastern boundary of allotment 5A; thence north-westerly by that road to the most southern angle of Lot 3 on Plan of Subdivision 407668; thence north-easterly by Penny Lane to the Euroa–Mansfield Road at the most western angle allotment 16, section D, Parish of Wondoomarook; thence generally easterly by the road forming the northern boundary of that allotment to the road forming the western boundary of allotment 16, section C; thence southerly by

that road to the southern boundary of that allotment; thence easterly by that boundary and northerly by the road forming the eastern boundary of that allotment to the northern boundary of allotment 23B, section D, Parish of Borodomanin; thence easterly by that boundary and the northern boundary of allotment 23A and southerly by the eastern boundary of the latter allotment to the southern boundary of allotment 19; thence easterly by that boundary and southerly and easterly by the western and southern boundaries of allotment 20D and further easterly by the southern boundary of allotment 28 to the south eastern angle thereof; thence north-easterly by a direct line to the south-eastern angle of allotment 22; thence northerly by the road forming the eastern boundary of that allotment to the eastern boundary of Lot 2 on Plan of Subdivision 147674; thence northerly by that boundary to the southern boundary of allotment 1, section C Parish of Too-rour; thence easterly and northerly by the southern and eastern boundaries of that allotment and further northerly and westerly by the eastern and northern boundaries of allotment 1A, section C to the eastern boundary of Lot 1 on Plan of Subdivision 147674; thence northerly by that boundary and westerly by the northern boundary of that lot to Bonnie Doon Road; thence north-easterly by that road to the southern boundary of allotment 8A, section C; thence easterly by that boundary to Barjarg Road; thence south-easterly by that road to Ferraris Track; thence south-easterly by that track to Harpers No. 3 Track; thence easterly by a direct line to Mount Strathbogie; thence north-easterly by a line to the source of the Sandy Creek in the Strathbogie Range; thence north-easterly by that creek to the western shore of Lake Nillahcootie; thence north-easterly by the western shore to the Broken River; thence northerly by that river to Back Creek; thence south-easterly by that creek to the eastern boundary of the Parish of Nillahcootie; thence northerly by that boundary to the southern boundary of the Parish of Moorngag; thence easterly, south-easterly, north-easterly, northerly and again easterly by that boundary to Holland Creek, and thence south-easterly by that creek to the point of commencement, excluding the Mount Buller and Mount Stirling Alpine Resort Areas.

### **SCHEDULE 3**

#### **WARD BOUNDARIES OF THE MUNICIPAL DISTRICT OF THE BENALLA RURAL CITY COUNCIL**

##### **Lake Mokoan Ward**

Commencing on the western boundary of the City at the Hume Freeway; thence north-easterly by the Hume Freeway to the Benalla-Warrenbayne Road; thence northerly by that road to the Baddaginnie-Benalla Road; thence north-easterly by that road to Cemetery Road; thence northerly and westerly by that road to Steele Road; thence northerly by that road to Goomalibee Road; thence easterly by that road to Nursery Lane; thence northerly by that lane to the Broken River; thence northerly by that river to the junction of Stockyard Creek, commonly known as the Mokoan Outlet Channel; thence generally easterly and north-easterly by that channel to the Lake Mokoan Wall; thence south-easterly by that wall to the Lake Mokoan Water-boundary; thence easterly by that boundary to a point in line with Gould Road; thence south-easterly by a line and that road to the Hume Freeway; thence north-easterly by that Freeway to Chivers Road being a point on the eastern boundary of the City; thence generally north-easterly, northerly, westerly and southerly by the city boundary to the point of commencement.

##### **Mount Samaria Ward**

Commencing on the western boundary of the City at the Hume Freeway; thence generally north-easterly by the Hume Freeway to Kilfeera Road; thence south-easterly by that road to the eastern boundary of the City; thence generally southerly, westerly, south-westerly, north-westerly and northerly by the city boundary to the point of commencement.

##### **Lake Benalla Ward**

Commencing on the eastern bank of Lake Benalla at the Broken River Bridge; thence northerly by that bank to the Broken River; thence generally north-westerly to northerly by that river to the junction of Stockyard Creek, commonly known as the Mokoan Outlet Channel; thence generally easterly and north-easterly by that channel to the Lake Mokoan Wall; thence south-easterly by that wall to the Lake Mokoan Water Boundary; thence easterly by that boundary to a point in line with

Gould Road; thence south-easterly by a line and that road to the North Eastern Railway; thence south-westerly by that railway to a point in line with Salisbury Street North; thence southerly by a line, Salisbury Street North and Salisbury Street to Bridge Street East; thence south-westerly by that street to the point of commencement.

#### **Islands Ward**

Commencing on the Hume Freeway at the Midland Highway; thence northerly by the Midland Highway to Grant Drive; thence easterly by that drive to Olivers Road; thence northerly by that road to Cowan Street; thence easterly by that street to Thomas Street; thence northerly and north-easterly by that street to Bridge Street West; thence easterly by that street to Bridge Street East; thence easterly by that street to Smythe Street; thence south-easterly by that street to Coster Street, thence south-easterly by that street to Kilfeera Road; thence easterly and south-easterly by that road to the Hume Freeway; thence south-westerly by that Freeway to the point of commencement.

#### **Dunlop Ward**

Commencing on the Baddaginnie–Benalla Road at Cemetery Road; thence northerly and westerly by Cemetery Road to Steele Road; thence northerly by that road to Goomalibee Road; thence easterly by that road to Nursery Lane; thence northerly by that lane to the Broken River; thence south-easterly by that river to the eastern bank of Lake Benalla; thence southerly by that bank to the Broken River Bridge; thence south-westerly by that Bridge to Bridge Street West; thence south-westerly and westerly by that street to Baddaginnie–Benalla Road; thence south-westerly by that road to the point of commencement.

#### **Churchill Ward**

Commencing on the Hume Freeway at the Benalla–Warrenbayne Road; thence northerly by the Benalla–Warrenbayne Road to the Baddaginnie–Benalla Road; thence north-easterly by that road to Bridge Street West; thence north-easterly by that road to Thomas Street; thence southerly by that street to Cowan Street; thence westerly by that street to Olivers Road; thence southerly by that road to Grant Drive; thence westerly by Grant Drive to the Midland Highway; thence southerly by the Midland Highway to the Hume Freeway; thence generally westerly by the Hume Freeway to the point of commencement.

#### **Winton Ward**

Commencing on the Hume Freeway at Chivers Road being a point on the eastern boundary of the City; thence south-westerly by the Hume Freeway to a point in line with Gould Road; thence northerly by that road to the North Eastern Railway; thence south-westerly by that railway to point in line with Salisbury Street North; thence southerly by a line, Salisbury Street North and Salisbury Street to Bridge Street East; thence south-westerly by that street to Smythe Street, thence south-easterly by that street to Coster Street; thence south-easterly by that street to Kilfeera Road; thence south-easterly by that road to the eastern boundary of the City; thence generally northerly by the city boundary to the point of commencement.

### **SCHEDULE 4**

#### **WARD BOUNDARIES OF THE MUNICIPAL DISTRICT OF THE MANSFIELD SHIRE COUNCIL**

#### **Bonnie Doon Ward**

Commencing on Sandy Creek at Barjarg Road; thence south easterly by Barjarg Road to Harpers Road; thence easterly by that road to the Barjarg–Glen Creek Road; thence south-westerly by that road to Johnstons Road; thence easterly by that road to the Midland Highway; thence southerly by that highway to the Midland Link Highway; thence south-westerly by that highway to the Maroondah Highway; thence easterly and south-easterly by that highway to Fords Creek; thence southerly and westerly by that creek to Lake Eildon; thence generally south-westerly by a line through Ford Inlet and generally westerly by a line through Lake Eildon to the boundary of the Lake Eildon National Park at the southern boundary of allotment 73, Parish of Wappan, (near Doak Point), being a point on the south-western boundary of the Shire; thence north-westerly and north-easterly by the shire boundary to the point of commencement.

**Mansfield Ward**

Commencing on the Maroondah Highway at Fords Creek; thence south easterly by the Maroondah Highway to Withers Lane; thence northerly by that lane to Lakins Road; thence easterly by that road to the northern boundary of Lot 6, section 15 on Plan of Subdivision 3180; thence easterly and southerly by the northern and eastern boundaries of that lot to the northern boundary of Lot 2 on Plan of Subdivision 91412; thence easterly by that boundary and the northern boundary of Lot 1 of Plan of Subdivision 91412 to the western boundary of Lot 2 on Plan of Subdivision 73946; thence north-easterly and south-easterly by the north-western and north-eastern boundaries of that lot to McLeod Road; thence south-easterly by that road to Graves Road; thence north-easterly by that road to Scully Road; thence southerly by that road to Mt. Buller Road; thence south-easterly and easterly by that road to the Boorolite–Chapel Hill Road; thence southerly and south-easterly by that road to Shanks Lane; thence north-easterly and easterly by that lane to Howqua Track; thence south-easterly and south-westerly and again south-easterly by the Howqua Track to the south-eastern angle of allotment 1, Township of Howqua, Parish of Changue; thence easterly by the road forming the northern boundaries of allotments 13, 14, 18, and 19 to the road forming the north-eastern boundary of allotment 22; thence southerly and easterly by that road to north-eastern angle of Lot 6 on Plan of Subdivision 140268; thence southerly by the eastern boundary of that lot and further southerly by a line in continuation to the Howqua River; thence generally westerly by that river to the Howqua Bridge at the Mansfield–Woods Point Road; thence northerly by that road to the Piries–Goughs Bay Road; thence south westerly by that road to the intersection of that road, Walshes Road and Howes Creek–Goughs Bay Road; thence northerly by the Howes Creek–Goughs Bay Road to Brack Bridge at the Delatite River; thence westerly by that river to the Lake Eildon; thence south-westerly, north-westerly by a line through Delatite Arm to Ford Inlet; thence north-easterly by a line through Ford Inlet to Ford Creek, and thence northerly by that creek to the point of commencement.

**Tolmie Ward**

Commencing on Sandy Creek at Barjarg Road; thence south easterly by Barjarg Road to Harpers Road; thence easterly by that road to the Barjarg–Glen Creek Road; thence south-westerly by that road to Johnstons Road; thence easterly by that road to the Midland Highway; thence southerly by that highway to the Midland Link Highway; thence south-westerly by that highway to the Maroondah Highway; thence easterly and south-easterly by that highway to Fords Creek; thence south-easterly by the Maroondah Highway to Withers Lane; thence northerly by that lane to Lakins Road; thence easterly by that road to the northern boundary of Lot 6, section 15 on Plan of Subdivision 3180; thence easterly and southerly by the northern and eastern boundaries of that lot to the northern boundary of Lot 2 on Plan of Subdivision 91412; thence easterly by that boundary and the northern boundary of Lot 1 of Plan of Subdivision 91412 to the western boundary of Lot 2 on Plan of Subdivision 73946; thence north-easterly and south-easterly by the north-western and north-eastern boundaries of that lot to McLeod Road; thence south-easterly by that road to Graves Road; thence north-easterly by that road to Scully Road; thence southerly by that road to Mt. Buller Road; thence south-easterly and easterly by that road to the Boorolite–Chapel Hill Road; thence southerly and south-easterly by that road to Shanks Lane; thence north-easterly and easterly by that lane to Howqua Track; thence south-easterly and south-westerly and again south-easterly by the Howqua Track to the south-eastern angle of allotment 1, Township of Howqua, Parish of Changue; thence easterly by the road forming the northern boundaries of allotments 13, 14, 18, and 19 to the road forming the north-eastern boundary of allotment 22; thence southerly and easterly by that road to north-eastern angle of Lot 6 on Plan of Subdivision 140268; thence southerly by the eastern boundary of that lot and further southerly by a line in continuation to the Howqua River; thence westerly and south-westerly by that river to the north-west angle of allotment 1B, section A, Parish of Warrambat; thence south easterly by the western boundary of this allotment to the north-western angle of allotment 1, section A, Parish of Warrambat; thence southerly by the western boundary of this allotment to the north-western boundary of allotment 2C, Section A, Parish of Warrambat which forms part of the Howqua Hills Track; thence southerly by the Howqua Hills Track to Steiners Road; thence easterly and southerly by that road to Mitchells Track; thence generally south-easterly

by that track to the junction of the Jamieson River and Jamieson River South Branch at Wrens Flat; thence south-easterly by the Jamieson River South Branch to a point due west of Mt. McKinty; thence east by a direct line to Mt. McKinty; thence easterly in a direct line from Mt. McKinty to the junction of the Barkly River West and East Branches; thence generally southerly along the Barkly River to a point on the south-eastern boundary of the Shire; thence north-easterly, north-westerly and generally westerly by the shire boundary to the point of commencement. Excluding the Mount Buller and Mount Stirling Resort Areas.

#### **Jamieson Ward**

Commencing at the intersection of the Piries-Goughs Bay Road and the Mansfield-Woods Point Road; thence southerly to south-easterly by the Mansfield-Woods Point Road to the Howqua Bridge at the Howqua River; thence generally easterly, south-easterly and north-easterly by that river to the north-west angle of allotment 1B, Section A, Parish of Warrambat; thence south-easterly by the western boundary of that allotment to the north-western angle of allotment 1, section A, Parish of Warrambat; thence southerly by the western boundary of this allotment to the north-western boundary of allotment 2C, Section A, Parish of Warrambat which forms part of the Howqua Hills Track; thence southerly by the Howqua Hills Track to Steiners Road; thence easterly and southerly by that road to Mitchells Track; thence generally south-easterly by that track to the junction of the Jamieson River and Jamieson River South Branch at Wrens Flat; thence south-easterly by the Jamieson River South Branch to a point due west of Mt. McKinty; thence east by a direct line to Mt. McKinty; thence easterly in a direct line from Mt. McKinty to the junction of the Barkly River West and East Branches; thence generally southerly along the Barkly River to a point on the south-eastern boundary of the Shire; thence south-westerly, westerly and north westerly by the shire boundary to the southern boundary of allotment 73 Parish of Wappan (near Doak Point) being a point on the northern boundary of Lake Eildon National Park; thence northerly, easterly and south-easterly by a line through Lake Eildon to the Delatite Arm of Lake Eildon; thence south-easterly by a line through the Delatite Arm to the Delatite River; thence easterly by the Delatite River to Brack Bridge at Howes Creek-Goughs Bay Road; thence south-easterly by Howes Creek-Goughs Bay Road to the intersection of that road, Walshes Road and Piries-Goughs Bay Road; thence north-easterly by Piries-Goughs Bay Road to the point of commencement.

#### **SCHEDULE 5**

#### **ADMINISTRATOR**

1. An Administrator is entitled to receive—
  - (a) an annual remuneration;
  - (b) any travelling allowance or subsistence allowances, including accommodation expenses; and
  - (c) any other allowances in relation to expenses incurred in the discharge of his or her duties –

that the Minister may from time to time determine in respect of the Administrator.
2. Such allowances and expenses are to be paid by the relevant Councils.
3. An Administrator must during the period of administration—
  - (a) ensure that the operations of a relevant Council are carried out in the most efficient and economic manner possible;
  - (b) report to the Minister on such matters and at such intervals as the Minister may specify.
4. An Administrator must exercise his or her powers and perform his or her functions subject to any written directions given by the Minister.
5. An Administrator—
  - (a) must not, without the consent of the Minister, while in office directly or indirectly engage in any paid employment outside the duties of his or her office;

- (b) may resign the office in writing signed by him or her and delivered to the Governor in Council;
  - (c) may at any time be removed from office by the Governor in Council.
6. If an Administrator –
- (a) becomes bankrupt or his or her property becomes in any manner subject to control under the law relating to bankruptcy;
  - (b) is convicted of an indictable offence or of an offence which, if committed in Victoria, would be an indictable offence;
  - (c) becomes incapable of performing the duties of office;
  - (d) is removed from office or resigns the office; or
  - (e) dies–
- the office of an Administrator becomes vacant.
7. During the absence from office or illness of an Administrator, a person nominated by the Minister shall act in the place of the Administrator and while so acting shall have, exercise and discharge all the responsibilities, liabilities, rights, powers, authorities, duties and functions conferred or imposed on the Administrator by or under this Order.
8. An act or decision of an Administrator is not invalid by reason only of a defect or irregularity in or in connection with the appointment of an Administrator or that Administrator, as the case may be.
9. No person shall be concerned to inquire whether any occasion had arisen requiring or authorising a person to act in the place of an Administrator and all acts or things done or omitted to be done by the person, while so acting, shall be as valid and effectual and shall have the same consequence as if the acts or things had been done or omitted to be done by the Administrator.
10. Where provision is made in any Act, regulation, rule, by-law, local law, instrument or document–
- (a) for the Mayor, a Councillor or a member of a committee of the relevant Council or a former Council, to be a member of or to be represented on a board, Council, committee, commission or other body, or to be a trustee, or to be a member or director of a company, that provision has effect during the period of administration as if it provided for an Administrator or some other person appointed by an Administrator to be that member, representative, trustee or director.
  - (b) for a Council to appoint a Councillor to be the representative of the Council that provision has effect during the period of administration as if it provided for an Administrator or some other person nominated by an Administrator to be the representative; or
  - (c) for a member of a board, Council, committee, commission or other body to be appointed from a panel of Councillors of municipal Councils, that provision has effect during the period of administration as if it provided for some other person nominated by an Administrator to be included in the panel.
11. Sections 71, 74, 74B and 75 of the Act do not apply to an Administrator.
12. Except as provided for in this Order the procedure for meetings of a relevant Council may be determined by the Administrator.
13. The persons specified in Column 1 of Schedule 7 are appointed to administer the relevant Council specified in Column 2 of Schedule 7 from 6:00am on the appointed day until 9:00am on the day on which the first meeting of the relevant Council specified in Column 2 of Schedule 7 is held following the first election of Councillors for the relevant Council.



**SCHEDULE 6  
APPOINTMENT OF CEO**

1. The persons specified in Column 3 of Schedule 7 are appointed as CEO of the relevant Council from 6:00am on the appointed day until such time as the relevant Council appoints a CEO in accordance with Part 4 of the Act.
2. A CEO is entitled to receive—
  - (a) an annual remuneration;
  - (b) any travelling allowance or subsistence allowances, including, if required, accommodation expenses; and
  - (c) any other allowances in relation to expenses incurred in the discharge of his or her duties –

that the Minister may from time to time determine in respect of the Interim CEO.
3. Such allowances and expenses are to be paid by the relevant Councils.
4. A CEO must during the period of administration ensure that the operations of a relevant Council are carried out in the most efficient and economic manner possible and in accordance with the Act.
5. During the period of administration all rights and entitlements, other than remuneration, accrued on behalf of the CEO at his or her place of employment immediately preceding the appointment under this Order shall continue, including any terms of any contract.
6. The person specified in column 3 of Schedule 7 is the person authorised to exercise the powers and perform the duties and functions conferred or imposed on Chief Executive Officers by this or any other Order, the Act and any other Act until revoked by the relevant Council specified in column 2 of Schedule 7.

**SCHEDULE 7  
APPOINTMENTS**

<i>Column 1 Administrator</i>	<i>Column 2 Councils</i>	<i>Column 3 Interim CEO</i>
Joanne Anderson	Benalla Rural City Council	Wayne Harvey
Vernon (Vern) Robson	Mansfield Shire Council	Wayne Wallis

**TENDERS**



AUDITOR GENERAL  
VICTORIA

**PROVISION OF PRACTICE MANAGEMENT SYSTEM**

The Victorian Auditor-General's Office is calling for tenders from suitably qualified individuals or organisations for the provision of an automated Practice Management System.

The successful tenderer will provide and implement an integrated solution that supports the Auditor-General's time recording, billing and contract management requirements. The aim is to have the System fully operational by June 2003.

Tender documentation can be obtained from 9.00 a.m., Monday, 14 October 2002, either by download from [www.audit.vic.gov.au/pmstender.html](http://www.audit.vic.gov.au/pmstender.html) or by sending a request to [pmstender@audit.vic.gov.au](mailto:pmstender@audit.vic.gov.au)

A tender briefing session will be held at 10.00 a.m. on Monday, 21 October 2002 at the Victorian Auditor-General's Office.

Respondents are to lodge 2 hard copies and one electronic version of the tender documentation marked "CONFIDENTIAL, Reference No 07.01.06/06 Practice Management System" by 2.00 p.m., Wednesday, 6 November 2002 in the Tender Box located at the Victorian Auditor-General's Office, Level 34, 140 William Street, Melbourne, Vic. 3000.

Please direct any other queries and questions to [pmstender@audit.vic.gov.au](mailto:pmstender@audit.vic.gov.au) or to Bruce Healy on (03) 8601 7049.

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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 Information Victoria, 356 Collins Street, Melbourne on the date specified:

95. <i>Statutory Rule:</i>	Fair Trading (Prescribed Safety Standard for Baby Walkers) Regulations 2002
<i>Authorising Act:</i>	Fair Trading Act 1999
<i>Date first obtainable:</i>	15 October 2002
<i>Code A</i>	

As from 1 April 2002, the pricing structure for the Victoria Government Gazette and Victorian Government Legislation will be as follows.

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As from 17 October 2002

The last Special Gazette was No. 180 dated 15 October 2002

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ISSN 0819-5471

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