



# **Victoria Government Gazette**

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**No. G 39 Thursday 23 September 2004**

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**GENERAL**

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**Advertisers Please Note**

As from 23 September 2004

The last Special Gazette was No. 206 dated 22 September 2004.

The last Periodical Gazette was No. 2 dated 23 September 2004.

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  - Craftsman Press Pty Ltd, 125 Highbury Road, Burwood 3125  
(front of building).
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## PRIVATE ADVERTISEMENTS

### SCHEDULE 1 – ACT NO. 391

#### **Abolition of State Aid to Religion, 1871**

The application which was advertised in the Victoria Government Gazette on 1 July 2004 on page 1823 is hereby amended so that the words “temporarily reserved by Order in Council on 3 August 1868 as a site for Presbyterian Church purposes” are replaced with the words “permanently reserved by Order in Council of 26 April 1869 as a site for Presbyterian Place of Worship”.

PETER NICHOLAS ORCHARD  
Moderator of the General Assembly for  
The Presbyterian Church of Victoria.

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#### **Land Act 1958**

Notice is hereby given that Local Mix Concrete has applied for a lease pursuant to Section 134 of the **Land Act 1958** for a term of fifteen (15) years in respect of Crown Allotment 2001, Map OP 121636, County of Grant, Parish of Gherang Gherang, containing 12.95 hectares as a site for gravel extraction.

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#### **Land Act 1958**

Notice is hereby given that Local Mix Concrete has applied for a lease pursuant to Section 134 of the **Land Act 1958** for a term of fifteen (15) years in respect of Crown Allotment 2003, Map OP 122171, County of Grant, Parish of Gherang Gherang, containing 27.26 hectares as a site for gravel extraction.

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#### DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership previously subsisting between Suha Kalkan and Marrem Murat carrying on business as an auction establishment at 40 Merola Way, Campbellfield, under the style of Hume City Auctions, has been dissolved as from the date of this notice.

Dated 6 September 2004

SUHA KALKAN

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LOIS MARY BAKER, late of 15 Coleman Avenue, East Kew, nurse, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 1 April 2004, are required by Helen Mary Ford and Geoffrey Philip Baker, 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.

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FAYE MATTIE EMERSON, late of Unit 8, Lions Village, Kooronga Place, Torquay, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 28 May 2004, are required by John Francis 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.

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MAUREEN MARGARET HAGAN-BROOKS, late of 20 Farquharson Street, Mount Waverley, retired school teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 6 April 2004, are required by David Paul Hagan, Gabrielle Catherine Hagan and John Raymond Cockle, 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.

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Re: Estate of ROBERT MARK KISVARDA, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of ROBERT MARK KISVARDA of 4 Billy Tea Court, Greensborough in the State of Victoria, who died on 2 March 2004, are to send particulars of their claims to the personal representative/s care of the undermentioned solicitors by 24 November 2004 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.

Re: LAMBRINI MIHALOPOULOS, late of 23 Alfreda Avenue, Bulleen, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 June 2004, are required by the trustee, Cathrine Mihalopoulos of 9 Winston Drive, Doncaster, Victoria, to send particulars to the trustee within 60 days from publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

DE MARCO & CO., solicitors,  
209 Glenroy Road, Glenroy 3046.

ROBERT DIGBY HALIBURTON SMITH SHEPPARD (also known as Robert Digby Sheppard), late of 671 Orrong Road, Toorak, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 June 2004, are required by the personal representative, Bernard David Heathcote of 269 Domain Road, South Yarra, to send particulars to him care of the undermentioned solicitors by 1 December 2004 after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

ELLINGHAUS WEILL, solicitors,  
79–81 Franklin Street, Melbourne 3000.

GINO GIOACCHINO NAZZI, late of 5 Carnival Court, Clifton Springs 3222, in the said State, gentleman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 30 January 2004, are required by Dawn Heather Beames and Robert Beames, the executors of the said estate, to send particulars by 29 November 2004 to their solicitors, Gullaci & Gullaci of 158 Bell Street, Coburg, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated 13 September 2004

GULLACI & GULLACI, solicitors,  
158 Bell Street, Coburg, Victoria 3058.

DIANNE JEAN GORANDER, late of 19 Parkview Crescent, Hampton East, company director, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 July 2004, are required by the trustee, care of Harris & Chambers, lawyers of 338 Charman Road, Cheltenham, to send particulars to him by 24 November 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

HARRIS & CHAMBERS, lawyers,  
338 Charman Road, Cheltenham 3192.

NETA SUSAN FRANCES LUBCKE, late of 2/8–10 Centre Dandenong Road, Cheltenham, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 August 2004, are required by the trustee, care of Harris & Chambers, lawyers of 338 Charman Road, Cheltenham, to send particulars to him by 24 November 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

HARRIS & CHAMBERS, lawyers,  
338 Charman Road, Cheltenham 3192.

Re: MAUREEN VIVIAN PEARL SLAVIERO (known as Pearl Salviero), late of 10/32 Lawson Parade, Highett, Victoria, salesperson, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 August 2004, are required by the trustee, care of Harris & Chambers, lawyers of 338 Charman Road, Cheltenham, to send particulars to the trustee by 24 November 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

HARRIS & CHAMBERS, lawyers,  
338 Charman Road, Cheltenham 3192.

Re: Estate of BEATRICE MARJORIE DUNSTAN.

Creditors, next-of-kin and others having claims in respect of the estate of BEATRICE MARJORIE DUNSTAN, late of 1 Nunn Street, Ballarat, Victoria, widow, deceased, who died on 24 July 2004, are to send particulars of their claims to the trustees care of the undermentioned solicitors by 24 November 2004 after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

HEINZ & PARTNERS, solicitors,  
6 Dawson Street North, Ballarat 3350.

Re: LORRAINE MONICA DALY, late of Unit 1, 50 Ophir Street, Golden Square 3555, retired telephonist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 March 2004, are required by the executor, Nicole Mary Williams, to send particulars to her care of the undermentioned legal practitioners by 24 November 2004 after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

HENTY JEPSON & KELLY, solicitors,  
Level 4, 84 William Street, Melbourne 3000  
(all mail to PO Box 224,  
Collins Street West 8007).

Creditors, next-of-kin or others having claims in respect of the estate of JEAN STUART OWENS, late of Central Park Care Facility, 101 Punt Road, Windsor, Victoria, gentlewoman, deceased, who died on 28 July 2004, are to send particulars of their claims to

the executor, care of the undermentioned solicitors by 25 November 2004 after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

JOHN KEATING & ASSOCIATES, solicitors,  
191 Greville Street, Prahran 3181.

Creditors, next-of-kin and others having claims in respect of the Will of MARIA BILARDI, late of 27 Gerbert Street, Broadmeadows, Victoria, widow, deceased, who died on 27 July 2004, are requested to send particulars of their claims to the executor, Salvatore Bilardi, care of the undermentioned legal practitioner by 24 November 2004 after which date he will distribute the assets having regard only to the claims of which he then has notice.

JOHN STEWART, legal practitioner,  
290 Racecourse Road, Newmarket.

Creditors, next-of-kin and others having claims in respect of the estate of STANLEY JAMES KING, late of 14 Ormond Road, Traralgon, Victoria, plant operator, deceased, who died on 28 August 2004, are to send their claims to the trustee, Patricia Joan King of 14 Ormond Road, Traralgon, Victoria, care of the below-mentioned solicitors by 23 November 2004 after which date she will distribute the assets of the deceased having regard only to the claims of which she then has notice.

LITTLETON HACKFORD, solicitors,  
Law Chambers,  
115-119 Hotham Street, Traralgon, Vic. 3844.

Re: VALERIE WRIGHT, late of 2 Beltane Avenue, East Brighton, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 July 2004, are required by the trustee, Faye Lynette Ross, to send particulars to the trustee care of her solicitors, Maddocks of 140 William Street, Melbourne by 22 November 2004, 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.

AXON STAFF TRUST of 2 Monomeeth Drive, Mitcham, Victoria.

Creditors, former unit-holders and others having claims in respect of the Axon Staff Trust, whose distribution date under the Trust Deed for the Axon Staff Trust occurred on sale of the business Axon Computers Pty Ltd in August 2004, are required by the trustee, Axon Staff Holdings Pty Ltd of 2 Monomeeth Drive, Mitcham, Vic. 3132, to send particulars to it (care of the undersigned) by 23 November 2004, after which date the trustee may distribute the assets, having regard only to the claims of which it then has notice.

MEES PARTNERS, lawyers,  
100 Elizabeth Street, Melbourne, Vic. 3000.

FANNY ADA HINDE of Hedley Sutton Community, 2 Gascoyne Street, Canterbury 3126, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the said deceased, who died on 31 May 2004, are required by the personal representatives, George Eric Hinde of 2/11 Coonatta Street, Alfredton 3350 and Stanley Clifford Ayton of 20 Railway Crescent, Moe 3825, to send particulars of their claims to them by 29 November 2004 after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

NOEL STANLEY JACKLING, solicitor,  
16 Elphin Grove, Hawthorn 3122.

Re: JESSIE GIDDINGS, late of 26 Campbell Street, Birchip, Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 January 2004, are required by the trustee, Bruce John Cahoon of 18 Sandlewood Lane, Sanctuary Lakes, Point Cook, Victoria, retailer, nephew of the deceased, to send particulars to the trustee by 25 November 2004 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.

Creditors, next-of-kin and others having claims against the estate of IRENA WOLK, late of 32 Bruce Street, Fawkner in the State of Victoria, widow, deceased, who died on 20 June 2004, are required to send particulars of the claims to the executrix, Katherine Maria Reinke, care of the undermentioned solicitor by 6 December 2004 after which date she will distribute the estate of the deceased having regard only to the claims of which she then has notice.

PETER GARDINER, solicitor,  
Office 1, 2 Colin Avenue, Warrandyte 3113.

Re: BEATRICE ROSE MARY HOWARD, late of 984 Burke Road, Balwyn, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 June 2004, are required by the trustees, Trust Company of Australia Limited (ACN 004 027 749) of 151 Rathdowne Street, Carlton South, Victoria, Catherine Mary Dobson of 26 Wimba Avenue, Kew, Victoria, company secretary, and Elizabeth Anne Dawson of 33 Dorking Road, Box Hill, Victoria, sales assistant, to send particulars to the trustees by 15 December 2004 after which date the trustees may convey or distribute the assets, having regard only to the claims of which they have notice.

Dated 13 September 2004

RICHMOND & BENNISON, solicitors,  
493 Main Street, Mordialloc 3195.

Re: CLARICE MURIEL CHAFFEY, late of 22 Graf Road, Somerville, Victoria, but formerly of 12/752 The Esplanade, Mornington, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 June 2004, are required by the trustee, Ronald Frederick Sweetser, in the Will called Ron Sweetser of 5 Norman Road, Mount Martha, Victoria, retired, nephew, to send particulars to the trustee by 23 November 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

ROBERTS BECKWITH PARTNERS,  
solicitors,  
216 Main Street, Mornington 3931.



PHYLLIS COLE, late of Rosebud Private Nursing Home, 8–16 Capel Avenue, Rosebud West, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 July 2004, are required by the executor, Sam Stidston of Suite 1, 10 Blamey Place, Mornington, Victoria, to send particulars to him by 27 November 2004, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

STIDSTON & WILLIAMS WEBLAW,  
solicitors,  
Suite 1, 10 Blamey Place, Mornington.

MARY MARJORIE TEHAN, late of 8 Maroo Street, Hughesdale, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 20 August 2001, are required to send particulars of their claim to the executors, Michael Ward Tehan and Elizabeth Anne Tehan, care of the undermentioned solicitors by 25 November 2004 after which date the said executors will distribute the assets having regard only to the claims of which they then have notice.

T. J. MULVANY & CO., solicitors,  
2nd Floor, 51 Queen Street, Melbourne 3000.

Creditors, next-of-kin or others having claims in respect of the estate of KEITH HENRY HERBERT CULL, late of 17 Stirling Street, Ferntree Gully, Victoria, pensioner, deceased, who died on 14 May 2004, are to send particulars of their claim to the executrix, Karen Lynette Cull, care of the undermentioned solicitors by 24 November 2004 after which date the executrix will distribute the assets having regard only to the claims of which she then has notice.

TAYLOR SPLATT & PARTNERS, solicitors,  
454 Nepean Highway, Frankston.

Re: JUNE MONTGOMERIE MCKINNON,  
late of 7 Centre Road, Brighton, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 June 2004, are required to send particulars of their claims to Equity Trustees Limited of 575 Bourke Street, Melbourne 3000 by 10 December 2004 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 Wednesday 20 October 2004 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 Vasilious Binios of Unit 2, 4 Sobar Court, East Keilor, joint proprietor with George Binios, Ilias Binios, Angeliki Binios and Athanasios Binios of an estate in fee simple in the land described on Certificate of Title Volume 7494, Folio 096 upon which is erected a dwelling known as 35 Davey Street, Sunshine.

Registered Mortgage No. M857325C and Covenant 2267367 affect the said estate and interest.

Terms – Cash/Eftpos  
(Debit Cards only/No Credit Cards).  
SW–04–003431–3

Dated 16 September 2004

V. PARKIN  
Sheriff's Office

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

On Wednesday 20 October 2004 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 Sharyn Muscat of 26 Hedgeley Road, Kealba, as shown on Certificate of Title as Sharyn Lee Muscat, joint proprietor with Louis Muscat of an estate in fee simple in the land described on Certificate of Title Volume 8773, Folio 069 upon which is erected a dwelling known as 26 Hedgeley Road, Kealba.

Registered Mortgage No. AB378266T and Covenant No. E155153 affect the said estate and interest.

Terms – Cash/Eftpos  
(Debit Cards only/No Credit Cards).  
SW-04-004068-2

Dated 16 September 2004

V. PARKIN  
Sheriff's Office

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

On Thursday 21 October 2004 at 11.00 a.m. at the Sheriff's Office, Moe Court House, 59 Lloyd Street, Moe (unless process be stayed or satisfied).

All the estate and interest (if any) of Steven Mark Grover of 10 Gillie Crescent, Morwell, joint proprietor with Pauline Maree Grover of an estate in fee simple in the land described on Certificate of Title Volume 8332, Folio 817 upon which is erected a dwelling known as 10 Gillie Crescent, Morwell.

Registered Mortgage No. X098830M affects the said estate and interest.

Terms – Cash only  
CW-04-004363-0

Dated 16 September 2004

V. PARKIN  
Sheriff's Office

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

On Friday 22 October 2004 at 11.00 a.m. at the Sheriff's Office, corner of Little Malop & Fenwick Streets, Geelong (unless process be stayed or satisfied).

All the estate and interest (if any) of George Douglas of 79 Little Ryrie Street, Geelong, joint proprietor with Helen Savakis of an estate in fee simple in the land described on Certificate of Title Volume 10723, Folio 121 upon which is erected a residence known as 79 Little Ryrie Street, Geelong.

Registered Mortgage No. AC049583J affects the said estate and interest.

Terms – Cash only  
SW-03-004963-1

Dated 16 September 2004

V. PARKIN  
Sheriff's Office

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

On Friday 22 October 2004 at 11.00 am. at the Sheriff's Office, corner of Little Malop & Fenwick Streets, Geelong (unless process be stayed or satisfied).

All the estate and interest (if any) of Fon Vei Leow of Unit 1, 237 Packington Street, Geelong, proprietor of an estate in fee simple in the land described on Certificate of Titles Volume 1100, Folio 878, Volume 8712, Folio 032, and Volume 9572, Folio 842, consisting of approximately 94 acres which is vacant land known as 35 Murphys Road, Balliang.

Registered Mortgage No. X297667B and Caveat No. AB987594D affect the said estate and interest.

Travel in a westerly direction along the Western Freeway to Bacchus Marsh; turn left into Bacchus Marsh Road, travel approximately 30 kilometres; turn right into Gilmores Road, left into Box Forest Road, then right into Hannans Road, then right into Murphys Road. The property is located at 35 Murphys Road, Balliang.

Refer RACV Country VicRoads Directory, Edition 5, Map 77, F7.

Terms – Cash only  
CW-03-005580-2

Dated 16 September 2004

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>
FREEMAN McMURRICK PTY LTD			
\$			
G. T. & L. M. Clarke, trading as Granny May's Mt Gambier, Lakes Village, Helen Street, Mt Gambier, SA	337.26	Cheque	05/12/00
Andrew Symons, Equigen, Level 40/55 Collins St, Melbourne	622.79	"	29/12/00
Trivett Classic, 14/8-12 Station Street, Arncliffe, NSW	123.25	"	03/01/01
Robertson R., (Gratzi trading as Coffeone Pty Ltd), Shop 3, 534 Chapel Street, South Yarra	845.09	"	02/05/01
A. Mariani, 4 Lytton Street, Kew	152.25	"	16/07/01
Toorak Village Newsagency, 487 Toorak Road, Toorak	467.59	"	15/10/01
AON Risk Services, G.P.O. Box 4189, Sydney, NSW	838.53	"	"
Aradlay Insurance Brokers Pty Ltd, 90 Kite Street, Orange, NSW	687.51	"	08/11/01
SMB Fleet Management Pty Ltd, P.O. Box 6052, Frenchs Forest, NSW	1,100.00	"	21/12/01
Long Bo Wang, C/- Terry Lally, P.O. Box 285, North Ryde, NSW	500.00	"	06/06/02
Andrew Tyler, Unit 31, 8 Northwood Street, Camperdown, NSW	112.76	"	27/06/02
Nicholas Evans, 62 Ourimbah Road, Mosman, NSW	483.39	"	28/06/02
V. Delios, Shop 3064, Westfield Southland, Nepean Highway, Cheltenham	1,109.13	"	08/08/02
Zuellig Insurance Brokers Pty Ltd, P.O. Box 241, South Yarra	184.63	"	11/10/02
Berwick Insurance Group, P.O. Box 193, Berwick	4,074.74	"	09/12/02
Annis Sedgwick Insurance Brokers, P.O. Box 359, Seven Hills, NSW	4,562.25	"	"
AFM Insurance Brokers Pty Ltd, P.O. Box 10709, Adeliade Street, Brisbane, Qld	1,261.77	"	22/01/03
Annis Sedgwick Pty Ltd, P.O. Box 359, Seven Hills, NSW	649.03	"	28/02/03

04267

CONTACT: LOK TAN, PHONE: (03) 9862 9170, OR BETTY YEO, PHONE: (03) 9862 9146.

**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>
<b>JASON &amp; ROSS, BARRISTERS &amp; SOLICITORS</b>			
	\$		
Barter Banc Pty Ltd, Suite 5B, 303 Burwood Highway, East Burwood	100.00	Cheque	18/09/02
Ian Wilkinson, 220 Glenferrie Road, Malvern	100.00	"	"
Mr A. Myerson, 4 Briarwood Court, East Doncaster	200.00	"	"

04188

CONTACT: NIGEL ROSS, PHONE: (03) 9752 2188.

**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>
<b>MADDOCKS, LAWYERS</b>			
	\$		
Malcolm Calvert Richardson	11,861.58	Cheque	07/02/02

04198

CONTACT: JANELLE ROBINSON, PHONE: (03) 9240 0745.

## PROCLAMATIONS

### ACTS OF PARLIAMENT

#### Proclamation

I, John Landy, Governor of Victoria, declare that I have today assented in Her Majesty's name to the following Bills:

- No. 54/2004 **Gambling Regulation (Amendment) Act 2004**
- No. 55/2004 **Parliamentary Salaries and Superannuation (Amendment) Act 2004**
- No. 56/2004 **Sex Offenders Registration Act 2004**
- No. 57/2004 **Water Industry (Environmental Contributions) Act 2004**

Given under my hand and the seal of Victoria at Melbourne on 21 September 2004.

(L.S.) JOHN LANDY  
Governor  
By His Excellency's Command  
STEVE BRACKS MP  
Premier

- No. 54/2004 (1) Sections 1, 3, 13 and this section come into operation on the day after the day on which this Act receives the Royal Assent.
- (2) The remaining provisions of this Act come into operation on a day or days to be proclaimed.
- No. 55/2004 This Act is deemed to have come into operation on 1 July 2004.
- No. 56/2004 This Act comes into operation on 1 October 2004.
- No. 57/2004 This Act comes into operation on the day after the day on which it receives the Royal Assent.

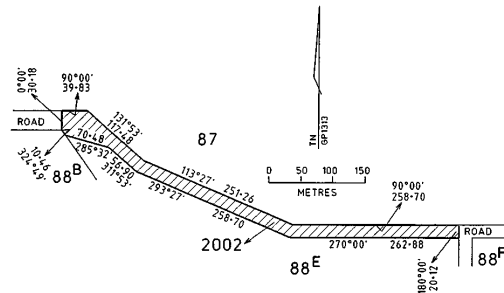
### Land Act 1958

#### PROCLAMATION OF ROAD

I, John Landy, Governor of Victoria with the advice of the Executive Council and under section 25(3)(c) of the **Land Act 1958** proclaim as road the following land:

### MUNICIPAL DISTRICT OF THE NORTHERN GRAMPIANS SHIRE COUNCIL

WALLALOO – The land in the Parish of Wallaloo being Crown Allotment 2002 as shown by hatching on plan hereunder. – (GP1313) – (024487).



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

Given under my hand and the seal of Victoria on the 21st of September 2004.

(L.S.) JOHN LANDY  
Governor  
By His Excellency's Command  
MARY DELAHUNTY MP  
Minister for Planning

**GOVERNMENT AND OUTER BUDGET  
SECTOR AGENCIES NOTICES**

MANNINGHAM CITY COUNCIL

**Domestic (Feral and Nuisance) Animals Act 1994**

Notice is given that at its meeting on 27 July 2004, Council adopted the following order in accordance with Section 26 of the **Domestic (Feral and Nuisance) Animals Act 1994**.

ORDER

Order under S26(2) of the **Domestic (Feral and Nuisance) Animals Act 1994**

1. All dogs in every public area of the municipal district of the Manningham City Council (including those areas set out in Schedule 1 of the Order) must be restrained by means of a chain, cord or leash except as provided below.
2. All dogs and cats are prohibited from public areas of the municipal district of the Manningham City Council that are set out in Schedule 2 of this Order.
3. Dogs may be allowed off a chain, cord or leash in public areas of the municipal district of the Manningham City Council set out in Schedule 3 of this Order, provided that all times the dog is under effective control, and provided that the dog is not within 15 metres of:
  - children's play equipment;
  - a permanent barbecue facility;
  - an organised sporting event; and
  - an approved function or public meeting.

**SCHEDULE 1**

DESIGNATED DOGS ON LEASH AREAS

RESERVE	SUBURB	SIZE (m <sup>2</sup> )	MELWAY	PRECINCT
Dumossa Avenue Reserve	Bulleen	1530	32F6	1
Grant Olson Reserve	Bulleen	1060	32G7	1
Kathleen Grove Reserve	Bulleen	2640	32H8	14
Kim Close Reserve	Bulleen	823	32D6	14
Lilian Street Reserve	Bulleen	789	32H8	14
Lindsay Street Reserve	Bulleen	2000	32J10	13
Riverview Terrace Reserve	Bulleen	4112	32H9	13
Ronald Avenue Reserve	Bulleen	1450	32F6	1
Sandra Street Reserve	Bulleen	2665	32E10	14
Sefton Street Reserve	Bulleen	2368	32G10	13
Stanley Street Reserve	Bulleen	4373	32E9	14
Vista Street Reserve	Bulleen	483	32J10	13
Walter Street Reserve	Bulleen	999	32H8	13
Westwood Drive Reserve	Bulleen	1358	32J11	13
Willow Bend Reserve	Bulleen	3530	32J11	13
York Street Reserve	Bulleen	720	32F7	14
Acheron Street Reserve	Doncaster	2709	47B2	12
Arthur Street Reserve	Doncaster	1011	47E2	11
Brendan Avenue Reserve	Doncaster	2147	33C11	13
Buckingham Crescent Reserve	Doncaster	3108	32K11	13
Carawatha Road Reserve	Doncaster	2367	47C1	12
Cockaigne Street Reserve	Doncaster	1200	47F1	11
Coolabah Street Reserve	Doncaster	1593	47H2	11
Council Street Reserve	Doncaster	655	33F11	11
Davis Street Reserve	Doncaster	2263	47C2	12
Eildon Street Reserve	Doncaster	745	47D3	12
Glenda Street Reserve	Doncaster	913	32J11	13
Hampshire Road Reserve	Doncaster	3674	47G3	11

<b>RESERVE</b>	<b>SUBURB</b>	<b>SIZE (m<sup>2</sup>)</b>	<b>MELWAY</b>	<b>PRECINCT</b>
Hanke Road Reserve	Doncaster	650	47D2	12
Henry Street Reserve	Doncaster	665	33E9	5
Kiewa Street Reserve	Doncaster	680	47H1	11
Kingsnorth Reserve	Doncaster	2175	32J12	13
Merlin Street Reserve	Doncaster	557	47E1	11
Murillo Court Reserve	Doncaster	1394	33F9	5
Rose Street Reserve	Doncaster	662	47D1	11
Roseland Grove Reserve	Doncaster	653	33F10	11
Somerville Street Reserve	Doncaster	1303	33B10	12
Stanton Street Reserve	Doncaster	735	47B3	12
Walker Street Reserve	Doncaster	1011	47E2	11
Westfield Drive Reserve	Doncaster	3984	33E11	11
Winbrook Court Reserve	Doncaster	1692	33D11	11
Aintree Avenue Reserve	Doncaster East	1301	48D1	9
Albany Way Reserve	Doncaster East	1753	34C9	7
Ascot Street Reserve	Doncaster East	840	34B12	10
Baratta Street Reserve	Doncaster East	1872	47K3	10
Beverley Street Reserve	Doncaster East	1964	48D2	10
Bicentennial Court Reserve	Doncaster East	2000	34C8	7
Burge Court Reserve	Doncaster East	863	34E12	9
Butterfly Gardens Reserve	Doncaster East	853	34F9	7
Celeste Street Reserve	Doncaster East	1388	33K12	10
Colchester Drive Reserve	Doncaster East	697	48C1	9
Corsican Avenue Reserve	Doncaster East	1619	34F5	6
Daphne Street Reserve	Doncaster East	795	33J12	9
Deep Creek Drive Reserve	Doncaster East	2717	34F5	6
Deep Creek Drive Reserve (Walkway)	Doncaster East	1200	34G4	6
Fernlea Crescent Reserve	Doncaster East	1433	34D3	6
Fullwood Parade Reserve	Doncaster East	852	34F9	7
Gainsborough Street Reserve	Doncaster East	656	34A12	9
Gaudian Road Reserve	Doncaster East	1960	33K9	9
Gedye Street Reserve	Doncaster East	685	47K3	10
Greendale Road Easement	Doncaster East	2000	48C4	10
Grover Road Reserve	Doncaster East	4693	33H11	11
Happy Valley Reserve (Whickson Court)	Doncaster East	3740	34F7	7
Houndswood Close Reserve	Doncaster East	3938	34B8	7
Huntingfield Drive Reserve	Doncaster East	3975	34D8	7
Jocelyn Court Reserve	Doncaster East	3428	33K12	9
Kerry Close Reserve	Doncaster East	2710	33J12	9
Leawarra Crescent Reserve	Doncaster East	1180	34A9	9
Lionel Street Reserve	Doncaster East	2320	48B3	10
Lord Street Reserve	Doncaster East	610	47J1	11
Maggs Street Reserve	Doncaster East	3761	48C2	10
Maxia Road Reserve	Doncaster East	3670	48B4	10
McKenzie Street Reserve	Doncaster East	1284	34E11	7
Montgomery Street Reserve	Doncaster East	963	48B1	9
Morna Road Reserve	Doncaster East	3430	48B2	10
Prowse Reserve	Doncaster East	10390	34E4	6
Renshaw Street Reserve	Doncaster East	1518	47K3	10
Santa Rosa Boulevard Reserve	Doncaster East	4014	64G9	7

<b>RESERVE</b>	<b>SUBURB</b>	<b>SIZE (m<sup>2</sup>)</b>	<b>MELWAY</b>	<b>PRECINCT</b>
Snow Gum Road Reserve	Doncaster East	3060	34E12	9
Tolstoy Court Reserve	Doncaster East	1951	34B9	9
Wembley Gardens Reserve	Doncaster East	2074	48E1	9
Whistlewood Close Reserve	Doncaster East	2856	34D7	7
Worthing Avenue Reserve	Doncaster East	3680	33K11	9
Mullum Mullum Linear Park	Doncaster East/ Donvale	328620	34H7	7
Allara Court Reserve	Donvale	2889	34G9	16
Argyle Street Reserve	Donvale	703	48D4	16
Astelot Drive Reserve	Donvale	3850	48G4	16
Cameron Close Reserve	Donvale	2810	34G11	16
Chaim Court Reserve	Donvale	2600	49D6	16
Clarice Court Reserve	Donvale	2450	34G12	16
Conos Court Reserve	Donvale	4016	49A1	16
Deontra Close Reserve	Donvale	4006	48G2	16
Drew Close Reserve	Donvale	2323	34G11	16
Edward Street Reserve	Donvale	1136	48K2	16
Flora Road Reserve	Donvale	4560	34J12	16
Garden Road Reserve	Donvale	1000	48J1	16
Hagger Reserve (Pine Ridge Reserve)	Donvale	2276	48F2	16
Holygreen Close Reserve	Donvale	657	48H4	16
Kevin Court Reserve	Donvale	1496	48G5	16
Larna Avenue Reserve	Donvale	2725	48K3	16
Miramar Court Reserve	Donvale	848	34F10	16
Serpells Terrace Reserve	Donvale	600	34G9	16
Andromeda Way Reserve	Lower Templestowe	1174	33D10	3
Balmoral Avenue Reserve	Lower Templestowe	1310	33A8	2
Corroborree Place Reserve	Lower Templestowe	824	32K5	1
Crawford Road Reserve	Lower Templestowe	3080	33C9	3
Crawford Road Reserve	Lower Templestowe	3080	33C9	3
Eric Avenue Reserve	Lower Templestowe	1411	34J12	1
Fulview Court Reserve	Lower Templestowe	650	33E3	4
Gertrude Street Reserve	Lower Templestowe	1446	32J7	1
Glenair Street Reserve	Lower Templestowe	622	33B5	2
Heath Street Reserve	Lower Templestowe	4772	33B5	2
Herlihys Road Reserve	Lower Templestowe	612	33D5	3
Hodgson Street Reserve	Lower Templestowe	2090	32J7	1
Macedon Road Reserve	Lower Templestowe	1310	33A8	2
Marcus Road Reserve	Lower Templestowe	1451	32J8	2
Mayfair Avenue Reserve	Lower Templestowe	900	33B7	2
Memorial Park (High Street/Foote Street)	Lower Templestowe	4000	33C5	4
Michael Street Reserve	Lower Templestowe	1410	33A8	2
Ranleigh Rise Reserve	Lower Templestowe	1360	33B8	2
Richard Street Reserve	Lower Templestowe	1287	32K6	1
Sinclair Avenue Reserve	Lower Templestowe	2943	33C6	3
Tasker Street Reserve	Lower Templestowe	1689	32J8	2
Valerie Street Reserve	Lower Templestowe	650	32K6	1
Ironbark Drive Reserve	Lower Templestowe	2377	33C9	3
Huggins Road Reserve	Mitcham	3760	49B5	16
Rangeview Road Reserve	Mitcham	757	49A5	16



<b>RESERVE</b>	<b>SUBURB</b>	<b>SIZE (m<sup>2</sup>)</b>	<b>MELWAY</b>	<b>PRECINCT</b>
Delatite Court Reserve	North Ringwood	900	35K9	8
100 Acres Reserve	Park Orchards	N/A	35G9	8
Alan Morton Reserve	Park Orchards	N/A	35C11	8
Aviemore Avenue Reserve	Park Orchards	2946	35D11	8
Berringa Road Reserve	Park Orchards	3100	35F11	8
Ennismore Crescent Walkways	Park Orchards	2640	35E12	8
Orchid Court Reserve	Park Orchards	3893	35D9	8
Paddys Lane Reserve	Park Orchards	3040	49B1	8
Smedley Road Reserve	Park Orchards	2850	49D1	16
Coleman Park Reserve (not oval area)	South Warrandyte	43600	35K7	8
Apple Blossom Court Reserve	Templestowe	2854	34B9	6
Applewood Court Reserve	Templestowe	3368	34D7	7
Bebs Court Reserve	Templestowe	909	34A6	6
Bedervale Drive Reserve	Templestowe	2686	34B4	6
Birchgrove Crescent Reserve	Templestowe	1691	33J9	5
Castlewood Place Reserve	Templestowe	2468	33J8	5
Cricklewood Drive Reserve	Templestowe	2160	33H9	5
Edwin Road Reserve	Templestowe	3985	33G3	4
Falfield Place Reserve	Templestowe	3196	34B8	7
Glenvista Court Reserve	Templestowe	780	34C5	6
Hawtin Street Reserve	Templestowe	1012	33G5	4
Hillcroft Drive Reserve	Templestowe	4987	33G8	5
June Crescent Reserve	Templestowe	799	33F5	3
Kenman Close Reserve	Templestowe	1153	33J5	6
McLachlan Street Reserve	Templestowe	835	33E3	4
Merna Drive Reserve	Templestowe	1748	34H4	6
Morecambe Court Reserve	Templestowe	1507	33F4	3
Niland Rise Reserve	Templestowe	980	33H4	4
Noral Court Reserve	Templestowe	2326	34A9	5
Pineview Park Reserve	Templestowe	3938	34B8	7
Princely Terrace Reserve	Templestowe	4419	33K4	4
Tattersson Court Reserve	Templestowe	1638	34B7	7
Tuscany Rise Reserve	Templestowe	9812	33J3	4
Verbena Street Reserve	Templestowe	1802	33F4	4
Brackenbury Street Reserve	Warrandyte	1764	35D1	15
Clematis Court Reserve	Warrandyte	3450	34K6	15
Glamis Court Reserve	Warrandyte	3450	34J6	15
Jennifer Court Reserve	Warrandyte	4585	34K3	15
Kyrenia Court Reserve	Warrandyte	1585	34K3	15
Valley Way Reserve	Warrandyte	820	35D4	15
Aird Court Reserve	Wonga Park	3000	24G12	17
Joroma Place Reserve	Wonga Park	3419	37A5	17
Kerry Anne Crescent Reserve	Wonga Park	1200	37A5	17
Launders Avenue Reserve	Wonga Park	2021	24G11	17
Rowland Court Reserve	Wonga Park	1449	37A6	17
St Denys Crescent Reserve	Wonga Park	2184	24G11	17
Styles Court Reserve	Wonga Park	2347	24H9	17
Teena Court Reserve	Wonga Park	2378	37A5	17
Ward Court Reserve	Wonga Park	3800	24J11	17

## Ruffey Lake Park Doncaster/Templestowe

- the barbecue playground area of the park surrounded by Victoria Street to the east, Ruffey Creek to the south, Cricklewood Drive to the north, and the overhead power lines to the west;
- the barbecue playground area of the park surrounded by the Boulevard to the west, George Street to the south, an extension of the Botanic Drive property line to the east up to the junction of the pathway south of the fenced wetland area as depicted in the hatched areas of the attached map, including all walkways associated with the areas.

All dogs must be restrained by means of a chain, cord or leash as provided below:

- within 15 metres of children's play equipment;
- within 15 metres of a permanent barbecue facility;
- within 15 metres of an organised sporting event; and
- within 15 metres of an approved function or public meeting.

**SCHEDULE 2**

## DESIGNATED DOGS AND CATS PROHIBITED AREAS

RESERVE	SUBURB	MELWAY	PRECINCT
Currawong Bush Park	Donvale	33H6	16
Tindals Wildflower Reserve	Warrandyte	35A3	15
George Street Athletics Track	Doncaster East	33K11	9

**SCHEDULE 3**

## DESIGNATED DOGS OFF LEASH AREAS

RESERVE	SUBURB	SIZE (m <sup>2</sup> )	MELWAY	PRECINCT
Bulleen Park	Bulleen	199500	32B9	1
Harold Street Reserve	Bulleen	10590	32H9	13
Koonung Creek Linear Park	Bulleen	N/A	32J11	13
Koonung Park	Bulleen	80000	32F10	13
Pleasant Road Reserve	Bulleen	5301	32H5	1
Sheahans Road Reserve	Bulleen	N/A	32H5	1
Yarraleen/Morris Williams Reserve	Bulleen	24400	32F8	14
Ruffey Lake Park (excluding the areas deferred in schedule 1.)	Doncaster/ Templestowe	680000	33G9	5
Anthony Avenue Reserve	Doncaster	5143	33A10	12
Burgundy Drive Reserve	Doncaster	16152	33C11	12
Katrina Street Reserve	Doncaster	26300	47B3	12
Koonung Creek Linear Park (including Tram Road Reserve & Eram Park)	Doncaster	42000	47E3	11
Lawford Street Reserve	Doncaster	28500	33C12	12
Marshall Avenue Reserve	Doncaster	22466	47G2	11
Park Avenue Reserve	Doncaster	18000	32J12	13
Saxon Street Reserve	Doncaster	5718	33E11	11
Schramms Reserve	Doncaster	26500	33F11	11
Sharon Street Reserve	Doncaster	5932	33H12	11
Timber Ridge Reserve	Doncaster	40400	32K10	13
Wilsons Road Reserve	Doncaster	9000	47A2	12
Anderson's Park	Doncaster East	26300	34D7	7
Boronia Grove Reserve	Doncaster East	16187	47A4	10
Bulleen Street Reserve	Doncaster East	23740	48K2	10

<b>RESERVE</b>	<b>SUBURB</b>	<b>SIZE (m<sup>2</sup>)</b>	<b>MELWAY</b>	<b>PRECINCT</b>
Cat Jump Park	Doncaster East	22520	34E11	9
Deep Creek Reserve	Doncaster East	40500	34F3	6
Doncaster Reserve	Doncaster East	28000	47K1	10
Hertford Road Reserve	Doncaster East	6070	34A10	9
Koonung Creek Linear Park	Doncaster East	N/A	47J3	10
Landscape Drive Reserve	Doncaster East	16132	34E8	7
Larnoo Drive Reserve (west of dam)	Doncaster East	52791	34G5	6
Lyndal Close Reserve	Doncaster East	8028	34F4	6
Pine Hills Reserve	Doncaster East	13000	34G8	7
Rieschiecks Reserve	Doncaster East	117600	33J10	9
Schafter Drive Reserve	Doncaster East	6751	34F6	6
St Clems Reserve	Doncaster East	24144	48D4	10
The Pines Reserve	Doncaster East	23000	34D5	6
Thea Grove Reserve	Doncaster East	5245	47K3	10
Woodlea Street Reserve	Doncaster East	7856	33J9	9
Zerbes Reserve	Doncaster East	68800	34C10	9
Aranga Reserve	Donvale	19340	48F5	16
Donvale Reserve	Donvale	63200	48F3	16
Fahey Park	Donvale	10809	34F12	16
Illawong/Mullum Drive Reserve	Donvale	11078	34J11	16
Koonung Creek Linear Park (including Darvall Street Reserves)	Donvale	N/A	48E5	16
Lookover Road Reserve	Donvale	8911	49D4	16
Mullum Mullum Reserve	Donvale	110000	34H8	16
Murndal Drive Reserve	Donvale	9712	34J11	16
One Tree Hill Reserve	Donvale	21033	34J12	16
Springwood Close Reserve/Easement	Donvale	6650	34H9	16
Valepark Drive Reserve	Donvale	5986	34G10	16
Woolerton Court Reserve	Donvale	5278	49C5	16
Bimbadeen Park	Lower Templestowe	28415	33A4	1
Dellfield Drive Reserve	Lower Templestowe	9606	33D6	3
Finns Reserve	Lower Templestowe	107200	33B4	1
Lynnwood Parade Reserve	Lower Templestowe	28000	33D8	3
Montpellier Crescent Reserve	Lower Templestowe	11620	33E6	3
Swanston Street Reserve	Lower Templestowe	13460	32H6	1
Ted Ajani Reserve	Lower Templestowe	36600	32K7	2
Hillcrest Reserve (west of tennis court)	Mitcham	6751	48K5	16
Oxford Street Reserve	Nunawading	7946	48G5	16
Alder Court Drainage Reserve	Park Orchards	18500	49C2	8
Dirlton Reserve	Park Orchards	6159	35E12	8
Domeney Reserve	Park Orchards	34500	35E9	8
Iona Grove Reserve	Park Orchards	10013	35F12	8
Park Orchards Reserve	Park Orchards	12667	35D10	8
Stintons Reserve	Park Orchards	128700	35B8	8
Wilkinson Way Reserve	Park Orchards	12760	35G12	8
Aloha Gardens Reserve	Templestowe	800	34A6	7
Atkinson Street Reserve	Templestowe	21980	33C3	4
Browning Drive Reserve	Templestowe	5860	34B8	7
Fielding Way Reserve	Templestowe	6444	34B5	6

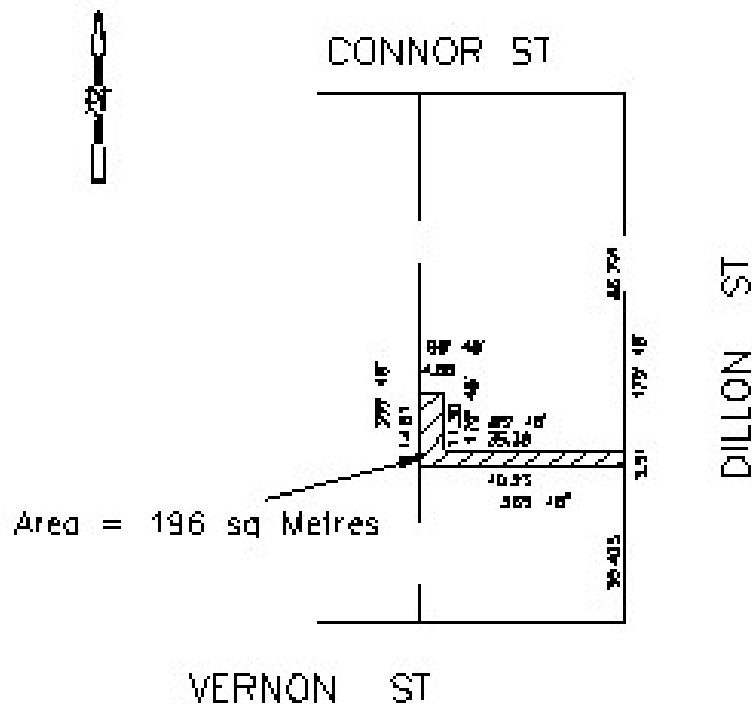
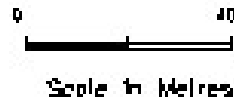
RESERVE	SUBURB	SIZE (m <sup>2</sup> )	MELWAY	PRECINCT
Fitzsimons Lane Reserve	Templestowe	72950	33G1	4
Green Gully Linear Park (including Glendarragh, Clontarf & Hollywood Reserves)	Templestowe	110375	34C4	6
Green Gully Reserve	Templestowe	6627	34C7	7
Hermann Court Reserve	Templestowe	7338	33H3	4
Jenkins Park	Templestowe	12340	34C6	7
Mandella Street Reserve	Templestowe	5060	33H4	4
Matisse Drive Reserve	Templestowe	6720	34C5	6
Mossdale Court Reserve	Templestowe	5081	33H8	5
Pettys Reserve	Templestowe	40360	33K6	6
Ruffey Creek Linear Park (including Kersey Place, Glen Court, Saville Court Reserves)	Templestowe	147500	33G8	5
Sarah Crescent Reserve	Templestowe	6731	33J6	7
Serpells Community Reserve	Templestowe	23010	33K8	5
Spring Valley Drive Reserve	Templestowe	7027	34B3	6
Templestowe Reserve	Templestowe	51000	33G4	4
The Grange Reserve	Templestowe	11933	33J8	5
Wensley Court Reserve	Templestowe	5540	34B8	7
Buck Reserve (except on days of organised horse riding events)	Warrandyte	148000	34H7	15
Diane Court Reserve	Warrandyte		35A2	15
Harris Gully Reserve	Warrandyte	7080	35C2	15
Husseys Lane Reserve (except on days of organised horse riding events)	Warrandyte	N/A	35H6	15
Lynette Avenue Reserve	Warrandyte	7082	35A1	15
Oakland Drive Reserve	Warrandyte	5171	34H2	15
Stiggants Reserve/Warrandyte River Reserve	Warrandyte	69640	23D12	15
Warrandyte Reserve	Warrandyte	53000	35C1	15
Coleman Park Oval	Warrandyte	9000	35K7	8
Arthur John Upton Reserve	Warrandyte	20500	24F11	17
Blackwood Drive Reserve	Warrandyte	7560	24H12	17
Dudley Road Reserve	Warrandyte	10607	24H9	17
Penderel Court Reserve (including Bessa Court Reserve)	Warrandyte	12678	23J10	17
Wittons Reserve	Warrandyte	41000	24K6	17
Wonga Park Reserve	Warrandyte	71200	24G11	17

## SWAN HILL RURAL CITY COUNCIL

## Road Discontinuance

Under Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989** the Swan Hill Rural City Council at its ordinary meeting held on 17 August 2004 formed the opinion that the road shown hatched on the plan below is not reasonably required as a road for public use and resolved to discontinue the road and transfer the land from the road to the abutting owners.

Road Discontinuance  
Formerly part of Lot 1 & 2  
Section One on LP 4207  
Being part of CA "A" Parish of Ulirna



JOHN WEBB  
Chief Executive Officer

MAROONDAH CITY COUNCIL

Notice of Intention to make a  
Road Management Plan

Pursuant to section 54(2) of the **Road Management Act 2004** ("the Act"), Maroondah City Council ("Council") provides notice of its intention to make a road management plan.

The purpose of the proposed road management plan is to –

- establish a management system for the road management functions of Council as a road authority under the Act, which is based on policy and operational objectives and available resources; and
- to set the relevant standard in relation to the discharge of duties in the performance of those road management functions.

The general purport of the proposed road management plan is to –

- set relevant standards and policies in relation to the discharge of duties in the performance of road management functions;
- include details of the management system that Council proposes to implement in the discharge of its duty to inspect, maintain and repair public roads for which Council is the coordinating road authority or the responsible road authority;
- specify the relevant policies and priorities adopted by Council; and
- include any matters that a relevant Code of Practice specifies should be in a road management plan.

The road management plan applies to all public roads included in Council's Register of Public Roads for which Council has made a determination it is the coordinating road authority or responsible road authority within the meaning of sections 36 and 37 of the Act.

A copy of the proposed road management plan can be obtained or inspected at the Council's offices at Braeside Avenue, Ringwood during normal office hours, 8.30 am to 5.00 pm, Monday to Friday.

Any person who is aggrieved by Council's proposed road management plan can make a submission to Council which must be received by Council by no later than 5.00 pm on Thursday 28 October 2004. The submission should be in writing and addressed to Maroondah City Council, Road Management Plan Submission, PO Box 156, Ringwood, Victoria 3134. A committee of Council will consider all written submissions and hear verbal submissions made in relation to the proposed road management plan at a time and date to be advised to all persons making a submission.

MIKE MARASCO  
Chief Executive Officer

MITCHELL SHIRE COUNCIL  
Notice of Intention to Create a  
Road Management Plan

Mitchell Shire Council gives notice that pursuant to Part 4, Division 5, Section 54(4) of the **Road Management Act 2004**, it intends to make a Road Management Plan and invites public submissions from any interested parties.

The purpose of the plan is:

- to provide a description of those roads and the assets located therein, for which Council assumes maintenance responsibility;
- to articulate a Road Management System in respect of Council discharging its duty to inspect, maintain and repair public roads for which it is responsible;
- to identify the relevant maintenance standard that Council will apply, having regard to available resources;
- to educate road users about their rights and obligations.

Persons wishing to comment on this proposed plan may lodge a formal written submission by 5.00 pm on Thursday 21 October 2004 to: Chief Executive Officer, Mitchell Shire Council, 113 High Street, Broadford.

Copies of the proposed Road Management Plan which contains the Public Roads Register are available for inspection at the Mitchell Shire Council, 113 High Street, Broadford.

The Plan can also be viewed on Council's website at [www.mitchellshire.vic.gov.au](http://www.mitchellshire.vic.gov.au).



Proposed Road Management Plan

Notice is hereby given that pursuant to Section 54 of the **Road Management Act 2004** Campaspe Shire Council intends to make a Road Management Plan.

- (i) The purpose of the Road Management Plan is:
  - (a) to establish a management system for the road management function which is based on policy and operational objectives and available resources, and
  - (b) to set the relevant standard in relation to the discharge of duties in the performance of these road management functions.
- (ii) That a copy of the proposed Road Management Plan may be inspected or obtained from the Shire of Campaspe Customer Service Centres, or the plan can be viewed on Council's website located at [www.campaspe.vic.gov.au](http://www.campaspe.vic.gov.au).



- (iii) That any person who is aggrieved by the proposed Road Management Plan may make a submission on the proposed Road Management Plan to the Council within a period of 28 days after the day on which notice is given.

WAYNE HARVEY  
Chief Executive Officer



#### Road Management Plan

Notice is hereby given that Indigo Shire Council proposes to make a Road Management Plan in accordance with the **Road Management Act 2004**.

The purpose of the Plan is to establish a management system to manage Council's road infrastructure. In particular the Plan sets out relevant standards and policies applicable to the standard of governance of the roads within the Indigo Shire for which Council is responsible.

Copies of the proposed Road Management Plan may be obtained from Indigo Shire Council Customer Service Offices at Beechworth, Chiltern, Rutherglen and Yackandandah during normal office hours.

In accordance with Section 54 of the Act, any person may make a submission on the proposed Road Management Plan to Council, within 28 days of the date of this notice.

Submissions must be addressed to Phil Prior, Indigo Shire Council, PO Box 28, Beechworth, 3747.

JOHN P. COSTELLO  
Chief Executive Officer

#### NILLUMBIK SHIRE COUNCIL

##### Notice of Intention to Make a Road Management Plan

Notice is hereby given that pursuant to section 54 of the **Road Management Act 2004**, Nillumbik Shire Council intends to make a road management plan.

The purpose of the plan is to establish a management system for the discharge of Council's road management functions based on

policy and operational objectives and available resources, and to set the relevant standard in relation to the discharge of duties in the performance of those road management functions.

A copy of the proposed road management plan is available on Council's website at [www.nillumbik.vic.gov.au](http://www.nillumbik.vic.gov.au), or from the Shire Office, Civic Drive, Greensborough during office hours.

Any person who is aggrieved by the proposed road management plan may make a submission to the Group Manager Infrastructure Services, Nillumbik Shire Council, PO Box 476, Greensborough, Vic. 3088, or by email to [nillumbik@nillumbik.vic.gov.au](mailto:nillumbik@nillumbik.vic.gov.au) no later than 5.00 pm on 22 October 2004.

CATHERINE DALE  
Chief Executive Officer

#### WYNDHAM CITY COUNCIL

##### Notice of Adoption of a Road Management Plan

Wyndham City Council gives notice that, pursuant to Part 4, Division 5, Section 55(1) of the **Road Management Act 2004** (Act No. 12/2004), it has adopted a Road Management Plan at its meeting on 13 September 2004.

The purpose of the Plan is:

- to provide a description of those roads and the assets located therein, for which Council assumes maintenance responsibility;
- to articulate a Road Management System in respect of Council discharging its duty to inspect, maintain and repair public roads for which it is responsible;
- to identify the relevant maintenance standard that Council will apply, having regard to available resources;
- to educate road users about their rights and obligations.

A copy of the adopted Road Management Plan and Register of Public Roads is available for inspection at the Civic Centre, 45 Princes Highway, Werribee 3030.

BERNIE CRONIN  
Acting Chief Executive Officer

**Planning and Environment Act 1987**

## CARDINIA PLANNING SCHEME

## Notice of Preparation of Amendment

## Amendment C49

The Cardinia Shire Council has prepared Amendment C49 to the Cardinia Planning Scheme.

The Amendment applies to approximately 17.12 hectares in Racecourse Road, Pakenham, more particularly described as:

- Lot B, LP 206993U (Volume 9778, Folio 353);
- Lot 4, LP 206993U (Volume 9778, Folio 353);
- Lot 5, LP 206993U (Volume 9778, Folio 353).

The Amendment proposes to:

- rezone the land from Industrial 1 Zone to the Comprehensive Development Zone – Schedule 3;
- introduce Schedule 3 to the Comprehensive Development Zone;
- introduce the Racecourse Road, Pakenham Comprehensive Development Plan as an incorporated document in the Cardinia Planning Scheme.

The purpose of the Amendment is to enable the land to be developed as a comprehensively planned and developed residential community, principally for retirement accommodation.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Cardinia Shire Council, Henty Way, Pakenham; at the Department of Sustainability and Environment, Planning Information 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 may make a submission to the planning authority.

The closing date for submissions is 25 October 2004. A submission must be sent to the Cardinia Shire Council, PO Box 7, Pakenham, Victoria 3810.

**Planning and Environment Act 1987**

## MURRINDINDI PLANNING SCHEME

## Notice of Amendment

## Amendment C14

Murrindindi Shire Council has prepared Amendment C14 to the Murrindindi Planning Scheme.

The Amendment affects general areas throughout the municipality.

The Amendment:

1. rezones land in the Alexandra, Yea and Buxton townships from Rural and Residential to Low Density Residential;
2. rezones land near the Alexandra, Buxton, Eildon, Glenburn, Marysville, Taggerty, Yarck and Yea townships from Rural to Rural Living, with a minimum subdivision size of 4 hectares and average subdivision size of 6 hectares;
3. rezones land near the Alexandra and Yea townships from Rural to Rural Living, with a minimum subdivision size of 20 hectares;
4. applies the Development Plan Overlay 3 (Low Density Residential) to land to be zoned Low Density Residential in the Alexandra, Buxton, Yea townships to guide future residential subdivision and development;
5. amends seven clauses in the Municipal Strategic Statement to implement the Rural Residential Study, Murrindindi Shire, March 2004 and include the Goulburn Broken Regional Catchment Strategy, November 2003 and Rural Living Development Guidelines, Murrindindi Shire, March 2004 as reference documents to the scheme;
6. deletes Clause 22.01-1, Rural Living, from the scheme;
7. amends the Schedule to Rural Living Zone to include new subdivision sizes of 4 hectares minimum (6 hectares average) and 20 hectares minimum (in accordance with two maps to be included as part of the schedule for the Alexandra and Yea areas), and require a planning permit for dwellings on any lot of less than 100 hectares;
8. amends the Schedule to Low Density Residential Zone to provide a minimum

subdivision size of 2 hectares for land west of Halls Flat Road, Alexandra;

9. amends Schedule 3 (Low Density Residential) to the Development Plan Overlay to provide a more performance based approach to guide future low density residential subdivision and development.

A copy of the Amendment, supporting documents and explanatory report can be inspected, free of charge, during office hours, at the Alexandra, Yea or Kinglake offices of the planning authority, Murrindindi Shire Council; Department of Sustainability and Environment regional office, 35 Sydney Road, Benalla; and Department of Sustainability and Environment head office (Planning and Development), Nauru House, 80 Collins Street, Melbourne.

Any person who may be affected by the Amendment may make a submission to the planning authority. The closing date for submissions is 26 November 2004. Submissions about the Amendment must be sent to D. D. Hogan, Chief Executive Officer, Murrindindi Shire Council, PO Box 138, Alexandra 3714 by 26 November 2004.

D. D. HOGAN  
Chief Executive Officer  
Murrindindi Shire Council

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

#### **WODONGA PLANNING SCHEME**

#### **Notice of Amendment to a Planning Scheme Amendment C39**

The Wodonga City Council has prepared Amendment C39 to the Wodonga Planning Scheme. The Amendment affects a section of unused road reserve forming part of Moorefield Park Drive, east of the intersection of Romet Road, Wodonga West. The site occupies a total area of 1300 square metres and is proposed to be sold by the City of Wodonga.

The Amendment proposes map changes to the Wodonga Planning Scheme, to rezone the land from a Road Zone 2 to a Business 4 Zone.

The Amendment can be inspected at: the City of Wodonga Offices, Hovell Street, Wodonga; Regional Office, Department of Sustainability and Environment, 35 Sydney Road, Benalla; and Department of Sustainability

and Environment, Planning Information Centre, Nauru House, 80 Collins Street, Melbourne.

Submissions in writing in respect of the Amendment must be sent to the City of Wodonga, PO Box 923, Wodonga, Vic. 3689 by Monday 25 October 2004.

PETER MARSHALL  
Chief Executive Officer

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 1 December 2004 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.

HALL, Brian Martin, formerly of 2/288 St Georges Road, Thornbury, but late of St Georges Hospital, 283 Cotham Road, Kew, Victoria 3101, pensioner and who died on 9 September 2004.

KINNA, Lotte, late of Kirkbrae Homes, 794 Mt Dandenong Road, Kilsyth, Victoria 3137, pensioner and who died on 2 August 2004.

POWELL, Michael Anthony, late of Flat 8, 342 Princes Street, Port Melbourne, Victoria 3207, mail supervisor, and who died on 30 June 2004.

SMITH, Ronald Wilfred, late of Gladswood Lodge, 15 Waxman Parade, Brunswick West, and who died on 8 August 2004.

Dated 22 September 2004

DAVID BAKER  
Manager  
Executor and Trustee Services

### **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:-

SYLVIA EDITH JOYCE CLARKE, late of 70 Gladesville Boulevard, Patterson Lakes, Victoria, retired, deceased, who died on

3 August 2004 leaving a Will dated 17 February 1983.

GRAEME HOLDSWORTH, late of Caritas Christas Hospice, 104 Studley Park Road, Kew, Victoria, pensioner, deceased intestate, who died on 13 July 2004.

JURAJ RADOCAJ (also known as George Radogaj), late of 2/469 Princes Highway, Noble Park, Victoria, pensioner, deceased intestate, who died on 6 May 2004.

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 1 December 2004 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.

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 26 November 2004 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.

BAYLY, Roy Alan, late of 176 Furlong Road, St Albans, Victoria, pensioner and who died on 18 May 2004.

BOYD, Janet Cathey, late of 4 Hill Street, Thornbury, widow and who died on 3 September 2004.

COPPERWAITE, Robert John, late of 526 Mair Street, Ballarat, pensioner and who died on 24 February 2004.

DANIELLS, Kathleen Bearne, late of 65 Victoria Road, Langwarrin South, retired and who died on 23 July 2004.

HAY, Helen Agnes, late of Unit 2/36 Blackwood Drive, Narre Warren, pensioner and who died on 12 August 2004.

MARRIOTT, Michael John, late of 12 Matthew Street, Tooradin, Victoria, slaughterman and who died on 24 April 2004.

McCAFFERTY, Alan, late of 1/30 Pickett Street, Dandenong 3175, and who died on 5 January 2004.

MILLS, Thomas, late of Reg Geary House, 54 Pinnacle Crescent, Melton South, Vic. 3338, retired and who died on 1 July 2004.

MUNT, Harry Scott, late of 1/36 Hotham Street, Ballarat, retired and who died on 2 July 2004.

OVERALL, William Henry, late of 42 Dendy Street, Brighton, Vic. 3186, and who died on 1 June 2004.

Dated 17 September 2004

DAVID BAKER  
Manager  
Executor and Trustee Services

#### EXEMPTION

Application No. A311 of 2004

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act) by Nicole Shobbrook (the applicant). The application for exemption is to enable the applicant to advertise for and employ females only and to provide in-home computer training services to women only.

Upon reading the material filed in support of this application by Nicole Shobbrook, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 42, 100 and 195 of the Act to enable the applicant to advertise for and employ female employees only and to provide in-home computer training services to women only.

In granting this exemption the Tribunal noted: The applicant wishes to provide an in-home computer training service for women, by women. Such a service would assist many women who are at home and are unable to attend classes outside the home to undertake computer training. Such a service would also provide employment for women tutors unwilling, for personal security reasons, to provide in-home tutoring unless it was to women only.

The Tribunal hereby grants an exemption from the operation of Sections 13, 42, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to advertise for and employ

female employees only and to provide in-home computer training services to women only.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 23 September 2007.

Dated 14 September 2004

Mrs S. DAVIS  
Deputy President

#### EXEMPTION

Application No. A328 of 2004

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act) by Beverley Ann Curtis (the applicant). The application for exemption is to enable the applicant to provide nail, beauty services and relaxation massage services to women only.

Upon reading the material filed in support of this application by M Curtis, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 42, 100 and 195 of the Act to enable the applicant to provide nail, beauty services and relaxation massage services to women only.

In granting this exemption the Tribunal noted:

- The Tribunal previously granted an exemption to the applicant in 1998 and the circumstances warranting the grant of the exemption are still relevant.
- The applicant has previously undertaken to advise men who request to use her service of other appropriate services available to them.

The Tribunal hereby grants an exemption from the operation of Sections 42, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to provide nail, beauty services and relaxation massage services to women only. It is a condition of the grant of the exemption that the applicant advise men who request to use her service of other appropriate services available to them.

This exemption is to remain in force from the day on which notice of the exemption is

published in the Government Gazette until 23 September 2007.

Dated 14 September 2004

Mrs S. DAVIS  
Deputy President

#### EXEMPTION

Application No. A339 of 2004

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act) by Gippsland Women's Health Service Inc. (the applicant). The application for exemption is to enable the applicant to advertise for and employ female employees only.

Upon reading the material filed in support of this application by Sarah Corbell, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 100 and 195 of the Act to enable the applicant to advertise for and employ female employees only.

In granting this exemption the Tribunal noted: The applicant provides a health service to women in Gippsland and its ability to provide gender sensitive health services and programs to women depends on the greater ability of female employees to relate to female clients on these issues.

The Tribunal hereby grants an exemption from the operation of Sections 13, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to advertise for and employ female employees only.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 23 September 2007.

Dated 14 September 2004

Mrs S. DAVIS  
Deputy President

#### Penalty Interest Rates Act 1983

The penalty interest rate fixed by the Attorney-General under section 2 of the **Penalty Interest Rates Act 1983** is 12% per annum with effect on and from 1 October 2004. The previous rate was also fixed at 12%.

ROB HULLS MP  
Attorney-General



INTERIM CREDITING RATE FOR  
STATE SUPERANNUATION FUND  
FROM 21 SEPTEMBER 2004

For the purposes of the sub-sections 46(1) and 58(1) of the **State Superannuation Act 1988**, sub-section 35(1) of the **Transport Superannuation Act 1988** and sub-section 37(1) of the **State Employees Retirement Benefits Act 1979**, the Government Superannuation Office has determined an annual rate of 7.0% to be applied as an interim crediting rate on exits on or after 21 September 2004.

PETER J. WYATT  
Chief Financial Officer

**Australian Grands Prix Act 1994**  
NOTICE UNDER SECTION 42A

This notice shall take effect from the date of its publication in the Government Gazette.

Pursuant to section 42A of the **Australian Grands Prix Act 1994**, on the recommendation of the Australian Grand Prix Corporation, I hereby declare "motogp" to be the name of an event forming part of the Australian Motorcycle Grand Prix event to be held at Phillip Island, Victoria in 2004.

Dated 10 September 2004

JOHN PANDAZOPOULOS MP  
Minister for Tourism

**Australian Grands Prix Act 1994**  
GENERAL DESIGN FOR "LOGO"

This notice shall take effect from the date of its publication in the Government Gazette.

In accordance with the definition of logo in section 3(1) of the **Australian Grands Prix Act 1994** and as the Minister administering that Act, I approve the following general design –



Dated 10 September 2004

JOHN PANDAZOPOULOS MP  
Minister for Tourism

**Australian Grands Prix Act 1994**  
NOTICE UNDER SECTION 26

This notice shall take effect from the date of its publication in the Government Gazette.

Pursuant to section 26 of the **Australian Grands Prix Act 1994**, on the recommendation of the Australian Grand Prix Corporation, I hereby declare "Australian Grand Prix" to be the name of the Formula One event to be held at Albert Park, Victoria in 2005.

Dated 10 September 2004

JOHN PANDAZOPOULOS MP  
Minister for Tourism

**Australian Grands Prix Act 1994**  
NOTICE UNDER SECTION 42A

This notice shall take effect from the date of its publication in the Government Gazette.

Pursuant to section 42A of the **Australian Grands Prix Act 1994**, on the recommendation of the Australian Grand Prix Corporation, I hereby declare "Australian Motorcycle Grand Prix" to be the name of the Australian Motorcycle Grand Prix event to be held at Phillip Island, Victoria in 2004.

Dated 10 September 2004

JOHN PANDAZOPOULOS MP  
Minister for Tourism



Heritage  
VICTORIA

**Heritage Act 1995**

COVENANT PURSUANT TO SECTION 85  
OF THE **HERITAGE ACT 1995**  
HISTORIC PLACE NO. H624

Former Victoria Brewery  
388–442 Victoria Parade, East Melbourne

It is proposed that the Executive Director, Heritage Victoria, by Deed of Delegation of the Heritage Council of Victoria, enter into a Covenant with Tribeca East Melbourne Pty Ltd (ACN 097 267 331) the registered proprietor of the above Historic Place. The Covenant will bind the owner to the conservation of the Heritage Place and require the long term management and maintenance of the Heritage Place in accordance with the Covenant.



The form of the Covenant is viewable at the offices of Heritage Victoria, Level 22, 80 Collins Street, Melbourne during business hours. Contact Mr William Zormann, telephone 9655 6329.

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

RAY TONKIN  
Executive Director

#### **Subordinate Legislation Act 1994**

#### **PROPOSED DRUGS, POISONS AND CONTROLLED SUBSTANCES (NURSE PRACTITIONER AND MISCELLANEOUS AMENDMENTS) REGULATIONS 2004**

##### **Preparation of Regulatory Impact Statement**

Notice is given in accordance with Section 11 of the **Subordinate Legislation Act 1994** that a Regulatory Impact Statement has been prepared in connection with the Drugs, Poisons and Controlled Substances Regulations 1995.

The objective of the proposed Regulations is to provide for the orderly sale, supply, prescribing, administration, dispensing and use of drugs, poisons and controlled substances by nurse practitioners.

Among other things, the Regulatory Impact Statement assesses the costs and benefits of the proposed amendments and other practicable means of achieving the same objectives. It concludes that the benefits of the proposed Regulations outweigh their likely costs.

Copies of the Regulatory Impact Statement may be obtained by telephoning 9637 4058 or downloaded from the Drugs and Poisons website on <http://www.health.vic.gov.au/dpu>.

Public comments and submissions must be received by 22 October 2004. Submissions should be addressed to: Drugs and Poisons Unit, GPO Box 1670N, Melbourne 3001, and marked "RIS – Drugs, Poisons and Controlled Substances (Nurse Practitioner and Miscellaneous Amendments) Regulations".

It should be noted that all comments and submissions received will be treated as public documents.

Hon BRONWYN PIKE  
Minister for Health

#### **Transport Act 1983**

#### **TOW TRUCK DIRECTORATE OF VICTORIA**

##### **Tow Truck Application**

Notice is hereby given that the following application will be considered by the Licensing Authority after 27 October 2004.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, Level 6, 14–20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 21 October 2004.

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

Ann Fassoulis. Application for variation of conditions of tow truck licence number TOW676 which authorises the licensed vehicle to be managed, controlled and operated from a depot situated at 340 Nicholson Street, Fitzroy to change the depot address to 33–35 Franklyn Street, Huntingdale.

Dated 23 September 2004

STEVE STANKO  
Director

#### **Water Act 1989**

#### **GRAMPIANS WIMMERA MALLEE WATER AUTHORITY (AMENDMENT OF MEMBERSHIP) ORDER 2004**

I, John Thwaites, as Minister administering the **Water Act 1989** make the following Order:

##### **1. Citation**

This Order is called the Grampians Wimmera Mallee Water Authority (Amendment of Membership) Order 2004.

##### **2. Authorising provision**

This Order is made under section 99(8)(b) of the **Water Act 1989**.

##### **3. Commencement**

This Order takes effect immediately on its publication in the Government Gazette.

##### **4. Membership of Authority**

For clause 8 of the Constitution of the Grampians Wimmera Mallee Water Authority Order 2004 published in Government Gazette S146 on 24 June 2004 substitute:

**“8. Membership of Authority**

The Grampians Wimmera Mallee Water Authority is to comprise of no more than 10 members appointed by the Minister.”.

Dated 25 August 2004

JOHN THWAITES MP  
Minister for Water

**Local Government Act 1989**

## KNOX CITY COUNCIL

## Notice of Election

The date for the election under section 38(1) of the **Local Government Act 1989** (the Act) to fill the extraordinary vacancy of 10 September 2004 for the Knox City Council’s Scott Ward is fixed in accordance with section 38(1A) of the Act to be 11 December 2004.

CANDY BROAD MLC  
Minister for Local Government

**Local Government Act 1989**

## SECTION 163(2C)

Special Rates and Special Charges:  
Calculating Maximum Total Levy  
Ministerial Guideline

**INTRODUCTION**

1. This Guideline is made under section 163(2C) of the **Local Government Act 1989** (the Act). It relates to the application of sections 163(2), 163(2A) and 163(2B) of the Act. It specifically addresses the calculation of the maximum total amount that may be levied as a special rate or special charge (referred to as the “*maximum total levy*”).
2. Some terminology used in this Guideline should be noted:
  - a. “**Scheme**” refers to a special rate or special charge scheme.
  - b. “**Works or services**” refers to the functions or powers being exercised by the Council for which it is proposed to levy a special rate or charge.
  - c. “**Property**” refers to property in the form of land.
3. The calculation of the *maximum total levy* requires the following:
  - a. Calculation of the “*total cost*” of the works or services,
  - b. Calculation of the “*benefit ratio*”, which depends on reasonable estimates of:
    - “*Total special benefits*” to properties included in the scheme,
    - “*Total special benefits*” to properties not included in the scheme (if any), and
    - “*Total community benefits*” (if any).

**STEPS IN CALCULATION**

4. The following steps apply to the calculation of the maximum total levy.
  - A. DEFINE PURPOSE
  - B. ENSURE COHERENCE
  - C. CALCULATE TOTAL COST
  - D. IDENTIFY SPECIAL BENEFICIARIES

- E. DETERMINE PROPERTIES TO INCLUDE
- F. ESTIMATE TOTAL SPECIAL BENEFITS
- G. ESTIMATE COMMUNITY BENEFITS
- H. CALCULATE THE "BENEFIT RATIO"
- I. CALCULATE THE MAXIMUM TOTAL LEVY

**A. Define Purpose**

- 5. The purpose, or purposes, of the proposed works or services should be clearly defined at the outset. The purpose should describe the reasons why the proposed works or services are proposed.
- 6. The description of the purpose would normally take account of the following:
  - a. Reasons why the works or services are considered necessary or appropriate, noting any relevant background information.
  - b. Who has proposed that the works or services be undertaken and including the following information;
    - If the works or services have been proposed by the council, the relevant council policy or resolution.
    - If the works or services were requested by a person or people other than the council, an indication of whether those people are proposed to be included in the scheme and what reasons they have given for requesting the works or services.
- 7. A scheme may serve multiple purposes and can be proposed by multiple parties.

**B. Ensure coherence**

- 8. For the purposes of calculating the maximum total levy, and therefore total cost and benefit ratio, the works or services for which the special rate or charge is proposed should have a natural coherence.
- 9. Proposed works or services can be considered to have a natural coherence if:
  - a. They will be physically or logically connected, or
  - b. They will provide special benefits, of a related nature, to a common, or overlapping, group of properties.

**C. Calculate total cost**

- 10. The "*total cost*" is the aggregate cost of defraying expenses related to providing the works or services and establishing the scheme.
- 11. The following should apply to the calculation of the "*total cost*":
  - a. Costs included in the *total cost* must be for purposes in section 163(1) of the Act, and
  - b. Costs included in the *total cost* may only be for expenses listed in section 163(6) of the Act, and
  - c. Costs included in the *total cost* should be based on actual expenses that have been incurred, or reasonable estimates of expenses expected to be incurred. (For example, any interest should be based on estimated actual interest costs rather than on prescribed penalty interest rates).
  - d. Costs included in the *total cost* may relate to known activities but not to activities that are purely speculative or hypothetical in nature. (For example, provision for incidental costs related to the proposed works might be included but not costs related to possible legal proceedings that may or may not occur)

**D. Identify special beneficiaries**

12. The council should identify, as far as possible, which properties will receive a special benefit from the proposed works or services. A “*special benefit*” is considered to be provided to a property if the proposed works or services will provide a benefit that is additional to or greater than the benefit to other properties.
13. It is important to note that, while special benefits are considered to accrue to properties, the actual measurable benefits are provided to the owners and/or occupiers of the properties (see also paragraph 23.a).
14. Special benefits should be benefits that are either tangible benefits to the owners or occupiers of the properties that are not remote, or they should be clear benefits to those owners or occupiers that were identified in the defined purpose of the works or services (paragraph 5). Types of benefits included as special benefits generally include services provided for the properties, identifiable improvements in physical or environmental amenity, improved access, improved safety or economic benefits.
15. A special benefit may be considered to exist if it would reasonably be expected to benefit the owners or occupiers of the property. It is not necessary for the benefit to be actually used by the particular owners or occupiers of a specified property at a particular time in order for a special benefit to be attributed to the property.

**E. Determine properties to include**

16. Having identified which properties will receive *special benefits*, the council must decide which properties to include in the scheme. The properties included in the scheme will be those that are required to pay the special rate or charge.
17. If a property will receive a *special benefit* but is not included in the scheme, the calculation of the benefit ratio will result in the council paying the share of costs related to the special benefits for those properties.
18. The council is not required to levy a special rate or charge on any or every property that will receive a *special benefit*. A property with a special benefit may be excluded from the scheme for any of the following reasons:
  - a. The council is unable to levy a special rate or charge on the property,
  - b. The owner of the property has already contributed to the costs of the works through a development levy,
  - c. The council considers that there are particular advantages for the municipality in excluding the property from the scheme,
  - d. The council considers that the special benefits for the property are marginal and would not warrant including the property in the scheme, or
  - e. Any other reason that the council considers appropriate.

**F. Estimate total special benefits**

19. Total special benefits can be defined to include two parts, as follows:
$$TSB = TSB(in) + TSB(out)$$
  - *TSB* is the estimated total special benefit for all properties that have been identified to receive a special benefit.
  - *TSB(in)* is the estimated total special benefit for those properties that the council proposes to include in the scheme.
  - *TSB(out)* is the estimated total special benefit for those properties with an identified special benefit that the council does not propose to include in the scheme.
20. In estimating the total special benefits for properties that will be included in the scheme, particular attention should be paid to:
  - a. The identified purpose of the proposed works or services, and
  - b. Specific benefits relevant to the type of works or services proposed.

21. There is no single or prescribed method for estimating total special benefits. However, whatever method is used, it is essential that the comparative weightings attributed to different types of benefits are reasonable and are applied consistently by a Council. It is also essential that consistent weightings are used between those properties that are included in the scheme and those that are not included.
22. It is particularly important to note that, while it may sometimes be useful to estimate special benefits on a property by property basis, this is not always necessary. The calculation of the benefit ratio only requires aggregate estimates of total special benefits for properties included in the scheme and for properties excluded from the scheme.
23. The following matters should be noted in calculating “total special benefits”
  - a. While changes in property values are considered to be an indication that a special benefit exists, this is generally derived from benefits provided to the owners or occupiers of the property. To avoid double counting, changes in property values should not normally be included in the calculation of total special benefits.
  - b. Where the services or works proposed under a scheme include benefits to people who are servicing or accessing properties that are identified as having special benefits, the benefits to those people may be included as special benefits to the properties rather than as community benefits.

#### **G. Estimate total community benefit**

24. Before calculating the benefit ratio, a Council must consider if the proposed works or services will provide “*community benefits*”. Not all schemes have community benefits.
25. *Community benefits* are considered to exist where the works or services will provide tangible and direct benefits to people in the broader community. These will generally derive from the provision of facilities or services that are generally available to people, other than owners or occupiers of properties with special benefits.
26. Where there is a use or amenity value to people in the broader community that is a clear, tangible and direct, the Council should attribute a community benefit. The council should also attribute a community benefit where it identified in the defined purpose of the works or services (paragraph 5).
27. Councils should use a method of estimating community benefits that is reasonable and consistent in comparison to the estimates of special benefits. In making these estimates, care should be taken to avoid double counting. If a benefit is identified as a special benefit it should not also be counted as a community benefit.

#### **H. Calculating the benefit ratio**

28. The benefit ratio is calculated as follows:

$$\frac{TSB(in)}{TSB(in) + TSB(out) + TCB} = R$$

- *TSB(in)* is the estimated total special benefit for those properties that the council proposes to include in the scheme
- *TSB(out)* is the estimated total special benefit for those properties with an identified special benefit that the council does not propose to include in the scheme.
- *TCB* is the estimated total community benefit,
- *R* is the benefit ratio.

#### **I. Calculating the Maximum Total Levy**

29. Having calculated the total cost and the benefit ratio, the Council is required to calculate the maximum total levy, in accordance with section 163(2A) of the Act.

$$R \times C = S$$

- **R** is the benefit ratio
- **C** is the total cost
- **S** is the maximum total levy.

30. A council may not levy a special rate or charge to recover an amount that exceeds the maximum total levy. However, a council may decide to levy a lower amount.

#### **SCHEME TYPES**

31. The principles and processes outlined in this guideline will apply differently in different types of schemes recognising that complexities and variances occur with each scheme.
32. In general there are three main types of schemes:
- a. Works Schemes, that involve the construction of an item, or items of infrastructure,
  - b. Service Schemes, that provide a particular service or bundle of related services, and
  - c. Special Purpose Fund Schemes, where the monies raised by the special rate or charge go into a fund for a specified purpose and may include a mixture of works and/or services.

#### **A. Works Schemes**

33. Works schemes are schemes that involve the construction of an item, or items, of infrastructure, such as roads, (including road pavement, footpath, kerb and channel, etc) drains or car parks.
34. Benefits to be taken into account in a works scheme are usually related to improved amenity, safety, environment or usage value. As with all schemes, any benefits identified in the defined purpose should be taken into account in estimating total special benefits and total community benefit.
35. Consideration of the special benefits and community benefits should take account of changes in usage that are realistically expected to occur following the construction of the works.
- a. Future benefits should be limited to those that can arise under existing laws, planning schemes, permits and approvals.
  - b. Future benefits should be limited to benefits that may arise within reasonable timeframes.

#### **ROADS**

36. The construction of a road may generally include the various components of a road, such as the road pavement, kerb and channel, drains and drainage pits, nature strips and street trees, signage, line marking, traffic management devices, and footpaths.
37. When estimating the total special benefits associated with the construction of a road, a Council may take account of the following:
- a. The primary purpose for which the road is being constructed,
  - b. Improved access to properties by owners, occupiers, visitors and services,
  - c. Improved safety such as improved traffic delineation, improved sight distance, road surface and road width, reduced road flooding,
  - d. Improved physical or environmental amenity for the owners or occupiers, which may result from such works due to landscape treatments, removal of open drains and stagnant water, reduced property flooding, removal of dust,
  - e. Impact on any community facilities that may derive a special benefit from the works.



Where properties with special benefits have been excluded from the scheme, these factors should be applied consistently to those properties, wherever relevant.

38. When estimating the level of community benefit associated with the construction of a road, a Council should take account of:
- a. The primary purpose for which the road is being constructed,
  - b. Actual and expected usage of the constructed works, with a possible exception where the users are accessing or servicing properties with special benefits,
  - c. Expected impacts on projected road usage from factors such as growth, major development or traffic generators that are located outside of the scheme works,
  - d. Road function/classification and subsequent design standards and the extent that those standards are influenced by the degree of community usage of the works over and above that, may be attributed to properties within a scheme,
  - e. Extent of other works such as bicycle lanes and parking lanes, increasing the standard above that that would normally apply if only providing local property access.

#### ***DRAINS***

39. In drainage schemes or works involving drainage infrastructure, the key criteria for assessing total special benefits includes an assessment of discharge and protection benefit to properties. This may relate to properties included in the scheme as well as properties not included in the scheme.
40. Factors that may be considered to provide a community benefit include improved drainage capacity, improved environment amenity due to such matters as water quality, reduction in erosion, reduction in flooding and improved health and hygiene.

#### **B. Service Schemes**

41. Service schemes are schemes that provide a particular service or bundle of related services that provide a special benefit.
42. Benefits to be taken into account in service schemes are primarily the special benefits to the direct users of the services. When estimating total special benefits and any community benefits for service schemes, the following consideration may apply:
- a. Who requested the service and what is its primary purpose?
  - b. Which group of people might be reasonably expected to pay for the service if it were commercially available?

#### ***RETAIL PROMOTIONS***

43. Where services are provided for purpose of promoting or supporting business activities, such as in retail centres or shopping strips, the affected businesses would frequently be considered to be the main, or sole, beneficiaries. This will be particularly appropriate where the scheme has been proposed by business associations and the services are tailored to the needs of the affected businesses.
44. Any benefits for customers of the businesses that are included in the scheme would normally be included in the total special benefits to those businesses, in accordance with paragraph 23.b.

#### ***SERVICES GENERALLY AVAILABLE***

45. Special rate and charge schemes are not generally used for services that are generally available to other people. This is because special rates and charges are only applicable where there is a special benefit.
46. However, there may be cases where a higher level of service is required for a particular area or group of properties and it may be appropriate to levy a special rate or charge. This might apply, for example, where ratepayers require maintenance of the road adjoining their

properties at a higher standard than is generally provided for roads of a similar type and classification.

47. In such cases, it is important to ensure that the special rate or charge does not apply to the portion of the service that is generally available to other people. Therefore, the calculation of the *maximum total levy*, the *total cost* and the *benefit ratio* should be restricted to that part of the service that is over and above the level of service generally available to other people.

**C. Special Purpose Fund Schemes**

48. Special purpose fund schemes are where the monies raised by the rate or charge go into a fund to be used for a specified purpose. In these schemes, the precise services and/or works are not fully specified in advance and a process is therefore established to allocate the funds raised. An example of this type of scheme could be a shopping centre promotion scheme, where a council directs and empowers a committee to allocate the funds.
49. Particular care should be taken when defining the purpose of special purpose fund schemes as the calculation of the *maximum total levy*, the *total cost* and the *benefit ratio* need to be based on the defined purpose.
50. When estimating total special benefits and any community benefits a council should consider the defined purpose of the scheme. It should also take account of advice in this guideline relevant to the types of works or services proposed or planned under the scheme.
51. It is essential that any funds raised under a special purpose fund scheme are utilised fully in accordance with the defined purpose of the scheme.

Dated 9 September 2004

Responsible Minister:  
CANDY BROAD MLC  
Minister for Local Government

**Supreme Court Act 1986**

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
Common Law Division

No. 7711 of 2001

IN THE MATTER of an application pursuant to section 21 of the **Supreme Court Act 1986**.

**BETWEEN:**

THE ATTORNEY-GENERAL FOR THE STATE OF VICTORIA Plaintiff  
and  
MICHAEL WESTON Defendant

**GENERAL FORM OF ORDER**

JUDGE: The Honourable Justice Whelan  
DATE MADE: 27 August 2004  
ORIGINATING PROCESS: Originating Motion between Parties  
HOW OBTAINED: On Application by Summons filed 25 September 2001  
ATTENDANCE: Mr D. Masel of Counsel for the Plaintiff.  
The Defendant appeared in person.  
OTHER MATTERS: This matter coming on to be heard before the Court on 9, 15 and 16 June 2004 and the Court having, on 16 June 2004 directed that this matter should stand for judgment and this matter standing for judgment accordingly.

## THE COURT ORDERS THAT:

1. Pursuant to section 21 of the **Supreme Court Act 1986**, the Defendant Michael Weston be declared a vexatious litigant.
2. The Defendant Michael Weston must not without the leave of the Court do the following:
  - (a) continue any legal proceedings (whether civil or criminal) in the Court, an inferior Court or any tribunal constituted or presided over by a person who is a barrister and solicitor of the Court; or
  - (b) commence any legal proceedings (whether civil or criminal) in the Court, an inferior Court or any tribunal constituted or presided over by a person who is a barrister and solicitor of the Court.
3. The Defendant's summons filed 20 May 2004 be dismissed.

DATE AUTHENTICATED: 3 September 2004

PROTHONOTARY

**Optometrists Registration Act 1996**

## OPTOMETRISTS REGISTRATION BOARD OF VICTORIA

## 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 2004 in respect of the calendar year 2005:

Section of Act	Fee	\$
5(2)(b)	General registration	245.00
5(2)(b)	Specific registration	245.00
11(3)(b)	Endorsement of registration	52.00
13(1)(b)	Renewal of registration – Online	230.00
13(1)(b)	Renewal of registration – Ordinary	240.00
13(2)	Additional renewal fee (Late Fee)	55.00
14(b)	Restoration of registration	310.00
17(5)	Copy of Register – Electronic	50.00
17(5)	Copy of Register – Print	70.00
17(5)	Extract from Register	12.50
–	Issue of replacement Certificate	50.00

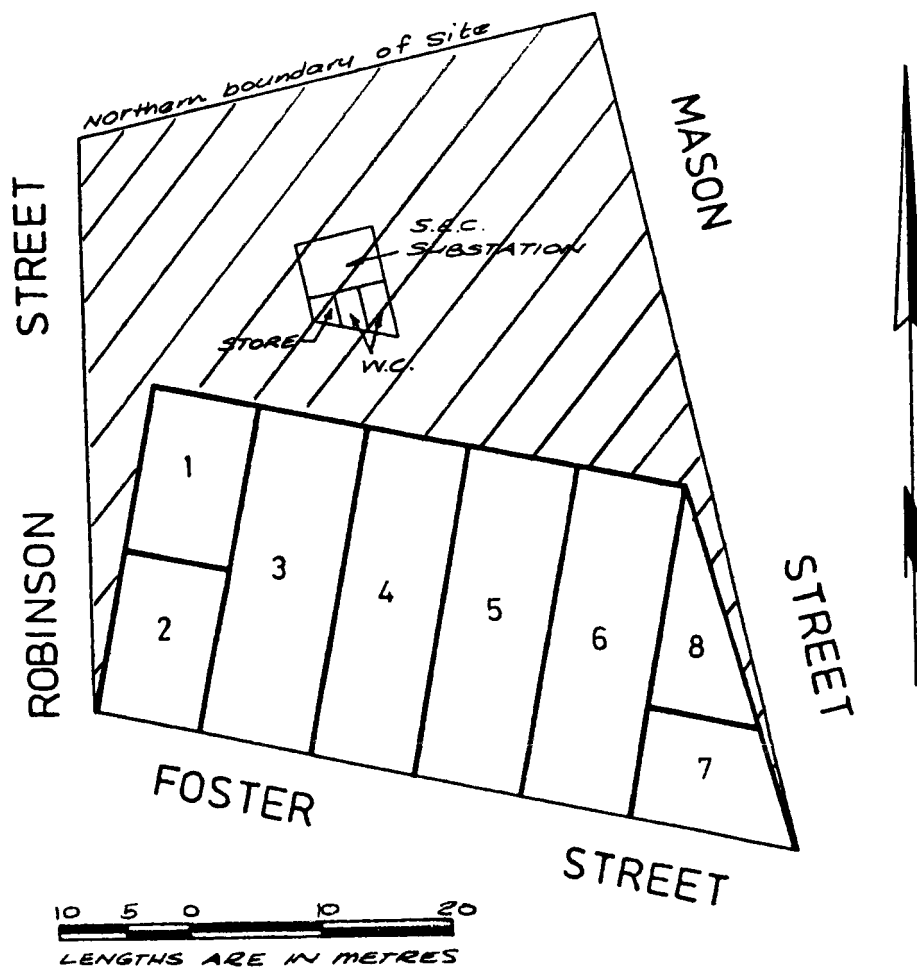
Dated 14 September 2004

C. K. BEAMISH  
Registrar

**Road Safety Act 1986**  
**ORDER UNDER SECTION 98**  
**ROAD SAFETY ACT 1986**  
 EXTENDING PROVISIONS TO  
 61-79 FOSTER STREET, DANDENONG

I, Brian Negus, Regional Manager, VicRoads Metro South East Region, delegate of the Minister for Transport under Section 98 of the **Road Safety Act 1986** by this Order extend the application of:

- (a) Sections 59, 64, 65, 76, 77, 85-90, 99 and 100 of that Act; and
  - (b) The Road Safety (Road Rules) Regulations 1999; and
  - (c) Parts 5 and 6 and Schedules 3 and 4 of the Road Safety (Procedures) Regulations 1999
- to the car park on the land known as 61-79 Foster Street, Dandenong within the City of Greater Dandenong, particulars of which are shown on the attached plan.



Dated 13 September 2004

BRIAN NEGUS  
 Regional Manager

**Private Agents Act 1966**NOTICE OF RECEIPT OF AN APPLICATION FOR A LICENCE  
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 application as under has 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>
Lorraine M. Mace	6/1A Lee Street, Frankston 3199	R.C.L. Mercantile P/L	Level 7, 505 Little Collins Street, Melbourne, Vic. 3000.	Commercial Sub-Agents Licence

Dated at Melbourne 21 September 2004

GRAEME J. HORSBURGH  
Principal Registrar  
Magistrates' Court of Victoria

**Melbourne City Link Act 1995**

## NOTICE UNDER SECTION 71(1)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

<b>Table One</b>			
<b>Toll Zone</b>	<b>Toll</b>		
	<b>Car</b>	<b>LCV</b>	<b>HCV</b>
1. That part of the Link road between Moreland Road and Brunswick Road.	1.37	2.19	2.61
2. That part of the Link road between Racecourse Road and Dynon Road.	1.37	2.19	2.61
3. That part of the Link road between Footscray Road and the West Gate Freeway.	1.72	2.74	3.26
4. That part of the Link road being the Domain Tunnel and that part of the Link road leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of the Link road – (a) being the eastbound carriageways of the Link road; (b) between Punt Road and the exit to Boulton Parade; and (c) comprising Boulton Parade.	1.72	2.74	3.26
5. That part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.	3.09	4.94	5.86
6. That part of the Link road being the eastbound carriageways between Punt Road and Burnley Street other than that part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.	1.37	2.19	2.61

<p>7. That part of the Link road between Burnley Street and Punt Road and including that part of the Link road –</p> <p>(a) between Punt Road and the exit to Boulton Parade, other than the eastbound carriageways; and</p> <p>(b) comprising Boulton Parade, other than:</p> <p>(i) the eastbound carriageways between Burnley Street and Punt Road; and</p> <p>(ii) that part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.</p>	1.37	2.19	2.61
<p>8. That part of the Link road being the eastbound carriageways between Burnley Street and Glenferrie Road.</p>	1.37	2.19	2.61
<p>9. That part of the Link road between Glenferrie Road and Burnley Street, other than the eastbound carriageways.</p>	1.37	2.19	2.61
<p>10. That part of the Link road being the eastbound carriageways between Swan Street Intersection and Punt Road, other than –</p> <p>(a) that part of the Link road being the Burnley Tunnel; and</p> <p>(b) that part of the Link road comprising Boulton Parade.</p>	0.86	1.37	1.63
<p>11. That part of the Link road between Punt Road and Swan Street Intersection, other than –</p> <p>(a) the eastbound carriageways;</p> <p>(b) that part of the Link road being the Burnley Tunnel;</p> <p>(c) that part of the Link road:</p> <p>(1) between Punt Road and the exit to Boulton Parade; and</p> <p>(2) comprising Boulton Parade; and</p> <p>(d) that part of the Link road being the Domain Tunnel and that part of the Link road leading into that Tunnel between the eastern portal of that Tunnel and Punt Road.</p>	0.86	1.37	1.63

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

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

<b>Table Two</b>			
<b>Trip Cap</b>	<b>Toll</b>		
	<b>Car</b>	<b>LCV</b>	<b>HCV</b>
1. Where the passage of the vehicle on the last toll zone comprising the Trip before exiting the Full Link road occurs between 6 am and 8 pm on the same day.	5.15	6.86	6.86
2. Where the passage of the vehicle on the last toll zone comprising the Trip before exiting the Full Link road occurs between 8 pm on the one day and 6 am on the next.	5.15	5.15	5.15

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

<b>Table Three</b>	
<b>Taxis</b>	<b>Toll</b>
Each Half Link Taxi Trip	2.20
Each Full Link Taxi Trip	3.85

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

For the avoidance of doubt, this Notice also:

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

the NOTICE UNDER SECTION 71(1) dated 18 June 2004 and published in the Victoria Government Gazette No. G 26 (pages 1800 to 1803), dated 24 June 2004 (“the Last Notice”).

This notice takes effect on 1 October 2004 and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;

- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

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

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

Dated 17 September 2004

The common seal of  
CITYLINK MELBOURNE LIMITED  
is fixed to this document by:

P G B O'SHEA  
Company Secretary  
CityLink Melbourne Limited  
(ABN 65 070 810 678)

G R PHILLIPS  
Director  
CityLink Melbourne Limited  
(ABN 65 070 810 678)

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**Melbourne City Link Act 1995**

## NOTICE UNDER SECTION 71(1)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<b>Table One</b>			
<b>Toll Zone</b>	<b>Toll</b>		
	<b>Car</b>	<b>LCV</b>	<b>HCV</b>
12. The Extension road	0.86	1.37	1.63



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

For the avoidance of doubt, this Notice also:

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

the NOTICE UNDER SECTION 71(1) dated 18 June 2004 and published in the Victoria Government Gazette No. G 26 (pages 1810 to 1811), dated 24 June 2004 (“the Last Notice”).

This Notice takes effect on 1 October 2004, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

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

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

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

Dated 17 September 2004

The common seal of  
CITY LINK EXTENSION PTY LIMITED  
is fixed to this document by:

P G B O’SHEA  
Company Secretary  
City Link Extension Pty Limited  
(ABN 40 082 058 615)

G R PHILLIPS  
Director  
City Link Extension Pty Limited  
(ABN 40 082 058 615)

**Melbourne City Link Act 1995**

## NOTICE UNDER SECTION 71(1)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**vehicle** has the same meaning as in the Act; and

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

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

<b>Table One</b>			
<b>24 Hour Pass</b>	<b>Toll</b>		
	<b>Car</b>	<b>LCV</b>	<b>HCV</b>
	\$9.85	\$15.75	\$18.75

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

<b>Table Two</b>		
<b>Weekend Pass</b>	<b>Toll</b>	
	<b>Car</b>	<b>LCV</b>
	\$9.85	\$15.75

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

<b>Table Three</b>		
<b>Tulla Pass</b>	<b>Toll</b>	
	<b>Car</b>	<b>LCV</b>
	\$3.50	\$5.60

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

For the avoidance of doubt, this Notice also:

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

the NOTICE UNDER SECTION 71(1) dated 18 June 2004 and published in the Victoria Government Gazette No. G 26 (pages 1807 to 1809), dated 24 June 2004 (“the Last Notice”).

This Notice takes effect on 1 October 2004, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

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

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

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

Dated 17 September 2004

The common seal of  
CITYLINK MELBOURNE LIMITED  
is fixed to this document by:

P G B O'SHEA  
Company Secretary  
CityLink Melbourne Limited  
(ABN 65 070 810 678)

G R PHILLIPS  
Director  
CityLink Melbourne Limited  
(ABN 65 070 810 678)

**Melbourne City Link Act 1995**

## NOTICE UNDER SECTION 71(1)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**vehicle** has the same meaning as in the Act; and

**Weekend Pass** is an agreement with CityLink to register a Car or Light Commercial Vehicle under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed period

commencing at 12.00pm on the Friday immediately before a specified Saturday and ending at midnight on the Sunday immediately following that specified Saturday. The fact that CityLink also registers that Car or Light Commercial Vehicle for an additional period at no extra charge does not prevent the agreement from being a Weekend Pass.

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

<b>Table One</b>			
<b>24 Hour Pass</b>	<b>Toll</b>		
	<b>Car</b>	<b>LCV</b>	<b>HCV</b>
	\$9.85	\$15.75	\$18.75

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

<b>Table Two</b>		
<b>Weekend Pass</b>	<b>Toll</b>	
	<b>Car</b>	<b>LCV</b>
	\$9.85	\$15.75

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

For the avoidance of doubt, this Notice also:

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

the NOTICE UNDER SECTION 71(1) dated 18 June 2004 and published in the Victoria Government Gazette No. G 26 (pages 1804 to 1806), dated 24 June 2004 (“the Last Notice”).

This Notice takes effect on 1 October 2004, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

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

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



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

Dated 17 September 2004

The common seal of  
CITY LINK EXTENSION PTY LIMITED  
is fixed to this document by:

P G B O'SHEA  
Company Secretary  
City Link Extension Pty Limited  
(ABN 40 082 058 615)

G R PHILLIPS  
Director  
City Link Extension Pty Limited  
(ABN 40 082 058 615)

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**Planning and Environment Act 1987**

## BAYSIDE PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C35

The Minister for Planning has approved Amendment C35 to the Bayside Planning Scheme.

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

The Amendment:

- rezones part of the Beaumaris Concourse Shopping Centre, Reserve Road, Beaumaris, from a Business 1 Zone to a Public Park and Recreation Zone;
- amends the schedule to Clause 52.02 to correct several anomalies in the planning scheme and Certificate of Title relating to land forming part of the Beaumaris Concourse Shopping Centre, Reserve Road, Beaumaris.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Bayside City Council, Corporate Centre, Royal Avenue, Sandringham.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## FRANKSTON PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C28

The Minister for Planning has approved Amendment C28 to the Frankston Planning Scheme.

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

The Amendment includes land at 138 Cranbourne Road, Frankston within an Environmental Significance Overlay to protect a locally significant Moreton Bay Fig tree. The

Amendment also makes administrative changes to the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Map Nos. 4HO and 5HO to delete the interim heritage controls applying over the land.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Frankston City Council, Civic Centre, Davey Street, Frankston

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## GREATER GEELONG PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C82

The Minister for Planning has approved Amendment C82 to the Greater Geelong Planning Scheme.

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

The Amendment shall:

- rezone land from Business 4 Zone (B4Z) to Business 1 Zone (B1Z) and delete a section of the Design and Development Overlay (Schedule 1 Ashby Area Geelong West) that applies to part of the land proposed to be rezoned;
- amend the Schedule to Clause 52.28 (Gaming) which prohibits gaming machines in nominated strip shopping centres; and
- extend the application of the Retail Frontages Local Planning Policy to properties fronting Pakington Street between Autumn and Spring Streets.

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

Permit No. 911/2003.

Description of land: 240–242 Pakington Street & 80–82 Spring Street & 47 Gordon Avenue, Geelong West.

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

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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**Planning and Environment Act 1987**

KINGSTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C34

The Minister for Planning has approved Amendment C34 to the Kingston Planning Scheme.

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

The Amendment rezones land at 2 and 4 Bear Street, 2 Park Street and 76 Albert Street, Mordialloc from a Business 3 Zone to a Mixed Use Zone. The Amendment also includes the land within a Design and Development Overlay and an Environmental Audit Overlay.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Kingston City Council, Strategic Planning Department, corner of Mentone Parade and Brindisi Street, Mentone.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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**Planning and Environment Act 1987**

MORNINGTON PENINSULA  
PLANNING SCHEME

Notice of Approval of Amendment

Amendment C46

The Minister for Planning has approved Amendment C46 to the Mornington Peninsula Planning Scheme.

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

The Amendment inserts an entry in the Schedule to Clause 52.02 allowing for a variation of the covenants affecting land at 16, 18, 20, 22 and 24 Leyden Avenue, Portsea to allow for:

- the use and development of one dwelling and usual outbuildings on land at each of 16, 18 and 24 Leyden Avenue;
- the use and development of four single storey dwellings, tennis court, swimming pool and outbuildings on land at 20 and 22 Leyden Avenue, in accordance with planning permit CP02/004.

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

Permit No. CP02/004.

Description of land: 20 and 22 Leyden Avenue, Portsea (Lots 3 and 4 on PS052729).

A copy of the Amendment and permit can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Mornington Peninsula Shire Council, Rosebud Office, Besgrove Street, Rosebud; Mornington Office, Queen Street, Mornington; and Hastings Office, Marine Parade, Hastings.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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**Planning and Environment Act 1987**

MONASH PLANNING SCHEME

Notice of Approval of Amendment

Amendment C54

The Minister for Planning has approved Amendment C54 to the Monash Planning Scheme.

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

The Amendment rezones a parcel of land at 490 Wellington Road, Mulgrave from a Road Zone 1 to an Industrial 1 Zone and applies a Design and Development Overlay (DDO1) over the land.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, 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  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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

#### MORNINGTON PENINSULA PLANNING SCHEME

#### Notice of Approval of Amendment

#### Amendment C48

The Minister for Planning has approved Amendment C48 to the Mornington Peninsula Planning Scheme.

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

#### The Amendment:

- introduces the Development Plan Overlay – Schedule 11 and applies it to land at 6 Mason Street, Mount Eliza;
- rezones 2 Philip Street, Mornington from a Business 4 Zone to a Residential 1 Zone, deletes the Design and Development Overlay – Schedule 1 over the land, and applies the Design and Development Overlay – Schedule 9 and the Environmental Audit Overlay over the land;
- applies the Public Acquisition Overlay over part of the land at 110 Harrap Road, Mount Martha;
- rezones 63A Wattle Grove, Portsea from a Residential 1 Zone to a Public Park and Recreation Zone;
- rezones 175–177 Ocean Beach Road, Sorrento from a Public Use Zone to a Residential 1 Zone;
- rezones part of 47 Kerford Avenue, Sorrento from a Public Use Zone to a Business 1 Zone;

- rezones 3074 Point Nepean Road, 2A Leggett Way and Crown Allotment 65E, Sorrento from partly a Residential 1 Zone and partly a Public Park and Recreation Zone to a Public Conservation and Resource Zone;
- rezones Crown land fronting Point Nepean Road and Eastbourne Avenue, Rosebud West, being the route of Chinamans Creek from a Residential 1 Zone to a Public Park and Recreation Zone;
- rezones 2 Carrigg Street, Dromana from a Residential 1 Zone to a Business 1 Zone;
- rezones 16 Hinton Street, Rosebud from a Public Use Zone to a Residential 1 Zone and applies an Environmental Audit Overlay over the land;
- applies the Public Acquisition Overlay over land at 9 Mount Arthur Avenue, Rosebud;
- applies the Public Acquisition Overlay over part of 17 and 19 Tarawill Street, Rye;
- deletes the Public Acquisition Overlay from 1 Carboor Street, Tootgarook;
- corrects the property address and description details in the Heritage Overlay Schedule for heritage places HO137, HO141, HO253 and HO265;
- inserts 3454 Point Nepean Road, Sorrento in the Heritage Overlay Schedule;
- corrects the Heritage Overlay Schedule and map numbering of 18 Tal Tals Crescent, Mount Martha;
- corrects the Heritage Overlay map for heritage place HO167; and
- amends HO207 and HO198 to accord with the Victorian Heritage Register.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Mornington Peninsula Shire Council, Besgrove Street, Rosebud and 2 Queen Street, Mornington.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## SOUTH GIPPSLAND PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C10

The Minister for Planning has approved Amendment C10 to the South Gippsland Planning Scheme.

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

The Amendment:

- replaces the whole of Clause 21, being the Municipal Strategic Statement;
- deletes the local planning policy at Clause 22.01, being Wind turbine and windfarm development;
- introduces six new local planning policies at Clauses 22.02–22.07, being Alternative domestic energy supply, Dams, Advertising signs, Industrial development, Car parking and Heritage.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the South Gippsland Shire Council, 9 Smith Street, Leongatha.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## SOUTH GIPPSLAND PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C28

The Minister for Planning has approved Amendment C28 to the South Gippsland Planning Scheme.

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

The Amendment:

- rezones Lot A LP116539 located Adkins Street, Korumburra from Rural Zone (RUZ) to Industrial 1 Zone (IN1Z);

- deletes the Environmental Significance Overlay – Schedule 5 (ESO5) from the subject land;
- applies the Development Plan Overlay – Schedule 1 (DPO1) to the subject land.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the South Gippsland Shire Council, 9 Smith Street, Leongatha.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## WHITTLESEA PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C65 Part 2

The Minister for Planning has approved Amendment C65 Part 2 to the Whittlesea Planning Scheme.

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

The Amendment:

- rezones land at 300 Settlement Road, Thomastown from Road Zone Category 1 to Industrial 1 Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Whittlesea City Council Ferres Boulevard, South Morang.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## WHITTLESEA PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C60

The Minister for Planning has approved Amendment C60 to the Whittlesea Planning Scheme.

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

The Amendment:

- removes part of the Heritage Overlay that applies to 2025 Merriang Road, Beveridge and amends the schedule to the Heritage Overlay to describe the revised area of the Heritage Overlay.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Whittlesea City Council Ferres Boulevard, South Morang.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## YARRA PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C55 Part 1

The Minister for Planning has approved Amendment C55 Part 1 to the Yarra Planning Scheme.

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

The Amendment rezones parcels of land described as: Alexander Street Park, Collingwood; Saint David Street Park, Fitzroy; Langdon Reserve, Fitzroy North; Ottery Reserve, Fitzroy North; Annettes Place, Richmond; and Durham Street Reserve, Richmond to Public Park and Recreation Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the

Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Yarra City Council, 333 Bridge Road, Richmond.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## MANNINGHAM PLANNING SCHEME

Notice of Lapsing of Amendment  
Amendment C41

The Manningham City Council has resolved to abandon Amendment C41 to the Manningham Planning Scheme.

The Amendment proposed to:

- rezone land at 14–20 Brackenbury Street, Warrandyte (Lot 1, PS516515P) on the north-east corner of Brackenbury and McCulloch Streets from a Residential 1 Zone (R1Z) to a Public Use Zone 5 – Cemetery/Crematorium (PUZ5);
- delete the Significant Landscape Overlay Schedule 2 (SLO2) – Yarra Valley Backdrop from the subject land; and
- delete the Significant Landscape Overlay Schedule 3 (SLO3) – Environmental Residential Significant Landscape Areas from the subject land.

The Amendment lapsed on 8 September 2004.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment



## ORDERS IN COUNCIL

**Borrowing and Investment Powers Act 1987**  
 APPROVAL BY THE  
 GOVERNOR IN COUNCIL  
 OF INVESTMENT POWERS FOR  
 VICFORESTS

Order in Council

The Governor in Council, pursuant to Section 17B of the **Borrowing and Investment Powers Act 1987** ("the Act") hereby declares that sections 20, 20A and 21 of the Act apply to VicForests, a "public authority" within the meaning of the Act, with effect from and including the date of the Order.

Dated 14 September 2004

Responsible Minister  
 JOHN BRUMBY MP  
 Treasurer

ANDREW MARRIOTT  
 Acting Clerk of the Executive Council

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**Land Act 1958**  
 CLOSURE OF UNUSED ROADS  
 ERRATUM

In the Order in Council made under section 349 of the **Land Act 1958** of 14 September 2004 and published in Government Gazette G38 on 16 September 2004 (page 2597) omitted the following text:

"Dated 14 September 2004

Responsible Minister  
 MARY DELAHUNTY  
 Minister for Planning

ANDREW MARRIOTT  
 Acting Clerk of the Executive Council"

DIANE CASEY  
 Clerk of the Executive Council

---

**Rail Corporations Act 1996**  
 ORDER IN COUNCIL

The Governor in Council under sections 69(4) and 70(3) of the **Rail Corporations Act 1996** (the Act) declares that sections 69 and 70

of the Act apply on and from the date of this Order to Metlink Victoria Pty Ltd (ACN 105 274 904).

Dated 21 September 2004

Responsible Minister  
 PETER BATCHELOR  
 Minister for Transport

DIANE CASEY  
 Clerk of the Executive Council

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**Crown Land (Reserves) Act 1978**

NOTICE OF INTENTION TO REVOKE  
 TEMPORARY RESERVATIONS

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** gives notice of intention to revoke the following temporary reservations:

BEALIBA – The temporary reservation by Order in Council of 13 December 1911 of an area of 8.066 hectares, more or less, of land in the Township of Bealiba, Parish of Bealiba as a site for Supply of material for Road-making. – (Rs 5966).

BOORT – The temporary reservation by Order in Council of 28 November 1882 of an area of 21.57 hectares, more or less, of land in the Parish of Boort as a site for Conservation of Water. – (2002961).

CAULFIELD – The temporary reservation by Order in Council of 30 May 1939 of an area of 8050 square metres of land at Caulfield, (formerly City of Caulfield), Parish of Prahran as a site for a Technical School. – (Rs 4759).

CAULFIELD – The temporary reservation by Order in Council of 26 April 1972 of an area of 1.148 hectares, more or less, of land at Caulfield, Parish of Prahran as a site for Educational purposes. – (Rs 4759).

MOOLORT – The temporary reservation by Order in Council of 13 May 1867 of an area of 32.38 hectares, more or less, of land in the Parish of Moolort (formerly being part of Crown Allotment 10A, Section 1) as a site for Watering purposes, revoked as to part by Order in Council of 17 August 1914 so far as the balance remaining containing 30.10 hectares, more or less. – (0609554).



**POWLETT** – The temporary reservation by Order in Council of 26 March 1872 of an area of 12.49 hectares, more or less, of land in the Parish of Powlett (formerly Parish of Powlet) as a site for Watering purposes. – (2004817)

**WODONGA** – The temporary reservation by Order in Council of 16 May 1939 of an area of 2.2 hectares, more or less, of land in Section W, Township of Wodonga (formerly Town of Wodonga), Parish of Wodonga as a site for Public Recreation and Plantation purposes, revoked as to part by Orders in Council of 29 August 1961 and 17 September 1996 so far as the balance remaining containing 8750 square metres, more or less. – (Rs 4924).

**WODONGA** – The temporary reservation by Order in Council of 15 November 1966 of an area of 1771 square metres of land in Section W, Township of Wodonga, Parish of Wodonga as a site for Public Recreation and Plantation purposes. – (Rs 4924).

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

Dated 21 September 2004

Responsible Minister  
MARY DELAHUNTY  
Minister for Planning

DIANE CASEY  
Clerk of the Executive Council

### **Crown Land (Reserves) Act 1978**

#### REVOCATION OF TEMPORARY RESERVATIONS

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** revokes the following temporary reservations:

**DOOKIE** – The temporary reservation by Order in Council of 29 September 1873 of an area of 52 hectares, more or less, of land in the Parish of Dookie (formerly portion of Crown Allotment 169) as a site for affording a supply of Wood and Limestone, revoked as to part by Order in Council of 20 December 1877, so far as the balance remaining containing 51.21 hectares, more or less. – (Rs 1638).

**GERANGAMETE** – The temporary reservation by Order in Council of 27 July 1942 of an area of 2.203 hectares of land in the Parish of

Gerangamete as a site for a State School, revoked as to part by Order in Council of 1 June 1993, so far as the balance remaining containing 2.11 hectares, more or less. – (Rs 5301).

**MITCHELL** – The temporary reservation by Order in Council of 24 February 1891 of an area of 1354 square metres, more or less, of land in Section A, Parish of Mitchell (formerly being portion of Crown Allotment 16, Section A) as a site for Water Supply purposes. – (0610674).

**MITCHELL** – The temporary reservation by Order in Council of 6 June 1892 of an area of 9.54 hectares, more or less, of land in Section A, Parish of Mitchell (formerly being portion of Crown Allotment 16, Section A) as a site for Water Supply purposes, in addition to and adjoining the site temporarily reserved therefor by Order in Council of 24 February 1891. – (0610674).

**NAPOLEONS** – The temporary reservation by Order in Council of 27 June 1892 of an area of 6576 square metres of land in the Township of Napoleons, Parish of Yarrowee as a site for a State School, in addition to and adjoining the site permanently reserved therefor by Order in Council of 24 July 1973. – (Rs 13632).

**PINE LODGE** – The temporary reservation by Order in Council of 29 March 1887 of an area of 33.56 hectares of land, more or less, in the Parish of Pine Lodge (formerly being portion of Crown Allotment 41C) as a site for Water Supply purposes, revoked as to part by Order in Council of 11 June 1903 so far as the balance remaining containing 12.14 hectares, more or less. – (Rs 04638).

**TAMLEUGH** – The temporary reservation by Order in Council of 13 December 1911 of an area of 16.63 hectares, more or less, of land in Section A, Parish of Tamleugh in two separate portions (formerly being Crown Allotments 35A and 4H, Section A) as a site for Supply of Gravel. – (Rs 12539).

**WALLALOO** – The temporary reservation by Order in Council of 1 December 1884 of an area of 12.55 hectares, more or less, of land in the Parish of Wallaloo (formerly being portion of original Allotment 88) as a site for Conservation of Water, revoked as to part by various Orders, so far as the balance remaining containing 8.9 hectares, more or less. – (Rs 350).

WALLALOO – The temporary reservation by Order in Council of 23 December 1915 of an area of 2.018 hectares of land in the Parish of Wallaloo as a site for Public Recreation. – (Rs 847).

WALLALOO – The temporary reservation by Order in Council of 16 July 1946 of an area of 4882 square metres of land in the Parish of Wallaloo as a site for Recreation Reserve purposes, in addition to and adjoining the site temporarily reserved for Public Recreation by Order in Council of 23 December 1915. – (Rs 847).

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

Dated 21 September 2004

Responsible Minister  
MARY DELAHUNTY  
Minister for Planning

DIANE CASEY  
Clerk of the Executive Council

**Crown Land (Reserves) Act 1978**  
TEMPORARY RESERVATION OF  
CROWN LANDS

The Governor in Council under section 4(1) of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown lands which in his opinion are required for the purposes mentioned:–

MUNICIPAL DISTRICT OF THE  
MOYNE SHIRE COUNCIL

BELFAST – Public purposes (Recreation and Tourism), 22 hectares, more or less, being Crown Allotments 26A, D2, D3 and D4, Parish of Belfast as coloured light brown on Plan No. LEGL./04-029 lodged in the Central Plan Office of the Department of Sustainability and Environment;

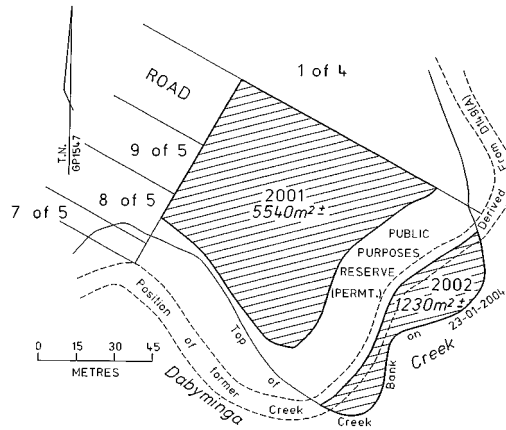
KOROIT – Public purposes (Recreation and Tourism), 40 hectares, more or less, being Crown Allotments 2001, 2002 and 2003, Parish of Koroit as coloured light brown on Plan No. LEGL./04-030 lodged in the Central Plan Office of the Department of Sustainability and Environment; and

KOROIT, WARRONG, YARPTURK and YANGERY – Public purposes (Recreation and Tourism), 45 hectares, more or less, being Crown Allotments 18, 20A, 20B and 20C, Parish of Koroit; Crown Allotments 2002, 2003

and 2004, Parish of Warrong; Crown Allotment 31A, No Section, Parish of Yarturk, and Crown Allotments 2003, 2004, 2005, 2006 and 2007, Parish of Yangery as coloured light brown on Plan No. LEGL./04-031 lodged in the Central Plan Office of the Department of Sustainability and Environment. – 2013974 – (Rs 43112).

MUNICIPAL DISTRICT OF THE MITCHELL  
SHIRE COUNCIL

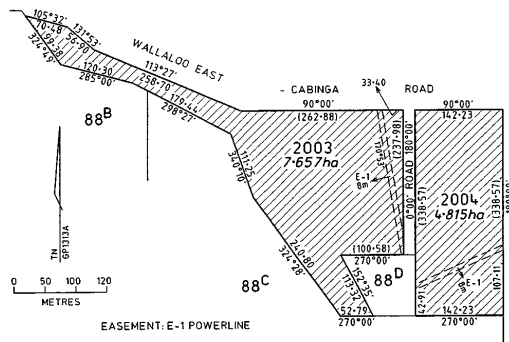
TALLAROOK – Drainage purposes, combined area 6770 square metres, more or less, being Crown Allotments 2001 and 2002, Township of Tallarook, Parish of Lowry as indicated by hatching on plan hereunder. – (GP1547) – (09/2013955).



Total area of hatched portions 6770m<sup>2</sup>±

MUNICIPAL DISTRICT OF THE  
NORTHERN GRAMPIANS SHIRE COUNCIL

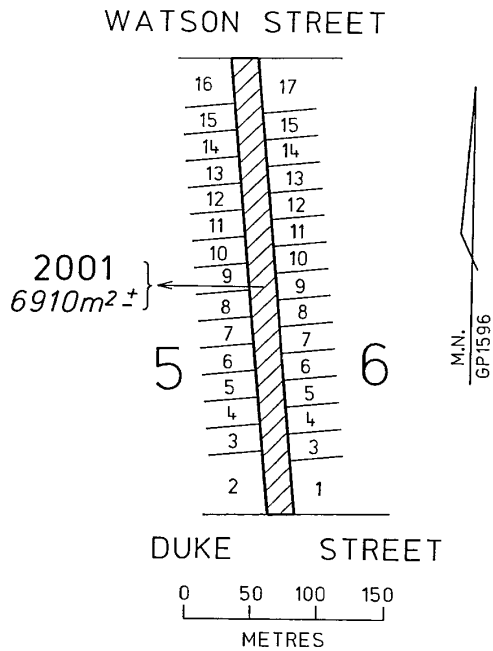
WALLALOO – Conservation of an area of natural interest, combined area 12.47 hectares, being Crown Allotments 2003 and 2004, Parish of Wallaloo as indicated by hatching on plan hereunder. – (GP1313A) – (024487).



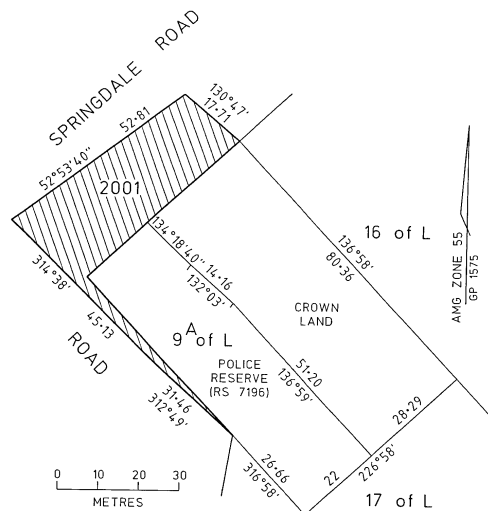
Total area of hatched portions 12.47ha

MUNICIPAL DISTRICT OF THE MITCHELL SHIRE COUNCIL

WALLAN – State School purposes, 6910 square metres, more or less, being Crown Allotment 2001, Township of Wallan, Parish of Wallan Wallan as indicated by hatching on plan hereunder. – (GP1596) – (Rs 17076).

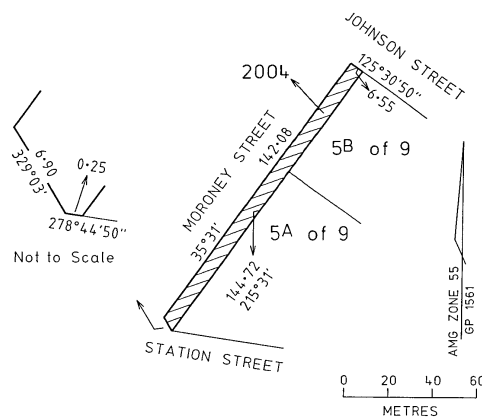


Allotment 2001 as indicated by hatching on plan hereunder. – (GP1575) – (Dtf/2004/596).



MUNICIPAL DISTRICT OF THE WELLINGTON SHIRE COUNCIL

MAFFRA – The road in the Township of Maffra, Parish of Maffra being Crown Allotment 2004 as indicated by hatching on plan hereunder. – (GP1561) – (P260206).



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

Dated 21 September 2004

Responsible Minister  
MARY DELAHUNTY  
Minister for Planning

DIANE CASEY  
Clerk of the Executive Council

Land Act 1958

CLOSURE OF UNUSED ROADS

The Governor in Council under section 349 of the **Land Act 1958** and with the concurrence in writing of the municipalities in which the roads are situated closes the following unused roads:

MUNICIPAL DISTRICT OF THE TOWONG SHIRE COUNCIL

BETHANGA – The road in the Township of Bethanga, Parish of Berringa being Crown

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

Dated 21 September 2004

Responsible Minister  
MARY DELAHUNTY  
Minister for Planning

DIANE CASEY  
Clerk of the Executive Council

**Land Act 1958**

**CLOSURE OF UNUSED ROADS**

The Governor in Council under section 349 of the **Land Act 1958** and with the concurrence in writing of the municipalities in which the roads are situated and the owners of land adjoining those roads closes the following unused roads:

**MUNICIPAL DISTRICT OF THE  
GREATER BENDIGO CITY COUNCIL**

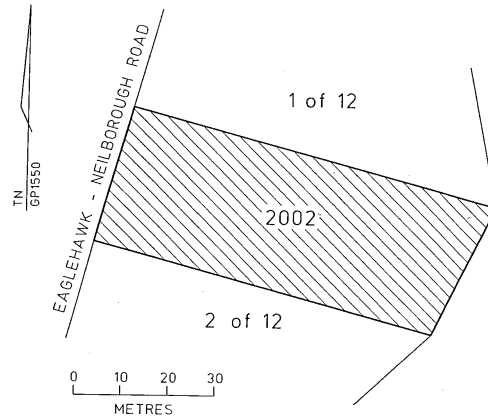
**BENDIGO** – The road at Bendigo, Parish of Sandhurst shown as Crown Allotment 3B, Section 92C on Original Plan No. 120805 lodged in the Central Plan Office. – (06P134016).

**MUNICIPAL DISTRICT OF THE  
GREATER BENDIGO CITY COUNCIL**

**BENDIGO** – The road at Bendigo, Parish of Sandhurst shown as Crown Allotments 2A and 8A, Section 92C on Certified Plan No. 115000 lodged in the Central Plan Office. – (06P134020).

**MUNICIPAL DISTRICT OF THE  
MILDURA RURAL CITY COUNCIL**

**MERBEIN** – The road in the Parish of Merbein being Crown Allotment 2032 as indicated by hatching on plan hereunder. – (GP1563) – (01M62297).

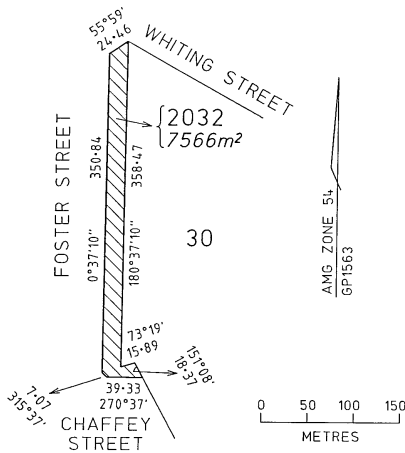


This Order is effective from the date on which it is published in the Government Gazette.

Dated 21 September 2004

Responsible Minister  
**MARY DELAHUNTY**  
Minister for Planning

**DIANE CASEY**  
Clerk of the Executive Council



**MUNICIPAL DISTRICT OF THE  
GREATER BENDIGO CITY COUNCIL**

**NEILBOROUGH** – The road in the Township of Neilborough, Parish of Neilborough being Crown Allotment 2002 as indicated by hatching on plan hereunder. – (GP1550) – (06L6-10400).

**Flora and Fauna Guarantee Act 1988**

FLORA AND FAUNA GUARANTEE (TAKING, TRADING IN, KEEPING, MOVING  
AND PROCESSING PROTECTED FLORA) ORDER 2004

The Governor in Council makes the following Order:

**1. Objective**

The objective of this Order is to permit the taking, trading in, keeping, moving and processing of certain protected flora and to specify relevant terms and conditions.

**2. Authorising provision**

This Order is made under section 48(3) of the **Flora and Fauna Guarantee Act 1988**.

**3. Commencement**

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

**4. Revocation**

The Order authorising the taking, trading in, keeping, moving and processing of protected flora made by the Governor in Council on 29 November 1994 and published in Government Gazette No. G 48 on 1 December 1994 (page 3200) is revoked.

**5. Definitions**

In this Order –

“**grasstree**” means any plant of the taxon *Xanthorrhoea*;

“**potted tree fern**” means a tree fern that –

- (i) has spent its entire life cycle in a pot or artificial container; and
- (ii) has not been truncated at any time;

“**private land**” means land held under freehold title by anyone other than a public authority;

“**regulated tree fern**” means a tree fern with a living crown but does not include a potted tree fern;

“**revoked Order**” means the Order revoked by clause 3;

“**sphagnum moss**” means any plant of the taxon *Sphagnum*;

“**tree fern**” means plants that are members of the taxa –

- (i) *Dicksonia antarctica* (Soft Tree-fern); and
- (ii) *Todea barbara* (Austral King-fern); and
- (iii) *Cyathea australis* (Rough Tree-fern); and
- (iv) *Cyathea cunninghamii* (Slender Tree-fern); and
- (v) *Cyathea leichhardtiana* (Prickly Tree-fern); and
- (iv) *Cyathea X marcescens* (Skirted Tree-fern);

“**truncated**” means, in relation to a potted tree fern, that part of the trunk has been removed;

“**valid tag**” means:

- (a) in relation to a grasstree or a regulated tree fern harvested in Victoria –
  - (i) a tag supplied by the Secretary in accordance with this Order for the purpose of attachment to a grasstree or a regulated tree fern; or
  - (ii) a tag supplied by the Secretary on or after 1 September 2003 in accordance with the revoked Order for the purpose of attachment to a grasstree or a regulated tree fern; and

- (b) in relation to a grasstree or a regulated tree fern harvested outside Victoria –
  - (i) a tag supplied by the Secretary in accordance with this Order for the purpose of attachment to a grasstree or a regulated tree fern; or
  - (ii) a tag supplied by the Secretary on or after 1 September 2003 in accordance with the revoked Order for the purpose of attachment to a grasstree or a tree fern; or
  - (iii) in Tasmania, a tag issued in accordance with the **Forest Practices Act 1985** of Tasmania; or
  - (iv) in Queensland, a tag issued in accordance with the **Nature Conservation Act 1992** of Queensland.

**6. Authority to take protected flora from private land**

A person may take protected flora, other than tree ferns, grasstrees or sphagnum moss, from private land, for the purpose of sale provided that—

- (a) the flora is not taken for the purpose of controlling; and
- (b) the landholder has authorised the taking of protected flora from that land; and
- (c) the flora is not taken from an area determined to be a critical habitat under section 20 of the **Flora and Fauna Guarantee Act 1988**.

*Note – The taking of protected flora that is propagated from flora which has been lawfully obtained and kept is not an offence – see section 47(2)(d) of the **Flora and Fauna Guarantee Act 1988**.*

**7. Authority to trade in, keep, move and process protected flora**

A person may, subject to the conditions set out in clause 8, trade in, keep, move or process protected flora if the protected flora has been –

- (a) taken and obtained in Victoria in accordance with the **Flora and Fauna Guarantee Act 1988** or a permit, licence or Order issued under that Act; or
- (b) taken and obtained lawfully outside Victoria and brought into Victoria; or
- (c) propagated from flora which has been lawfully obtained and kept.

**8. Conditions of trading**

- (1) A person authorised under clause 7 to trade in grasstrees or regulated tree ferns must ensure that –
  - (a) a valid tag is attached to the trunk, if developed, or in other cases, the living crown of any regulated tree fern that is handled for the purpose of trading; and
  - (b) a valid tag is attached to the trunk, if developed, or in other cases, the fronds, of any grasstree that is handled for the purpose of trading; and
  - (c) while a grasstree or a regulated tree fern is in the possession or control of the person authorised to trade in it, a valid tag remains attached to the plant; and
  - (d) if a grasstree or a regulated tree fern is sold by retail by that person, he or she cuts the valid tag in half.
- (2) A person who intends to trade in grasstrees or regulated tree ferns that do not have valid tags attached to them must –
  - (a) apply to the Secretary for the required number of tags; and
  - (b) provide the Secretary with a detailed description of the source of the grasstrees or regulated tree ferns and the identity of the persons and any agents to be used for the handling of that flora; and



- (c) permit authorised officers or any persons nominated by the Secretary to conduct inspections of the land where the grasstrees or regulated tree ferns are stored or are to be harvested to facilitate the verification of the appropriate number of tags to be issued; and
- (d) if tags have been issued by the Secretary, securely affix them to the grasstrees or regulated tree ferns referred to in the application, in accordance with clauses 8(1)(a) and (b); and
- (e) retain a copy of the tag allocation record issued by the Secretary with the tags, for the purpose of possible inspection by an authorised officer, for a period of 2 years from the day the last tags were attached to the grasstrees or regulated tree ferns.

## Notes:

1. The cases of taking protected flora that require authorisation under the **Flora and Fauna Guarantee Act 1988**, but are not authorised by this Order, may be authorised by permit or licence under that Act. These cases include –
  - (a) taking protected flora from land that is not private land;
  - (b) taking tree ferns, grasstrees or sphagnum moss for the purpose of sale from private land (where the tree ferns, grasstrees or sphagnum moss have not been propagated from flora which has been lawfully obtained and kept);
  - (c) taking protected flora for the purpose of controlling;
  - (d) taking protected flora from land which is part of the critical habitat of that flora.
2. Tree ferns and grasstrees may need to be tagged as a condition of a permit or licence issued under the **Flora and Fauna Guarantee Act 1988**.

Dated 21 September 2004

Responsible Minister:  
JOHN THWAITES  
Minister for EnvironmentDIANE CASEY  
Clerk of the Executive Council**Local Government Act 1989**

## KNOX CITY COUNCIL

## Specification of Dates

## Order in Council

The Governor in Council under Sections 3, 21, 21A and 22 of the **Local Government Act 1989**  
ORDERS THAT:

- |                           |  |
|---------------------------|--|
| Friday 24 September 2004  | Entitlement date for the purposes of Division 1 of Part 3 of the <b>Local Government Act 1989</b> ;  |
| Tuesday 5 October 2004    | 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 <b>Local Government Act 1989</b> ; |
| Wednesday 13 October 2004 | The date by which the Chief Executive Officer must make out a voters' list for the purposes of sections 22(2) and 22(2A) of the <b>Local Government Act 1989</b> .                 |

Dated 21 September 2004

Responsible Minister  
CANDY BROAD MLC  
Minister for Local GovernmentDIANE CASEY  
Clerk of the Executive Council



**Crown Land (Reserves) Act 1978****CAULFIELD RACECOURSE RESERVE (AMENDMENT) REGULATIONS 2004**

The Governor in Council, being satisfied that there are special reasons justifying the making of the Regulations, approves the following Regulations:

Dated 21 September 2004

Responsible Minister  
MARY DELAHUNTY, MP  
Minister for Planning

DIANE CASEY  
Clerk of the Executive Council

The Trustees of the Caulfield Racecourse Reserve make the following Regulations:

Dated 21 September 2004

Trustees:

N Tresize  
EM Tanner  
Hon TC Reynolds  
G Sword  
Justice S Marshall  
PB Lawrence  
JM Seccull  
JFX Dillon  
D Marwick  
N Erlich  
V Martens

**1. Title**

These Regulations may be cited as the Caulfield Racecourse Reserve (Amendment) Regulations 2004.

**2. Objective**

The objective of these Regulations is to amend the Caulfield Racecourse Reserve Regulations to provide for increased admission charges to the Caulfield Racecourse Reserve at certain times.

**3. Authorising Provisions**

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

**4. Amendments relating to admission charges**

For Regulation XVII of the Caulfield Racecourse Reserve Regulations 1931 substitute:—

**REGULATION XVII**

(Admission Charges)

The Melbourne Racing Club may levy the following (or at its discretion, lesser) charges for admission upon persons other than members or members' visitors' pass-holders of the said Club.

	\$
For the admission of each person to all of the first, fourth and sixth divisions on Caulfield Cup Day	40.00

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For the admission of each person to all of the first, fourth and sixth divisions on Caulfield Guineas Day	30.00
For the admission of each person to all of the first, fourth and sixth divisions on Blue Diamond Stakes Day	25.00
For the admission of each person to all of the first, fourth and sixth divisions on other race days	20.00
For the admission to the eighth division of every motor vehicle (or \$50.00 per annum)	2.00

The Committee of the Melbourne Racing Club, or any person duly authorised in writing by that Committee, may exempt any person wholly or partially from the payment of all or any of such charges or may reduce the same from time to time, and furthermore, the Club may levy such charges as it determines from time to time for access to reserved seats and private or corporate suites.

(Admission and Access)

Members of the Melbourne Racing Club and Holders of Members' visitors' passes, upon production of their badges or passes, shall be admitted to any part of the said divisions with the exception of the third and seventh divisions without payment of any of the above charges for admission.

Regulations made on 13 October 1931 (Government Gazette: 21 October 1931) by the Trustees of the Caulfield Racecourse Reserve, being the land reserved for Racing, Recreation and Public Park purposes and premises being Allotment A at Caulfield in the Parish of Prahran, County of Burke and last amended by the Trustees on 30 September 2003 (Government Gazette: 2 October 2003).

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**SUBORDINATE LEGISLATION ACT 1994  
NOTICE OF MAKING OF STATUTORY  
RULES**

Notice is hereby given under Section 17 (2) of the **Subordinate Legislation Act 1994** of the making of the following Statutory Rules:

114. *Statutory Rule:* Electricity Safety (Infringements) (Amendment) Regulations 2004  
*Authorising Act:* Electricity Safety Act 1998  
*Date of making:* 21 September 2004
115. *Statutory Rule:* Property Law (Fees) Regulations 2004  
*Authorising Act:* Property Law Act 1958  
*Date of making:* 21 September 2004
116. *Statutory Rule:* Subdivision (Registrar's Fees) Regulations 2004  
*Authorising Act:* Subdivision Act 1988  
*Date of making:* 21 September 2004
117. *Statutory Rule:* Instruments (Fees) Regulations 2004  
*Authorising Act:* Instruments Act 1958  
*Date of making:* 21 September 2004
118. *Statutory Rule:* Transfer of Land (Fees) Regulations 2004  
*Authorising Act:* Transfer of Land Act 1958  
*Date of making:* 21 September 2004

**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:

112. *Statutory Rule:* Ambulance Services (Exemption) Regulations 2004  
*Authorising Act:* Ambulance Services Act 1986  
*Date first obtainable:* 23 September 2004  
*Code A*
113. *Statutory Rule:* Building (Siting and Design) Regulations 2004  
*Authorising Act:* Building Act 1993  
*Date first obtainable:* 23 September 2004  
*Code A*

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