



Victoria Government Gazette

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No. G 39 Thursday 29 September 2005

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GENERAL

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As from 29 September 2005

The last Special Gazette was No. 182 dated 26 September 2005.

The last Periodical Gazette was No. 1 dated 16 June 2005.

How To Submit Copy

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- 1 Treasury Place, Melbourne (behind the Old Treasury Building), and
 - Craftsman Press Pty Ltd, 125 Highbury Road, Burwood 3125
(front of building).
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VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

Please note that the principal office of the Victoria Government Gazette, published and distributed by The Craftsman Press Pty Ltd, has changed from 28 July 2005.

The new office and contact details are as follows:

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Land Act 1958

Notice is hereby given that Crown Limited has applied for a lease pursuant to section 134A of the **Land Act 1958** for a term of 50 years in respect of parts of Haig and Clarke Streets, including the strata above, depicted on OP 122165-A, Parish of South Melbourne for the purpose of a "car park link between the new and the existing car parks".

Ref No.: 04/01/CARP.

DISSOLUTION OF PARTNERSHIP

Re: Key Spice Enterprises

Take notice that John Bennard Maughn and Gaylene Julie Johnston and Charles Pisani were previously carrying on the above partnership at 6 Oddy Street, Drouin, Victoria and have dissolved their partnership on 20 May 2002.

Re: MARJORY WESTON McCONCHIE, late of 32 Walpole Street, Kew, Victoria, but formerly of 18 Edward Street, Kew, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 April 2005, are required by the trustees, Rosemary Anne Fawns of 5 River Retreat, Kew, Victoria, medical practitioner, daughter, Robin Alison McConchie of 24 Nairn Street, Milton, Victoria, journalist, daughter, David Bruce McConchie of 44 Chaucer Crescent, Canterbury, Victoria, town planner, son and Stephen Haig McConchie of 14 Thackeray Street, Elwood, Victoria, public servant, son, to send particulars to the trustees by a date not later than two months from the date of publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

Re: Estate of WALTER PATRICK MARTIN.

Creditors, next-of-kin and others having claims in respect of the estate of WALTER PATRICK MARTIN, late of 125 Finlayson

Street, Rosanna, deceased, who died on 9 July 2005, are required by the executors, Margaret Anna Callahan of 60 Laidman Street, Maryborough, and Jennifer Margaret Bourke of 20 Ellis Road, Yarra Glen, in the State of Victoria, to send particulars of their claim to them care of the undermentioned solicitor by 8 December 2005, after which date the said executors will distribute the assets of the deceased, having regard only to the claims of which they then shall have notice.

B. J. WILLIAMS, LL.B., solicitor,
106 Lower Plenty Road, Rosanna.

Re: DORIS INMAN, late of Weeroona Nursing Home, 76 Serrell Street, East Malvern, Victoria, home duties, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 14 January 2004, are required by the executor, Daphne Saunders of 31 Florizel Street, Glen Iris, Victoria, sales consultant, to send particulars to the executor by 5 December 2005, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor has notice.

DIBBS ABBOTT STILLMAN, lawyers,
Level 4, 575 Bourke Street, Melbourne 3000.

Re: Estate of JANIS BERGMANIS.

Creditors, next-of-kin or others having claims in respect of the estate of JANIS BERGMANIS, late of Jacaranda Lodge, Monash Avenue, Nyah West, in the State of Victoria, retired orchardist, deceased, who died on 2 August 2005, are to send particulars of their claim to the executrix care of the undermentioned legal practitioners by 9 December 2005, after which date the executrix will distribute the assets, having regard only to the claims of which she then has notice.

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

Re: Estate of MARY MARGARET HEDWARDS.

Creditors, next-of-kin or others having claims in respect of the estate of MARY MARGARET HEDWARDS, late of Gregory Lodge, 2–58 Newmarket Street, Flemington, in the State of Victoria, but formerly of 9/13 Naretha Street, Swan Hill, Victoria, widow, deceased, who died on 26 July 2005, are to send particulars of their claim to the executor care of the undermentioned legal practitioners by 9 December 2005, after which date the executor will distribute the assets, having regard only to the claims of which he then has notice.

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

Creditors, next-of-kin and others who have claims in respect of the estate of JESSIE MAY KENNEDY, late of Nicholson Park, Deptford, in the State of Victoria, deceased, who died on 5 May 2005, are to send particulars of their claims to the administrators care of Engel & Partners Pty of 109 Main Street, Bairnsdale, by 29 December 2005, after which date it will distribute the assets, having regard only to the claims of which it then has notice.

ENGEL & PARTNERS PTY, legal practitioners,
109 Main Street, Bairnsdale.

ETHEL WHITESIDE, late of Unit 3, 43–49 Clowes Street, South Yarra, retired teacher, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 July 2005, are required by the personal representatives, Diana Febbo of 2A Vaucluse Street, Brighton, and Tansy Good of 8 The Explanade, Fairfield, to send particulars to them care of the undermentioned solicitors by 7 December 2005, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they have notice.

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

Re: GLENDA ALICE CORCORAN, late of 185 Summerhill Road, Yarra Junction, teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 February 2005, are required by the trustee, Geoffrey William Corcoran, to send particulars to him care of the undersigned by 5 December 2005, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: JACK HAGAN, late of 41 Park Avenue, Eildon, Victoria 3713, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 July 2005, are required by the trustee, Gregory Allen Black, to send particulars to him care of the undersigned by 28 November 2005, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

MURIEL COULMAN, late of 18 Switchback Road, Churchill, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 6 May 2005, are to send particulars of their claim to the executor, Christine Ann Urand, care of the undermentioned solicitors by 30 November 2005, after which date she will convey or distribute the assets having regard only to the claims of which she then has notice.

LITTLETON HACKFORD &
D'ALESSANDRO PTY LTD, lawyers,
94 Buckley Street, Morwell, Vic. 3840.

Re: FRANCIS JOSEPH FAY, late of Healesville & District Nursing Home, Don Road, Healesville, Victoria, but formerly of 494 Don Road, Healesville, Victoria, self funded retiree, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 May 2005, are required by the trustees, Peter Francis Fay of 4 Panoramic Grove, Glen Waverley, Victoria, project officer, son, and Angela Mary Doake, in the Will called Angela Mary Fay of Sunny Meadows, Killara Road, Coldstream, Victoria, retail manager, daughter, to send particulars to the trustees by 28 November 2005, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

MACPHERSON + KELLEY, solicitors,
40–42 Scott Street, Dandenong 3175.

Re: FRANCES ELIZABETH THOMSON, late of 9/36 Jurang Street, Balwyn, Victoria, retired librarian, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 16 May 2005, are required by the trustee, Perpetual Trustees Victoria Limited, ACN 004 027 258 of 360 Collins Street, Melbourne, Victoria to send particulars to the trustee by 29 November 2005, 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.

Re: GRAEME DOUGLAS WATSON, late of 18/80 O'Shanassy Street, North Melbourne, Victoria, retired lecturer, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 8 November 2004, are required by the trustee, Perpetual Trustees Victoria Limited of 360 Collins Street, Melbourne, Victoria, to send particulars to the trustee by 29 November 2005, 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.

ALAN JAMES McMILLAN, late of Buckland Nursing Home, Mansfield, Victoria, retired grazier.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 July 2005, are required by the applicants for grant of representation in the estate, David Hamilton McMillan and Cathryn Faye McMillan, care of the undermentioned firm of solicitors, to send particulars to them by 6 December 2005, after which date the applicants may convey or distribute the assets, having regard only to the claims of which they then have notice.

MAL. RYAN & GLEN,
solicitors for the applicants,
9 High Street, Mansfield 3722.

Re: CHARLES HENRY THRESHER, late of O'Mara House, Hunter Road, Traralgon, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 June 2005, are required by the trustee, Richard Phillip Tresher of 6550 Goulburn Valley Highway, Arcadia, Victoria, retired, the brother, to send particulars to the trustee care of the undermentioned solicitors by 6 December 2005 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

McDONOUGH & CO., solicitors,
68 Seymour Street, Traralgon 3844.

Re: EILEEN RUBY DE PIAZZA, late of 192 Nicholson Street, Orbost, Victoria, home duties.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 March 2005, are required by Julie van Lieshout of 26 Herman Street, Rosebud, Victoria and Valda May Inbgram of RMB 5390 Vardy's Road, Maffra, Victoria, the executors appointed in the Will, to send particulars of any such claim to the trustee care of the undermentioned solicitors so that such particulars are received on or prior to 2 December 2005, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Re: ALFRED LOUIS MALLIA, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of ALFRED LOUIS MALLIA, late of 11 Gresford Street, North Sunshine, who died on 20 July 1989, are to send particulars of their claim to the administratrix care of the undermentioned solicitors by 30 November 2005 after which date the administratrix will distribute the assets having regard only to the claims of which the administratrix then has notice.

NUNAN & BLOOM, solicitors,
343 Little Collins Street, Melbourne.

Re: HAROLD JOHN FOX, late of 6 Norwood Avenue, Brighton, company director, 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, Joan Fox of 6 Norwood Avenue, Brighton, the widow, to send particulars to the trustee by 28 November 2005, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: ANNIE MATILDA RICHARDSON, late of 26 Athelstan Road, Camberwell, Victoria, home duties, deceased. Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 8 April 2005, are required by the executor, Joan Lorraine Keiger of 17 Golden Grove, Red Hill, Australian Capital Territory, to send particulars to her care of the undersigned by 29 November 2005, after which date she may convey or distribute the assets, having regard only to the claims of which she then has notice.

RENNICK & GAYNOR, solicitors,
431 Riversdale Road, Hawthorn East 3123.

Re: GERARDUS ANDREAS CORNELIS MARIA REYNEN, late of Unit 74, 100 Janefield Drive, Bundoora, Victoria, retired builder, deceased.

Creditors, next-of-kin and all other persons having claims against the estate of the said

deceased, are required by Joan Reynen and Frank Reynen, the executors of the estate of the said deceased, to send particulars of such claims to them care of the undermentioned solicitors by a date being two calendar months from the date of this advertisement, after which date they will distribute the estate, having regard only to the claims of which they then have notice.

RYAN, MACKEY & McCLELLAND,
solicitors,
65 Main Street, Greensborough.

Re: EDWARD WHALLEY, late of Unit 10, 60 Andrews Avenue, Melton South, Victoria, security guard.

Creditors, next-of-kin and others having claims in respect of the estate of the above deceased, who died at Melton South on 4 March 2005, are required by the legal personal representative of the said deceased, Darren Edward Whalley, care of Stedman Cameron, lawyers of 179 Queen Street, Melbourne 3000, to send particulars to them within sixty days from the publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

STEDMAN CAMERON, lawyers,
Level 9, 179 Queen Street, Melbourne 3000.

Re: REBECCA PEGGY GINA BAILEY, late of RSL Park, Overport Road, Frankston, Victoria, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 May 2005, are required by the executor, Peter John Bailey of 24 Chapel Street, East Richmond, Victoria, to send particulars to him by 3 December 2005, 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.

Re: JOHN RANSOME PEARCE, late of 12 Terrigal Street, Mornington, Victoria, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 June 2005, are

required by the executrix, Julie Ann Wilson of 25 Tarella Road, Chelsea, Victoria, to send particulars to her by 3 December 2005, after which date the executrix may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

GORDON McDOWELL, deceased.

Creditors, next-of-kin and others having claims against the estate of GORDON McDOWELL, late of 73 Clarence Street, Elsternwick, Victoria, retired, deceased, who died on 1 June 2005, are required to send particulars of their claims to the executor care of the undermentioned solicitor by 12 December 2005, after which date the executor will distribute the assets, having regard only to the claims of which she shall then have notice.

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

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

On Friday 28 October 2005 at 11.00 a.m. at the Sheriff's Office, corner of Fenwick & Little Malop Streets, Geelong (unless process be stayed or satisfied).

All the estate and interest (if any) of Dario Peter Chiavaroli of 19 Moruya Drive, Grovedale, as shown on Certificate of Title as Dario Paul Chiavaroli, joint proprietor with Rita Maria Chiavaroli of an estate in fee simple in the land described on Certificate of Title Volume 9103, Folio 819 upon which is erected a dwelling known as 19 Moruya Drive, Grovedale.

Registered Mortgage No. AD495470X affects the said estate and interest.

Terms – Cash/Eftpos
GST plus 10% on fall of hammer price
SW-05-003878-8

Dated 22 September 2005

V. PARKIN
Sheriff's Office

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

On Tuesday 25 October 2005 at 11.00 a.m. at the Sheriff's Office, 107 Baxter Street, Bendigo (unless process be stayed or satisfied).

All the estate and interest (if any) of Boontel Pty. Ltd. of Lot 6, Kyneton Road, Metcalfe, proprietor of an estate in fee simple in Lot 1 on Title Plan 008294Y consisting of approximately 5.54 hectares and being the whole of the land described on Certificate of Title Volume 10315, Folio 814 which has the remains of a burnt out dwelling known as Lot 1, Old Post Office Road and Kyneton-Metcalfe Road, Metcalfe.

Registered Mortgage No. W758424E affects the said estate and interest.

The property can be located by travelling to the township of Kyneton then travelling in north-easterly direction along the Calder Highway and turning right into Kyneton-Metcalfe Road. The property is boarded by Old Post Office Road and Kyneton-Metcalfe Road, which intersect at the property's northern most point and is known as Lot 1, Old Post Office and Kyneton Roads, Metcalfe.

Refer RACV VicRoads Country Edition No. 5 Map 59, H3.

Terms – Cash/Eftpos
(Debit Cards only. No Credit Cards)
GST plus 10% on fall of hammer price
CW-05-003516-9

Dated 22 September 2005

V. PARKIN
Sheriff's Office

PROCLAMATIONS

**Primary Industries Legislation
(Further Miscellaneous Amendments) Act 2004**

PROCLAMATION OF COMMENCEMENT

I, Marigold Southey, Lieutenant-Governor of Victoria, as the Governor's deputy, with the advice of the Executive Council, and under section 2(2) of the **Primary Industries Legislation (Further Miscellaneous Amendments) Act 2004** fix 29 September 2005 as the day on which section 49 of that Act comes into operation.

Given under my hand and the seal of
Victoria on 27th September 2005.

(L.S.) MARIGOLD SOUTHEY
Lieutenant-Governor,
as the Governor's deputy
By His Excellency's Command

BOB CAMERON
Minister for Agriculture

Sustainability Victoria Act 2005

PROCLAMATION OF COMMENCEMENT

I, Marigold Southey, Lieutenant-Governor of Victoria, as the Governor's deputy, with the advice of the Executive Council, under section 2(2) of the **Sustainability Victoria Act 2005**, fix 1 October 2005 as the day on which the remaining provisions of that Act come into operation.

Given under my hand and the seal of
Victoria on 27th September 2005.

(L.S.) MARIGOLD SOUTHEY,
Lieutenant-Governor of Victoria,
as the Governor's deputy,
By His Excellency's Command

JOHN BRUMBY
Acting Minister for Environment

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

MONASH CITY COUNCIL

ERRATUM

Road Discontinuance

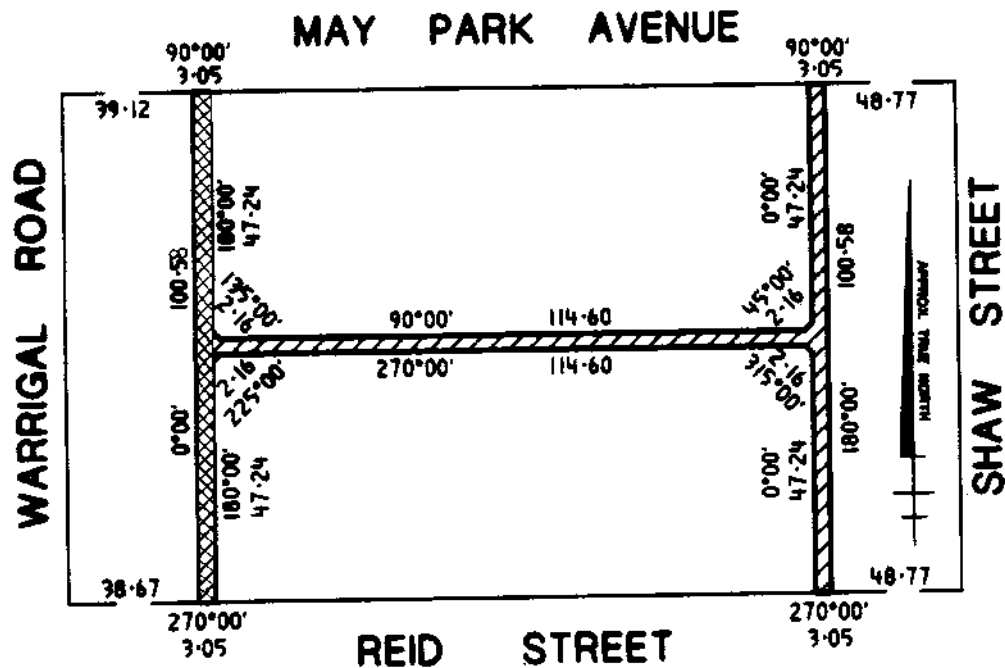
This notice supersedes the notices which appeared on Page 2982 of the 21 December 2000 (G51) and Page 1665 of the 19 July 2001 (G29) editions of the Victoria Government Gazette in relation to this road discontinuance.

At its meeting on 10 October 2000 and acting under Clause 3 of Schedule 10 to the **Local Government Act 1989**, Monash City Council ("Council"):

1. formed the opinion that part of the road bounded by Warrigal Road, Maypark Avenue, Shaw Street and Reid Street, Ashwood, shown both hatched and cross-hatched on the plan below and being part of the land in Certificate of Title Volume 2416, Folio 147 ("the road") is not reasonably required as a road for public use; and
2. resolved to discontinue the road and either lease or sell all or part of the land from the road.

That part of the Road shown hatched is to be leased or sold subject to the right, power or interest held by Yarra Valley Water Limited in the Road in connection with any sewers, drains or pipes under the control of that authority in or near the Road.

That part of the road shown cross-hatched is to be leased or sold subject to the right, power or interest held by Gas and Fuel Corporation in the road in connection with any pipes or plant under the control of that authority in or near the road.



DAVID CONRAN
Chief Executive Officer

MONASH CITY COUNCIL

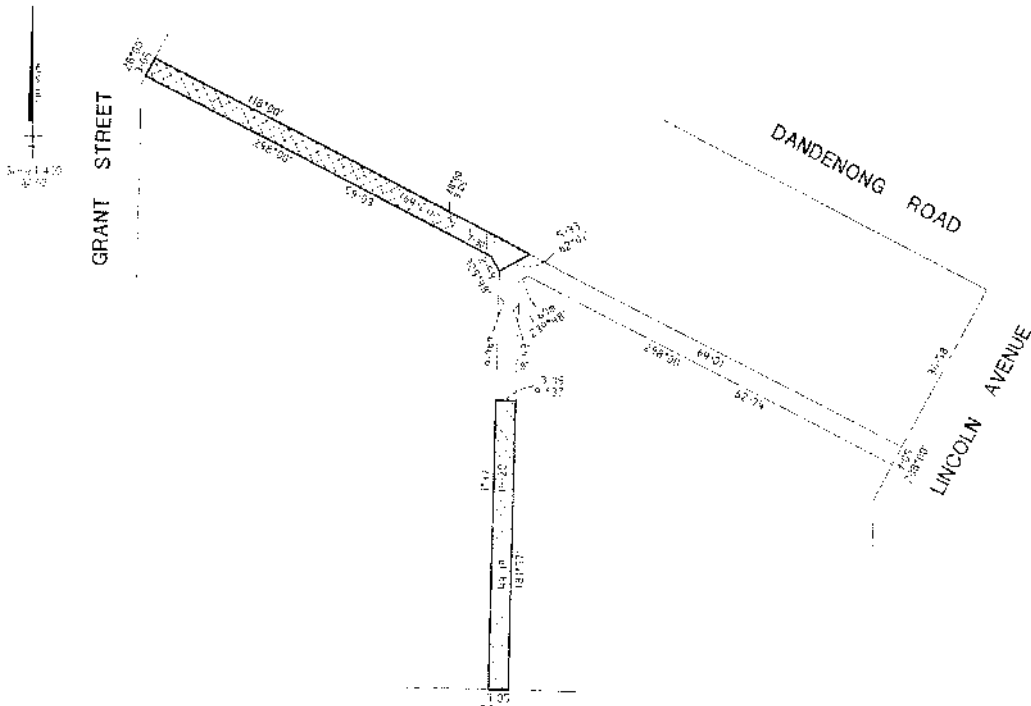
Road Discontinuance

At its meeting on 7 June 2005 and acting under Clause 3 of Schedule 10 to the **Local Government Act 1989**, Monash City Council ("Council"):

1. formed the opinion that part of the road that abuts the rear of 6–10 Grant Street, 1A–5 Lincoln Avenue and 1480–1486 Dandenong Road, Oakleigh, shown hatched, cross-hatched and vertical hatched on the plan below and being part of Certificate of Title Volume 2130, Folio 977 ("the road"), is not reasonably required as a road for public use; and
2. resolved to discontinue the Road and either sell or retain the land from the discontinued Road.

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

The part of the road shown hatched and vertical hatched is to be sold or retained subject to any right, power or interest held by South East Water Limited in the road in connection with any sewers or pipes under the control of that authority in or near the road.



DAVID CONRAN
Chief Executive Officer



Naming of Roads throughout the Macedon Ranges Shire

Consultative processes have been undertaken via advertisements in the local newspapers and letters to affected residents inviting comment/submissions on the naming of a number of roads throughout the Macedon Ranges Shire. A number of submissions were received in response to the consultation process. A working group of Councillors has reviewed these submissions and made the following decisions:

<i>Road</i>	<i>Name</i>
Renaming Peters Road, Gisborne Section north from McGregor Road to impassable point at Jacksons Creek	Continuance of McGregor Road
Unnamed Government Road abutting the eastern Property line of 701 Kilmore Road, Riddells Creek	Flour Mill Lane As suggested by Gisborne & Mt Macedon Districts Historical Society
Unnamed Government Road off Fairfield Lane, Darraweit Guim	Continuance of Fairfield Lane
New Local Road joining Wards Lane, Kyneton to Malmsbury East Road, Malmsbury north of the Calder Freeway	DeGraves Mill Drive Passes Wards Mill that was established by William DeGraves, where road commences it crosses the old Kyneton–Redesdale train line and cuts through the site where DeGraves Railway Station, yard and platform were situated.

Anomalies have been detected between Council's rates database, gazetted road names and signposted roads. After consultation with affected residents, the following actions have been determined: Gazetting Moffats Lane, Romsey as it appears in Council records to be Moffitts Lane as signposted. This corresponds with early records that have been found regarding the Moffitt family ownership of the adjoining land.

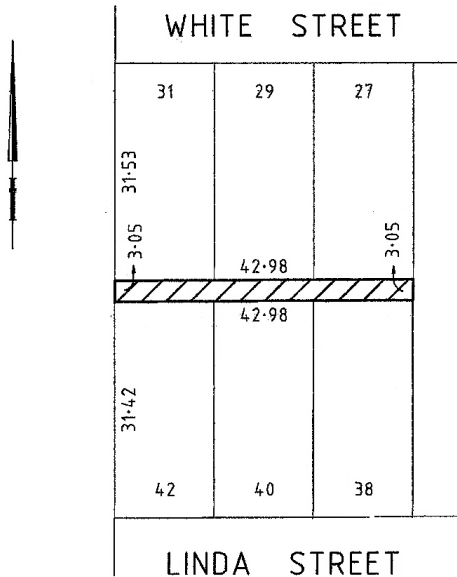
Council has undertaken a public consultation process inviting affected residents to show their support for the naming of Kinsellas Lane, which had been previously gazetted on two separate sections of road located on both sides of the Calder Freeway Woodend. Submissions were received regarding the proposal to clarify the naming of both Bawden Road and Kinsellas Lane, Woodend.

As a result of this consultation process, it was resolved that a re-gazettal of these roads is required. Bawden Road to commence from Wood Street, proceed under freeway and continue past Kinsellas Lane to the conclusion of road (as is currently signposted). Kinsellas Lane to commence at Bawden Road, continue north to 90 degree turn, past Boundary Road to conclusion of road (as is currently signposted).

MORELAND CITY COUNCIL
Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Moreland City Council at its ordinary meeting held on 12 September 2005, formed the opinion that the road at the rear of 27 to 31 White Street and 38 to 42 Linda Street, Coburg and shown by hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The road is to be sold subject to the right, power or interest held by Yarra Valley Water Limited, in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.



PETER BROWN
Chief Executive Officer



General Local Law of 2005 No. 1 of 2005

On 21 September 2005 Bass Coast Shire Council made a new Local Law, to be referred to as General Local Law of 2005 No. 1 of 2005.

The following information about the Local Law is provided in accordance with Section 119(3) of the **Local Government Act 1989**.

The purpose and general purport of the Local Law is to:

1. provide a safe and healthy environment in which the residents of the Shire are able to enjoy a quality of life that meets the general expectations of the community;
2. prohibit, regulate and control activities which may be dangerous or unsafe or detrimental to the quality of life, the environment or property within the Shire;
3. control nuisances and noise, odour and smoke emissions, and other discharges to the environment;
4. control and prevent behaviour which is a nuisance, or which may be detrimental to health and safety or which affects the enjoyment of recreational or other facilities;
5. protect Council and community assets and facilities on or in the Shire;
6. regulate and control the use of roads by persons, vehicles and animals and regulate the parking of vehicles for the safety and fair use by people in the Shire;
7. preserve and protect the Council's assets from damage which may be caused from extraordinary use of streets and roads within the Shire;
8. regulate and control roadside trading and movable advertising signs and display of goods on any land and in any public place;
9. enable street parties, street festivals and processions and busking in a fair, equitable and safe manner, which does not compromise the primary need for the passage of pedestrians and vehicles;
10. enable the collections on footpaths in a fair, equitable and safe manner that does not compromise the primary need for the passage of pedestrians;
11. implement standards for access by the disabled in the community;
12. enable people in the Bass Coast Shire to carry out their day-to-day activities and to enjoy their recreational pursuits without having their peace and enjoyment interfered with or destroyed;
13. recognise and respond to community expectations relating to the quality of life they expect and require and are capable of influencing;

14. provide for the safe and efficient management and control of:
- dangerous and unsightly land or dilapidated premises;
 - smoke emissions (particularly from chimneys) and incinerators;
 - advertising, bill posting and junk mail;
 - camping and temporary dwellings;
 - circuses, carnivals, festivals and filming activities;
 - interference with water courses;
 - animals and birds, including animal numbers and the keeping and control of animals and birds;
 - disposal of waste including behaviour associated with tips;
 - drainage tapping;
 - noxious weeds;
 - smoking and consumption of alcohol in Municipal properties; and
 - public health.
15. provide the administrative framework for the operation of the Local Law; and
16. repeal the following redundant Local Laws:
- the Consumption of Liquor in Public Places Local Law 1995 (Local Law No. 1 of 1995);
 - Roads and Land Local Law No. 8 (Local Law No. 8 of 1999); and
 - the Environment and Amenity Local Law No. 9 (Local Law No. 9 of 1999).

A copy of the Local Law is available for inspection at Council's Customer Service Centres at 76 McBride Avenue, Wonthaggi; 91-97 Thompson Avenue, Cowes; 3 Reilly Street, Inverloch and 1504-1510 Bass Highway, Grantville. A copy is also available for download from Council's website at www.basscoast.vic.gov.au.

ALLAN BAWDEN
Chief Executive Officer



Colac Otway
SHIRE

Making of Local Laws

On 23 September 2005, Colac Otway Shire Council made a new Local Law under Section 119 of the **Local Government Act 1989**.

Local Law No. 2 2005 – General Local Law

The purposes and general purport of the Local Law No. 2 is to:

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

and to achieve these by:

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

This Local Law commences on 24 September 2005. A copy of the Local Law may be inspected or purchased from the Colac Otway Shire, Rae Street, Colac and the Apollo Bay Customer Service.

A copy is also available on Council's website at www.colacotway.vic.gov.au.

TRACEY SLATTER
Chief Executive Officer

Local Government Act 1989

APPROVAL OF AGREEMENT BETWEEN BASS COAST SHIRE COUNCIL, BAW BAW SHIRE COUNCIL AND SOUTH GIPPSLAND SHIRE COUNCIL TO OPERATE A REGIONAL LIBRARY CORPORATION

I, Candy Broad, MLC, Minister for Local Government, acting pursuant to Section 196 (2) of the **Local Government Act 1989**, hereby approve of the Agreement executed by Bass Coast Shire Council, Baw Baw Shire Council and South Gippsland Shire Council for the

operation of a Regional Library Corporation under section 196 of the **Local Government Act 1989**.

Dated 16 September 2005

CANDY BROAD MLC
Minister for Local Government

may request to be heard in person or by a person acting on his or her behalf in support of that submission.

JOHN BENNIE
Chief Executive

MANNINGHAM CITY COUNCIL

Manningham's Meeting Procedure Law 2005

Notice is hereby given in accordance with the **Local Government Act 1989** that the Manningham City Council intends to make a Local Law known as Manningham's Meeting Procedure Law 2005.

The purpose and general purport of the proposed Local Law is to:

- provide a mechanism to facilitate the good government of the Council through its formal meeting procedure;
- regulate and control the election of Mayor and Council representatives on external bodies;
- regulate and control the procedures governing the conduct of meetings;
- regulate and control the use of the Council's seal;
- provide for the administration of the Council's powers and functions; and
- provide generally for the peace, order and good government of the municipal district.

The proposed Local Law is intended to succeed the current meeting procedures Local Law, which is known as Manningham's Meeting Procedure Law 2003. The current Local Law is to be revoked if the making of the proposed Local Law is proceeded with.

A copy of the proposed Local Law can be obtained from the Council office, 699 Doncaster Road, Doncaster.

Any person affected by the proposed Local Law may make a submission relating to the proposed Local Law which will be considered under Section 223 of the **Local Government Act 1989**. Submissions relating to the proposed Local Law close on 14 October 2005 and should be addressed to the Manager Corporate Support, Manningham City Council, PO Box 1, Doncaster 3108. Any person making a written submission

MARIBYRNONG CITY COUNCIL

General Purposes Local Law No. 6

At its meeting on 20 September 2005, Maribyrnong City Council (Council) resolved to adopt a "General Purposes" Local Law (6) and gives notice pursuant to S119(3) of the **Local Government Act 1989** (the Act).

The purpose of the "General Purposes" Local Law is to:

- (a) provide for the peace, order and good government of the Municipal District of the Maribyrnong City Council;
- (b) promote a physical and social environment free from hazards to health, in which the residents of the Municipal District can enjoy a quality of life that meets the general expectations of the community;
- (c) prevent and suppress nuisances which may adversely affect the enjoyment of life within the Municipal District or the health, safety and welfare of persons within the Municipal District; and
- (d) prohibit, regulate and control activities which may be dangerous or unsafe or detrimental to the quality of life and the environment of the Municipal District.

The general purport of the Local Law is to define and determine the manner in which the following activities under the control of the Council will be controlled and regulated:

- Reserves
- Parks, Gardens, Reserves and Street Trees
- Behaviour on Roads and Council Land
- Municipal Recreation Centres
- Consumption of Alcohol in Public Area
- Use of Land
- Clothing Recycling Bins
- Camping and Caravans
- Numbering of Properties
- Signs, Goods and Furniture

- Sale of Goods, Street Collections and Spruiking
- Building Sites
- Occupation of Roads for Works
- Spoil on Roads
- Traffic Hazards
- Vehicle Crossings
- Motor, Recreational and Toy Vehicles
- Animals and Birds
- Waste Disposal
- Management of Drains
- Open Air Burning and Incinerators
- Noise
- Administration and Enforcement

The Local Law will come into effect on 23 December 2005 and copies of the Local Law are available from the Municipal Offices at the corner of Hyde and Napier Streets, Footscray, and from the website at www.maribyrnong.vic.gov.au.

Mr NICK FOA
Acting Chief Executive Officer



Proposed Creation of General Local Law

Notice is hereby given that at its Ordinary Meeting of 26 September 2005, Melton Shire Council proposed to make General Local Law 2005.

The purpose of the General Local Law 2005 is to replace General Local Law No. 1. It relates to matters affecting streets and roads, use of Council land and facilities, sale of goods (street selling, collection and distributions), protection of amenity of the local district, animal control, environmental health and control over building sites.

A copy of the proposed General Local Law 2005 can be inspected at the Civic Centre, 232 High Street, Melton, during business hours.

Written submissions relating to the proposed Local Law can be made in accordance with Section 223 of the **Local Government Act 1989**. Any such submissions should be addressed to Melton Shire Council, PO Box 21, Melton,

and must be made within 14 days of the date of publication of this notice.

Any person who has made a written submission to Council and requested that he or she be heard in support of the written submission is entitled to appear in person or by a person acting on his or her behalf before a meeting of Council at a date and time to be fixed.

NEVILLE SMITH
Chief Executive



Mildura Rural City Council

Notice of Intention to make Local Law No. 2 – Community Local Law

Notice is hereby given that a meeting of Mildura Rural City Council on 22 September 2005, Council resolved its intention to make Local Law No. 2 Community Local Law.

The objectives of this Local Law are to provide for the peace, order and good Government of the Mildura Rural City Council by:

1. managing, regulating and controlling activities and uses on any land which:
 - (a) may be detrimental to the amenity of the area of the environment or may be dangerous or cause a nuisance to others in the vicinity; and
 - (b) are directed at maintaining a healthy and safe environment for residents and visitors.
2. regulating and controlling uses and activities on Council land and roads so that the Council is aware of activities which may:
 - (a) be detrimental to the amenity of the area or the enjoyment of facilities on Council land or roads;
 - (b) cause damage to Council and community assets;
 - (c) create a danger or expose others to risk;
 - (d) interfere with the safety and convenience of people travelling on or using Council land or roads; and
 - (e) impede free and safe access for people.

3. identifying activities and uses that are not permitted so as to achieve the objectives in sub-clauses (1) and (2);
4. providing for the administration of the Council's powers and functions.

Local Law No. 2 (Community Local Law) is on display at the following Council Offices:

- 108–116 Madden Avenue, Mildura;
- 76–84 Deakin Avenue, Mildura;
- 79 Oke Street, Ouyen.

Any person affected by this Local Law No. 2 may, within fourteen (14) days of publication of this notice, make a submission to it which will be considered in accordance with Section 223 of the **Local Government Act 1989**.

Submissions about the Local Law No. 2 should be forwarded to the Chief Executive Officer, PO Box 105, Mildura, Victoria 3502 and indicate whether the submitters wish to be heard in support of the submission.

PHIL PEARCE
Chief Executive Officer



Local Law 2 2005
General Works

Notice is hereby given pursuant to Section 119(2) of the **Local Government Act 1989** that at a Moorabool Shire Council meeting on 21 September 2005 Council made Local Law 2 2005 General Works.

Purposes of the Local Law

The purpose of the Local Law is to amend General Works Local Law 2002 and will also enable authorised officers to issue infringement notices to offenders as required.

General Purport of the Local Law

The Local Law will provide for better protection of Council assets, improve the safety and amenity of building sites and reduce stormwater pollution due to building work in the municipality.

A copy of the Local Law may be inspected at or obtained from Council offices at 15 Stead

Street, Ballan and 197 Main Street, Bacchus Marsh during business hours of 8.30 am to 5.00 pm or from the Council website www.moorabool.vic.gov.au

Enquiries should be directed to Rhonda Taylor, Compliance Co-ordinator on 5366 7100.

ROBERT DOBRZYNSKI
Chief Executive Officer



Local Law 5 2005
Shopping Trolleys

Notice is hereby given pursuant to Section 119(2) of the **Local Government Act 1989** that at a Moorabool Shire Council meeting on 21 September 2005 Council made Local Law 5 2005 Shopping Trolleys.

Purposes of the Local Law

The purpose of the Local Law is to promote responsible use of shopping trolleys throughout the Shire, and to enable authorised officers to issue infringement notices to offenders as required.

General Purport of the Local Law

The Local Law will provide for improved control of abandoned shopping trolleys and enhance community amenity within the municipality.

A copy of the Local Law may be inspected at or obtained from Council offices at 15 Stead Street, Ballan and 197 Main Street, Bacchus Marsh during business hours of 8.30 am to 5.00 pm or from the Council website www.moorabool.vic.gov.au

Enquiries should be directed to Rhonda Taylor, Compliance Co-ordinator on 5366 7100.

ROBERT DOBRZYNSKI
Chief Executive Officer

SOUTH GIPPSLAND SHIRE COUNCIL

General Local Law No. 1 of 2005

Notice is hereby given that at a meeting of the Council of the South Gippsland Shire held on 21 September 2005, Council resolved to

make a Local Law titled General Local Law No. 1 (2005) pursuant to the provisions of the **Local Government Act 1989**.

The purpose of the proposed Local Law is to –

- (a) provide a safe and healthy environment in which the residents of the municipal district enjoy a quality of life that meets the general expectations of the community;
- (b) prohibit, regulate and control activities which may be dangerous or unsafe or detrimental to the quality of life in the environment of the municipal district;
- (c) facilitate the provision of general public services, health and other community services, property services, recreational and cultural services, and other services in a way which enhances the environment and quality of life in the municipal district;
- (d) provide for the peace order and good government of the municipal district;
- (e) provide for the administration of the Council's powers and functions; and
- (f) prescribe penalties for contravention of any provisions of this Local Law.

A copy of the Local Law can be obtained from Council's offices at 9 Smith Street, Leongatha or the Council's website at www.southgippsland.vic.gov.au.

JOSEPH CULLEN
Chief Executive



Making of Local Laws

Notice is hereby given in accordance with Section 119(3) of the **Local Government Act 1989**, that the Mornington Peninsula Shire Council resolved, at its meeting on 19 September 2005, to make the following Local Laws:

Local Law No. 1 (2005) – Council

The purpose and general purport of this Local Law is:–

- to regulate and control the use of Council's Seal;
- to regulate and control the procedures governing the conduct of Council Meetings and Meetings of Special Committees of Council; and

- to regulate and control the election of the Mayor.

Local Law No. 2 (2005) – Environment

The purpose and general purport of this Local Law is:–

- to provide a safe and healthy environment in which the residents of the municipal district are able to enjoy a quality of life that meets the general expectations of the community;
- to prohibit, regulate and control activities which may be dangerous or unsafe or detrimental to the quality of life in the environment of the municipal district;
- to prohibit, regulate and control activities associated with:
 - the use of recreation vehicles;
 - advertising and bill posting;
 - animals and birds;
 - collection and disposal of waste;
 - drains; and
 - clothing recycling bins;
- to control nuisances and noise, odour and smoke emissions, and other discharges to the environment; and
- to lead and educate the public as to what is, and what is not, appropriate behaviour.

Local Law No. 3 (2005) – Municipal Places

The purpose and general purport of this Local Law is:–

- to control and prevent behaviour which is a nuisance, or which may be detrimental to health and safety or which affects the enjoyment of recreational or other facilities;
- to protect Council and community assets and facilities on or in municipal places; and
- to lead and educate the public as to what is, and what is not, appropriate behaviour.

Local Law No. 4 (2005) – Municipal Libraries

The purpose and general purport of this Local Law is:–

- to regulate the management, operation and administration of Municipal Libraries; and
- to control and prevent behaviour which is a nuisance, or which may be detrimental to health and safety or affects the enjoyment of Municipal Libraries.

Local Law No. 5 (2005) – Streets and Roads

The purpose and general purport of this Local Law is:–

- to regulate and control the use of roads by persons, vehicles and animals and to regulate the parking of vehicles for the safety and fair use by people in the municipal district;
- to preserve and protect the Council's assets from damage which may be caused from extraordinary use of streets and roads within the municipal district;
- to regulate and control activities associated with:
 - works within road reserves;
 - the placing of bulk rubbish containers;
 - naming of roads and display of property numbers; and
 - roadside trading and movable advertising signs and display of goods on any land and in any public place; and
- to lead and educate the public as to what is, and what is not, appropriate behaviour.

Local Law No. 6 (2005) – Consumption of Liquor and Behaviour in Public Places

The purpose and general purport of this Local Law is:–

- to regulate and control the consumption of alcohol in designated areas within the municipal district;
- to protect against behaviour which causes detriment to the amenity and environment of the municipal district; and
- to lead and educate the public as to what is, and what is not, appropriate behaviour.

The Local Laws come into operation on 30 September 2005.

A copy of the Local Laws may be inspected at any of the Shire's Customer Service Offices during office hours at Marine Parade, Hastings; Edward Street, Somerville; Queen Street, Mornington; and Besgrove Street, Rosebud.

Dr MICHAEL KENNEDY
Chief Executive Officer



Notice of Adoption of a
Road Management Plan

Notice is hereby given by Strathbogrie Shire Council that pursuant to Section 55 of the **Road Management Act 2004** ("Act"):

- Strathbogrie Shire Council adopted the Road Management Plan ("RMP") on 20 September 2005.

The RMP can be inspected at the Strathbogrie Shire Council office at the corner of Binney and Bury Streets, Euroa.

The Code of Practice, any incorporated document or any amendment to an incorporated document, as the case may be, may be inspected at the Strathbogrie Shire Council office.

A copy of the above document can also be viewed and/or downloaded from Council's website – www.strathbogrie.vic.gov.au.

KEVIN J. HANNAGAN
Chief Executive Officer

Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

Notice of Amendment

Amendment C81

Authorisation Number A66

The Ballarat City Council has prepared Amendment C81 to the Ballarat Planning Scheme.

The Amendment affects land bounded by Sturt Street to the south, the Ring Road to the west, Gregory Street to the north and Lake Gardens to the east. The land is currently part vacant and part occupied by the Ballarat Golf Club.

The Amendment proposes to rezone land from part Public Park and Recreation Zone, Rural Zone, Industrial 1 Zone and Public Use 4 Zone to part Residential 1 Zone and part Special Use Zone 11. It will also apply the Development Plan Overlay and Vegetation Protection Overlay to the land being zoned Residential 1. A minor

change is proposed to the Framework Plans at Clauses 21.03 and 21.05 of the Scheme to reflect the change in land use envisaged for the site.

The Amendment is proposed to support the construction of a new 18 hole golf course to the north of the existing course, and a 400 (approximate) lot residential subdivision to the south and east in the position of the current course.

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, Ballarat City Council, Phoenix Office, 25 Armstrong Street South, Ballarat; at the Western Region Office, Department of Sustainability and Environment, State Government Offices, corner of Doveton and Mair Streets, Ballarat; and at the Department of Sustainability and Environment, Planning Information Centre, 8 Nicholson Street, East Melbourne 3002.

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. Submissions about the Amendment must be sent to the Chief Executive Officer, City of Ballarat, PO Box 655, Ballarat, Vic. 3353, and will be accepted until 5.00 p.m. 29 October 2005. All submissions should clearly state all of the grounds on which you support or oppose the Amendment and indicate whether you wish to be heard in respect of the submission at any subsequent panel hearing.

DOUG McNEILL
Manager Strategic Planning

Planning and Environment Act 1987

CASEY PLANNING SCHEME

Notice of the Preparation of an Amendment Amendment C46

Authorisation No. A52

The Amendment has been prepared by the City of Casey and affects all land within the municipality.

The Amendment proposes to:

- introduce a new Aboriginal Cultural Heritage Policy at Clause 22.18 of the Casey Planning Scheme; and,

- amend Clause 21.10 – Natural and Built Assets to provide further support for the new policy within the Municipal Strategic Statement (MSS) of the planning scheme.

The objectives of the Aboriginal Cultural Heritage Policy are:

- to provide for the identification, protection and management of Aboriginal cultural heritage values;
- to promote consultation with the local Aboriginal communities in providing for the conservation and enhancement of places, sites and objects of Aboriginal cultural heritage value; and
- to ensure new uses, development and works do not adversely impact on sites and features of Aboriginal cultural heritage and archaeological significance.

In addition to the new policy, it is proposed to amend Clause 21.10 of the planning scheme to give added strength to the identification and protection of Aboriginal cultural heritage in the context of Council's land use planning processes.

You may inspect the Amendment, any documents that support the Amendment and the Explanatory Report about the Amendment at the office of the planning authority: City of Casey, Customer Service Centre, Municipal Offices, Magid Drive, Narre Warren; City of Casey, Customer Service Centre, Shop 8 (Bendigo Bank building), Amberly Park Shopping Centre, 101 Seebeck Drive, Narre Warren South; City of Casey, Customer Service Centre, Cranbourne Park Shopping Centre (opposite Post Office), Cranbourne and at Department of Sustainability & Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

The Amendment is also available for viewing, in Adobe Acrobat format, on the City of Casey website at www.casey.vic.gov.au/planningexhibition.

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

The closing date for submissions is 31 October 2005. A submission must be sent to:

Planning Scheme Amendment Co-ordinator,
City of Casey, PO Box 1000, Narre Warren,
Vic. 3805.

Should you have any queries about this
Amendment, please contact Michael Pollard on
9705 5589.

Dated 29 September 2005

ROBERT BAGGIO
Manager Planning

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

The closing date for submissions is the close
of business 31 October 2005. A submission must
be sent to: John McLean, Chief Executive
Officer, City of Greater Bendigo, PO Box 733,
Bendigo, Vic. 3552.

JOHN McLEAN
Chief Executive Officer

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C72

Authorisation A70

The City of Greater Bendigo has prepared
Amendment C72 to the Greater Bendigo
Planning Scheme.

The land affected by the Amendment is:

- 51, 55, 57 and 61 Wattle Street, Bendigo;
- Part 123–131 High Street, Bendigo.

An application to realign the boundaries is
currently with Council to create:

- Lot 1 PS 534023K – 2315m² (High Street,
Bendigo);
- Lot 2 PS 534023K – 3018m² (Wattle Street,
Bendigo).

Proposed Lot 2 is affected by this Amendment.

The Amendment proposes to rezone the land
from Business 4 Zone to Special Use Zone 1 –
Educational or Religious Institutions.

You may inspect the Amendment, any
documents that support the Amendment and
the explanatory report about the Amendment at
the following locations: Department of
Sustainability and Environment, Planning
Information Centre, Ground Floor, 8 Nicholson
Street, East Melbourne; Department of
Sustainability and Environment, North West
Regional Office, 1 Taylor Street, Epsom 3551;
City of Greater Bendigo Council, Strategic
Planning Unit, 191–193 Lyttleton Terrace,
Bendigo 3552; and City of Greater Bendigo,
Statutory Planning Unit, Hopetoun Mill, 15
Hopetoun Street, Bendigo 3552.

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

Creditors, next-of-kin and others having
claims against the estate of the undermentioned
deceased person 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 30 November 2005,
after which date State Trustees Limited may
convey or distribute the assets, having regard
only to the claims of which State Trustees
Limited then has notice.

BAKER, David Keith, late of 70 Chaucer Street,
St Kilda, Victoria 3182, manager, and who
died on 17 September 2005.

Dated 21 September 2005

Executor & Trustee Services

Creditors, next-of-kin and others having
claims against the estate of any of the
undermentioned deceased persons are required
to send particulars of their claims to State Trustees
Limited, ABN 68 064 593 148, 168 Exhibition
Street, Melbourne, Victoria 3000, the personal
representative, on or before 1 December 2005,
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.

BOURKE, Anthony John, formerly of
99 Karingal Drive, Frankston, Victoria
3199, but late of 50 Palmerston Road,
Maryborough, Victoria 3465, pensioner, and
who died on 7 September 2005.

HORAN, Redmond Bernard, late of Flat 10,
15 Eric Street, Preston West, Victoria 3072,
pensioner, and who died on 3 August 2005.

SLATTERY, Kathleen Dorothy, formerly of Marian House, 16 Wadrop Grove, Northcote, Victoria 3070, but late of Villa Maria, 1424–1430 Plenty Road, Bundoora, Victoria 3083, retired, and who died on 16 April 2005.

STEWART, Jean Elma, formerly of 3/23 Seymour Grove, Camberwell, Victoria 3124, but late of Strabane Gardens, 1–3 Strabane Avenue, Mont Albert, Victoria 3127, retired, and who died on 31 August 2005.

Dated 23 September 2005

Executor and Trustee Services

STATE TRUSTEES LIMITED

A.C.N. 064 593 148

Section 79

Notice is hereby given that State Trustees Limited, A.C.N. 064 593 148 intends administering the estates of:—

ANNA BUKYS, late of Southpost Community Nursing Home, 18–30 Richardson Street, Albert Park, Victoria, pensioner, deceased intestate, who died on 8 July 2005.

MARIE PHILLIPS KIDD, late of Bayview Nursing Home, Frankston–Dandenong Road, Carrum Downs, Victoria, retired, deceased, who died on 5 September 2005, leaving a Will dated 29 May 2000.

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 2005, after which date State Trustees Limited, A.C.N. 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.

EXEMPTION

Application No. A236/2005

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** by Darebin Community Legal Centre Inc. for exemption from Sections 13, 100 and 195 of that Act. The application for exemption is to enable the applicant to advertise for and employ

female duty lawyers to work primarily in intervention order matters in the family violence division of the Heidelberg Magistrates Court.

Upon reading the material submitted in support of the application and upon hearing submissions from Ms C. Symons and for the Reasons for Decision given by the Tribunal on 21 September 2005, 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 duty lawyers to work primarily in intervention order matters in the family violence division of the Heidelberg Magistrates Court.

The Tribunal hereby grants an exemption to the applicant 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 duty lawyers to work primarily in intervention order matters in the family violence division of the Heidelberg Magistrates Court.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 28 September 2008.

Dated 21 September 2005

C. McKENZIE
Deputy President

EXEMPTION

Application No. A293 of 2005

The Victorian Civil & Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act) by Workco Ltd (the applicant). The application for exemption is to enable the applicant to advertise for and employ a person with an Indigenous background as an Indigenous Employment Officer (“the specified conduct”).

Upon reading the material filed in support of this application by Workco Ltd, 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 engage in the specified conduct.

In granting this exemption the Tribunal noted:

- Workco Ltd recognises that Indigenous Australians are disadvantaged in the labour

market and advocates the need for specific responses to increase the participation rate of Indigenous Australians.

- Workco Ltd aims to develop and maintain strong working relationships with Indigenous communities to develop an understanding of the diversity in culture and needs.
- A person of Indigenous background may be able to better gain access and relate to the Indigenous community, therefore achieving a higher result in assisting Indigenous persons into employment and training opportunities.

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 engage in the specified conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 29 September 2008.

Dated 20 September 2005.

HER HONOUR JUDGE DAVIS
Deputy President

EXEMPTION

Application No. A296 of 2005

The Victorian Civil & Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act) by Victoria Racing Club (the applicant). The application for exemption is to enable the applicant to grant to members of the applicant aged 60 years and older the preferential opportunity to purchase reserved seating up to a maximum of 888 seats in the Members' Grandstand at Flemington Racecourse for the 2005, 2006 & 2007 Melbourne Cup Carnivals before that opportunity is provided to other members ("the specified conduct").

Upon reading the material filed in support of this application by Mr Rodney Fitzroy, Chairman of Victoria Racing Club, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 42, 60, 100 and 195 of the Act to enable the applicant to engage in the specified conduct.

In granting this exemption the Tribunal noted:

- it is the older members of the Club who are likely to require guaranteed seating for their

comfort, and in some cases for their health and safety, in the crowded conditions which prevail during the Melbourne Cup Carnival.

- Where the 888 reserved seats are not purchased by members aged 60 years or older, they will be made available for purchase by younger Club members.
- The applicant was granted a previous exemption in similar terms for the 2004 Melbourne Cup Carnival. All of the reserved seats on offer to members over 60 in accordance with that exemption were purchased by members aged 60 years and over. The preferential seating availability for members aged 60 years and over was welcomed.

The Tribunal hereby grants an exemption from the operation of Sections 42, 60, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the specified conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 29 September 2008.

Dated 20 September 2005.

HER HONOUR JUDGE DAVIS
Deputy President

EXEMPTION

Application No. A272 of 2005

The Victorian Civil & Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act) by the Richmond Fellowship of Victoria (the applicant). The application for exemption is to enable the applicant to advertise for and employ a male in the role of key worker in the case management and outreach support team of the Richmond Fellowship of Victoria's Sandridge Program ("the specified conduct").

Upon reading the material filed in support of this application by Ms Sally Elizabeth, Program Manager, Sandridge Program, 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 engage in the specified conduct.

In granting this exemption the Tribunal noted:

- The Richmond Fellowship of Victoria Sandridge Program is a supported accommodation and assistance program as well as a psychiatric disability rehabilitation support service which provides residential and outreach support to young people who are homeless or at risk of homelessness and have a history of trauma and abuse.
- Young men are not under-represented in their experience of homelessness, but are under-represented in accessing support services in relation to young women.
- The Sandridge Program offers a weekly men's group to recognise the need for young men to participate in team and group work for which it requires a male staff member to mentor young men and provide a positive role model.
- A male worker in the Sandridge Program also provides an advantage to young women who benefit from a positive and supportive relationship with a male.

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 engage in the specified conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 29 September 2008.

Dated 20 September 2005.

HER HONOUR JUDGE DAVIS
Deputy President

EXEMPTION

Application No. A294/2005

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** by Workco Limited for exemption from Sections 13, 100 and 195 of that Act. The application for exemption is to enable the applicant to advertise for and employ two Indigenous people to liaise with the Indigenous community in the Horsham area and to perform other duties connected with the applicant's work as a group training organisation, an employment agency and a member of the jobs network.

Upon reading the material submitted in support of the application and upon hearing submissions from Mr D. Luciani and for the Reasons for Decision given by the Tribunal on

22 September 2005, 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 two Indigenous people to liaise with the Indigenous community in the Horsham area and to perform other duties connected with the applicant's work as a group training organisation, an employment agency and a member of the jobs network.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 13, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to advertise for and employ two Indigenous people to liaise with the Indigenous community in the Horsham area and to perform other duties connected with the applicant's work as a group training organisation, an employment agency and a member of the jobs network.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 28 September 2008.

Dated 22 September 2005.

C. McKENZIE
Deputy President

Department of Treasury and Finance

SALE OF CROWN LAND BY PUBLIC AUCTION

Date of Auction: 29 October 2005 at 11.00 a.m.
on site.

Reference: 2005/01095.

Address of Property: Heales & Fraser Streets,
Mt Pleasant.

Crown Description: Crown Allotment 1A,
Section 119, Township of Ballarat East,
Parish of Ballarat.

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

Area: 1972m².

Officer Co-ordinating Sale: Garry McKenzie,
Garry McKenzie & Associates Pty Ltd, First
Floor, City Centre Arcade, 315 Sturt Street,
Ballarat, Vic. 3350.

Selling Agent: Bartrop Real Estate Pty Ltd,
50-54 Lydiard Street South, Ballarat, Vic.
3350.

JOHN LENDERS MP
Minister for Finance

Department of Treasury and Finance

SALE OF CROWN LAND
BY PUBLIC AUCTION

Date of Auction: 29 October 2005 at 11.00 a.m.
on site.

Reference: 2005/01093.

Address of Property: Fincham Street,
Mt Pleasant.

Crown Description: Crown Allotment 8B,
Section 119, Township of Ballarat East,
Parish of Ballarat.

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

Area: 3720m².

Officer Co-ordinating Sale: Garry McKenzie,
Garry McKenzie & Associates Pty Ltd, First
Floor, City Centre Arcade, 315 Sturt Street,
Ballarat, Vic. 3350.

Selling Agent: Bartrop Real Estate Pty Ltd,
50-54 Lydiard Street South, Ballarat, Vic.
3350.

JOHN LENDERS MP
Minister for Finance

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 5 September 2005

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 "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 2005.

Dated 5 September 2005

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 2005.

Dated 5 September 2005

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 2006.

Dated 5 September 2005

JOHN PANDAZOPOULOS MP
Minister for Tourism

Gas Safety Act 1997

DECLARATION OF ACCEPTANCE
SCHEME UNDER SECTION 68

I, Kenneth Alexander Gardner, Director of
Energy Safety, declare under section 68 of the
Gas Safety Act 1997, the Product Compliance
Program for Gas Safety Certification for Gas

Appliances operated by SAI Global, A.C.N. 050 611 642, and detailed in the publication "SAI Global Product Certification – Product Compliance Program – Gas Safety Certification for Gas Appliances and Components" to be authorised for the purposes of the Act.

Dated 29 September 2005

KENNETH GARDNER
Director of Energy Safety

Land Acquisition and Compensation Act 1986

FORM 7 S.21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Crown Allotment 3, Section 24, Parish of Truganina comprising 789.0 square metres and being land described in Certificate of Title Volume 9914, Folio 082, shown as Parcel 1 on Survey Plan 21037.

Interest acquired: That of Perpetual Trustee Company Limited and all other interests.

Published with the authority of VicRoads.

Dated 29 September 2005

For and on behalf of VicRoads
ANDY WU
Acting Manager
VicRoads Property

Land Acquisition and Compensation Act 1986

FORM 7 S.21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lot 1 on Plan of Subdivision 095711S, Parish of Koorooman comprising 3802.0 square metres and being land described in Certificate of Title Volume 9567, Folio 368, shown as Parcel 20 on Survey Plan 20992.

Interest acquired: That of Graeme Lionel and Margaret Lorraine Tuckett and all other interests.

Published with the authority of VicRoads.
Dated 29 September 2005

For and on behalf of VicRoads
BERNARD TOULET
Manager VicRoads Property

Land Acquisition and Compensation Act 1986

FORM 7 S.21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lot 3 on Plan of Subdivision 337148M, Parish of Koorooman comprising 3011.0 square metres and being land described in Certificate of Title Volume 10193, Folio 233, shown as Parcels 15 and 16 on Survey Plan 20991.

Interest acquired: That of Kevin James & Karilyn Patricia & Luis & Melissa Jane Brislin & Castagna and all other interests.

Published with the authority of VicRoads.

Dated 29 September 2005

For and on behalf of VicRoads
BERNARD TOULET
Manager VicRoads Property

Land Acquisition and Compensation Act 1986

FORM 7 S.21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lots 1, 2, 3 and 4 on Plan of Subdivision 849100Y, Parish of Koorooman comprising 878.5 square metres and being land described in Certificate of Title Volume 6462, Folio 221, shown as Parcels 11, 12 and 13 on Survey Plan 20991.

Interest acquired: That of Hazel Florence Crighton and all other interests.

Published with the authority of VicRoads.

Dated 29 September 2005

For and on behalf of VicRoads
BERNARD TOULET
Manager VicRoads Property

Land Acquisition and Compensation Act 1986

FORM 7

S.21

Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Crown Section 2A, Parish of Faraday, comprising 4.239 hectares and being land described in Book Memorial 194 No. 259, Book Memorial 188 No. 299, and Book Memorial 185 No. 860, shown as Parcel 1 on Survey Plan 20967 and Parcel 23 on Survey Plan 20988 and Parcels 37 and 39 on Survey Plan 20989.

Interest acquired: That of Coliban Region Water Authority and all other interests.

Published with the authority of VicRoads.

Dated 29 September 2005

For and on behalf of VicRoads
BERNARD TOULET,
Manager VicRoads Property

Customs Act 1901 from entering or remaining in the area of the safety zone without the consent in writing of the Designated Authority. This safety zone is effective from mid October 2005 to mid November 2005 and extends to a distance of five hundred metres, measured from: Latitude 38° 07' 47.82" S, Longitude 148° 09' 08.53" E.

* Note: the above are GDA94 co-ordinates.

Where an unauthorised vessel enters or remains in the safety zone specified in contravention of this instrument, the owner and the person in command or in charge of the vessel are each guilty of an offence against section 119 of the Act and are punishable, upon conviction, by a fine not exceeding \$100,000 or imprisonment for a term not exceeding 10 years, or both, pursuant to section 119(3) of the Act.

Dated 20 September 2005

Made under the **Petroleum (Submerged Lands) Act 1967** of the Commonwealth of Australia.

TERRY MCKINLEY
Department of Primary Industries

Legal Practice Act 1996TRUST ACCOUNTS REGULATION
ACCOUNT

At a Board Meeting held on 8 September 2005, the Legal Practice Board made a specific allocation of \$3,300,000 to the Trust Accounts Regulation Account pursuant to Section 379 of the **Legal Practice Act 1996**.

S. WALPOLE
Chief Executive Officer

COMMONWEALTH OF AUSTRALIA

Petroleum (Submerged Lands) Act 1967
(SECTION 119)Prohibition of Entry into a Safety Zone –
VIC/P54 (Fur Seal 1 Well)

I, Terry McKinley, Manager Petroleum Operations, Safety and Environment of Victoria, by instrument of delegation 2 June 2004, and pursuant to section 119 of the above Act, hereby prohibit all vessels, other than vessels under the registered holders of Exploration Permit VIC/P54, vessels operated by authorised persons who are exercising powers under Division 6A of Part III, section 140(A)(1) of the above Act and Australian Customs Vessels defined as Commonwealth Ships under the Australian

Transport Act 1983TOW TRUCK DIRECTORATE
OF VICTORIA

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 2 November 2005.

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 27 October 2005.

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

Warragul Towing Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW 144, TOW 152, TOW 194, TOW 192 and TOW 191 which authorise the licensed vehicles to be managed, controlled and operated from a depot situated at 6 Tabuteau Road, Moe to change the depot address to 86 Moore Street, Moe.

Dated 29 September 2005

STUART SHEARER
Director

Transport Act 1983TOW TRUCK DIRECTORATE
OF VICTORIA

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 2 November 2005.

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 27 October 2005.

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

Murrumbeena Towing Service Pty Ltd. Application for variation of conditions of tow truck licence number TOW 706 which authorises the licensed vehicle to be managed, controlled and operated from a depot situated at 33–35 Franklyn Street, Huntingdale to change the depot address to 13–15 Wannan Street, Highett.

Dated 29 September 2005

STUART SHEARER
Director

Victorian Institute of Teaching Act 2001NOTIFICATION CANCELLING
THE REGISTRATION OF A TEACHER

Pursuant to section 42 of the **Victorian Institute of Teaching Act 2001** (the Act) the Victorian Institute of Teaching may find a teacher guilty of serious misconduct and/or unfit to teach and may make a determination pursuant to sub-section 42(2) including cancelling the registration of a teacher.

On 24 August 2005, David James Misell, born on 19 July 1946, was considered not fit to teach.

On 24 August 2005, David James Misell's registration as a teacher in Victoria was cancelled.

Dated 26 September 2005

PETER RYAN
Chairperson
Disciplinary Proceedings Committee
Victorian Institute of Teaching

Water Act 1989EAST GIPPSLAND REGION
WATER AUTHORITYProposed Extension of the
Mitchell Water Supply District to Cover the
Township of Nowa Nowa

Notice is hereby given that the East Gippsland Region Water Authority, pursuant to section 96 of the **Water Act 1989**, proposes to extend the Mitchell River Water Supply District to include an area mostly to the west of the existing Princes Highway, and uniting with the Nowa Nowa Water Supply District as part of East Gippsland Water's strategy for improving water quality for the Nowa Nowa township.

Full details of the district extension proposals and copies of plans showing the extent of the districts are available for inspection free of charge at the Authority's office, 133 Macleod Street, Bairnsdale, during office hours.

Members of the public are invited to make submission on the proposal. Any person making a submission or objection to the proposal should set out grounds for any objection raised in the submission.

Submissions must be received by the Authority on or before 29 October 2005, which is one month after the publication of this notice in the Government Gazette. If any submissions are received, the Board of East Gippsland Water will consider them at the scheduled Board meeting on 15 November 2005.

LES MATHIESON
Chief Executive Officer
East Gippsland Water

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ('the Act'), the Minister for Children, Minister for Community Services hereby declares that the Darley Neighbourhood House, Licence Number 61 ('the service') is exempt from regulation 42(2) and 42(3) of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that:

1. The licensee must provide at the service a children's room with a floor area allowing the average space of 1.90 square metres for each child using that room.

2. The licensee must ensure that the children attending the service have access to the covered veranda area at all times the service is operating.
3. The licensee of the service must ensure compliance with regulation 42(2) and 42(3) at the expiry of this exemption period.

This exemption remains in force until 1 June 2006 unless revoked earlier.

Dated 28 September 2005

HON SHERRYL GARBUTT MP
Minister for Children
Minister for Community Services

Children’s Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children’s Services Act 1996** (the Act), the Minister for Children, Minister for Community Services hereby declares that the Eaglehawk Preschool Licence Number 1283 (the service) is exempt from regulations 42(2) and 42(3) of the Children’s Services Regulations 1998.

This exemption is granted subject to the condition that:

1. The licensee shall provide at the service a children's room with a floor area allowing the average space of 3.25 square metres for each child using that room.
2. The licensed capacity of the service is reduced prior to the expiry of this exemption period.
3. Enrolments for 2006 are taken in accordance with available clear floor space.

This exemption remains in force until 31 December 2005 unless revoked earlier.

Dated 22 September 2005

HON SHERRYL GARBUTT MP
Minister for Children
Minister For Community Services

Children’s Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children’s Services Act 1996** (“the Act”), the Minister for Children, Minister for Community Services hereby declares that Kids Campus Mildura Central, Licence ID 2433 (“the service”) is exempt from the qualified staff members requirement as set

out in regulation 24 of the Children’s Services Regulations 1998.

This exemption is granted subject to the conditions that the proprietor must ensure that:

1. Whenever children are being cared for or educated by the service, the number of staff members as set out in regulation 24 are caring for and educating the children;
2. No more than one nominated staff member is employed in place of qualified staff; and
3. The nominated staff member who is employed in place of a qualified staff member is undertaking a course to attain a post-secondary early childhood qualification recognised under regulation 25.

This exemption remains in force until 31 December 2005.

Dated 22 September 2005

HON SHERRYL GARBUTT MP
Minister for Children
Minister For Community Services

Children’s Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children’s Services Act 1996** (the Act), the Minister for Children, Minister for Community Services hereby declares that The Playhouse Licence ID 1285 (the service) is exempt from the qualified staff members requirement as set out in regulation 24 of the Children’s Services Regulations 1998.

This exemption is granted subject to the conditions that the proprietor must ensure that:

1. Whenever children are being cared for or educated by the service, the number of staff members as set out in regulation 24 are caring for and educating the children;
2. No more than one nominated staff member is employed in place of qualified staff and; and
3. The nominated staff members are undertaking a course to attain a post-secondary early childhood qualification recognised under regulation 25.

This exemption remains in force until 30 June 2006.

Dated 22 September 2005

HON SHERRYL GARBUTT MP
Minister for Children
Minister For Community Services

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** (Act), the Minister for Children, Minister for Community Services hereby declares that the exemption from regulation 24 of the Children's Services Regulations 1998 for Bendigo Stadium Licence Number 253 (the service) published in the Victorian Government Gazette on 06 May 2004 is revoked. The revoked exemption is replaced by this exemption from regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the condition that:

1. The service holds a restricted licence;
2. No child is cared for or educated at the service for more than 3 hours a day and more than 10 hours each week;
3. Information is displayed prominently at the entrance to the children's service which indicates the conditions of this exemption;
4. Each staff member at the service is not less than 18 years of age; and
5. The proprietor ensures that whenever children are being cared for or educated by the children's service, the number of staff members set out in the table are caring for or educating the children –

No. of Children Present	Age of Children	Number of Staff Members	Number of total staff members who must be qualified staff members.
15 or less	Under 3 years (all children under 3 years)	1 for every 7 children or fraction of that number	1
	Mixed age grouping (under 3 years and 3 years or more)	1 for every 7 children or fraction of that number	
	3 years or more (all children 3 years or more)	1 for every 7 children or fraction of that number	
16 or more	Under 3 years (all children under 3 years)	1 for every 7 children or fraction of that number	1 qualified staff member for every 15 children or fraction of that number
	Mixed age grouping (under 3 years and 3 years or more)	1 for every 7 children or fraction of that number	1 qualified staff member for every 15 children or fraction of that number
	3 years or more (all children 3 years or more)	1 for every 7 children or fraction of that number	1 qualified staff member for every 30 children or fraction of that number

This exemption remains in force until 28 May 2008 unless revoked earlier.

Dated 22 September 2005

HON SHERRYL GARBUTT MP
Minister for Children
Minister For Community Services

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Children, Minister for Community Services hereby declares that the Dingee Preschool Inc, Preschool, Licence Number 10320 ("the service") is exempt from the qualified staff members requirement as set out in regulation 24 of the Children's Services Regulations 1998.

The exemption is granted subject to the conditions that the proprietor must ensure that whenever Children are being cared for or educated by the service:

1. the number of staff members as set out in regulation 24 are caring for and educating the children;
2. the staff members must include a staff member who holds a primary teaching qualification.

Note: An early childhood qualified teacher will monitor the delivery of the preschool program.

This exemption remains in force until 31 December 2005.

Dated 22 September 2005

HON SHERRYL GARBUTT MP
Minister for Children
Minister For Community Services

Education Act 1958NOTICE OF MAKING OF ORDER UNDER SECTION 13 AND
ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 180) 2002

An Order of the Minister for Education Services was made on 14 September 2005 pursuant to sections 13(4) and 13(11) of the **Education Act 1958** and Administrative Arrangements Order (No. 180) 2002 amending the constituting Order of a school council to change its name. The change is as follows:

Old name	New name
Traralgon Special Developmental School Council	Latrobe Special Developmental School Council

JACINTA ALLAN
Minister for Education Services

Education Act 1958NOTICE OF MAKING OF ORDER UNDER SECTION 13 AND ADMINISTRATIVE
ARRANGEMENTS ORDER (NO. 180) 2002

An Order of the Minister for Education Services was made on 14 September 2005 under sections 13(4) and 13(11) of the **Education Act 1958** and Administrative Arrangements Order (No. 180) 2002 amending the constituting Order of Nullawarre and District Primary School Council in respect of the membership of the school council.

JACINTA ALLAN
Minister for Education Services

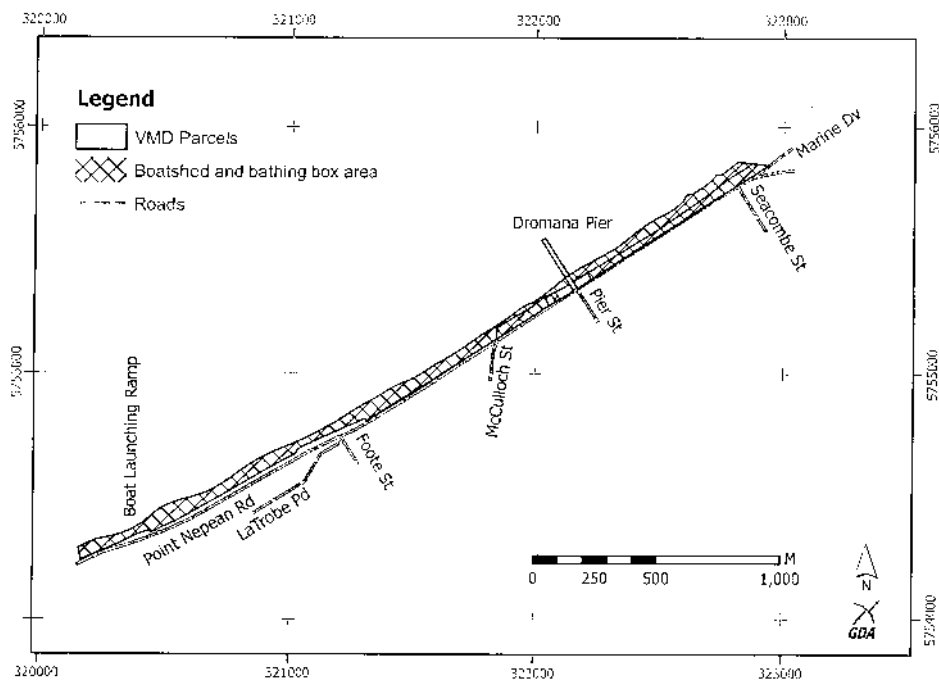
Crown Land (Reserves) Act 1978**ORDER GIVING APPROVAL TO GRANT LICENCES UNDER
SECTIONS 17B AND 17DA**

Under section 17B and 17DA of the **Crown Land (Reserves) Act 1978** I, Rob Hulls, Minister for Planning, being satisfied that there are special reasons which make the granting of 244 licences reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of 244 licences by the Dromana Foreshore Committee of Management Incorporated for the purpose of the use and maintenance of a boatshed or bathing box within the area of the Dromana Foreshore Reserve described in the Schedule below and, in accordance with section 17B(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

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

SCHEDULE

The land shown by cross hatching on the following plan, being part of the land temporarily reserved for Public Park by Order in Council of 12 November 1872 (vide Government Gazette of 1872, page 2086).



**Dromana Foreshore Reserve
Boatshed and bathing box area**

1201992 RS1018

Dated 11 September 2005

ROB HULLS MP
Minister for Planning

Interpretation of Legislation Act 1984**FAIR TRADING (SAFETY STANDARD)
(CHILDREN'S TOYS) (AMENDMENT) REGULATIONS 2005****Notice of Incorporation of Documents and Address for Inspection of Documents**

As required by section 32 of the **Interpretation of Legislation Act 1984**, I give notice that the Fair Trading (Safety Standard) (Children's Toys) (Amendment) Regulations 2005 apply, adopt or incorporate the following documents:

Table of Applied, Adopted or Incorporated Matter

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 3 which amends Schedule 4 to the Fair Trading (Safety Standard) (Children's Toys) Regulations 2004	Australian/New Zealand Standard AS/NZS ISO 8124.1:2002, Safety of Toys, Part 1: Safety aspects related to mechanical and physical properties (ISO 8124.1:2000, MOD), as published by Standards Australia International Ltd and Standards New Zealand on 16 May 2002	Clause 4.4.1, as amended by regulation 3 of these Regulations

A copy of the material applied, adopted or incorporated by the regulation was lodged with the Clerk of the Parliaments on 8 August 2005.

A copy of the aforementioned documents applied, adopted or incorporated by the Fair Trading (Safety Standard) (Children's Toys) (Amendment) Regulations 2005 shall be kept available for inspection during normal office hours by members of the public without charge at the office of the Director of Consumer Affairs Victoria, Level 3, 452 Flinders Street, Melbourne 3000.

Dated 6 September 2005

MARSHA THOMSON MP
Minister for Consumer Affairs

Road Management Act 2004

ROAD DECLARATIONS

VicRoads, pursuant to Sections 11 and 14 of the **Road Management Act 2004**, upon publication of this notice declares the road described in the Schedule and on the plans attached.

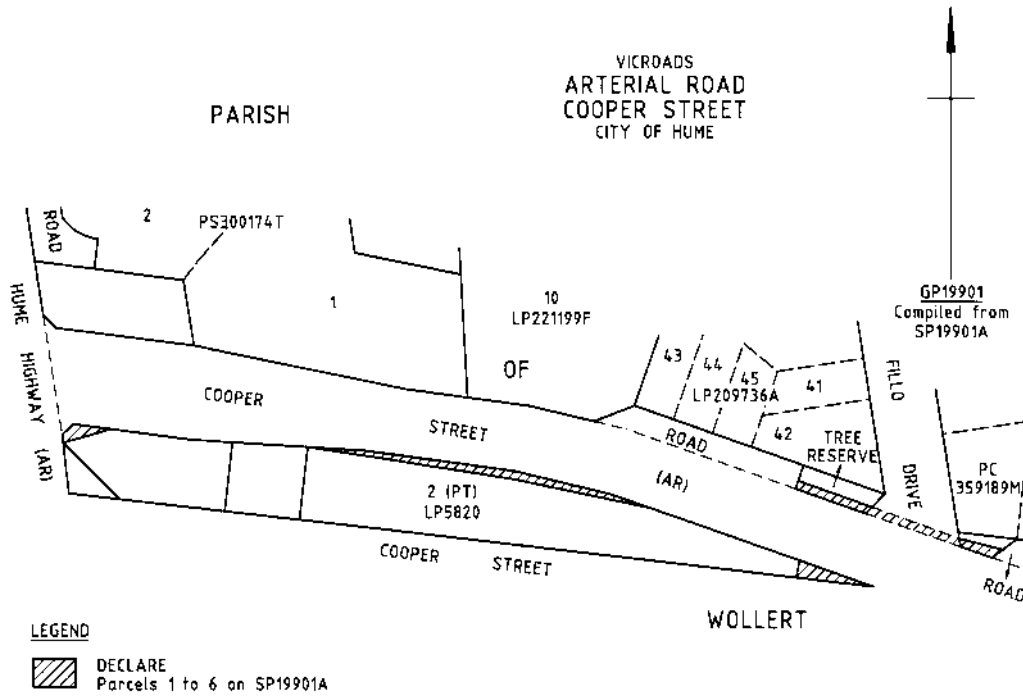
SCHEDULE

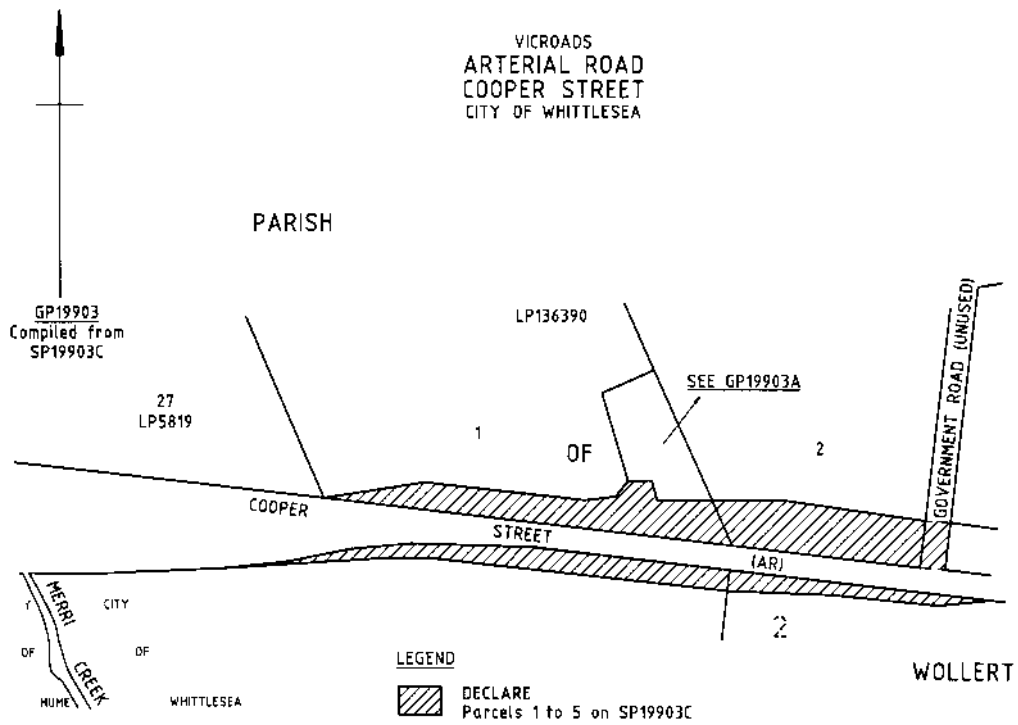
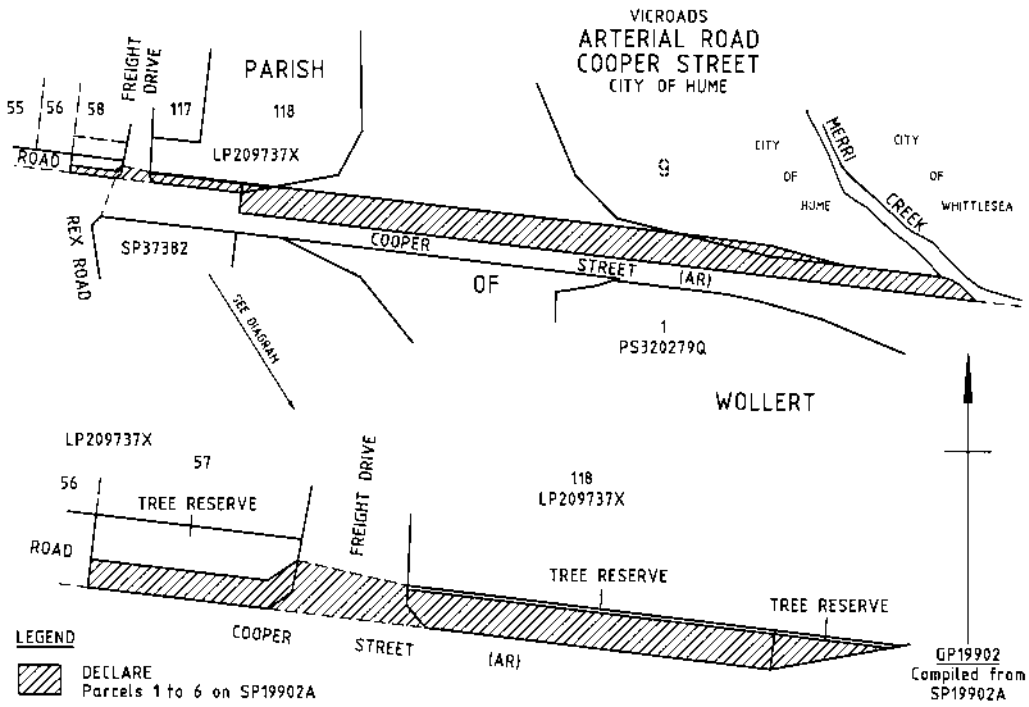
ARTERIAL ROAD

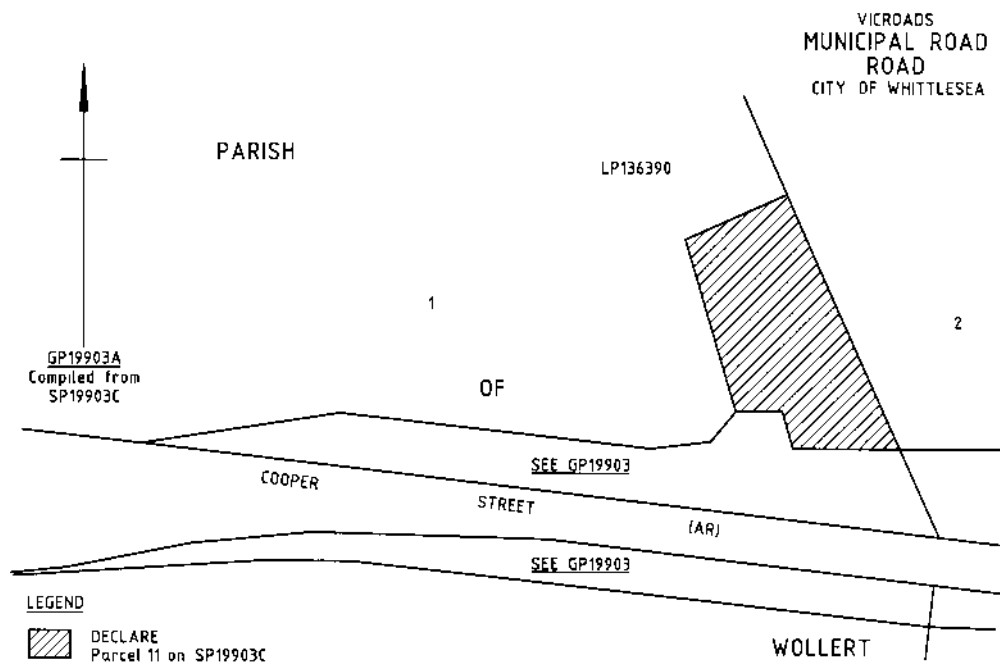
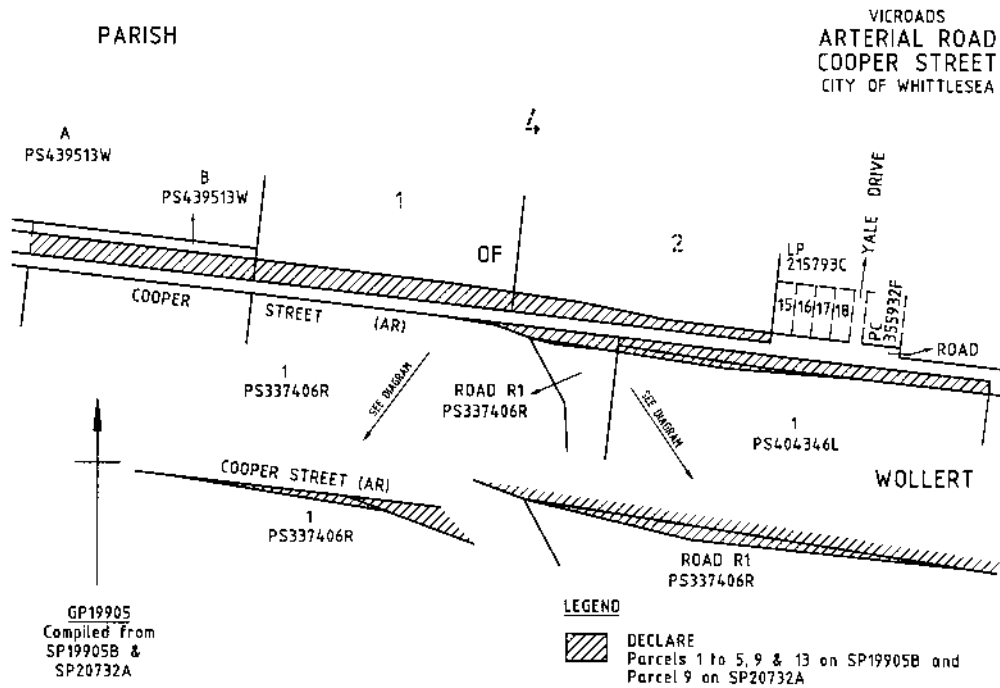
- a) Those parts of Cooper Street identified by hatching on the plans numbered GP19901, GP19902, GP19903 and GP19905 are declared as described in the legends in the said plans.

MUNICIPAL ROAD

- b) That part of road identified by hatching on the plan numbered GP19903A is declared as described in the legend in the said plan.







Dated 25 September 2005

DAVID ANDERSON
Chief Executive
VicRoads

Road Safety Act 1986**Subordinate Legislation Act 1994****NOTICE OF REGULATIONS REGARDING
VEHICLE MASS AND DIMENSION LIMITS
AND LOAD RESTRAINT REQUIREMENTS**

For the purposes of section 16(3) of the **Subordinate Legislation Act 1994**, public notice is given of:

- the making of the following statutory rule under the **Road Safety Act 1986** by the Governor in Council on 27 September 2005, and
- the purport and effect of that statutory rule.

Road Safety (Vehicles) (Mass, Dimension and Load Restraint) Regulations 2005

S.R. No 119/2005

The Road Safety (Vehicles) (Mass, Dimension and Load Restraint) Regulations 2005 come into operation on 30 September 2005. They amend the provisions in the Road Safety (Vehicles) Regulations 1999 (the 'Principal Regulations') which establish vehicle mass and dimension limits and load restraint requirements so that they do not also specify who is responsible for breach of those limits or requirements or the applicable penalty. This is because when section 41 of the **Transport Legislation (Amendment) Act 2004** comes into operation on 30 September 2005 those matters will be dealt with in Part 10 of the **Road Safety Act 1986** itself.

From 30 September 2005, the narrower range of persons who can be held accountable under the Principal Regulations for breaches of vehicle mass and dimension limits and load restraint requirements, and the lesser penalties for those breaches that are currently provided for in the Principal Regulations, will become redundant and will therefore be repealed. The Principal Regulations will continue to establish vehicle mass and dimension limits and load restraint requirements, and those limits and requirements are not being changed. However, from 30 September 2005 the parties in the transport chain who are responsible for ensuring that those requirements are met, and the penalties they face for failing to do so, will appear in the **Road Safety Act 1986**, not in the Principal Regulations.

Dated 28 September 2005

DAVID ANDERSON
Chief Executive
Roads Corporation

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

Notice of Approval of Amendment

Amendment C64

The Minister for Planning has approved Amendment C64 to the Greater Dandenong Planning Scheme.

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

The Amendment applies a Public Acquisition Overlay 1 – Roads Corporation over various parcels of land adjacent to Cheltenham Road, between Springvale Road and Fiveways Boulevard, Keysborough to enable the land to be acquired for the road widening of Cheltenham Road. The Amendment also makes a minor correction to the Schedule to Clause 43.01 (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, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Greater Dandenong City Council, 39 Clow Street, Dandenong.

GENEVIEVE OVERELL

Deputy Secretary
Built Environment
Department of Sustainability
and Environment

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

Notice of Approval of Amendment

Amendment C36

The Minister for Planning has approved Amendment C36 to the Nillumbik Planning Scheme.

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

The Amendment:

- replaces an existing Local Planning Policy Eltham Town Centre Policy with a new Local Planning Policy Eltham Major Activity Centre Policy, (Clause 22.07) on an interim basis; and

- makes consequential changes to the Municipal Strategic Statement at Clause 22.05–1 and Clause 21.05–4 on an interim basis that supports the introduction of the new Local Planning Policy.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Nillumbik Shire Council, Civic Drive, Greensborough.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

MELBOURNE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C111

The Minister for Planning has approved Amendment C111 to the Melbourne Planning Scheme.

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

The Amendment makes changes to Clause 52.03 and Clause 81 to insert a new document titled ‘Melbourne Recital Hall and MTC Theatre project, August 2005’; amend the schedule to clauses 61.01–61.04 (inclusive) to make the Minister for Planning the responsible authority for the land at 134–144 Southbank Boulevard, 21–43 Sturt Street, and part of Southbank Boulevard, adjacent to the northern boundary of the site, Southbank; rezone the land from Mixed Use Zone to Capital City Zone – Schedule 1 (Outside the Retail Core); and apply a Road Closure Overlay over a part of Southbank Boulevard, adjacent to the northern boundary of the site, Southbank.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at

the offices of the Melbourne City Council, 6th Floor, Council House, 200 Little Collins Street, Melbourne.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

MORELAND PLANNING SCHEME

Notice of Approval of Amendment

Amendment C29

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

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

The Amendment:

- rezones land at 2 John Street, East Brunswick from Industrial 3 Zone to Residential 1 Zone;
- applies an Environmental Audit Overlay over land at 2 John Street, East Brunswick; and
- introduces and applies a Design and Development Overlay (Schedule 7) to land at 2 John Street and 12–20 Miller Street, East Brunswick.

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

Permit No.: MPS 2003/0227.

Description of land: 2 John Street, Brunswick East.

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, Ground Floor, 8 Nicholson Street, East Melbourne; and at the office of the Moreland City Council, 90 Bell Street, Coburg.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987
STONNINGTON PLANNING SCHEME
 Notice of Approval of Amendment
 Amendment C12 Part 2

The Minister for Planning has approved Amendment C12 Part 2 to the Stonnington Planning Scheme.

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

The Amendment:

- includes in the Schedule to the Heritage Overlay and on Map 5HO the heritage place HO179, the Inverness Avenue Precinct, located at 19–29 Inverness Avenue, 1–3 The Terrace and 55–67 Wattletree Road, Armadale; and
- deletes interim heritage protection for 31 Inverness Avenue, Armadale – HO361 from the Schedule to the Heritage Overlay and on the corresponding Map 5HO.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of Stonnington City Council, corner of Greville and Chapel Streets, Prahran.

GENEVIEVE OVERELL
 Deputy Secretary
 Built Environment
 Department of Sustainability
 and Environment

Planning and Environment Act 1987
SOUTHERN GRAMPIANS
PLANNING SCHEME
 Notice of Approval of Amendment
 Amendment C8

The Minister for Planning has approved Amendment C8 to the Southern Grampians Planning Scheme.

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

The Amendment rezones Numbers 258, 260, 262, and 264 Gray Street, Number 3 Sedgwick Street, and Numbers 64 and 66 Cox Street, Hamilton from the Residential 1 Zone to the Business 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, 8 Nicholson Street, East Melbourne; and at the offices of the Southern Grampians Shire Council, 1 Market Place, Hamilton.

GENEVIEVE OVERELL
 Deputy Secretary
 Built Environment
 Department of Sustainability
 and Environment

Planning and Environment Act 1987
WYNDHAM PLANNING SCHEME
 Notice of Approval of Amendment
 Amendment C69

The Minister for Planning has approved Amendment C69 to the Wyndham Planning Scheme.

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

The Amendment removes the Public Acquisition Overlay 1 (PAO1) from land between Boundary Road and Leakes Road, Truganina.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of Wyndham City Council, 45 Princes Highway, Werribee.

GENEVIEVE OVERELL
 Deputy Secretary
 Built Environment
 Department of Sustainability
 and Environment

Planning and Environment Act 1987
YARRA RANGES PLANNING SCHEME
 Notice of Lapsing of Amendment
 Amendment C41

The Yarra Ranges Shire Council has resolved to abandon Amendment C41 to the Yarra Ranges Planning Scheme.

The Amendment proposed to introduce a site specific provision into the Schedule to Clause

52.03 to provide discretion to permit the use and development of 160–162 Victoria Road, Coldstream for an 18 hole golf course and associated clubhouse and maintenance facilities.

The Amendment lapsed on 13 September 2005.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

ORDERS IN COUNCIL

Prevention of Cruelty to Animals Act 1986

REVOKING THE CODE OF PRACTICE FOR THE WELFARE OF RODEO AND RODEO SCHOOL LIVESTOCK IN VICTORIA AND MAKING OF THE CODE OF PRACTICE FOR THE WELFARE OF RODEO AND RODEO SCHOOL LIVESTOCK IN VICTORIA (REVISION NUMBER 1)

The Governor in Council, on the recommendation of the Minister for Agriculture, under section 7(1) of the **Prevention of Cruelty to Animals Act 1986**—

- (a) revokes the Code of Practice for the Welfare of Rodeo and Rodeo School Livestock in Victoria made by the Governor in Council on 28 May 2002 and published in the Government Gazette on 23 January 2003 (pages 125 to 139); and
- (b) makes the attached Code of Practice for the Welfare of Rodeo and Rodeo School Livestock in Victoria (Revision Number 1).

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

Dated 27 April 2005

Responsible Minister:

BOB CAMERON

Minister for Agriculture

RUTH LEACH
Acting Clerk of the Executive Council

**Code of Practice for the Welfare of Rodeo and
Rodeo School Livestock in Victoria (Revision 1)**

(Original version January 2003, ISSN 1329-8062, AG0303)

Part 1. – Introduction

1. Preface

The purpose of this Code is to provide the minimum standards for the care and welfare of rodeo and rodeo school livestock in Victoria under the **Prevention of Cruelty to Animals Act 1986** and Prevention of Cruelty to Animals Regulations 1997.

2. General Principles

Proper consideration must be given to the health and welfare of animals used in rodeos and rodeo schools. Events and procedures should be specifically designed to prevent cruelty and minimise the impacts on the welfare of the animals used. Furthermore, people who have responsibilities in the operation of rodeos and rodeo schools should have appropriate training to ensure that the animal welfare needs are met.

Where this Code of Practice is silent, the minimum standards for the yarding, handling, transportation and care of rodeo and rodeo school animals shall be in accordance with the relevant Victorian animal welfare legislation and Codes of Practice. All people associated with rodeo animals must comply with the relevant Victorian animal welfare legislation which gives effect to this Code of Practice.

3. Objectives

The objectives of these standards are to:

- a) protect the welfare of livestock in rodeos and rodeo schools;
- b) ensure that associated personnel are aware of their responsibilities as outlined in these standards;
- c) provide guidelines and standards for arena conditions, yard and chute design;
- d) establish criteria for participants and staff in the handling and care of livestock; and
- e) provide a basis for monitoring the welfare of animals at rodeos and rodeo schools.

4. Definitions

Throughout this document, unless otherwise stated, the following definitions apply.

4.1 Rodeo/Rodeo School

For the purposes of these standards, a “rodeo” or “rodeo school” means an event using cattle and/or horses which includes any exhibition of or competition in:

- Saddle Bronc Riding;
- Bareback Bronc Riding;
- Bull Riding;
- Steer Riding;
- Roping or Tying;
- Steer Wrestling;
- Team Roping;
- Buck jumping;
- Rough-riding;
- Animal dogging.

It is not acceptable to use animals other than cattle and horses in a rodeo or rodeo school, nor is it acceptable to run events in the rodeo or rodeo school that are not covered by any Victorian Code of Practice and/or animal welfare legislation.

4.2 *Stock Contractor*

A person who is accredited by an approved rodeo organisation to provide all livestock for rodeo or rodeo school events.

The stock contractor must be the permit holder for a rodeo or rodeo school under the **Prevention of Cruelty to Animals Act 1986**.

4.3 *Judge*

A judge, nominated by an approved organisation, officiating at a rodeo or rodeo school.

4.4 *Livestock Welfare Officer*

A person appointed by the judges of an approved organisation to be responsible for the welfare of animals at a rodeo or rodeo school. The Livestock Welfare Officer reports to the judges any breaches of these standards which have been brought to their attention. This person must be fully conversant with these welfare standards and competent in assessing whether the standards are being met.

4.5 *Rodeo School Instructor*

A person who is accredited by an approved organisation to provide instruction on technique in rodeo schools. An instructor must be nominated for each class of instruction.

4.6 *Rodeo School Instructor-in-charge*

A person who is accredited by an approved organisation to supervise instructors in rodeo schools.

4.7 *Approved Organisation*

A rodeo organisation approved by the Minister for Agriculture which promotes a high standard of animal welfare in the operation of rodeos and rodeo schools.

4.8 *Competitor*

A person who competes in a rodeo event.

4.9 *Veterinary Practitioner*

A veterinary practitioner who is registered with the Veterinary Practitioners Registration Board of Victoria and has experience with cattle and horses.

4.10 *Animal welfare legislation*

“Animal welfare legislation” means the **Prevention of Cruelty to Animals Act 1986** and the Prevention of Cruelty to Animals Regulations 1997.

Part 2 – Responsibilities of personnel

5. *Policy Statement*

Animals used in rodeos and rodeo schools must be treated humanely.

All people associated with the operation of, or participation in, the rodeo or rodeo school are individually and jointly responsible for the welfare of animals used in events.

6. *Stock Contractor’s Responsibilities*

The stock contractor is ultimately responsible for the welfare of the animals at the rodeo or rodeo school.

The stock contractor for a rodeo or rodeo school must ensure that:

- a) all conditions on the permit are complied with;
- b) the instructors used at a rodeo school are accredited by an approved organisation and are competent to undertake their duties;
- c) all participants and staff involved in operation of the rodeo or rodeo school are aware of the requirements of these standards;
- d) only properly qualified and competent personnel are appointed to care for, handle and treat rodeo livestock;

- e) a registered veterinary practitioner is on site at all times to handle animal emergencies and to inspect all animals prior to and after competition;
- f) yards, chutes and equipment comply with these standards;
- g) transport and handling of animals is undertaken in accordance with the relevant Victorian Codes of Practice and legislation for the welfare of animals;
- h) all animals supplied are in good health and are suitable for the purpose for which they are intended;
- i) animals other than cattle and horses do not take part in a rodeo or rodeo school event;
- j) the welfare of livestock is maintained, other than in the arena where the judges are entirely responsible. This includes humane handling and the provision of adequate food, water and shelter;
- k) no stimulant, hypnotic or other substance is used on any animal which is to take part, other than that prescribed by a veterinary practitioner for the legitimate treatment of injury or illness;
- l) unsuitable animals are withdrawn from competition;
- m) the instructions of the veterinary practitioner are implemented;
- n) cattle and horses are penned separately in the yards and during transport.
(Note: Aggressive and injured animals must be isolated from others and animals with young at foot must not be yarded or used in connection with a rodeo or rodeo school);
- o) veterinary assistance is obtained promptly if an animal is injured in any way;
- p) an animal that weighs less than 200 kilograms does not take part in a rodeo or rodeo school event;
- q) any breaches of this standard are brought to the attention of the livestock welfare officer and approved organisation.

8. *Instructors' Responsibilities*

Instructors must be accredited by an approved organisation and are responsible for the supervision of all rodeo school participants in their class of instruction.

Any breaches of this standard that have been brought to the attention of an instructor are to be reported to the Instructor-in-charge.

9. *Instructor-in-charge's Responsibilities*

The Instructor-in-charge must be accredited by an approved organisation and is responsible for the supervision of all other instructors participating in a rodeo school.

The Instructor-in-charge should ensure that each class of instruction is overseen by an instructor.

Any breaches of this standard that have been brought to the attention of the Instructor-in-charge are to be reported to the stock contractor, livestock welfare officer and approved organisation.

10. *Judges' Responsibilities*

Judges must ensure that:

- a) the operation of the rodeo or rodeo school complies with this code and other relevant Victorian animal welfare legislation and codes;
- b) all animals used in a competition are inspected prior to the commencement of the rodeo or rodeo school by the stock contractor and the veterinary practitioner, and that any lame, sick or injured animals, or animals with defective eyesight, do not take part in the rodeo or rodeo school;

- c) inspections are performed on all competition equipment and the manner in which the equipment is set or used on the animal complies in all respects with these standards;
- d) an incident report is completed by the field officer of an approved organisation for each rodeo or rodeo school including any animal injuries or any failure to comply with these standards. This should be provided to the relevant rodeo association within seven days of the event;
- e) all animals used in any event conform to the specifications of these standards;
- f) if the judge is not satisfied that the above points a) to e) have been fulfilled, the rodeo or rodeo school must not proceed.

11. Competitors' Responsibilities

A competitor in a rodeo or rodeo school event is responsible for the animals he or she uses during that event. All competitors must:

- a) treat all animals they interact with in a humane manner;
- b) only use equipment complying with these standards; and
- c) obtain prompt veterinary assistance if one of the animals which they have used is injured in any way.

12. Veterinary Practitioner's Responsibilities

The veterinary practitioner is responsible for providing expert advice on the suitability of each animal for competition and has the final say on this. The veterinary practitioner should inspect animals before and after events and deal with emergencies. A veterinary report for each rodeo or rodeo school including details of any animal injuries or failure to comply with this Code should be provided to the Bureau of Animal Welfare within seven days of the event.

Part 3 – Rules for the care of livestock

13. Sick and Injured Animals

- a) Animals used in all events are to be inspected by the stock contractor and the veterinary practitioner before competition, and no sore, lame, sick or injured animal, nor any animal with defective eyesight shall be permitted to participate at any time.
- b) Should an animal become sick or injured between the time it is selected and the time it is scheduled to be used, that animal shall not be used.

Sick or injured animals should be given appropriate treatment.

14. Veterinary Attendance

The Prevention of Cruelty to Animals Regulations 1997 require that the rodeo must not commence or continue unless the veterinary practitioner and the accredited stock contractor are in attendance at the rodeo.

The nominated veterinary practitioner must attend a rodeo school before the commencement of the school and be available during the operation of the school.

The decision of the veterinary practitioner as to the suitability of an animal for competition shall be final.

15. Response to Serious Stock Injuries

- a) An appropriate conveyance must be available to remove a seriously injured animal to a suitable place for further examination and treatment.
- b) If appropriate a seriously injured animal should be humanely killed on site.
- c) A seriously injured animal shall be placed apart from other livestock, housed in an appropriate manner, and be examined and treated immediately by the veterinary practitioner.

- d) A means to euthanase seriously injured animals and a person licensed and qualified to use the means must be available at all times while the rodeo or rodeo school is in progress. Livestock must be euthanased in accordance with the Victorian Code of Practice for the species concerned.
- e) Mobile screens must be available at all times during the rodeo or rodeo school. If it is necessary to destroy an injured animal, the screens must be placed around the animal to effectively screen the incident from public view before the animal is destroyed, unless this would unduly prolong the suffering of the animal.

16. Injury Prevention

- a) Chutes, yards, lanes and races must have no sharp edges or protrusions and should be designed, constructed and maintained in a manner which prevents injury to handlers or animals and facilitates the quiet and efficient handling of stock.
- b) An animal that repeatedly gets down in the chute, repeatedly tries to jump out of the chute, becomes excessively excited, or appears to be in danger of injury must be immediately released and examined by the veterinary practitioner. If found to be unfit for any reason, the animal shall be withdrawn from participation for that day or session.
- c) A sufficient number of appropriately trained people and suitable equipment should be available to humanely assist an animal should it become caught in the chutes, yards or races and to make any repairs necessary to ensure that the facilities meet the required standard.

17. General Safety and Welfare Provisions

- a) Livestock shall be removed from the arena immediately after completion of the individual entry.
- b) No small animal or pet shall be permitted in the arena of a rodeo event or training area of a rodeo school.
- c) The use of fireworks at the rodeo is prohibited while any stock are in the arena, and is prohibited at a rodeo school.
- d) A person under the influence of liquor or drugs must not be permitted to take part in any rodeo or rodeo school event or to handle animals in the holding yards, chute or arena.
- e) Entertainers, such as clowns, must not be permitted to abuse, worry or torment in any manner whatsoever, any animal taking part in the rodeo or rodeo school.

18. Welfare Issues

If a welfare issue arises at a rodeo or rodeo school, the first point of contact should be the stock contractor or the livestock welfare officer. The approved organisation should also be advised of any welfare issues that arise.

Part 4 – Equipment requirements and specifications

19. Rodeo Livestock Handling Equipment

- a) All livestock must be treated humanely and handling equipment must not be used inappropriately or excessively.
- b) Equipment for livestock handling shall be of the type and specification generally used for the transport and handling of horses and cattle and must comply with all relevant Victorian animal welfare legislation and Codes of Practice.

19.1 Electric Prods

- a) Electric prods, known as “cattle prodders”, should only be used to protect the safety of an animal or person, and their use is subject to the following conditions: They must be:
 - of minimum amperage;

- powered by dry cell batteries only;
 - hand held with batteries contained in the handle;
 - only able to deliver a single charge per application;
 - used with restraint and restricted to the minimum amount necessary;
 - applied only to the hip, hindquarters or shoulder areas of the animal.
- b) In time events electric prods must not be used:
- if an animal is loaded and standing in the time event chute;
 - to send an animal into the arena when the chute gate is opened.
- c) In riding events electric prods must not be used;
- when the animal is secured in the chute;
 - when the chute gate opens, unless it is necessary to protect both the animal and the contestant from possible injury against the chute or chute gate or to turn out a chute stalling animal.

In such cases the electric prod may only be applied to clear an animal from the chute and by or under the direct supervision of the stock contractor.

Under no circumstances may an electric prod be used in the arena.

19.2 *Handling Aids*

The use of aids which encourage movement in response to sound such as flappers, metallic rattles and light polythene tubing is acceptable to encourage movement and for handling animals in yards, lanes and races. The use of aids which can be used to strike or poke animals with sufficient force to cause pain or injury is not permitted. This includes sticks, paddles, lengths of heavy plastic, metal piping, fencing wire or heavy leather belts.

20. *Event Equipment*

Event equipment is used to facilitate the event and in doing this should be designed and maintained to ensure that the animal is not injured.

Equipment must conform in all respects to the specifications below.

20.1. *Spurs*

Spurs are used to help the rider's timing and purchase on the animal. To reduce possible injury to the animal, the spur rowel must be dulled and not less than three millimetres in width at its narrowest part; there must be a minimum diameter of two centimetres to the point of the rowel. Fully locked rowels, or rowels that can be locked on spurs are prohibited from use on horses.

20.2 *Flank Straps*

Flank straps are used to improve the horse's bucking style. Only lined, quick-release flank straps can be used. The lining must be soft and flexible such as soft plastic, felt or sheepskin. The lined portion of the flank strap shall be positioned in such a way that it covers both flanks and the belly of the animal. The coverings and linings of flank straps shall be soft and flexible and must not be hard, brittle, worn or damaged. Sharp or cutting objects must not be used in a flank strap.

20.3 *Protective Horn Wraps*

Horn wraps are to be used in team roping and must protect the ears and base of horns from rope burns.

20.4 *Neck Ropes*

The neck rope is used to maintain the horse's head towards the steer while the rider dismounts and discourage dragging. A neck rope must be fitted to horses used for roping and tying, through which the catch rope must pass before it is tied to the saddle horn. Placement of the neck rope must be no more than half the distance down the roping horse's neck, as measured from the head.

20.5 Jerk Line

The jerk line is used for roping and tying events. It is a rope from the bridle fed through a pulley on the saddle to the rider. As the rider dismounts to throw the steer, the jerk line plays out in a series of jerks which discourages the horse from moving backwards and dragging the steer.

The contestant must adjust the catch rope, reins and jerk line to prevent the rope horse from dragging the roped animal.

Part 5 – Stock selection and use

All animals must be fit, healthy, without defects and suitable for the intended use.

21. Stock Source

All stock must be supplied by the stock contractor who is the permit holder.

22. Animal Size

An animal that weighs less than 200 kilograms must not be permitted to take part in the rodeo or rodeo school.

23. Horses

- a) Horses used in rodeo and rodeo school events must be mature, sound and fit for the intended use. Age should not be used as the sole criterion of maturity, other factors such as size and physical conformation must be taken into account.
- b) Horses under three (3) years may not be sufficiently mature for bucking events and must not be used.
- c) The criterion for determination of the age suitability of a bucking horse is the presence of the central adult incisors in wear.
- d) Horses used for bucking events may not be used on more than three occasions on any one day.

24. Cattle

The number of times that cattle may be used in competition varies according to the rigours of the event and the conditioning of the cattle to rodeo or rodeo school competition.

The following limitations must be observed:

- a) the same cattle must not be used for steer wrestling and roping events.
- b) cattle may not be used for steer wrestling or roping more than three times on any one day.
- c) cattle may not be used for bucking stock events more than three times on any day.
- d) each competitor is allowed only one loop (throw) in roping and tying events and in team roping only two loops in total are allowed in each team.

25. Selection of Animals for Rope and Tie

The minimum weight for animals roping and tying is 200 kilograms.

26. Selection of Animals for Steer Wrestling

The optimum weight for animals shall be 250 kilograms with a range of 200 kilograms minimum to 300 kilograms maximum.

All animals must have suitable horns and the horns must be a minimum of 23 centimetres in length.

27. Selection of Animals for Team Roping

The optimum weight for animals in team roping shall be 250 kilograms with a range of 200 kilograms minimum to 300 kilograms maximum.

All animals must have suitable horns and the horns must be a minimum of 17 centimetres in length.

Part 6 – Arena selection and use**28. Arena, Chutes and Yards**

The veterinary practitioner, the stock contractor and the livestock welfare officer must be satisfied that the arena or training area, chutes, yards and races will not compromise the welfare of the animals.

29. Surfaces

The stock contractor is responsible for ensuring the arena surface provides traction and safety for personnel and livestock. In general, the standard arena should be a suitable, soil based surface, disced or softened to an approximate depth of eight to ten centimetres. The arena or training area must be free of rocks, holes and obstacles.

Other surfaces may be used provided that they are well drained, provide a secure footing and be at least as safe for the animals as an appropriate soil based surface. The surface must be approved by the veterinary practitioner, the stock contractor and the livestock welfare officer.

30. Size

Arenas and training areas which are too small for the particular event create a danger to livestock, competitors and the spectators in the event. The arena or training area must be of a size suitable for the events taking place.

31. Fencing

The construction, height and appearance of fencing should discourage stock from attempting to push through the fence or jump over it. Fences should also be clearly visible to stock and should not appear open to the animal.

Portable arenas:

Portable arenas should have panels which are secure and do not move or bend when pushed against. As a guide, the minimum height should be 180 centimetres.

Fixed arenas:

Fixed arenas should be of secure construction and flush on the inside. Where cable is used in steel arenas, it should be strained and the space between the cables should not be great enough to allow stock to pass through it. As a guide, the minimum fence height should be 165 centimetres.

There must be no protrusions on fences or gateways likely to cause injury.

32. Time Event Chute

The time event chute must have a 76 centimetre clearance above the height of the animal in the chute and at the gate, when the gate is open.

Part 7 – Specific rodeo events**33. All Events**

Any piece of equipment either on the animal or removed from it which may compromise the welfare of the animal is not allowed. The judges have the final decision on the suitability of equipment.

34. Saddle Bronc Riding

The saddle must not be set too far forward on the withers and must be correctly fitted. There must be a minimum clearance of 10 centimetres under the gullet of the saddle.

The front cinch of the saddle shall be a minimum of 12 centimetres in width. The back cinch of the saddle must not be over-tightened. Sharp or cutting objects must not be used in a cinch, saddle, girth or flank strap.

35. Bareback Bronc Riding

The bareback rigging shall not be more than 26 centimetres in width at the handhold and not more than 16 centimetres in width at the D rings. Suitable pads must be placed under

the rigging and extend a minimum of 5 centimetres past the back of the rigging. The girth on the bareback rigging must be not less than 12 centimetres in width. Loose ropes must not be used on any animal in bareback riding events.

36. Bull Riding

The equipment used in bull riding equipment shall be a loose rope with or without a hand hold. There must be no knots or hitches preventing the rope from falling from the animal after the contestant has been thrown or dismounted. A contestant shall not re-set and re-pull the rope more than twice if the bull is standing quietly in the chute.

37. Roping and Tying

37.1 Time Limit

The time limit to rope, throw by hand and complete the tie is thirty (30) seconds from when the barrier is released. After the tie is completed and the time signalled, the roper must immediately mount the horse and ride it forward to loosen the catch rope.

Only one loop is allowed a contestant in each round of the event. If the first throw fails to catch the animal the roper is not permitted a second attempt. The purpose of this is to prevent the prolonged chasing of an animal around the arena.

37.2 Jerking down and Dragging

It is not acceptable to pull an animal backward off its feet (jerk down) or to drag a roped animal. Contestants must use appropriate technique and properly fitted equipment to protect the animal against an abrupt stop after being roped and to prevent the rope horse from dragging a roped animal.

38. Steer Wrestling

38.1 Time Limit

The time limit to catch and throw the steer is thirty (30) seconds from when the barrier is released.

38.2 Legal Throws

The steer must not be knocked down or thrown before it is brought to a stop and the catch is made. If the animal is off its feet before a legal throw is made it must stand on all four feet and be properly thrown.

39. Team Roping

39.1 Protective Horn Wraps

Steers used for team roping shall be fitted with protective horn wraps.

39.2 Time Limit

The time limit to rope the head and the heels of the steer is thirty (30) seconds from when the barrier is released. The time will be taken when the steer is properly roped with the catch ropes dallied, with both horses facing the steer and with no slack in the ropes. To prevent slack being taken up too hard both front feet should be on the ground when the time is taken.

Only two loops are allowed in each round of the event (one for the header and one for the heeler). If a throw fails to catch the animal the ropers are not permitted a second attempt.

39.3 Catching

The steer must be standing when it is roped by both the header and the heeler. The steer must not be roughly handled. The only permitted head catches for team roping are around both horns, around the neck, or around a half head. The only permitted heel catch without a time penalty is around both back legs including behind the shoulders, provided the catch is made over the heels.

After the catch, the header must dally his rope and change the direction of the steer before the heeler can attempt a catch on the back legs.

Plant Health and Plant Products Act 1995DECLARATION OF A CONTROL AREA IN SOUTH WESTERN VICTORIA FOR THE
PURPOSE OF PREVENTING THE ENTRY OF THE PEST POTATO CYST NEMATODE

Order in Council

The Lieutenant-Governor as the Governor's deputy, with the advice of the Executive Council under section 9 of the **Plant Health and Plant Products Act 1995**—

- (a) declares the area described in Schedule 1 to be a control area in south western Victoria for the purpose of preventing the entry of the pest Potato Cyst Nematode, *Globodera rostochiensis* (Woll); and
- (b) specifies the prohibitions, restrictions and requirements in Schedule 2 which are to operate in, or in relation to, the control area for the purpose of preventing the entry of the pest Potato Cyst Nematode.

This Order is to come into operation on the day of its publication in the Government Gazette.

Dated 27 September 2005

Responsible Minister

BOB CAMERON

Minister for Agriculture

RUTH LEACH

Clerk of the Executive Council

Schedule 1

The area of land bounded by a line commencing at the intersection of the Princes Highway and Ascot Street, Dartmoor; then in a northerly direction along Ascot Street to the intersection of Ascot Street and North Dartmoor Road, then in a north-westerly direction along North Dartmoor Road to the intersection of North Dartmoor Road and Grubbed Road, then in a northerly direction along Grubbed Road to the intersection of Grubbed Road and the Glenelg Highway; then in a north-easterly direction along the Glenelg Highway to the intersection of the Glenelg Highway and Sandy Track; then in a north-westerly direction along Sandy Track to the intersection of Sandy Track and Martins Road, then in a north-easterly direction along Martins Road to the intersection of Martins Road and Tower Road; then in a north-easterly direction along Tower Road to the intersection of Tower Road and Casterton–Penola Road; then in a westerly direction along Casterton–Penola Road to the intersection of Casterton–Penola Road and Tullich Road; then in a north-westerly direction along Tullich Road, which becomes Old Telegraph Road, to the intersection of Old Telegraph Road and the state border of South Australia and Victoria; then in a southerly direction along the state border of South Australia and Victoria to the southern most point; then in a south-easterly direction along the coastline of Victoria to Lowe Street, Portland; then in a westerly direction along Lowe Street to the intersection of Lowe Street and the Henty Highway; then in a northerly direction along the Henty Highway, which then becomes the Princes Highway, to the point of commencement.

Schedule 2**1. Definitions**

In this Schedule—

“**Agricultural equipment**” means equipment which has been used in the cultivation, harvesting, packing, transporting and processing of PCN host plants, including bulk handlers;

“**Inspector**” means an officer authorised under the Act;

“**Potato Cyst Nematode**” or “**PCN**” means the pest *Globodera rostochiensis* (Woll);

“**PCN host plants**” means any plant, plant part of plant product of the Solanaceae family and any root vegetable, bulb, seedling or nursery plant;

“**Solanaceae**” means the family of plants which includes potatoes, tomatoes, eggplants and weeds, including nightshade.

2. ***Prohibitions relating to the control area***

- (1) The entry into the control area of –
 - (a) PCN host plants; and
 - (b) agricultural equipment; and
 - (c) packages, including bins or bulk bags, which contain, or have contained, any PCN host plants; and
 - (d) soil that has been used with any PCN host plants –
is prohibited.
- (2) Sub-clause (1) does not apply in the case of –
 - (a) PCN host plants or, agricultural equipment, packages or soil used in the cultivation, harvesting, packing and processing of PCN host plants, from any State or Territory, or part of a State or Territory, for which an area freedom certificate is in force, certifying that the State or Territory, or part of the State or Territory, is free from PCN; and
 - (b) potatoes for human consumption; and
 - (c) seed potatoes –
 - (i) supplied under a Certification Scheme approved by the Minister, in accordance with Section 40 of the **Plant Health and Plant Products Act 1995**; or
 - (ii) treated in a manner approved by the Manager Plant Standards; and
 - (d) nursery plants, including seedlings, grown in soil-less media; and
 - (e) bare rooted plants; and
 - (f) root vegetables (except potatoes) or bulbs which have been washed or brushed so as to be free of visible soil; and
 - (g) agricultural equipment (bulk handlers) operated by businesses accredited by Plant Standards; and
 - (h) packages which –
 - (i) are accompanied by a Plant Health Declaration declaring that the packages have been cleaned so as to be practically free of soil and organic matter by brushing or washing; or
 - (ii) have been treated in a manner approved by the Manager Plant Standards, where last used with PCN host plants sourced from:
 - (A) within 10km of a PCN detection; or
 - (B) a control area declared under Section 9 of the **Plant Health and Plant Products Act 1995** for the purpose of preventing the spread of PCN.

Note: Section 9(3) provides that a person is guilty of an offence and liable for a penalty not exceeding 100 penalty units for entering a control area contrary to any restrictions, unless authorised to do so under a permit issued by the Secretary.

Corrections Act 1986

DECLARATION OF INTERSTATE LAW
FOR THE PURPOSE OF PART 8A OF THE
CORRECTIONS ACT 1986

Order in Council

The Lieutenant-Governor as the Governor's deputy, with the advice of the Executive Council under section 81 of the **Corrections Act 1986** declares that the Australian Capital Territory's **Prisoners Interstate Leave Act 1997** is an interstate law for the purposes of Part 8A of the **Corrections Act 1986**.

This Order is effective from the date it is published in the Government gazette.

Dated 27 September 2005

Responsible Minister:
TIM HOLDING MP
Minister for Corrections

RUTH LEACH
Clerk of the Executive Council

Health Services Act 1988

THE ROYAL CHILDREN'S HOSPITAL

Declaration under Section 11

Order in Council

Under section 11 of the **Health Services Act 1988** ("the Act") the Lieutenant-Governor as the Governor's deputy, with the advice of the Executive Council by this Order declares that the provision of section 65T(1) of the Act that the board of a public health service shall consist of not more than 9 persons does not have effect in relation to The Royal Children's Hospital, a public health service listed in Schedule 5 to the Act.

This Order is subject to the condition that the board of The Royal Children's Hospital shall consist of not more than 10 persons.

This declaration ceases to have effect on 1 July 2008.

Dated 27 September 2005

Responsible Minister
HON BRONWYN PIKE MP
Minister for Health

RUTH LEACH
Clerk of the Executive Council

**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:

119. *Statutory Rule:* Road Safety (Vehicles) (Mass, Dimension and Load Restraint) Regulations 2005
Authorising Act: Road Safety Act 1986
Date of making: 27 September 2005
120. *Statutory Rule:* Road Safety (General) (Speed Measuring Devices) Regulations 2005
Authorising Act: Road Safety Act 1986
Date of making: 27 September 2005
121. *Statutory Rule:* Prevention of Cruelty to Animals (Rodeos) Regulations 2005
Authorising Act: Prevention of Cruelty to Animals Act 1986
Date of making: 27 September 2005

**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:

107. *Statutory Rule:* County Court (Chapter I Amendment No. 16) Rules 2005
Authorising Act: County Court Act 1958
Date first obtainable: 27 September 2005
Code A
108. *Statutory Rule:* Estate Agents (General, Accounts and Audit) (Amendment) Regulations 2005
Authorising Act: Estate Agents Act 1980
Date first obtainable: 29 September 2005
Code A
109. *Statutory Rule:* Residential Tenancies (Amendment) Regulations 2005
Authorising Act: Residential Tenancies Act 1997
Date first obtainable: 29 September 2005
Code A
110. *Statutory Rule:* Victorian Institute of Teaching (Elections) (Amendment) Regulations 2005
Authorising Act: Victorian Institute of Teaching Act 2001
Date first obtainable: 29 September 2005
Code A
111. *Statutory Rule:* Mental Health (Fees) Regulations 2005
Authorising Act: Mental Health Act 1986
Date first obtainable: 29 September 2005
Code A

112. *Statutory Rule:* Health Services (Supported Residential Services) (Fees) Regulations 2005
Authorising Act: Health Services Act 1988
Date first obtainable: 29 September 2005
Code A

113. *Statutory Rule:* Health Services (Private Hospitals and Day Procedure Centres) (Fees) Regulations 2005
Authorising Act: Health Services Act 1988
Date first obtainable: 29 September 2005
Code A

114. *Statutory Rule:* Health (Medical Radiation Technologies) (Fees) Regulations 2005
Authorising Act: Health Act 1958
Date first obtainable: 29 September 2005
Code A

115. *Statutory Rule:* Health (Pest Control) (Fees) Regulations 2005
Authorising Act: Health Act 1958
Date first obtainable: 29 September 2005
Code A

116. *Statutory Rule:* Health (Radiation Safety) (Fees) Regulations 2005
Authorising Act: Health Act 1958
Date first obtainable: 29 September 2005
Code A

117. *Statutory Rule:* Drugs, Poisons and Controlled Substances (Fees) Regulations 2005
Authorising Act: Drugs, Poisons and Controlled Substances Act 1981
Date first obtainable: 29 September 2005
Code A

118. *Statutory Rule:* Tobacco (Grands Prix Events) Regulations 2005
Authorising Act: Tobacco Act 1987
Date first obtainable: 29 September 2005
Code A

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