

## Victoria Government Gazette

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### No. G 32 Thursday 6 August 2009

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The last Special Gazette was No. 267 dated 5 August 2009.

The last Periodical Gazette was No. 1 dated 3 June 2009.

#### **How To Submit Copy**

- See our webpage www.gazette.vic.gov.au
- or contact our office on 8523 4601
   between 8.30 am and 5.30 pm Monday to Friday

#### Copies of recent Special Gazettes can now be viewed at the following display cabinet:

• 1 Treasury Place, Melbourne (behind the Old Treasury Building)

#### **VICTORIA GOVERNMENT GAZETTE**

#### **Subscribers and Advertisers**

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JENNY NOAKES Government Gazette Officer

#### **PRIVATE ADVERTISEMENTS**

EMANUELE FAILLA, late of 261 Edgars Road, Lalor, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 July 2007, are required by the administrator, Antonio Mario Failla, care of Arthur J. Dines & Co., solicitors, 2A Highlands Road, Thomastown, in the said State, to send particulars to him by 7 October 2009, after which date the administrator may convey or distribute the assets, having regards only to claims to which he has notice.

Dated 26 July 2009

ARTHUR J. DINES & CO., solicitors, 2A Highlands Road, Thomastown 3074.

GORDANA TANCEVSKA, late of Unit 3/119 Duffy Street, Epping, in the State of Victoria, sales manager, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 February 2009, are required by the executor, Steve Tancevski, care of Arthur J. Dines & Co., solicitors, 2A Highlands Road, Thomastown, in the said State, to send particulars to him by 7 October 2009, after which date the administrator may convey or distribute the assets, having regards only to claims to which he has notice.

Dated 26 July 2009

ARTHUR J. DINES & CO., solicitors, 2A Highlands Road, Thomastown 3074.

PHYLLIS JEAN NEALE, late of 57 Relowe Crescent, Mont Albert, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 16 April 2009, are required by the executors, Jeanette Alison Gilberto and Lorraine Mary Morgan, to send particulars thereof to them, care of the Office of Messrs Aughtersons, 267 Maroondah Highway, Ringwood, within two calendar months from the date of publication of this notice, after which the executors will distribute the estate, having regard only to claims of which they have notice.

AUGHTERSONS,

current practitioners for the executors, 267 Maroondah Highway, Ringwood, Victoria 3134.

ISABELLE MARIE PITRE, late of Unit 5, 3 Mines Road, Ringwood East, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 22 June 2009, are required by the executor, Gordon Philip Jacobs, to send particulars thereof to him, care of the office of Messrs Aughtersons, 267 Maroondah Highway, Ringwood, within two calendar months from the date of publication of this notice, after which the executor will distribute the estate, having regard only to claims of which he has notice.

AUGHTERSONS.

current practitioners for the executor, 267 Maroondah Highway, Ringwood, Victoria 3134.

Re: Estate BERYL JEAN POLA, deceased.

In the estate of BERYL JEAN POLA, of 18 Mitchell Street, Kerang, in the State of Victoria, widow, deceased.

Creditors, next-of-kin and all other persons having claims against the estate of the said deceased, are required by Louis Clement Pola, the executor of the Will of the said deceased, to send particulars of such claims to him, in care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

BASILE & CO. PTY LTD, legal practitioners, 46 Wellington Street, Kerang, Victoria 3579.

Re: WALTER ERNEST BURKE, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 March 2009, are required by the trustee, Peter Andrew Burke, care of 44 Douglas Street, Noble Park, Victoria, to send particulars to the trustee by 19 October 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: MAJA HANNA TAMOWICZ, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of MAJA HANNA TAMOWICZ, late of 28 Monash Street, Box Hill South, Victoria, who died on 2 May 2009, are to send particulars of their claims to the personal representative/s, care of the undermentioned solicitors, by 7 October 2009, after which date the personal representative/s will distribute the assets, having regard only to the claims of which they then had notice.

BRUCE M. COOK & ASSOCIATES, solicitors, Level 1, 114 William Street, Melbourne 3000.

Re: JAMES DONALD HUNTER BROWN, deceased

Creditors, next-of-kin and others having claims in respect of the estate of JAMES DONALD HUNTER BROWN, late of 59 Crossdale Rise, Endeavour Hills, in the said State, retired lecturer, deceased, who died on 28 September 2008, are required by the executor to send particulars of their claim to her, care of the undermentioned solicitors, by 20 September 2009, after which date the said executor will distribute the assets of the deceased, having regard only to the claims of which she then shall have notice.

DONALD & RYAN LAWYERS, solicitors, 304 High Street, Kew 3101.

MILTON ARMOUR EDGEWORTH, late of 24–28 Moorooduc Highway, Frankston, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 March 2009, are required by the trustee, Judith Verona Mary Edgeworth, to send particulars to the trustee by 10 October 2009, care of the undermentioned solicitors, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: NEIL SHELDON ORAM, deceased.

NEIL SHELDON ORAM, late of 17 Casuarina Drive, Cape Schanck, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 April 2009, are required by the trustee, Elizabeth Margaret McCrae, to send particulars to the trustee by 10 October 2009, care of the undermentioned solicitors, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: ELEANOR PEARMAN, late of Yarra Valley Aged Care Facility, 21 Hoddle Street, Yarra Junction, but formerly of 43 Thomas Road, Healesville, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 June 2009, are required by the trustees, Dorothy Anne Wynd and Raymond Malcolm Pearman, to send particulars to them, care of the undersigned, by 5 October 2009, 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.

ALEXANDER PETER KERR, late of 29 Wamba Road, East Bentleigh, cartage contractor, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 January 2009, are required by the trustee, care of Harris & Chambers Lawyers of 4/250 Charman Road, Cheltenham 3192, to send particulars to them by 7 October 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

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

BERNARD WILLIAM ROLFE, late of Domain Seahaven, 119 Cashin Street, Inverloch, concreter, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 March 2009, are required by the

trustees, care of Harris & Chambers Lawyers of 4/250 Charman Road, Cheltenham 3192, to send particulars to them by 7 October 2009, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

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

#### Re: MYEE GRETA LOWERSON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 April 2009, are required by the trustee, Glenice Elwyn Wearne, to send particulars to her, care of the undersigned, by 7 October 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice. KIM BAINBRIDGE LEGAL SERVICE PTY LTD (t/a Garden & Green), lawyers, 4 McCallum Street, Swan Hill, Victoria 3585.

Re: JESSIE ALMA CLARK, late of 74 Outlook Drive, Dandenong, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 April 2009, are required by the trustee, Peter Charles Lacey, care of 40–42 Scott Street, Dandenong, Victoria, to send particulars to the trustee by 6 October 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

### Re: JOANNA ELIZABETH MIDDOWS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 April 2009, are required by the trustee, Equity Trustees Limited of Level 2, 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee by 31 September 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: STANLEY BELLCHAMBERS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 April 2009, are required by the trustee, Anthony Hine Walstab, to send particulars to him, care of the undermentioned solicitors, by 13 October 2009, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

## Re: KATHLEEN MOIRA ELIZABETH LITHGOW SMITH-JONES, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 December 2008, are required by the trustee, Alan James Gilbert, to send particulars to him, care of the undermentioned solicitors, by 14 October 2009, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

#### Re: Estate of PETER GERARD DEWAN.

Creditors, next-of-kin and others having claims in respect of the estate of PETER GERARD DEWAN, late of 65/2 Malmsbury Street, Kew, Victoria, retired public trustee, deceased, who died on 29 June 2009, are required to send particulars of such claims to the executor, care of the undermentioned solicitors, by 6 October 2009, after which date the executor will convey or distribute the assets, having regard only to the claims of which the executrix then has notice.

PIETRZAK SOLICITORS, 222 La Trobe Street, Melbourne 3000.

#### Re: KENNETH HASTINGS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 May 2007, are required by the trustee, Denis Alfred Lupton, to send particulars of their claims to him, care of the undermentioned

solicitors, by 15 October 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

SEPTIMUS JONES & LEE, solicitors, Level 5/99 William Street, Melbourne 3000.

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

On Wednesday 9 September 2009 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Mario Anthony Charles Montalto of 5 Brentwood Avenue, Lalor, as shown on Certificate of Title as Mario Anthony Montalto, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 09987 Folio 006, upon which is erected a residential house known as 22 McKenzie Street, Broadford.

Registered Mortgage No. AC175654G and Caveat AD260971L affect the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

CW080031880

K. GRIFFIN Sheriff's Office Phone (03) 9947 1539

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

On Wednesday 9 September 2009 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Kenneth William Garner and Rita Melissa Garner of 13 Pascoe Street, Echuca, as shown on Certificate of Title as joint proprietors of an estate in fee simple in the land described on Certificate of Title Volume 08572 Folio 002, upon which is erected a Dwelling known as 13 Pascoe Street, Echuca.

Registered Mortgage No. AC482355E, affects the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW090003740

K. GRIFFIN Sheriff's Office Phone (03) 9947 1539

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

To the Highest Bidder at the Best Price Offered

On Wednesday 9 September 2009 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of John Rashleigh Shaw of 5 Mast Gully Road, Upwey. Sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 04119 Folio 629, upon which is erected a Residential Dwelling known as 5 Mast Gully Road, Upwey.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW080069819

K. GRIFFIN Sheriff's Office Phone (03) 9947 1539

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

On Wednesday 9 September 2009 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Garry Zhou of 319/570 Swanston Street, Carlton, joint proprietor with Mandy Zhou of an estate in

fee simple in the land described on Certificate of Title Volume 10394 Folio 061, upon which is erected a Residential Apartment known as 319/570 Swanston Street, Carlton.

Registered Mortgage No. AC325925T and Agreement Section 173 **Planning and Environment Act 1987** No. V514220M affects the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque. Must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW080091247

K.GRIFFIN Sheriff's Office Phone (03) 9947 1539

### **PROCLAMATIONS**

#### Primary Industries Legislation Amendment Act 2009

#### PROCLAMATION OF COMMENCEMENT

I, David De Kretser, Governor of Victoria, with the advice of the Executive Council, and under section 2(3) of the **Primary Industries Legislation Amendment Act 2009**, fix 1
September 2009 as the day on which section 107 of that Act comes into operation.

Given under my hand and the seal of Victoria on 5th August 2009.

(L.S.) DAVID de KRETSER
Governor
By His Excellency's Command
JOE HELPER
Minister for Agriculture

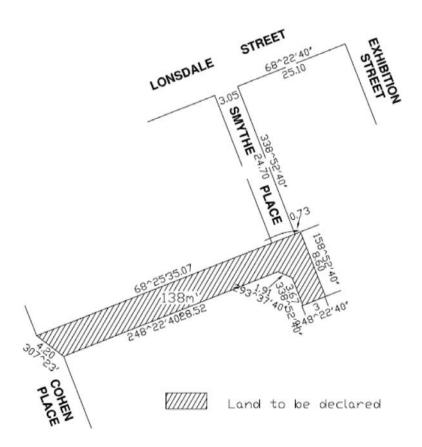
## GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES NOTICES



Public Highway Declaration of a Road

Notice is given pursuant to section 204(1) of the **Local Government Act 1989** ('the Act'), that Geoff Robinson, Manager Engineering Services and delegate of the Melbourne City Council resolved on 26 March 2009 to declare Private Lane 5121 (PL5121) at rear of 103–113 Lonsdale Street, Melbourne, as a Public Highway for the purposes of the Act as shown hatched on the plan hereunder.

### LOCATION: PRIVATE LANE NO. 5121 REAR OF 103 - 113 LONSDALE STREET, MELBOURNE



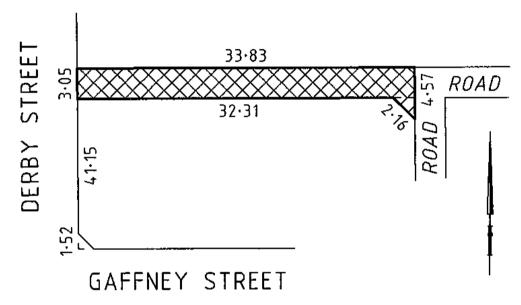
DR KATHY ALEXANDER Chief Executive Officer

#### 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 a meeting held on 8 July 2009, formed the opinion that the road adjoining 48 and 50 Derby Street, Pascoe Vale, and shown by hatching and cross-hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The section of road shown cross-hatched 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



Adoption of Meeting Procedure Local Law No. 1 2009

Notice is hereby given that pursuant to section 119 of the **Local Government Act 1989** the Brimbank City Council, at its meeting held on Tuesday 28 July 2009, resolved to adopt the following Local Law:

Meeting Procedure Local Law No. 1 2009

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

- provide for the election of the Mayor;
- regulate the use of the common seal;
- prohibit unauthorised use of the common seal or any device resembling the common seal;
- provide for the procedure governing the conduct of Council meetings and Special Committee meetings; and
- set the rules of behaviour for those participating in or present at Council meetings and Special Committee meetings.

A copy of the Local Law may be inspected at the Council offices located at Sunshine or Keilor, or may be downloaded from Council's website at www.brimbank.vic.gov.au

The Local Law is to commence on the day after notice of its making appears in the Victoria Government Gazette.

NICHOLAS FOA Chief Executive Officer

### Planning and Environment Act 1987

CASEY PLANNING SCHEME

Notice of the Preparation of an Amendment Amendment C114

Authorisation No. AO1088

The Casey City Council has prepared Amendment C114 to the Casey Planning Scheme.

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

The land affected by the Amendment is located at 61–63 Webb Street. Narre Warren.

The Amendment applies the Public Acquisition Overlay – Schedule 3 (PAO3) to the property to allow Council to acquire the property for the purpose of facilitating the construction of an extension of Brechin Drive to Narre Warren North Road.

The Amendment also applies the PAO3 over the planning scheme maps.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment and the application, including the proposed permit, 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; and City of Casey, Customer Service Centre, Cranbourne Park Shopping Centre (opposite Post Office), Cranbourne.

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

The Amendment is also available for viewing on the Department of Planning and Community Development website at www.dpcd.vic.gov. au/planning/publicinspection and 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 7 September 2009. A submission must be sent to: Manager Strategic Development, City of Casey, PO Box 1000, Narre Warren, Victoria 3805.

Please be aware that copies of objections or submissions received may be made available, including electronically, to any person for the purpose of consideration as part of the planning process.

Should you have any queries about this Amendment, please contact Paul Laughton on (03) 9705 5200.

Dated 6 August 2009

LIAM HODGETTS Manager Strategic Development

#### Planning and Environment Act 1987

MOONEE VALLEY PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C95

Authorisation A1325

The Moonee Valley City Council has prepared Amendment C95 to the Moonee Valley Planning Scheme.

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

The Amendment applies to various parcels of land within the municipality, including the following specific sites:

- No. 504 Pascoe Vale Road, Strathmore.
- No. 87B Hoffmans Road, Niddrie.
- No. 41B Canning Street, Avondale Heights.
- Nos. 53–55 Amelia Avenue, Essendon. The Amendment proposes to:
- correct a number of mapping anomalies identified on Maps 4HO, 7HO, and 10HO and amends the Schedule to the Heritage Overlay:
- removes the Environmental Audit Overlay from 53–55 Amelia Avenue, Essendon, on Map 8EAO; and
- amends Clause 22.13–2 to correct a minor error.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following location: Moonee Valley City Council, Civic Centre, 9 Kellaway Avenue, Moonee Ponds.

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

The Amendment documents are available on the Department of Planning and Community Development's website www.dpcd.vic.gov.au/planning/publicinspection and also on Council's website www.mvcc.vic.gov.au

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

The closing date for submissions is 5.00 pm 7 September 2009. A submission must be sent to the Strategic Planning Department, Moonee Valley City Council, PO Box 126, Moonee Ponds, Victoria 3032.

RASIAH DEV Chief Executive

#### Planning and Environment Act 1987

WHITEHORSE PLANNING SCHEME

Notice of the Preparation of an Amendment to a Planning Scheme and Notice of an Application for Planning Permit given under S96C of the Planning and Environment Act 1987

Amendment C117
Authorisation No. A01334

Planning Permit Application WH/2008/522

The land affected by the Amendment is 315–319 Burwood Highway, Burwood East.

The land affected by the application is 315–319 Burwood Highway, Burwood East.

The Amendment proposes to amend the schedule to the Mixed Use Zone to increase the maximum allowable office floor area from 500 square metres to 4300 square metres and shop floor area from 240 square metres to 2500 square metres.

The application is for a permit to use of the land for shops and offices and associated buildings and works, associated signage, alteration to access to a Road Zone and reduction in car parking requirements. The person who requested the amendment is Aldi Stores Pty Ltd.

The applicant for the permit is Aldi Stores Pty Ltd. You may inspect the Amendment, the explanatory report about the Amendment, the application, and any documents that support the Amendment and the application, including the proposed permit, free of charge, at the following locations: during office hours, at the office of the planning authority, Whitehorse City Council, Nunawading Service Centre, 379-397 Whitehorse Road, Nunawading; the Service Centres in Box Hill and Forest Hill. the Nunawading, Box Hill, Blackburn and Vermont South libraries and on the Internet at www.whitehorse.vic.gov.au/amendmentc117. html; and at the Department of Planning and Community Development website www.dpcd. vic.gov.au/planning/publicinspection

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

The closing date for submissions is 7 September 2009. A submission must be sent to Gerard Gilfedder, Coordinator Strategic Planning, City of Whitehorse, Locked Bag 2, Nunawading Delivery Centre, Victoria 3110.

#### Panel Hearing

A submission which seeks to change the Amendment and is not accepted by the planning authority will be referred to an independent panel appointed by the Minister under Part 8 of the Planning and Environment Act 1987.

If a submission is referred to a Panel, a Directions Hearing and Panel Hearing are to be held on the following dates:

- Directions Hearing, week of 2 November
- Panel Hearing, week of 7 December 2009.

Anyone who has made a submission which has been referred to a Panel has an opportunity to be heard.

All submitters will be formally advised in writing of any Directions or Panel hearing and the date.

#### Privacy Statement

Any personal information you may include in any submission to Council on the Amendment is collected for planning purposes in accordance with the Planning and Environment Act 1987 (the Act). The public may view the submission whilst the Amendment is being considered. In accordance with the 'Improving Access to Planning Documents' Practice Note dated December 1999, a copy of your submission may be made upon request. If you fail to provide this information your comments may not be considered. You may access this information by contacting Council on 9262 6315.

PETER PANAGAKOS

Manager

Development, Strategy and Business 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 7 October 2009, 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.

BEVAN, Helen Mary, late of Glendale Aged Care Hostel, 1 Glendale Court, Werribee, Victoria 3030, retired housekeeper, who died on 5 March 2008.

EVANS, Frances Mary, formerly of 3/58 Rennie Street, Coburg, but late of Inala Village Nursing Home – Wilani, 220 Middleborough Road, Blackburn South, Victoria 3130, pensioner, who died on 11 July 2009.

GILBERT, Heather May, late of 12 Morobe Street, Sorrento, Victoria 3943, retired, who died 28 March 2009.

KIRBY, John Lewis, late 381–403 Narre Warren North Road, Narre Warren North, Victoria 3804, retired factory manager, who died on 15 March 2009.

MOHRER, Frank, late of Eastwood Hostel, 376 Warrigal Road, Cheltenham, Victoria 3192, who died on 15 May 2009.

PEUKERT, Rolf Richard Otto, late of Villa Maria Centre, 355 Stud Road, Wantirna South, Victoria 3152, pensioner, who died on 2 April 2009.

THOMAS, Agnes Mabel, late of Room 12, Coppin Community Hostel, 45 Moubray Street, Melbourne, Victoria 3004, retired, who died on 16 December 2008.

Dated 29 July 2009

ROD SKILBECK Manager Executor and Trustee Services

#### **EXEMPTION**

#### Application No. A178/2009

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the Equal Opportunity Act **1995**, by Northern Health. The application for exemption is to enable the applicant to advertise and employ an Indigenous person to the position of Community Liaison Officer with Northern Health (the exempt conduct).

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 14, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- This position for an Indigenous Community Liaison Officer is required by Northern Health to provide more culturally appropriate services to the local Aboriginal community, which is growing in population in the northern region of metropolitan Melbourne. The person employed in this role will need to have a deep understanding of the local Aboriginal community, its kinship relationships, history, health issues, and issues relating to the community's wellbeing, so that barriers to the provision of this care are identified and reduced.
- Local experience with the Aboriginal community has shown that the most effective way of working within the community is to have an Indigenous worker as the contact or conduit through which services can be promoted, access simplified and barriers better understood, so that these issues do not prevent members of the local Aboriginal community from accessing local services.
- The local Aboriginal community has been extensively consulted regarding the implementation of this position, and has been unanimous in its advice that this position needs to be filled by an Indigenous person.
- This is one strategy towards 'closing the gap' in the provision of health services to this community.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 14, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the exempt conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 1 July 2012.

Dated 27 July 2009

HER HONOUR JUDGE HARBISON Vice President

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

Public Auction to be held on site 11.00 am Saturday 29 August 2009

**Reference:** 08/5094.

**Address of Property:** 56 Flinders Street, Oueenscliff.

**Crown Description:** Crown Allotment 2009, Township of Queenscliff, Parish of Patwit.

**Terms of Sale:** 10% deposit, Balance payable in 180 days or earlier by mutual agreement.

**Area:** 732 m<sup>2</sup>.

Officer Co-ordinating Sale: Peter Caddy, Land and Property Group, Commercial Division, Department of Treasury and Finance, 5/1 Treasury Place, Melbourne, Vic. 3002.

**Selling Agent:** Kerleys Coastal Real Estate, 74 Hesse Street, Queenscliff, Vic. 3225.

TIM HOLDING MP Minister for Finance, WorkCover and the Transport Accident Commission

#### **Adoption Act 1984**

Under the functions and powers assigned to me by the Secretary to the Department of Human Services under section 8A(1) of the **Health Act 1958** in relation to section 5(2) of the **Adoption Act 1984**, I, Keith Smith, revoke approval of the following persons under section 5(1) and section 5(2) of the **Adoption Act 1984** as approved counsellors for the purposes of section 35 and section 87 of the **Adoption Act 1984**.

Names: Jane Broadhead and Angela Richards

KEITH SMITH Manager Community Care Southern Metropolitan Region

#### Cemeteries and Crematoria Act 2003

SECTION 42(1)

Declaration that Cemetery Trust Fees be Adjusted

I, Pauline Ireland, as Delegate of the Secretary to the Department of Human Services for the purposes of section 42(1) of the Cemeteries and Crematoria Act 2003, declare my approval

of an adjustment to the all the fees for the listed cemetery trusts. This declaration is administrative in that it recognises the declaration made under Division 81 of the **Goods and Services Act 1999** that the fees and charges for certain cemetery products are exempt from GST. This declaration will take effect from the date of publication of this notice in the Government Gazette and will be published on the internet.

Trust Name:

The Bairnsdale Cemetery Trust The Omeo Cemetery Trust The Paynesville Cemetery Trust Dated 23 July 2009

PAULINE IRELAND
Assistant Director
Food Safety and Regulatory Activities

#### Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of Cemetery Trust Fees and Charges

I, Pauline Ireland, as Delegate of the Secretary to the Department of Human Services for the purposes of section 40(2) of the **Cemeteries and Crematoria Act 2003**, give notice that I have approved the scales of fees and charges fixed by the following cemetery trusts. The approved scales of fees and charges will take effect from the date of publication of this notice in the Government Gazette and will be published on the internet.

The Avenel Cemetery Trust Dated 27 January 2009

PAULINE IRELAND
Assistant Director
Food Safety and Regulatory Activities

#### Electoral Act 2002

### CHANGE TO REGISTER OF POLITICAL PARTIES

In accordance with section 51(5)(e) of the **Electoral Act 2002**, I hereby give notice of the following change to the Register of Political Parties.

Name of registered political party: Democratic Labor Party (DLP) of Australia.

Name of new Registered Officer: Mr Michael Casanova.

Dated 3 August 2009

STEVE TULLY Victorian Electoral Commission

#### Land Acquisition and Compensation Act 1986

FORM 7

S. 21

Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Melbourne Water Corporation (Melbourne Water) declares that by this notice it acquires the following interest (easement) in the land described as part of Lot 1 on Title Plan 342952U (formerly known as Crown Allotment 3, Section A), Parish of Billian, comprising 1.525 hectares and being part of the land described in Certificate of Title Volume 8212 Folio 555, shown as E1 on Plan 71\_8212\_555\_NOIA\_Vs2.

**Interest Acquired:** That of Paul Conrad Hildebrand and all other interests.

Published with the authority of Melbourne Water Corporation.

Dated 6 August 2009

For and on behalf of Melbourne Water ROB SKINNER Managing Director Melbourne Water

#### Land Acquisition and Compensation Act 1986

FORM 7

S. 21

Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Melbourne Water Corporation (Melbourne Water) declares that by this notice it acquires the following interest (easement) in the land described as part of Lot 3 on Plan of Subdivision 118760, Parish of Yea, comprising 3680 square metres and being part of the land described in Certificate of Title Volume 9190 Folio 400, shown as E1 on Plan SKM\_VW4160\_70\_9190\_400.

**Interest Acquired:** That of Alfred Conrad Hildebrand and all other interests.

Published with the authority of Melbourne Water Corporation.

Dated 6 August 2009

For and on behalf of Melbourne Water
ROB SKINNER
Managing Director
Melbourne Water

#### Magistrates' Court Act 1989

# NOTICE SPECIFYING MAGISTRATES ASSIGNED TO THE FAMILY VIOLENCE COURT DIVISION

Pursuant to section 4H(3) of the Magistrates' Court Act 1989, I assign the following magistrates to the Family Violence Court Division of the Magistrates' Court of Victoria:

Amanda Jane Chambers
Martin Leon Grinberg
Michelle Therese Hodgson
Graham Douglas Keil
Peter Mellas
Richard John Pithouse
Dated 4 August 2009

IAN L. GRAY Chief Magistrate

#### Prevention of Cruelty to Animals Act 1986 APPROVAL OF GENERAL INSPECTOR

I, Joe Helper, Minister for Agriculture in the Department of Primary Industries, pursuant to the powers, duties and functions given to me under the **Prevention of Cruelty to Animals Act 1986** by the Premier's Administration of Acts General Order dated 20 April 2009 and of my respective powers to approve inspectors under section 18 of the **Prevention of Cruelty to Animals Act 1986**, hereby approve the following person, who is an inspector of livestock under the provisions of the **Livestock Disease Control Act 1994**, as a general inspector for the purposes of Part 2A and Part 3A of the **Prevention of Cruelty to Animals Act 1986**. This approval remains in force until revoked or until 30 June 2012.

Name of person: Hugh Warwick Chorley Millar Dated 22 July 2009

> JOE HELPER Minister for Agriculture

### Prevention of Cruelty to Animals Act 1986

### APPOINTMENT OF SPECIALIST INSPECTOR

I, Joe Helper, Minister for Agriculture in the Department of Primary Industries, pursuant to the powers, duties and functions given to me under the **Prevention of Cruelty to Animals Act 1986** by the Premier's Administration of

Acts General Order dated 20 April 2009 and of my respective powers to appoint specialist inspectors under section 18A of the **Prevention of Cruelty to Animals Act 1986**, hereby appoint the following person, as specialist inspector for the purposes of Part 2A and Part 3A of the **Prevention of Cruelty to Animals Act 1986**. This appointment remains in force until revoked or until 30 June 2012.

Name of person: Hugh Warwick Chorley Millar Dated 22 July 2009

> JOE HELPER Minister for Agriculture

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

### NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT

Sheriff Regulations 2009

Notice is given in accordance with section 11 of the **Subordinate Legislation Act 1994** that a Regulatory Impact Statement (RIS) has been prepared to assess the impact of the Sheriff Regulations 2009 (the proposed regulations).

The proposed regulations are made under the **Sheriff Act 2009** (the Act), and set the fees payable for work performed by the sheriff in the execution of a warrant or other process, as well as prescribing other matters necessary to be prescribed to give effect to the Act.

The objectives of the proposed regulations are to recover from fees an equitable portion of the costs of efficiently providing Sheriff's services under the Act. The RIS examines the costs and benefits of the proposed regulations and assesses several alternatives to the proposed regulations. The RIS concludes that the benefits of the proposed regulations outweigh their costs, and that the alternatives do not provide a practicable means of achieving the objectives of the proposed regulations.

Copies of the RIS and the proposed regulations may be obtained from:

- Infringement Management and Enforcement Services, Department of Justice, by phoning (03) 8684 7897 (between 9.00 am and 5.00 pm)
- The Department of Justice website at http://www.justice.vic.gov.au

Public comments are invited on the RIS and the accompanying regulations. All comments must be in writing and sent to: Simon Keleher, Legal Policy Officer, Infringement Management and Enforcement Services, Department of Justice, GPO Box 123, Melbourne, Victoria 3001, by no later than 5.00 pm on Friday 4 September 2009.

Please note that all comments and submissions received will be treated as public documents. Dated 6 August 2009

ROB HULLS MP Attorney-General

#### **Geographic Place Names Act 1998**

#### NOTICE OF REGISTRATION OF GEOGRAPHIC NAMES

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

Place Name	Proposer and Location
Mordialloc Beach Primary School	Department of Education. Formerly known as Mordialloc Primary School, 58 Barkly Street, Mordialloc 3195.

Office of the Registrar of Geographic Names

c/- **LAND** *VICTORIA* 17th Floor 570 Bourke Street Melbourne 3000

JOHN E. TULLOCH Registrar of Geographic Names

#### Crown Land (Reserves) Act 1978

### CROWN LAND RESERVES (TORQUAY AND JAN JUC FORESHORE RESERVE) REGULATIONS 2009

I, Rodney Warren, Statewide Program Leader – Public Land Services, as delegate of the Minister for Environment and Climate Change, make the following Regulations.

#### PART 1 – PRELIMINARY

#### 1. Title

These Regulations may be cited as the Crown Land Reserves (Torquay and Jan Juc Foreshore Reserve) Regulations 2009.

#### 2. Objective

The objective of these Regulations is to provide for the care, protection and management of the Torquay and Jan Juc Foreshore Reserve.

#### 3. Authorising provision

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

#### 4. Commencement

These Regulations come into operation on the date they are published in the Victoria Government Gazette.

#### 5. Revocations

All previous Regulations made under the Crown Land (Reserves) Act 1978 or the Land Act 1958 as they apply to the reserve are revoked.

#### 6. Definitions

In these Regulations –

'Act' means the Crown Land (Reserves) Act 1978;

'appointed person' means an officer or employee of the Committee appointed in writing by the Committee as an appointed person for the purposes of these regulations;

'authorised officer' means an authorised officer appointed under section 83 of the Conservation, Forests and Lands Act 1987 for the purposes of the Land Act 1958;

'camp' means

- (a) to erect, occupy or use a tent or any similar form of accommodation; or
- (b) to erect, park, occupy or use a caravan, camper van or other movable form or temporary structure of accommodation:

'Central Plan Office' means the Central Plan Office of the Department of Sustainability and Environment;

'Committee' means the committee of management appointed to manage the reserve under section 14 of the Act;

'damage' means to alter, to cut, to destroy, to deface, to soil or to vandalise;

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

'firearm' has the same meaning as in the Firearms Act 1996;

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

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

'life-saving aid' includes any life-saving equipment, life-hook, drag, grapnel, life-buoy, warning sign, barrier, fire extinguisher, hose or similar equipment;

'Minister' means the Minister for Environment and Climate Change;

'Mooring' includes any equipment, facility or structure for the securing of a vessel;

'navigational aid' means any lighthouse, beacon, signal, flag or similar equipment and any adjacent supporting structure or post;

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

'reserve' means the Torquay and Jan Juc Foreshore Reserve;

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

'stone' has the same meaning as in the Extractive Industries Development Act 1995;

'take' means -

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

'Torquay and Jan Juc Foreshore Reserve' means the land shown by blue border on Plan LEGL./96–482 lodged in the Central Plan Office being part of an area of land which was permanently reserved for the Protection of the Coastline by Order in Council of 17 March 1981, published in the Government Gazette on 25 March 1981, page 961;

'vessel' has the same meaning as in the Marine Act 1988.

#### 7. Application of Regulations

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

#### PART 2 – POWERS OF COMMITTEE

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

The Committee may erect buildings and carry out works to provide facilities or services on the reserve provided the consent required to be obtained in accordance with regulation 37 has been obtained.

#### 9. Committee may set aside areas for particular purposes

- (1) The Committee may determine that a specified area or areas in the reserve be set aside for one or more of the following purposes
  - (a) protection or management of flora, fauna, geological or geomorphological features or cultural values;
  - (b) re-establishment or planting of trees, shrubs, grass or other vegetation;
  - (c) protection or management of cultural, historic or geological features or values;
  - (d) amenities or facilities for public use;

- (e) camping;
- (f) the playing of games or sport;
- (g) the lighting or maintaining of fires;
- (h) the entry by any person accompanied by a dog under that person's control;
- (i) the riding, driving or leading of a horse or a mule or a donkey or a camel or the drawing of a vehicle by any of those animals;
- (i) the parking of any vehicle or vehicles of a particular class or classes;
- (k) the passage of any vehicle or vehicles of a particular class or classes;
- (1) a bicycle path;
- (m) a footway;
- (n) segregated footway;
- (o) shared footway;
- (p) the launching, landing, loading, unloading or mooring of vessels generally or vessels of a particular class;
- (q) the entry by a person in a vessel or in vessels of a particular class or classes into a water covered area.
- (2) The Committee must include in a determination under sub-regulation (1) details of any conditions, the times or periods during which areas set aside under sub-regulation (1) may be used for the purpose for which they are set aside.
- (3) If the Committee has determined that an area be set aside under sub- regulation (1), the Committee must cause notices to be displayed in such a place and manner that the particulars are reasonably likely to be seen by the persons about to enter the areas, indicating
  - (a) the areas so set aside; and
  - (b) the purpose for which those areas are set aside; and
  - (c) the conditions, times or periods during which the purpose is permitted.
- (4) A person must comply with a determination made under sub-regulation (1) when displayed in accordance with sub-regulation (3).

#### 10. Committee may set aside further areas where entry or access is prohibited or restricted

- (1) The Committee may determine that a specified area or areas in the reserve be set aside as an area where access or entry is prohibited or restricted
  - (a) by a person who is in possession of alcohol;
  - (b) by a person with glass bottles, glass containers or glass utensils in their possession;
  - (c) for reasons of public safety;
  - (d) for the protection of flora, fauna, geological or geomorphological features or cultural values;
  - (e) for swimming.
- (2) A determination under sub-regulation (1) must specify
  - (a) the times or periods during which entry or access is prohibited or restricted to an area or the conditions of entry to that area; and
  - (b) the reasons why entry or access is prohibited or restricted.
- (3) If the Committee has determined that an area be set aside under sub- regulation (1), the Committee must cause notices to be displayed in such a place and manner that the particulars are reasonably likely to be seen by the persons about to enter the areas, indicating –

- (a) the areas so set aside; and
- (b) the reasons why entry or access is prohibited or restricted; and
- (c) any conditions of entry or use of the area; and
- (d) the times or periods during which entry or access is prohibited or restricted.
- (4) A person must comply with a determination made under sub-regulation (1) when displayed in accordance with sub-regulation (3).

#### 11. Issuing, compliance production and cancellation of permits

- (1) The Committee may issue a permit for any of the activities referred to in Regulations 14(1), 18(1), 20(1), 21(1), 24(1), 27(1), 28(1), 29(1), or 30(1).
- (2) A permit issued under sub-regulation (1) authorises the holder to enter and use the reserve
  - (a) for the purpose specified in the permit; and
  - (b) for the period specified in the permit; and
  - (c) subject to any terms and conditions in respect of that entry or use determined by the Committee and specified in the permit.
- (3) The holder of any current permit must comply with any terms and conditions of that permit.
- (4) The Committee or an appointed person may revoke or cancel a permit at any time.
- (5) Upon revocation or cancellation of a permit under sub-regulation (4), the Committee or an appointed person must, within a reasonable time after the revocation or cancellation, notify the permit holder in writing of the cancellation or revocation of the permit.
- (6) A person who holds a permit issued under this Part must produce the permit for inspection when requested to do so by the Committee, an authorised officer or appointed person.

#### 12. Fees and charges

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

#### PART 3 – USE AND CONTROL OF THE RESERVE

#### 13. Offence to enter or remain in area where entry or access is prohibited or restricted

- (1) Subject to these Regulations, unless a current permit has been granted, a person must not enter or remain in an area to which entry or access has been prohibited or restricted under regulation 10 in respect of which a notice or notices are displayed in accordance with regulation 10.
- (2) Sub-regulation (1) does not apply to a person who enters or remains in an area of the reserve in accordance with a current permit issued under Part 2.

#### 14. Entry of dogs, horses and other animals

- (1) A person must not bring an animal into, or allow an animal under that person's control to enter or remain in the reserve.
- (2) Sub-regulation (1) does not apply to a person who
  - (a) brings a dog which is used as a guide dog into or allows that dog to remain in the reserve; or
  - (b) brings into or allows to remain in the reserve a dog which is in an area set aside under regulation 9(1) as an area where dogs are permitted; or
  - (c) brings into or allows to remain in the reserve a horse, mule, donkey or camel which is in an area set aside under regulation 9(1) as an area for the riding, driving or leading of those animals or the drawing of a vehicle by any of those animals; or
  - (d) brings an animal into or allows an animal to remain in the reserve in accordance with a current permit issued under Part 2.
- (3) A person who brings an animal into the reserve in accordance with this Regulation must ensure that the animal is effectively controlled from causing any nuisance, injury, unreasonable disturbance or damage to any person, garden, shrub, tree, building, fencing or other improvement.
- (4) A person who brings a dog, other than a dog used as a guide dog, into the reserve must remove any faeces deposited by that dog from the reserve or place the faeces in a receptacle which is provided for that purpose by the Committee.

#### 15. Driving and parking vehicles

- (1) A person must not drive a vehicle in the reserve.
- (2) Sub-regulation (1) does not apply to a person who drives or parks a vehicle in an area set aside by the Committee under regulation 9(1) for the passage or parking of vehicles.
- (3) A person must not park or leave a vehicle standing in the reserve.
- (4) Sub-regulation (3) does not apply to a person who parks a vehicle or leaves a vehicle standing in an area set aside by the Committee under regulation 9(1) for the parking of vehicles in accordance with the times and manner determined by the Committee.

#### 16. Launching and landing vehicles

- (1) A person must not launch, land, moor, load or unload a vessel in the reserve, except in an emergency
  - (a) without first paying the appropriate fee, if any, determined by the Committee under Regulation 12(2); and
  - (b) unless the vessel is within an area of the reserve set aside for the launching, landing, loading, unloading or mooring of vessels.

#### 17. Aircraft, helicopters and airborne craft

- (1) Within the reserve, a person must not launch, fly, land, control or operate any model aircraft, model helicopter, aircraft, helicopter, glider, hang glider or similar flying machine, kite, hot air balloon or parachute.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

#### 18. Camping

- (1) A person must not camp within the reserve.
- (2) Sub-regulation (1) does not apply to a person who camps
  - (a) in an area set aside by the Committee under regulation 9(1) for the purpose of camping; and
  - (b) in accordance with a current permit issued under Part 2.

#### 19. Fire

- (1) A person must not light or maintain a fire in the reserve.
- (2) Sub-regulation (1) does not apply to a person who lights or maintains a fire at a time and during a period when the lighting of fires is not prohibited under any Act in
  - (a) a fireplace provided by the Committee; or
  - (b) an area set aside by the Committee under regulation 9(1) for the purpose of lighting or maintaining a fire.
- (3) A person must not leave unextinguished or unattended a fire which that person has lit or maintained in the manner referred to in sub-regulation (2).

#### 20. Natural, cultural and other assets

- (1) In the reserve, a person must not
  - (a) take, cut, damage, displace, deface or interfere with any timber, tree, shrub, plant, wildflower or other vegetation;
  - (b) enter any area which is set aside under Regulation 9(1)
    - (i) for the re-establishment or planting of trees, shrubs, grass or other vegetation; or
    - (ii) for the protection of flora or fauna, geological or geomorphological features or cultural values;
  - (c) plant or knowingly introduce any seed, tree, shrub, fern or other vegetation or any part of any tree, shrub or other vegetation;
  - (d) take, destroy or damage any lair or nest or take any fauna or its lair or nest or take any skeletal remains;
  - (e) move or interfere with any sign, noticeboard, equipment, seat, table, gate, post, fence, bridge, facility, building or structure;
  - (f) move or interfere with any navigational aid or life saving aid except for the purpose of saving life;
  - (g) take any stone including any soil, sand or gravel.
- (2) Sub-regulation (1) does not apply to a person acting in accordance with
  - (a) a current permit under Part 2 which allows that person to engage in the particular activity; or
  - (b) a lease, licence, permit or other authority under the Extractive Industries

    Development Act 1995, the Mineral Resources Development Act 1990 or
    the Petroleum Act 1998.

#### 21. Stone

- (1) A person must not in the reserve take any stone.
- (2) Sub-regulation (1) does not apply to a person who takes stone in accordance with
  - (a) a current permit under Part 2 which allows that person to take stone; or
  - (b) a lease, licence, permit or other authority under the Extractive Industries Development Act 1995, the Mineral Resources Development Act 1990 or the Petroleum Act 1998

#### 22. Animals and nests

- (1) A person must not in the reserve
  - (a) take any animal or its lair or nest; or
  - (b) poison an animal.

#### 23. Improvements, signs, equipment, navigational aids

- (1) A person must not damage, move or interfere with
  - (a) Any sign, noticeboard, equipment, seat, table, gate, post, fence, bridge, facility, building, or structure in the reserve; or
  - (b) Any navigational aid or life-saving aid in the reserve, except for the purpose of saving life.

#### 24. Erecting or using buildings and structures

- (1) In the reserve, a person must not
  - (a) erect or place any building or structure; or
  - (b) enter, occupy or use the whole or any part of any building or structure unless it is set aside as an amenity or facility for public use and any fee required to be paid under these Regulations has been paid and any times or periods or conditions relating to the use of the building or structure are complied with.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

#### 25. Use of amenity or facility

- (1) In the reserve, a person must not enter or use an amenity or facility set aside for use of persons of the opposite sex.
- (2) Sub-regulation (1) does not apply to the entering or use of an amenity or facility by a child under the age of 6 years when accompanied by an adult.

#### 26. Games or sports

- (1) In the reserve, a person must not engage in any game or sport likely to cause interference, disturbance, inconvenience or danger to other persons using the reserve.
- (2) Sub-regulation (1) does not apply to a person
  - (a) who is engaged in a game or sport in an area set aside for a game or sport under regulation 9(1) and any fee required to be paid under these Regulations has been paid and any times or periods or conditions relating to the use are complied with; or
  - (b) who is acting in accordance with a current permit issued under Part 2 which allows that person to engage in a game or sport.

#### 27. Organised function, fete or public meeting

- (1) In the reserve, a person must not participate in an organised function, rally, concert, festival, tour, fete or public meeting or similar event.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

#### 28. Public address

- (1) In the reserve, a person must not preach or deliver an address or use any amplifier, public address system, loud hailer or similar device.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

#### 29. Commercial activities

- (1) In the reserve, a person must not
  - (a) sell or offer any article for sale;

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

#### 30. Machinery and power tools

- (1) In the reserve, a person must not operate any portable or stationary generator, air-compressor, chainsaw, oxy-acetylene or electrical cutting or welding apparatus or other machinery.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

#### 31. Gates

In the reserve, a person must not leave any gate open except where the gate is already open.

#### 32. Use of beach umbrellas

- (1) A person must not erect or use a beach umbrella or similar device for providing shade or weather protection on any beach in the reserve.
- (2) Sub-regulation (1) does not apply to a person who uses a beach umbrella or similar device which is securely anchored
  - (a) by means of a disc made of wood, metal or similar material being a least 30 centimetres in diameter fitted over the shaft immediately above the tip and the tip is buried in the sand to a depth of at least 30 centimetres; or
  - (b) by means of a bag filled with at least 5 kilograms of dry weight of sand securely tied to the device; or
  - (c) by means of a device with an equivalent effect to an anchoring device referred to in paragraph (a) or (b).

#### 33. Offensive behaviour

In the reserve, a person must not –

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

#### 34. Firearms and traps

In the reserve, a person must not possess or carry or use any firearm, trap or snare.

#### 35. Stones or missiles

In the reserve, a person must not propel or throw any stone or missile which is likely to cause danger or unreasonable disturbance to other persons or to animals or is likely to damage any flora or property.

#### 36. Royalties

A person authorised by a current permit issued under Part 2 to take stone from the reserve must pay to the Secretary the royalty specified in Schedule 2 of the Extractive Industries Development Regulations 2007, in respect of the type and quantity of stone taken.

#### PART 4 – WORKS AND IMPROVEMENTS

#### 37. Consent of Minister

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

#### PART 5 - GENERAL

#### 38. Obstruction

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

#### 39. Direction and direction to leave

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

#### Notes

#### **Contravention of Regulations**

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

#### Litter

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

#### Motor vehicles

Under the Land Conservation (Vehicle Control) Regulations 2003, motor vehicles are prohibited from being within a reserve except on a road, in a parking area or in an area declared to be a free access area. A contravention may result in the imposition of penalties under those regulations.

#### Fire

In addition to Regulation 19, the lighting of fires is governed by the Forests (Fire Protection) Regulations 2004 and failure to adhere to those Regulations may result in the imposition of penalties.

#### Bicycle path, footway, segregated footway or shared footway

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

*'Bicycle path'* means a way, other than a bicycle lane, defined by a bicycle way sign at its beginning, and at its end by –

- (a) an end bicycle sign; or
- (b) a shared footway sign; or
- (c) a segregated footway sign; or
- (d) a bicycle way sign; or
- (e) a carriageway; or
- (f) a dead end –

the signs being erected adjacent to the way so as to face an approaching driver of a bicycle.

'Footway' means a footpath, lane or other place provided solely for the use of pedestrians or habitually used by pedestrians and not by vehicles, but includes a segregated footway or a shared footway.

'Segregated footway' means a length of footway defined by means of a segregated footway sign at its beginning, and at its end by -

- (a) an end segregated footway sign; or
- (b) a shared footway sign; or
- (c) a bicycle way sign; or
- (d) a no-bicycles sign; or
- (e) a carriageway; or
- (f) a dead end: or
- (g) a segregated footway sign.

'Shared footway' means a length of footway defined by means of a shared footway sign at its beginning, and at its end by -

- (a) an end shared footway sign; or
- (b) a segregated footway sign; or
- (c) a bicycle way sign; or
- (d) a no-bicycles sign; or

- (e) a carriageway; or
- (f) a dead end, or
- (g) a shared footway.

Dated 16 July 2009

RODNEY WARREN Statewide Program Leader Public Land Services as delegate of the Minister for Environment and Climate Change

#### Occupational Health and Safety Act 2004

#### VICTORIAN WORKCOVER AUTHORITY

Notice of Issue of Major Hazard Licence

On 22 July 2009, a licence under Chapter 6 of the Occupational Health and Safety Regulations 2007 was issued to Caltex Australia Petroleum Australia Pty Ltd, PO Box 57, Newport, Victoria 3015 and authorises the facility located at 411 Douglas Parade, Newport 3015, to be operated as a major hazard facility.

The Major Hazard Facility Licence was issued for a term of 5 years and will expire on 22 July 2014.

The licence did not include conditions.

The following Schedule 9 materials were authorised by the licence:

From Table 1 of Schedule 9

Material	UN Nos. Included Under Name
Nil	Nil

#### From Table 2 of Schedule 9

Material	Description
Flammable Materials	Liquids which meet the criteria for Class 3 PG II or III

GREG TWEEDLY Chief Executive

#### **Private Agents Act 1966**

#### NOTICE OF RECEIPT OF APPLICATIONS FOR LICENCES UNDER THE PROVISIONS OF THE **PRIVATE AGENTS ACT 1966 – 7494**

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

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

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

Full Name of Applicant or in the case of a Firm or Corporation, of the	Name of Firm or Corporation	Address for Registration	Type of Licence
Nominee			
Lee Scott Harris	Australian Receivables Ltd	363 King Street, Melbourne, Vic. 3000	Commercial Sub-Agents Licence
Mena Manibod	Australian Receivables Ltd	363 King Street, Melbourne, Vic. 3000	Commercial Sub-Agents Licence
George Lu	Austral Mercantile Collections	Level 13, 628 Bourke Street, Melbourne	Commercial Sub-Agents Licence
Linda Mary Harris	Willmot Forests Ltd	249 Park Street, South Melbourne, Vic. 3205	Commercial Sub-Agents Licence
Lisa A. Malecki	Willmot Forests Ltd	249 Park Street, South Melbourne, Vic. 3205	Commercial Sub-Agents Licence

Dated at Melbourne 28 July 2009

DEBRA GALLUCCI Registrar Magistrates' Court of Victoria

#### **Livestock Disease Control Act 1994**

#### NOTICE OF FIXING FEES

I, Joe Helper, Minister for Agriculture, pursuant to the powers, duties and functions under section 104(1) in Part 7 of the **Livestock Disease Control Act 1994** (the Act), hereby fix fees to be paid for various administrative functions under the Act. The fees are fixed as at the date of publication in the Government Gazette and shall remain in force until revoked.

The notice made on 25 August 2006 under section 104(1) of the Act and published in the Government Gazette G36 on 7 September 2006 (pp. 1889–1891) is revoked.

Furthermore, the notice made on 2 June 2008 under section 48(2)(b) of the Act and published in the Government Gazette G24 on 12 June 2008 (p 1258) is revoked.

Item	Identification of Livestock	Fee
	Provision of cattle NLIS breeder/post breeder Electronic Identification Devices:	**
AH01 AH05	Fee per tag Plus, fee per order	\$1.65 \$10.00
	Provision of cattle NLIS rumen bolus plus matching breeder/post breeder ear tags (non EID):	**
AH02 AH05	Fee per combination Plus, fee per order	\$2.60 \$10.00
	Provision of sheep NLIS breeder/post breeder Electronic Identification Devices:	**
AH03 AH06 AH05	Fee per tag Plus, fee per order (Leader) Plus, fee per order (Allflex)	\$1.00 \$5.00 \$10.00
AH04	Provision of cattle transaction tail tags (white/pink–HGP free):  Fee per roll of 100 tags	** \$13.00
AH07	Provision – emergency cattle transaction tail tags:  Fee up to 10 tags	** \$20.00
AH08	Provision – emergency cattle transaction tail tags:  Fee to each tag over 10 tags	** \$2.00
AH09	Provision – lime green EC cattle transaction tail tags: Fee per roll of 100 tags	** \$13.00
AH10	Provision of NLIS ear tag applicator (universal) by Allflex:  Fee per applicator	** \$35.00
AH11	Provision of NLIS ear tag applicator (ultramatic) by Allflex:  Fee per applicator	** \$79.00
AH12	Provision of NLIS ear tag applicator (standard) by Leader Products: Fee per applicator	** \$12.00
AH13	Provision of NLIS ear tag applicator (quick release) by Leader Products: Fee per applicator	** \$15.00

Item	Beekeeper Registration	Fee
	Where a person keeps at least one but not more than 60 hives and who participates in the American Foulbrood Smart honey testing program:	**
AH14	Fee for up to 60 hives	\$15.00
	Where a person keeps at least one but not more than 60 hives and who has not participated in the American Foulbrood Smart honey testing program:	**
AH15	Fee for up to 60 hives	\$23.00
	Where a person keeps more than 60 hives and who participates in the American Foulbrood Smart honey testing program:	**
AH16	Fee per hive	\$0.25
	Where a person keeps more than 60 hives and who has not participated in the American Foulbrood Smart honey testing program:	**
AH17	Fee per hive	\$0.38

#### Specified Class of Case to which Fee at item AH14 and AH 16 applies

The fee for the Certificate of Registration as a Beekeeper at items AH14 and AH16 only applies to an applicant who:

- Certifies on the DPI approved 'Application for Renewal as a Beekeeper' form, that their honey has been, or is being, tested by an Approved Veterinary Pathology Laboratory, or
- Certifies on the DPI approved 'Application for Renewal as a Beekeeper' form, that he or she has only commenced beekeeping in the last four months and that no honey has been extracted.

#### Specified Class of Case to which Fee at item AH15 and AH17 applies

The fee for Certificate of Registration as a Beekeeper at items AH15 and AH17 only applies to an applicant who does not satisfy any of the criteria on the DPI approved application form and who has not participated in the American Foulbrood (AFB) Smart honey testing program.

Item	Swill Feeding of Pigs	
	Permit to feed food refuse to pigs:	**
AH18	Fee per business	\$220.00

Item	Certification Services	Fee
AH22	For time involved in travelling, inspecting, certifying, supervising the treatment of and verifying the documentation of any livestock or livestock product for interstate movement:  Initial fee per first 30 minutes of officer's time	\$33.00
711122	initial fee per first 50 initiates of officer 5 time	Ψ33.00
AH23	For time involving in travelling, inspecting, certifying, supervising the treatment of and verifying the documentation of any livestock or livestock product for interstate movement:  Fee for each extra 15 minutes of officers time.	\$16.50
		Ψ10.20
	For time involved in travelling, inspecting, certifying, supervising the treatment of and verifying the documentation of any livestock or livestock product for export:	
AH24	Fee per hour (min. 30 minutes) of officer's time	\$105.60

Item	Certification Services	
AH25	Vehicle travel per kilometer travelled for certifying or testing:  Fee per kilometre	\$0.55
	For provision of health status certificates for shows and sales, not requiring a visit or invoice:	
AH26	Fee per certificate per 30 minutes	\$11.00
AH27	Additional cost of invoicing for show/sale certificates:	
	For provision of certification on disease and residue status of land to enable a vendor to complete a section 32 statement under the <b>Sale of Land Act 1962</b> :	
AH28	Fee per certificate per 30 minutes of officer's time	\$33.00

Item	Ovine Brucellosis Free Accreditation Scheme	Fee
	To provide for administration of and certification under the voluntary Ovine Brucellosis Free Accreditation Scheme:	
AH30	Initial joining fee	\$137.50
	To provide for administration of and certification under the voluntary Ovine Brucellosis Free Accreditation scheme:	
AH31	Re-accreditation fee	\$33.00
	To provide for administration of and certification under the voluntary Ovine Brucellosis Free Accreditation scheme:	
AH32	Re-inspection fee	\$82.50

Note: Fees shown with a double asterisk (\*\*) in column marked 'Fee' are exempt from the GST.

Dated 22 July 2009

JOE HELPER Minister for Agriculture

### Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

Notice of Approval of Amendment Amendment C134

The Minister for Planning has approved Amendment C134 to the Ballarat Planning Scheme.

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

The Amendment introduces a Public Acquisition Overlay (PAO1) to identify and reserve land for acquisition by VicRoads for the Ballarat to Burrumbeet section of the Western Highway Duplication.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www. dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Ballarat City Council, 25 Armstrong Street South, Ballarat.

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

#### Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

Notice of Approval of Amendment Amendment C136

The Minister for Planning has approved Amendment C136 to the Ballarat Planning Scheme.

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

The Amendment alters the planning scheme maps and the schedule to the Heritage Overlay so that 58 heritage places included in Victorian Heritage Register are shown in the Ballarat Planning Scheme.

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

of Ballarat Council, The Phoenix Building, 25 Armstrong Street South. Ballarat.

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

#### Planning and Environment Act 1987

CARDINIA PLANNING SCHEME

Notice of Approval of Amendment Amendment C108

The Minister for Planning has approved Amendment C108 to the Cardinia Planning Scheme.

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

The Amendment rezones land at 29–65 Station Street, Koo Wee Rup, from a Business 4 Zone to a Business 1 Zone.

The Minister has granted the following permit(s) under Division 5 Part 4 of the Act: Permit No. T070447.

Description of land: 29–65 Station Street, Koo Wee Rup.

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

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

#### Planning and Environment Act 1987

CASEY PLANNING SCHEME Notice of Approval of Amendment Amendment C83

The Minister for Planning has approved Amendment C83 to the Casey Planning Scheme.

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

The Amendment:

- incorporates the Berwick Village Commercial Centre Parking Precinct Plan, into the Casey Planning Scheme;
- makes consequential changes to the Municipal Strategic Statement and Local Planning Policy to give effect to the Parking Precinct Plan;
- alters planning scheme maps to:
  - rezone Pioneers Park from a Public Use Zone 2 to a Public Park and Recreation Zone;
  - rezone land within the retail core/ parking areas from the Public Use Zone 6 to a Business 1 Zone; and
  - rezone the residential property at the north-east corner of Wheeler and High Streets from a Business 2 Zone to a Residential 1 Zone consistent with the Berwick Village Commercial Centre Strategy;
- introduces a new Schedule at Clause 52.06–6 giving effect to the Berwick Village Commercial Centre Parking Precinct Plan and mandating changed car parking rates for a number of uses; and
- provides for off-site car parking through cash-in-lieu contributions where car parking demand can not be satisfied on the relevant development site within the core retail area of the centre.

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

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

#### Planning and Environment Act 1987

CASEY PLANNING SCHEME
Notice of Approval of Amendment
Amendment C124

The Minister for Planning has approved Amendment C124 to the Casey Planning Scheme.

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

The Amendment includes reference in the schedules to Clause 52.03 and Clause 81 of the Casey Planning Scheme, to the Incorporated Document '"La Fontaine Winery", 295 Manks Road, Clyde' to allow for the consideration of a Restaurant use on the land.

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

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

### Planning and Environment Act 1987

GANNAWARRA PLANNING SCHEME

Notice of Approval of Amendment Amendment C27

The Minister for Planning has approved Amendment C27 to the Gannawarra Planning Scheme.

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

The Amendment alters the planning scheme maps and the schedule to the Heritage Overlay so that four heritage places included in Victorian Heritage Register are shown in the Gannawarra Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www. dpcd.vic.gov.au/planning/publicinspection

and free of charge, during office hours, at the Gannawarra Shire Council, 47 Victoria Street, Kerang, Victoria 3579.

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

free of charge, during office hours, at the offices of the Greater Dandenong City Council, 39 Clow Street, Dandenong.

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

#### Planning and Environment Act 1987

## GREATER DANDENONG PLANNING SCHEME

Notice of Approval of Amendment Amendment C80

The Minister for Planning has approved Amendment C80 to the Greater Dandenong Planning Scheme.

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

The Amendment:

- rezones Haileybury College and Lighthouse Christian College from a Farming Zone to a Residential 1 Zone:
- rezones the Keysborough Turkish and Islamic Cultural Centre and Mt Hira College from a Farming Zone to a Special Use Zone (SUZ4). SUZ4 is added to the Schedule of Clause 37.01;
- rezones the Dhamma Sarana and Polish Catholic Centre from a Farming Zone to a Special Use Zone (SUZ5) to each of these sites. SUZ5 is added to the Schedule of Clause 37.01; and
- introduces a Clause at 21.04–1 Strategy within the Municipal Strategic Statement to encourage master planning of the institutional uses in the Keysborough area with a supporting 'Policy and exercise of discretion' implementation measure indicating development of institutional uses, other than minor applications, in the Keysborough area will be managed in accordance with master plans for future development.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www. dpcd.vic.gov.au/planning/publicinspection and

#### Planning and Environment Act 1987

#### MACEDON RANGES PLANNING SCHEME

Notice of Approval of Amendment Amendment C46

The Minister for Planning has approved Amendment C46 to the Macedon Ranges Planning Scheme.

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

The Amendment alters the planning scheme maps and the schedule to the Heritage Overlay so that 38 heritage places included in Victorian Heritage Register are shown in the Macedon Ranges Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd. vic.gov.au/planning/publicinspection and free of charge, during office hours, at the Macedon Ranges Shire Council, 129 Mollison Street, Kyneton, Victoria 3444.

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

#### Planning and Environment Act 1987

MITCHELL PLANNING SCHEME Notice of Approval of Amendment Amendment C70

The Minister for Planning has approved Amendment C70 to the Mitchell Planning Scheme.

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

The Amendment corrects a mapping anomaly by rezoning privately owned freehold land from Public Conservation and Resource Zone to Township Zone.

The land affected is 14 Pioneer Street, Tallarook, (Crown Allotment 3 Section 10 Township of Tallarook Parish of Lowry).

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www. dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Mitchell Shire Council, 113 High Street, Broadford.

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

#### Planning and Environment Act 1987

MONASH PLANNING SCHEME Notice of Approval of Amendment Amendment C70

The Minister for Planning has approved Amendment C70 to the Monash Planning Scheme.

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

The Amendment rezones the land at 2107–2125 Princes Highway, Clayton, to a Business 2 Zone, introduces an Environmental Audit Overlay over the land and introduces an Incorporated Plan Overlay over the land together with an appropriate schedule (IPO2) and an Incorporated Plan.

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

Permit No. 2007/0613.

Description of land: 2107–2125 Princes Highway, Clayton.

A copy of the Amendment and permit/s can be inspected, free of charge, at the Department of Planning and Community Development web site at www.dpcd.vic.gov.au/planning/ publicinspection and free of charge, during office hours, at the office of the Monash City Council. 293 Springvale Road, Glen Waverley.

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

#### Planning and Environment Act 1987

MONASH PLANNING SCHEME Notice of Approval of Amendment Amendment C100

The Minister for Planning has approved Amendment C100 to the Monash Planning Scheme.

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

The Amendment introduces the Minister for Planning as the responsible authority for administering and enforcing the Scheme for land (known as the Nova Centre) at 2107–2125 Princes Highway, Clayton.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www. dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of Monash City Council, 293 Springvale Road, Glen Waverley.

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

#### Planning and Environment Act 1987

MORNINGTON PENINSULA PLANNING SCHEME

Notice of Approval of Amendment Amendment C89

The Minister for Planning has approved Amendment C89 to the Mornington Peninsula Planning Scheme.

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

The Amendment alters the planning scheme maps and the schedule to the Heritage Overlay so that 40 heritage places included in Victorian Heritage Register are shown in the Mornington Peninsula Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd. vic.gov.au/planning/publicinspection and free of charge, during office hours, at the Mornington Peninsula Shire Council, 90 Besgrove Street, Rosebud, Victoria 3939.

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

#### Planning and Environment Act 1987

MOUNT ALEXANDER PLANNING SCHEME

Notice of Approval of Amendment Amendment C47

The Minister for Planning has approved Amendment C47 to the Mount Alexander Planning Scheme.

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

The Amendment applies interim heritage provisions to 10 Greenhill Avenue, Castlemaine, by amending Planning Scheme Map No. 23HO and including the site in the Schedule to the Heritage Overlay.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www. dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Mount Alexander Shire Council, 25 Lyttleton Street, Castlemaine and 9 Halford Street, Castlemaine.

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

#### Planning and Environment Act 1987

MOYNE PLANNING SCHEME Notice of Approval of Amendment Amendment C27

The Minister for Planning has approved Amendment C27 to the Moyne Planning Scheme.

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

The Amendment:

- amends Clause 21.10 Reference Documents to introduce the Moyne Commercial Area Signage Guidelines into the Moyne Planning Scheme;
- amends Clause 22.01–3 Port Fairy under subclause 'Commercial' to include regard to the Moyne Commercial Area Signage Guidelines; and
- amends Clause 22.01–8 Koroit under subclause 'Commercial' to include regard to the Moyne Commercial Area Signage Guidelines.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www. dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Moyne Shire Council, Princess Street, Port Fairy.

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

#### Planning and Environment Act 1987

PORT PHILLIP PLANNING SCHEME

Notice of Approval of Amendment Amendment C69

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

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

The Amendment:

 rezones Plummer Street, between Prohasky Street and Graham Street, Port Melbourne, from Industrial 1 Zone and Business 3 Zone to Road Zone, Category 1;

- rezones Garden City Reserve (closed portion of Howe Parade), Port Melbourne, from Comprehensive Development Zone (Schedule 1) and Residential 1 Zone to Public Park and Recreation Zone;
- rezones Jacoby Reserve, 1C Deakin Street, St Kilda West, from Residential 1 Zone to Public Park and Recreation Zone;
- rezones Jim Duggan Reserve, 2 Bath Street, East St Kilda, from Public Use Zone (Schedule 6) to Public Park and Recreation Zone:
- rezones Newton Court Reserve/St Kilda Adventure Playground, rear 63–71 Grey Street, St Kilda, from Residential 1 Zone to Public Park and Recreation Zone;
- rezones Te Arai Reserve, 202 Alma Road/10–12 Te Arai Avenue, East St Kilda, from Residential 1 Zone to Public Park and Recreation Zone;
- rezones Waterloo Crescent, 4 Waterloo Crescent, St Kilda, from Public Use Zone (Schedule 1) to Public Park and Recreation Zone;
- rezones William Street Reserve, 35–37
   William Street, Balaclava, from Residential
   1 Zone to Public Park and Recreation Zone;
- rezones 34 Jackson Street, St Kilda, from Residential 1 Zone to Public Use Zone (Schedule 6) and deletes the Public Acquisition Overlay (Schedule 3);
- rezones 90–96 Johnson Street, South Melbourne, from Public Use Zone (Schedule 1) to Industrial 1 Zone;
- removes the Heritage Overlay (HO314) from 95–101 Ormond Road, Elwood;
- removes the Heritage Overlay (HO327) from 82 Queens Road, Melbourne;
- removes the Heritage Overlay (HO430) from 7 Rainsford Street, Elwood;
- updates Clause 21.05, Clause 22.01 and Clause 22.04 to refer to the revised versions of the Port Phillip Heritage Review, City of Port Phillip Heritage Policy Map and the City of Port Phillip Neighbourhood Character Policy Map;
- updates the Schedule to Clause 43.01 Heritage Overlay to delete HO314, HO327 and HO430:

- updates the Schedule to Clause 45.01 Public Acquisition Overlay to delete PAO3;
- updates the Schedule to Clause 52.03 Specific Sites and Exclusions to delete 4 Princes Street, St Kilda;
- updates the Schedule to Clause 81.01 Incorporated Documents to refer to the revised version of the Port Phillip Heritage Review, City of Port Phillip Heritage Policy Map and the City of Port Phillip Neighbourhood Character Policy Map and delete 4 Princes Street, St Kilda; and
- updates the Port Phillip Heritage Review to delete Citation No. 2130 82 Queens Road, Melbourne, Citation No. 2176 95 Ormond Road, Elwood and Citation No. 2340 7 Rainsford Street, Elwood; updates the City of Port Phillip Heritage Policy Map; and updates the City of Port Phillip Neighbourhood Character Policy Map.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www. dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Port Phillip City Council, St Kilda Town Hall, corner of Carlisle Street and Brighton Road, St Kilda.

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

#### Planning and Environment Act 1987 SURF COAST PLANNING SCHEME

Notice of Approval of Amendment Amendment C45

The Minister for Planning has approved Amendment C45 to the Surf Coast Planning Scheme.

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

The Amendment rezones 4 Walker Street Anglesea, from Residential 1 to Business 1; updates the Anglesea Framework Plan at Clause 21.12; applies Schedule 9 to the Design and Development Overlay to the land; and deletes Schedule 3 to the Significant Landscape Overlay from the land.

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

Permit No. Surf Coast Planning Scheme 08/0234.

Description of land: 4 Walker Street, Anglesea, known as Lot 8 on Plan of Subdivision 075295 (Volume 08649 Folio 747).

A copy of the Amendment and permit can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours at the office of the Surf Coast Shire Council, 28 Grossmans Road, Torquay.

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

#### Planning and Environment Act 1987

SWAN HILL PLANNING SCHEME Notice of Approval of Amendment Amendment C37

The Minister for Planning has approved Amendment C37 to the Swan Hill Planning Scheme.

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

The Amendment alters the planning scheme maps and the schedule to the Heritage Overlay so that five heritage places included in Victorian Heritage Register are shown in the Swan Hill Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www. dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the Swan Hill Rural City Council, 45 Splatt Street, Swan Hill 3585.

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

### Planning and Environment Act 1987

YARRIAMBIACK PLANNING SCHEME

Notice of Approval of Amendment Amendment C13

The Minister for Planning has approved Amendment C13 to the Yarriambiack Planning Scheme.

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

The Amendment alters the planning scheme maps and the schedule to the Heritage Overlay so that twelve heritage places included in Victorian Heritage Register are shown in the Yarriambiack Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www. dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the Yarriambiack Shire Council, 34 Lyle Street, Warracknabeal, Victoria 3393.

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

#### Planning and Environment Act 1987

WARRNAMBOOL PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C44 Part 2

The Warrnambool City Council has resolved to abandon Amendment C44 Part 2 to the Warrnambool Planning Scheme.

The Amendment proposed to apply controls to land identified as flood prone in North Warrnambool Flood Study for Merri River and Russell's Creek 2003.

The Amendment lapsed on 29 July 2009.

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

#### **ORDERS IN COUNCIL**

#### Crown Land (Reserves) Act 1978

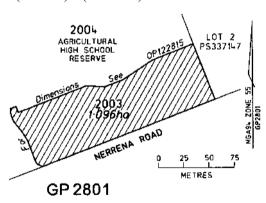
### NOTICE OF INTENTION TO REVOKE TEMPORARY RESERVATIONS

Order in Council

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

KYABRAM EAST – The temporary reservation by Order in Council of 3 November 1965 of an area of 216.61 hectares, more or less, of land in the Parish of Kyabram East as a site for Public purposes (purposes of the Agriculture Department). – (Rs 08473)

LEONGATHA – The temporary reservation by Order in Council of 5 October 1926 of an area of 6.070 hectares [15 acres] of land in the Parish of Leongatha as a site for an Agricultural High School, in addition to and adjoining the site temporarily reserved therefor by Order in Council of 21 May 1912 so far only as the portion containing 1.096 hectares being Crown Allotment 2003, Parish of Leongatha as indicated by hatching on plan GP2801 hereunder. – (GP2801) – (Rs 04948)



MURTOA – The temporary reservation by Order in Council of 14 February 1876 of an area of 8074 square metres of land in Section 6, Township of Murtoa, Parish of Ashens (formerly part of Block 6, Parish of Ashens, at Murtoa) as a site for Public purposes (State School), revoked as to part by Order in Council of 24 June 1997 so far as the balance remaining containing 7416 square metres, more or less. – (Rs 06744)

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

Dated 5 August 2009 Responsible Minister GAVIN JENNINGS Minister for Environment and

Climate Change

TOBY HALLIGAN Clerk of the Executive Council

#### Crown Land (Reserves) Act 1978

#### REVOCATION OF TEMPORARY RESERVATIONS

Order in Council

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

CASTLEMAINE – The temporary reservation by Order in Council of 17 April 1928 of an area of 809 square metres of land in Section 14, Township of Castlemaine, Parish of Castlemaine as a site for Police purposes, revoked as to part by Orders in Council of 16 March 1994 and 5 August 1997 so far as the balance remaining containing 417 square metres, more or less. – (Rs 3654)

CHINKAPOOK – The temporary reservation by Order in Council of 23 March 1920 of an area of 2.0234 hectares, more or less, of land in Section 6, Township of Chinkapook, Parish of Eureka as a site for a Rubbish Depot. – (Rs 2123)

PAKENHAM – The temporary reservation by Order in Council of 13 January 1911 of an area of 3.24 hectares, more or less, of land in the Parish of Pakenham as a site for Camping and Watering purposes, revoked as to part by Order in Council of 23 January 1990 so far as the balance remaining containing 3.23 hectares, more or less. – (Rs 11297)

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

Dated 5 August 2009 Responsible Minister GAVIN JENNINGS Minister for Environment and Climate Change

> TOBY HALLIGAN Clerk of the Executive Council

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

Order in Council

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

### MUNICIPAL DISTRICT OF THE BULOKE SHIRE COUNCIL

BERRIWILLOCK – Public Recreation, area 21.31 hectares, being Crown Allotment 2, Section 7, Township of Berriwillock, Parish of Boigbeat as shown on Original Plan No. OP72875A lodged in the Central Plan Office of the Department of Sustainability and Environment. – (Rs 0809)

### MUNICIPAL DISTRICT OF THE SHIRE OF MANSFIELD

MAINDAMPLE and DOOLAM – Public purposes (Rail Trail), total area 19.8 hectares, more or less, being Crown Allotment 9A of Section 13, and Crown Allotment 13 of Section 14, Township of Maindample, Parish of Doolam and Crown Allotments 13A, 42A, 42B, 61A and 65A, Parish of Doolam as shown hatched on Plan No. LEGL./09–221 lodged in the Central Plan Office of the Department of Sustainability and Environment.

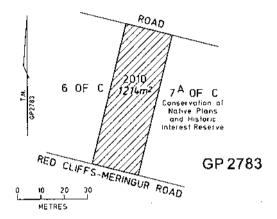
DOOLAM – Public purposes (Rail Trail), total area 17.7 hectares, more or less, being Crown Allotments 70A3, 70A4, 70A5, 73A, 74B3, 87B, and 92A, Parish of Doolam as shown hatched on Plan No. LEGL./09–220 lodged in the Central Plan Office of the Department of Sustainability and Environment.

MAINDAMPLE – Public purposes (Rail Trail), total area 21.3 hectares, more or less, being Crown Allotments 22A and 26C, Parish of Maindample as shown hatched on Plan No. LEGL./09–222 lodged in the Central Plan Office of the Department of Sustainability and Environment.

MAINDAMPLE and MANSFIELD – Public purposes (Rail Trail), total area 10.7 hectares, more or less, being Crown Allotments 3C and 8B, Parish of Maindample, and Crown Allotments 61A, Parish of Mansfield as shown hatched on Plan No. LEGL./09–223 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (LA230057)

### MUNICIPAL DISTRICT OF THE MILDURA RURAL CITY COUNCIL

MERINGUR – Conservation of native plants and an area of historic interest, area 1214 square metres, being Crown Allotment 2010, Township of Meringur, Parish of Meringur as indicated by hatching on plan GP2783 hereunder. – (GP2783) – (0104438)



### MUNICIPAL DISTRICT OF THE CARDINIA SHIRE COUNCIL

PAKENHAM – Public purposes, 1.6 hectares, more or less, being Crown Allotment 2019, Parish of Pakenham as shown hatched on Plan No. LEGL./08–077 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (1202552)

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

Dated 5 August 2009 Responsible Minister GAVIN JENNINGS Minister for Environment and Climate Change

> TOBY HALLIGAN Clerk of the Executive Council

#### Crown Land (Reserves) Act 1978

DISSOLUTION OF INCORPORATED COMMITTEE OF MANAGEMENT

Order in Council

The Governor in Council under section 14A(7) of the **Crown Land (Reserves) Act 1978** dissolves the 'Goroke Show Yards Committee Incorporated' constituted by Order in Council of 9 July 2002 vide Government Gazette of 11 July 2002 – page 1616).

File Ref: Rs 4002

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

Dated 5 August 2009 Responsible Minister GAVIN JENNINGS Minister for Environment and Climate Change

> TOBY HALLIGAN Clerk of the Executive Council

#### 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, 505 Little Collins Street, Melbourne on the date specified:

85.	Statutory Rule:	Associations
	·	Incorporation
		Regulations 2009
	Authorising Act:	Associations
		Incorporation
		Act 1981

Date first obtainable: 4 August 2009

 $Code\ D$ 

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