

Victoria Government Gazette

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No. G 43 Thursday 23 October 2014

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As from 23 October 2014

The last Special Gazette was No. 385 dated 22 October 2014. The last Periodical Gazette was No. 1 dated 18 June 2014.

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)

PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (General) MELBOURNE CUP HOLIDAY WEEK 2014

Please Note New Deadlines for General Gazette G45/14:

The Victoria Government Gazette (General) for Melbourne Cup week (G45/14) will be published on **Thursday 6 November 2014**.

Copy deadlines:

Private Advertisements

9.30 am on Friday 31 October 2014

Government and Outer

Budget Sector Agencies Notices

9.30 am on Friday 31 October 2014

Office Hours:

The Victoria Government Gazette Office is open during normal office hours over the holiday period, i.e. 8.30 am to 5.30 pm Monday to Friday, excluding public holidays.

Where urgent gazettal is required after hours, arrangements should be made with the Government Gazette Officer on 0419 327 321.

JENNY NOAKES Government Gazette Officer

PRIVATE ADVERTISEMENTS

CHERYL LEA CARN, also known as Cheril Lea Carn, late of Apartment 7501, Riverside Quay, Southbank, Victoria 3006, research analyst, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 10 June 2013, are required by the administrator for Grant of Administration, Beverley May Carn, care of 159 Sydney Road, Coburg, Victoria 3058, to send particulars of their claims to her by 17 December 2014, after which date the administrator may convey or distribute the assets and distribute the estate, having regard only to the claims of which she then has notice. Letters of Administration were granted in Victoria on 18 March 2014.

ADAMI DUQUE LAWYERS, 159 Sydney Road, Coburg, Victoria 3058.

Re: BERNARD PETER ALFORD, late of 2 Berwick Street, Camberwell, Victoria, retired cost accountant, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 May 2014, are required by the executor, Gregory Francis Alford, to send particulars to him, care of the undermentioned solicitor, by 31 December 2014, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

BIANCA SALMON, solicitor, PO Box 6196, Croydon North, Victoria 3136.

THELMA MAY CURWOOD, late of Regis Aged Care Facility, 220 Middleborough Road, Blackburn South, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 September 2014, are required by the executor, Lynette Anne Nitschke, to send particulars of their claims to the undermentioned solicitors, within sixty days from the date of publication of this notice, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor then has notice.

DEVENISH, lawyers, Level 1, 23 Ringwood Street, Ringwood, Victoria 3134. Re: GERHARD OTTO SCHMIDT, late of Mercy Place, 16 Hopetoun Road, Warrnambool, Victoria, retired.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 September 2014, are required by the trustee, Maureen Elizabeth Timms, to send particulars to the trustee, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

DWYER ROBINSON PTY LTD, lawyers, 95 Kepler Street, Warrnambool 3280.

Re: HILDA MARGARET HILL, late of Summerwood Hostel, Anderson Street, Lilydale, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 September 2014, are required by the trustee, Audrey Ellen Gilson, to send particulars to her, care of the undersigned, by 16 December 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: Estate NOEL VINCENT BYRNES, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 June 2013, are required by the trustee, Judith Ann Byrnes, in the Will called Judith Ann Walsh, to send particulars to her, care of the undersigned, by 23 December 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

GARDEN & GREEN, lawyers, 4 McCallum Street, Swan Hill, Victoria 3585.

Estate of PETER D'ALOIA, late of 38 Rennie Street, Coburg, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, PETER D'ALOIA, also known as Pietro D'Aloia,

Facsimile: 03 9355 7233.

who died on 3 March 2010, are required by the executors. Marisa Ouaranta and Maria-Louisa Zito, care of the undermentioned solicitors at 421 Bell Street, Pascoe Vale, Victoria, to provide particulars to them by 24 December 2014, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

I. GLENISTER & ASSOCIATES, 421 Bell Street, Pascoe Vale, Victoria 3044, Telephone: 03 9350 5747.

Re: SANDRA MARY BEDGGOOD, late of Mecwacare Malvern Centre, 1245-1247 Malvern Road, Malvern, Victoria, travel agent, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 August 2014, are required by John Edward Bedggood and Caroline Morpeth, care of Mahons Lawyers of Level 1, 177 Surrey Road, Blackburn, Victoria, the executors who obtained a Grant of Probate from the Supreme Court of Victoria on 10 October 2014 to administer the estate, to send particulars to them by 15 January 2015, after which date they may convey or distribute the estate assets, having regard only to the claims of which they then have notice.

MAHONS with Yuncken & Yuncken, solicitors, Level 1, 177 Surrey Road, Blackburn 3130. Ref. No.: PH:2141647

Re: LORRAINE CLARE ELLIOTT, late of 72 Highett Street, Richmond, Victoria, member of parliament, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 July 2014, are required by Patrick Crowley Hartl and Margaret Ellen Parker, care of Mahons Lawyers of Level 1, 177 Surrey Road, Blackburn, Victoria, the executors who obtained a Grant of Probate from the Supreme Court of Victoria on 7 October 2014 to administer the estate, to send particulars to them by 15 January 2015, after which date they may convey or distribute the estate assets, having regard only to the claims of which they then have notice.

MAHONS with Yuncken & Yuncken, solicitors, Level 1, 177 Surrey Road, Blackburn 3130. Ref. No.: PH:2141310

Re: GAYNA EVELEEN KLECKA, late of Regis Lake Park, 40 Central Road, Blackburn. Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased. who died on 4 March 2014, are required by the trustee, Anthony John Mahon, to send particulars to the trustee, care of the undermentioned solicitors, by 23 December 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors, Suite 101/177 Surrey Road, Blackburn 3130. CD:2141029

Re: PAULINA KOWALEWSKY, late of Meadowglen Nursing Home, McDonalds Road, Epping 3076, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 November 2013, are required trustee, Victor Kowalewsky, to by the send particulars to the trustee, care of the undermentioned solicitors, by 22 December 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors, Suite 101/177 Surrey Road, Blackburn 3130. Ref. No.: JH:21400400

Re: Estate of JOHN WILLIAM MURRAY, late of Burwood Hill Aged Care, 12–16 Edwards Street, Burwood, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 August 2014, are required by the trustees to send particulars to the trustees, care of the undermentioned solicitors, by 23 January 2015, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

MAHONS with Yuncken & Yuncken, solicitors. 177 Surrey Road, Blackburn 3130. SM:CH2141571

Re: KATHLEEN MARY NEWTON (also known as Kathleen Mary French), late of Centennial Lodge, 13 Lewis Road, Wantirna South, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 June 2014, are required by the trustee, Anne Patricia Reed, to send particulars to the trustee, care of the undermentioned solicitors, by 23 December 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors, Suite 101/177 Surrey Road, Blackburn 3130. CD:2141440

Re: DOROTHY MAY SCHURMANN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 November 2013, are required by the trustee, Equity Trustees Limited, of Level 2, 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee by 26 December 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Creditors, next-of-kin and others having claims against the estate of SARA ELIZABETH SHARPE, late of 6 Eileen Close, Warrandyte, in the State of Victoria, manager, deceased, who died on 7 March 2014, are required to send particulars of the claims to the administrator, Colin William Sharpe, care of the undermentioned solicitor, by 31 December 2014, after which date he will distribute the estate of the deceased, having regard only to the claims of which he then has notice.

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

Re: VALDA FAY LINDSAY, late of 22 Ayr Street, Doncaster, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 September 2013, are required by the executor, Rosa Mimmo, to send particulars of their claims to the undermentioned solicitors by a date not later than two months from the date of publication hereof, after which date the executor may convey or distribute the assets,

having regard only to the claims of which they have notice.

PLAZA LEGAL, lawyers, Suite 6, 857–859 Doncaster Road, Doncaster East. Victoria 3109.

Creditors, next-of-kin and others having claims against the estate of PETER FATOUROS, late of 3/22 Wallace Avenue, Toorak, Victoria 3142, who died on 31 October 2013, are required by the executors, Speros Paul Beasley and Michael George Beasley, to send detailed particulars of their claim to the said executors, care of the undermentioned solicitors, by 31 December 2014, after which date the executors may convey or distribute the estate, having regard only to the claims of which they then have notice.

POLITES & CARROLL, lawyers, Level 1, 459 Toorak Road, Toorak 3142.

Re: SHIRLEY JUNE DIXON, late of 235 Carpenter Street, Bendigo, retired nurse, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 31 July 2014, are required by the trustee, Sandhurst Trustees Limited, ACN 004 030 737, of 18 View Street, Bendigo, Victoria, to send particulars to the trustee by 23 December 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

SANDHURST TRUSTEES LIMITED, 18 View Street, Bendigo 3550.

Re: CROFTON MAXWELL TONKIN, late of 10 Brindisi Street, Mentone, retired banker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 September 2014, are required by the trustee, Sandhurst Trustees Limited, ACN 004 030 737, of 18 View Street, Bendigo, Victoria, to send particulars to the trustee by 23 December 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

SANDHURST TRUSTEES LIMITED, 18 View Street, Bendigo 3550.

Re: WILLEM RAMANANANDA DE STIGTER, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 April 2014, are required by Equity Trustees, the trustee of the estate of the deceased, to send particulars of their claims to them, care of the undermentioned solicitors, by 31 December 2014, 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.

Creditors, next-of-kin and others having claims in respect of the estate of ALICE JAMES, deceased, late of 13–19 Howard Street, Altona Meadows, home duties, who died on 31 March 2014, are requested to send particulars of their claims to the executor, Darren Paul James (in the Will called Darren James), care of the undersigned solicitors, by 26 December 2014, after which date he will convey or distribute the assets, having regard only to the claims of which he then has notice.

SLATER & GORDON, solicitors, 100 Paisley Street, Footscray 3011.

MARY CHANDLER DERAVIN, late of 109 Somerset Drive, Mount Martha, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 May 2014, are required by the executor, Louise Jane Burge of 'Prairie Home', Deniliquin, New South Wales, to send particulars to her, care of Stidston Warren Lawyers, by 28 December 2014, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

STIDSTON WARREN LAWYERS, Suite 1, 10 Blamey Place, Mornington 3931.

Re: PETER HARRY WOOD, late of Bupa Caulfield, 349–351a North Road, Caulfield South, Victoria 3162, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 16 August 2014, are required by the executors, Susan Mary Wood and Peter Robert Wood, to send particulars to them, care of the undermentioned solicitors, by 29 December 2014, after which date the executors may convey and distribute the assets, having regard only to the claims of which they then have notice.

TRAGEAR & HARRIS LAWYERS, 1/23 Melrose Street, Sandringham 3191.

Re: EDWARD CALLAGHAN, late of Grossard Court, 14 Leslie Avenue, Cowes, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 July 2014, are required by the trustee, Michael Edward Callaghan, to send particulars to the trustee, care of the undermentioned solicitors, by a date not later than two months from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

WHITE CLELAND PTY, solicitors, Level 3, 454 Nepean Highway, Frankston 3199. Ref.: WF

Re: ADA MARJORIE PHYLLIS HORNE, also known as Phyllis Horne (formerly Kennedy), deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 May 2014, are required by the trustees, Phillip Martin Thomas Kennedy and Darryl William Kennedy, to send particulars to the trustees, care of the undermentioned solicitors, by 23 December 2014, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

WHITE CLELAND PTY, solicitors, Level 3, 454 Nepean Highway, Frankston 3199. Ref.: LH

Re: The estate of LORIS ROCHELLE DAVEY, late of Mayflower, 7 Centre Road, Brighton East, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 July 2014, are required by the executor, Brian Leonard Davey, to send particulars to him, care of the undersigned solicitors, by 30 December 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

WILLIS SIMMONDS LAWYERS, legal practitioners, 6/1 North Concourse, Beaumaris 3193.

Re: ALICK KIRKLAND GOULBURN GIPPS, late of 2 Sabre Court, Narre Warren, Victoria

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 January 2014, are required to send particulars of their claims to the executor, care of GPO Box 1946, Melbourne, Victoria 3001, by 16 January 2015, after which date the executor may convey or distribute the assets, having regard only to the claims of which it may then have notice.

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

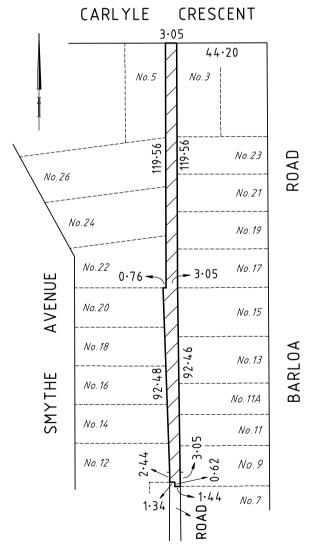
GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES NOTICES

BOROONDARA CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Boroondara City Council has formed the opinion that the road adjoining 12 to 26 Smythe Avenue, 9 to 23 Barloa Road, and 3 and 5 Carlyle Crescent, Mont Albert, and shown by hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The road is to be sold subject to the right, power or interest held by Boroondara City Council and Yarra Valley Water Corporation in the road in connection with any sewers, drains or pipes under the control of those authorities in or near the road.



PHILLIP STORER Chief Executive Officer



MAKING OF GENERAL MUNICIPAL LAW NO. 1 OF 2014

Notice is hereby given in accordance with section 119(3) of the **Local Government Act 1989** that Council resolved to make General Municipal Law No. 1 (2014) at its meeting held on 7 October 2014.

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

- control vehicular access to Council reserves:
- protect Council assets in reserves and on Council roads;
- prohibit motorised vehicles in reserves;
- control games and sport in Council reserves;
- protect Council trees and regulate what can be planted in reserves or roads;
- control the activities of street vendors and itinerant traders:
- regulate the number of animals that can be kept on land up to 20,000 m²;
- ban roosters in residential areas;
- control animal enclosures and animal shelters to prevent nuisance;
- control animal excrement and animal noise:
- prohibit the riding or leading of horses in an urban area;
- control behaviour on roads, public places and Council land;
- control the numbering of premises;
- control the removal and impounding of vehicles, shopping trolleys and other things;
- control unsightly land whether or not it can be seen from a public place;
- limit the use of public places by a certain class of vehicle;
- prohibit incinerators;
- control:
 - fires and promote fire prevention;
 - advertising and bill posting;
 - drainage; and
 - noise:
- protect Council assets including footpaths, roads and reserves;

- provide for a permit to be required in respect to certain activities including to:
 - light an open fire;
 - camp in a public place;
 - use a caravan for the purposes of habitation;
 - store machinery or second-hand goods;
 - place a trade waste skip on public land;
 - play amplified music in a Council reserve;
 - keep more than the prescribed number of animals or birds allowed;
 - place a clothing recycling bin on private land;
 - install or relocate a vehicle crossing;
 - place an obstruction on a road reserve;
 - tap into or interfere with a Council drain;
 - drive livestock on a road;
 - place signs, goods or furniture on a road or footpath;
 - carry out works on a road
 - hold a street party, street party or procession;
 - solicit, collect money or goods or sell raffle tickets in a public place; and
 - trade on a road;
- set out penalties for first and subsequent offences against the local law;
- incorporate Council's Urban Nature Strip Guidelines which allow property owners to install alternative nature strip treatments subject to certain conditions designed to minimise risk to public safety and to protect Council assets;
- incorporate Council's Clothing Recycling Bin Policy and Guidelines to control the placement and management of recycling clothing bins on private land;
- incorporate Council's Waste Management Code to regulate the use and placement of garbage and recycling bins on roads and regulate kerbside hard waste and bundled branch collections;
- incorporate Council's Building Site Code to ensure that litter is contained on building sites, footpaths and roads are not damaged by vehicles entering and leaving building sites, and clean sanitary facilities are provided;

- revoke Council's General Municipal Law (No. 1 of 2008); and
- generally maintain the peace, order and good government of the municipal district.

The Local Law will come into operation on 1 January 2015.

A copy of the Local Law may be obtained at the Council Offices, 25 Ferres Boulevard, South Morang, during normal business hours or via Council's website, www.whittlesea.vic.gov.au

Enquiries should be directed to Angelo Mamatis, Team Leader Governance on 9217 2223.

DAVID TURNBULL Chief Executive Officer

YARRA RANGES COUNCIL Road Management Act 2004

Road Management Plan Amendment

Yarra Ranges Council proposes to amend its Road Management Plan in accordance with section 54(6) of the **Road Management Act 2004**.

The purpose and general purport of the proposed amendment, consistent with the role, functions and responsibilities of Yarra Ranges Council as a Road Authority under the Act, is to ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads, roadways, pathways, road infrastructure or road-related infrastructure to which the Yarra Ranges Council's Road Management Plan applies are appropriate. The proposed amendment is also consistent with the recommendations of the review of the Road Management Plan 2009.

The proposed amendment includes all the roads, roadways, pathways, road infrastructure or road-related infrastructure to which the Yarra Ranges Council Road Management Plan applies.

A copy of the Draft Road Management Plan 2014 may be obtained or inspected at the Yarra Ranges Council Civic Centre (Lilydale Community Link), 15 Anderson Street, Lilydale, Victoria 3140, or at Council's Community Links in Healesville, Monbulk, Upwey and Yarra Junction

The Draft Road Management Plan 2014 may also be accessed on Council's website at www.yarraranges.vic.gov.au

Submissions to Yarra Ranges Council may be made by any person aggrieved by the proposed amendment of the Road Management Plan by 5.00 pm on 21 November 2014, and addressed as follows: Road Management Plan Amendment, Yarra Ranges Council, PO Box 105, Lilydale, Victoria 3140.

Enquiries regarding this review should be directed to Tony McGann, Manager Infrastructure Services on telephone 1300 368 333.

GLENN PATTERSON Chief Executive Officer

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

Notice of Preparation of Amendment Amendment C201

Authorisation A02898

The Greater Bendigo City Council has prepared Amendment C201 to the Greater Bendigo Planning Scheme.

The land affected by the Amendment is all of the land within the City of Greater Bendigo.

The Amendment proposes to:

- amend Planning Scheme Maps 16HO, 19HO and 20HO to apply the Heritage Overlay to 23 places that were identified in the 'White Hills and East Bendigo Heritage Study, 2014';
- amend Clauses 21.01, 21.02 and 21.08 of the Municipal Strategic Statement (MSS) to update the municipal profile, key issues and influences, heritage overview, objectives, strategies and implementation strategies;
- amend Clause 21.10 of the MSS to include the 'Greater Bendigo Thematic Environmental History, 2013' and the 'White Hills and East Bendigo Heritage, 2014' as Reference Documents:
- replace Clause 22.06 of the Local Planning Policy Framework with a revised Heritage Policy, which improves the policy objectives relating to the management of cultural heritage;
- amend the Schedule to the Heritage Overlay (Clause 43.01) to:
 - include the 23 properties and large complexes identified in the 'White Hills and East Bendigo Heritage Study, 2014';

- apply the 'Greater Bendigo Heritage Incorporated Plan – Permit Exemptions, 2014' to all land in the Schedule to the Heritage Overlay except those on the Victorian Heritage Register; and
- amend the Schedule to Clause 81.01 to include the 'Greater Bendigo Heritage Design Guidelines, Greater Bendigo Heritage Incorporated Plan – Permit Exemptions, 2014' and delete the existing Incorporated Plans for Ironbark Residential Heritage Precincts, Miners Cottages HO999 and the Former Shires of McIvor and Strathfieldsaye.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, the Planning Department, City of Greater Bendigo, Hopetoun Mill, 15 Hopetoun Street, Bendigo, Victoria 3550; at the City of Greater Bendigo website, http://www.bendigo.vic.gov.au/residentsandservices/planningservices/Planningschemeamendments; and at the Department of Transport, Planning and Local Infrastructure website, www.dtpli.vic.gov.au/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is Monday 22 December 2014. A submission must be sent to the City of Greater Bendigo Planning Department, PO Box 733, Bendigo, Victoria 3550, or via email to psamendments@bendigo.vic.gov.au

CRAIG NIEMANN Chief Executive Officer

Planning and Environment Act 1987MORELAND PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C134

Authorisation A02312

The Moreland City Council has prepared Amendment C134 to the Moreland Planning Scheme.

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

The Amendment relates to the Brunswick Activity Centre (BAC) and applies to the Sydney Road/Upfield Corridor, Lygon Street Local Area and Nicholson Street Local Area as identified in Brunswick Structure Plan (BSP), Brunswick Structure Plan Addendum and Sydney Road/Upfield Corridor Strategic Framework Plan.

The Amendment seeks to implement the objectives and guidelines of BSP and Addendum, which details Council's long-term vision for the development of a prosperous and sustainable activity centre.

The Amendment also seeks to implement the recommendations of the Sydney Road/Upfield Corridor Strategic Framework Plan, which further refines and updates the recommendations of the BSP and Addendum, specifically within the Sydney Road/Upfield Corridor. The framework seeks to ensure an appropriate built form, public realm and improved amenity outcome is achieved within the corridor, which has recently become a designated urban renewal area within Plan Melbourne.

Description of proposed changes

At its meeting on 12 February 2014, Council resolved to request that the Minister for Planning appoint an independent Planning Panel to consider the Amendment and submissions. Council also resolved to submit to the independent Planning Panel that the Amendment should be revised in response to submissions.

Council will submit that the Amendment should be revised to:

 have mandatory rather than discretionary building height controls;

- reinstate notification and third party review rights with respect to building height controls in the Design and Development Overlays (DDO);
- remove the DDO19 from the Piera Street Precinct in East Brunswick;
- substitute the new Commercial 2 Zone where previously the Business 2 Zone was proposed; and
- remove the proposed Local Planning Policy at Clause 22.15.

At its meeting of 10 September 2014, Council resolved to make further changes to the Amendment in response to the release of the metropolitan Planning Strategy Plan Melbourne. Council resolved to make the following additional changes:

- Rezone seven Moreland Industrial Land Use Strategy (MILUS) precincts to the Commercial 1 Zone or Mixed Use Zone.
- Apply the Environmental Audit Overlay (EAO) to selected properties throughout the activity centre.
- Revise the Design and Development Overlay 18 (DDO18), to reflect the revised built form recommendations included in the draft Sydney Road/Upfield Corridor Strategic Framework Plan.
- Replace the Brunswick Structure Plan and Addendum as it applies to the Sydney Road/ Upfield Corridor, with the endorsed Sydney Road/Upfield Corridor Strategic Framework Plan for the purposes of further notification of the revised Amendment C134.
- Update and revise DDOs 19 and 20 that apply to the Lygon Street and Nicholson Street local areas so that they are consistent with both the proposed changes to the MSS and with the proposed drafting approach in DDO18.

Any person who may be affected by the Amendment and the changes proposed by Council to the Amendment may make a submission to the planning authority. All submissions will be collated and referred to the independent Planning Panel for assessment together with all other submissions previously received on Amendment C134.

If you have already lodged a submission with Council and do not wish to make any further comments, your earlier submission will still be referred to the Panel.

The Amendment is available for public inspection, free of charge, during office hours at the following places: Coburg Citizen Services Centre, Moreland City Council, 90 Bell Street, Coburg; and Brunswick Citizen Services Centre, Moreland City Council, 233 Sydney Road, Brunswick.

In addition, Amendment documentation and information can be viewed online at: Moreland City Council website at www.moreland.vic.gov. au; and Department of Transport, Planning and Local Infrastructure website at www.dtpli.vic.gov.au/publicinspection

A submission must be made in writing and be sent to: Moreland City Council, Strategic Planning Unit, Submission to Amendment C134, Locked Bag 10, Moreland, Victoria 3058.

The closing date for submissions is Monday 24 November 2014.

Please be aware that all submissions to amendments are public documents that must be made available for viewing by any person as part of the planning process.

KIRSTEN COSTER
Director Planning and Economic Development
Moreland City Council

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 24 December 2014, 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.

- BINDON, Olive, late of Room 60, Ashby Residential Care, 25–31 Ashford Street, Lower Templestowe, Victoria 3107, retired, deceased, who died on 16 June.
- BOGAARS, Tula Eudora, late of Kalimna House, 107 Darling Street, Malvern East, Victoria 3145, retired, deceased, who died on 12 July 2014, Grant of Probate dated 2 October 2014.
- BRZOZEK, Jane, late of 7A Pyalong Crescent, Dallas, Victoria 3047, deceased, who died on 24 April 2014, Grant of Probate dated 7 October 2014.

- HELLSTEN, Rhonda, late of Unit 2, 2 Lucy Street, Gardenvale, Victoria 3185, deceased, who died on 19 August 2014.
- KAVANAGH, Christina, late of Carnsworth, 10A A'Beckett Street, Kew East, Victoria 3102, deceased, who died on 28 January 2014.
- KENNEDY, Marie Jeanette, late of 8 Johnston Street, Mentone, Victoria 3194, pensioner, deceased, who died on 6 August 2014, Grant of Probate dated 9 October 2014.
- LE GRAND, Phyllis Agnes, late of St Leigh Private Nursing Home, 33 Bay Road, Sandringham, Victoria 3191, retired, deceased, who died on 3 August 2014, Grant of Probate dated 9 October 2014.
- LINDQVIST, Victoria Dorothy, late of Unit 5, 18–22 Golden Avenue, Bonbeach, Victoria 3196, married woman, deceased, who died on 29 July 2014, Grant of Probate dated 2 October 2014.
- PALMER, Marjorie Annie, late of Unit 14, 623 Drummond Street, Carlton North, Victoria 3054, retired, deceased, who died on 8 July 2014.
- PEAT, Walter, late of James Barker House, 78 Ryan Street, Footscray, Victoria 3011, pensioner, deceased, who died on 28 August 2014.
- WAY, Lyla Ruth, late of Belvedere Aged Care, 41–43 Fintonia Road, Noble Park, Victoria 3174, retired, deceased, who died on 5 June 2014.

Dated 15 October 2014

STEWART MacLEOD Manager

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 26 December 2014, 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.

- BLACK, Marina, late of BlueCross Clevedon Terrace RACF, 405 Upper Heidelberg Road, Heidelberg, Victoria 3084, hairdresser, deceased, who died on 16 July 2014, Grant of Probate dated 7 October 2014.
- ISHERWOOD, Anthony John, late of Unit 401, 350 La Trobe Street, Melbourne, Victoria 3000, deceased, who died on 23 June 2014. Grant of Probate dated 9 October 2014.
- JAMIESON, Andrew Stewart, late of Dorothy Impey Home, 317A O'Hea Street, Pascoe Vale, Victoria 3044, deceased, who died on 1 July 2014.
- ROADLEY, Terence Joseph, late of 2 Henderson Court, Bundoora, Victoria 3083, hairdresser, deceased, who died on 25 January 2014.
- STONEMAN, Paul, late of Golden Oaks Nursing Home, Stoneham Street, Golden Square, Victoria 3555, deceased, who died on 20 July 2014.
- TURNER, Ronald Francis, late of Della Dale Aged Care, 17 Derwent Street, Ringwood North, Victoria 3134, teacher, deceased, who died on 22 June 2014.

Dated 17 October 2014

STEWART MacLEOD Manager

INTERIM EXEMPTION

Application No. H149/2014

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by Thales Australia Limited and ADI Munitions Pty Ltd (the applicant companies) for an interim exemption from sections 16, 18, 21, 105, 107 and 182 of the Act.

Pending the hearing and determination of the current application for an exemption, the Applicant sought an interim exemption. An interim exemption in those terms was granted with effect from 10 July 2014 to 30 October 2014. A further interim exemption is required, as the hearing and determination of the current application has not been completed.

Upon reading the material filed in support of this application, including the affidavit of Michael Francis Jackson, and having had regard to Reasons for Decision dated 29 April 2011 regarding an earlier exemption which expired on 23 June 2014, the Tribunal is satisfied that it is appropriate to grant the interim exemption sought until the ongoing application is finally heard and determined.

- 1. Pursuant to section 89(1) of the Act, an exemption is granted to the applicant companies from the operation of sections 16, 18, 21, 105, 107 and 182 of the Act for the period 31 October 2014 to 15 December 2014.
- 2. The interim exemption is granted in respect of the operation of sections 16, 18, 21, 105, 107 and 182 of the Act insofar as those sections relate to the 'race' (as that attribute is defined in section 4 of the Act) of employees, job applicants and contract workers of the applicant companies.
- 3. The class of activities for which the exemption is granted is discrimination against employees, job applicants and contract workers, where such discrimination is required for the applicant companies to undertake certain defence projects (Controlled Projects) in compliance with the laws of the United States of America, in particular the International Traffic in Arms Regulations and the Export Administration Regulations (together US Export Laws). The exemption granted would permit the applicant companies to:
 - (a) In Controlled Projects only, require employees, job applicants and contract workers of the applicant companies to provide details of their nationality and place of birth to enable the applicant companies to determine whether those people are permitted by US Export Laws to work on Controlled Projects and/or to access technology, materials or information that are subject to restriction under the US Export Laws (Controlled Material);
 - (b) Identify, via a list with limited distribution to only those officers and employees with a need to know, those employees and contract workers that are permitted to access Controlled Material or work on Controlled Projects based on US Export Laws restrictions:
 - (c) Identify by means of security levels on employee's or contract worker's access passes, which must be worn by all employees and contract workers of the applicant companies to access each site, the level of access permitted to that employee or contract worker to Controlled Material or Controlled Projects based on US Export Laws restrictions;
 - (d) Restrict access of employees and contract workers to Controlled Material or Controlled Projects based on US Export Laws restrictions;
 - (e) Reject applications from job applicants to join the applicant companies' workforce in positions requiring access to Controlled Material or relating to Controlled Projects based on US Export Laws restrictions;
 - (f) Transfer employees and contract workers from Controlled Projects regulated by the US Export Laws to non-Controlled Projects on the basis that the US Export Laws do not permit them to work on those Controlled Projects;

- (g) Require employees and contract workers involved in Controlled Projects, to notify the applicant companies of any change to their nationality;
- (h) Provide to companies that transfer Controlled Material to the applicant companies, details of the nationality and place of birth of those employees and contract workers in the applicant companies' workforce who will have access to the Controlled Material;
- (i) Provide to companies who use Controlled Material regulated by US Export Laws at their facilities, details of the nationality and place of birth of those in the applicant companies' workforce who will attend those facilities; and
- (j) Enter into agreements with the applicant companies' employees, contract workers, contractors, agents and consultants pursuant to which those third parties undertake to comply with the matters referred to in (a) to (i) above.

Dated 17 October 2014

A. DEA Member

INTERIM EXEMPTION Application No. H214/2014

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the EO Act) by BAE Systems Australia Defence Pty Ltd (the Applicant).

The application for exemption is to enable the Applicant to discriminate on the grounds of nationality against any member of its Victorian workforce or person wishing to join its Victorian workforce in relation to controlling access to specified technology or technical data for defence-related projects undertaken or to be undertaken by it, to the extent required to enable it to comply with its other statutory obligations and its contractual obligations.

In this exemption -

'Commission' means the Victorian Equal Opportunity and Human Rights Commission.

'Controlled information' means information (including classified or sensitive information and technical data) to which the security requirements apply.

'Controlled material' means material (including equipment, technology, articles and services) to which the security requirements apply.

'Discriminate', 'employee' and 'contract worker' each have the meaning given in the EO Act.

'Security requirements' means any of the following –

- (a) requirements made by the Australian government, that government's Department of Defence or any other department of that government under the Customs (Prohibited Exports) Regulations 1958 (Cth), the Defence Services Manual, or a term or condition of a licence or approval granted under those Regulations or under the **Customs Act 1901** (Cth), including requirements for personal security clearances;
- (b) the requirements of laws of the United States of America, including but not limited to, the International Trafficking in Arms Regulations and the Export Administration Regulations including requirements of any permit, licence or approval granted, or agreement made, under those laws:
- (c) contractual requirements applying to the Applicant and relating to any of the requirements mentioned in paragraph (a) or (b).

'Specified conduct' means to discriminate on the ground of the nationality against any member of the Applicant's Victorian workforce or anyone who wishes to join that workforce, in relation to defence-related projects undertaken or to be undertaken by the Applicant, and only to the extent required to enable the Applicant to comply with the security requirements, and includes but is not limited to the following conduct to the extent that it is required to enable the Applicant to comply with the security requirements –

- (a) requiring members or potential members of the Applicant's Victorian workforce to provide details of their nationality and country of origin to enable the Applicant to determine whether they are permitted under the security requirements to work on certain defence-related projects or to have access to controlled material or controlled information;
- (b) identifying (by means of a badge, maintenance of a list or otherwise) those in its Victorian workforce permitted by virtue of their nationality to work on certain defence-related projects or have access to related controlled material or controlled information so as to distinguish them from those not so permitted;
- (c) preventing the release of controlled material or controlled information to members of that workforce on the basis of their nationality;
- (d) requiring members of that workforce to execute formal security agreements based on nationality;
- (e) restricting access to controlled material and controlled information connected with certain defence-related projects to particular members of that workforce based on their nationality;
- (f) restricting access to areas of its facilities connected with certain defence-related projects to particular members of its Victorian workforce based on their nationality;
- (g) rejecting applications to join its Victorian workforce in positions relating to certain defence-related projects based on the job applicant's nationality, and taking into account a person's nationality in determining who should be offered employment or contract work requiring access to controlled material or controlled information;
- (h) transferring members of its Victorian workforce from certain defence-related projects on the basis that, due to their nationality, the Applicant may not permit them to work on those projects, whether that transfer takes into account existing or changed nationality;
- (i) disclosing information about the nationality of members of its Victorian workforce to
 - (i) the US Department of State;
 - (ii) the US Department of Commerce;
 - (iii) the US Federal Aviation Authority;
 - (iv) the Australian Department of Defence;
 - (v) any other organisation for which or on whose behalf or at whose request the Applicant undertakes work in respect of which the Applicant has (directly or indirectly) an obligation not to transfer defence-related information to non-Australian citizens.

'US' means United States of America.

'workforce' of the Applicant means the Applicant's employees and contract workers.

No exception or current exemption already applies to the exempt conduct and in the absence of an exemption the exempt conduct would amount to prohibited discrimination.

When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter). Arguably, this exemption limits the right to equality and in particular the right to equal and effective protection against discrimination of certain members of the Applicant's Workforce. I am satisfied that for the purposes of this interim exemption, the limit imposed by this exemption is reasonable and justified under the Charter.

Upon reading the material filed in support of this application, including the affidavit of Peter James Quinlivian, and having had regard to Reasons for Decision dated 28 March 2012 regarding an exemption granted on the same terms to BAE Systems Australia Limited (the applicant's parent company), the Tribunal is satisfied that it is appropriate to grant an interim exemption from sections 16, 18, 21, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct until the application is finally heard and determined.

The Tribunal hereby grants an exemption to the Applicant from the operation of sections 16, 18, 21, 107 and 182 of the EO Act to enable the Applicant to engage in the specified conduct.

This exemption is subject to the conditions in the Schedule. The exemption is to remain in force from the date of publication in the Government Gazette until 15 February 2015.

Dated 17 October 2014

A. DEA Member

SCHEDULE OF CONDITIONS TO EXEMPTION NO. A305/2011

- 1. This exemption applies only to conduct by the Applicant where it has taken all steps reasonably available (including steps that might be taken in negotiating or performing any contract) to avoid the necessity to engage in the specified conduct.
- 2. Where the specified conduct involves moving a member of the Applicant's Victorian workforce from one project, area or facility to another, the Applicant must, through a duly authorised officer, explain to the person why he or she is being transferred and must otherwise take all reasonable steps to avoid or limit harm or loss to that person which might arise from the transfer.
- 3. Where the Applicant has a system of badges or security passes to identify those in its Victorian workforce permitted by virtue of their nationality to work on certain defence-related projects or to access related controlled material or controlled information, or levels of access to that material or information, the pass or badge may show a code that indicates the holder's nationality, but not in such a way that a person unfamiliar with the code would be able to identify that nationality.
- 4. All information relating to security passes or badges, security clearance levels, or access to controlled material or controlled information, must be restricted to the Applicant's Manager of Security and Human Resources Manager and their properly appointed nominees on a 'need to know' basis.
- 5. The Applicant's employment policies must be amended as soon as reasonably possible so as to refer to the terms and conditions of this exemption, and to make it clear that the purpose of requiring information regarding nationality is solely to enable compliance with the security requirements.
- 6. The Applicant must provide a copy of this exemption to
 - (a) existing contractors who supply it with contract workers, as soon as is reasonably possible after this exemption commences; and
 - (b) any new contractors who supply it with contract workers, as soon as is reasonably possible after the relevant contract is entered into.
- 7. The Applicant must report in writing to the Commission and the Tribunal six months after the commencement of this exemption, and every six months thereafter while the exemption is in force detailing in respect of the period to which the report relates, and in respect of the matters covered by this exemption
 - (a) the steps taken by the Applicant to comply with the EO Act and the terms and conditions of this exemption, including training and education given to its Victorian workforce, compliance audits, and any complaints made under the EO Act;
 - (b) the number of applications to join its Victorian workforce rejected under the exemption and whether any (and if so, how many) were subsequently appointed to other roles;
 - (c) the number of members of its Victorian workforce moved to other projects, areas or facilities under the exemption, and any steps taken to minimise harm or loss to those people arising from the transfers;
 - (d) the number of Victorian workforce vacancies advertised or offered under the exemption.
- 8. The Tribunal, in determining whether to grant a further exemption, may (as well as other factors) take into account any breach of these conditions and anything in any report under condition 7.



DETAILS OF AMENDMENTS TO AUSTRALIAN RULES OF HARNESS RACING (ARHR)

- Adopted by Harness Racing Victoria (HRV) on 15 October 2014

12. PROHIBITED SUBSTANCES

Determination of prohibited substance

• Amend sub-rule 188A(2)

ARHR 188A.

- (2) The following substances when present at or below the levels set out are excepted from the provisions of sub rule 1 and Rule 190AA:
 - (k) cobalt at a concentration at or below 200 micrograms per litre in urine.

Country Fire Authority Act 1958

DECLARATION OF FIRE DANGER PERIOD

In pursuance of the powers conferred by section 4 of the **Country Fire Authority Act 1958**, I, Euan Ferguson, Chief Officer of the Country Fire Authority, after consultation with the Secretary to the Department of Environment and Primary Industries, hereby declare the following periods to be the Fire Danger Period in the municipal districts of the municipalities or parts of municipalities specified, commencing on the dates shown and, unless varied by subsequent declaration, ending at 0100 hours on 1 May 2015.

To commence from 0100 hours on 27 October 2014:

- Buloke Shire Council
- Hindmarsh Shire Council
- Mildura Rural City Council
- Swan Hill Rural City Council
- Yarriambiack Shire Council (Northern Part), That part north of the line described by the following: Galaquil West Road and Galaquil East Road. [Formerly known as the wire netting fence.]
- Yarriambiack Shire Council (Central Part), That part north of the line described by the following: Dimboola–Minyip Road, Stawell–Warracknabeal Road, C Loats Road and Donald–Murtoa Road.

EUAN FERGUSON AFSM Chief Officer

Crown Land (Reserves) Act 1978

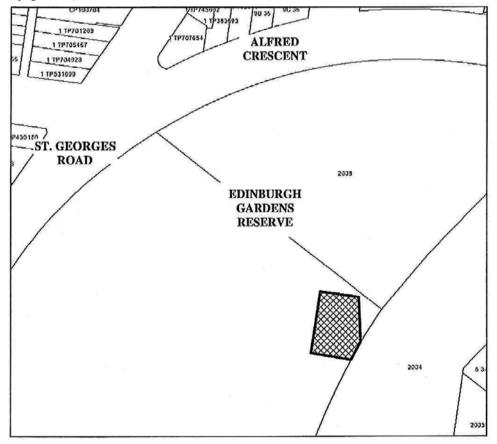
ORDER GIVING APPROVAL TO GRANT A LEASE UNDER SECTIONS 17D AND 17DA

Under section 17D and 17DA of the **Crown Land (Reserves) Act 1978**, I, Ryan Smith MP, Minister for Environment and Climate Change, being satisfied that there are special reasons which make the granting of a lease reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a lease by the Yarra City Council as committee of management over the Edinburgh Gardens Reserve described in the schedule below for the purpose of community house benefiting the residents and ratepayers of the City of Yarra and, in accordance with section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, state that:

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

SCHEDULE

The land, being the building shown cross hatched on the attached plan, which is part of the Crown land permanently reserved for the purposes of public park and garden at North Fitzroy, Parish of Jika Jika by Order in Council of 24 October 1881 (vide government gazette of 28 October 1881, page 2944).



1204156 Dated 1 October 2014

Crown Land (Reserves) Act 1978

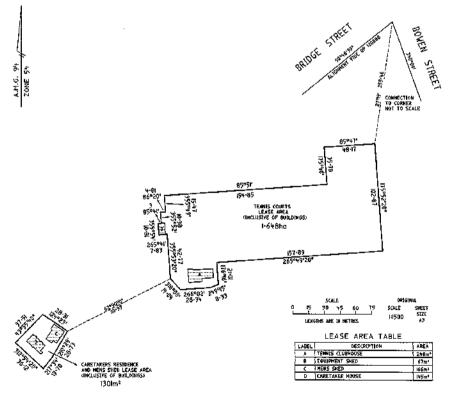
ORDER GIVING APPROVAL TO THE GRANT OF LEASES UNDER SECTIONS 17D AND 17DA

Under sections 17D(1) and 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, I, Ryan Smith MP, Minister for Environment and Climate Change, being satisfied that there are special reasons which make the granting of leases reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve Hepburn Shire Council as trustee, granting a lease for the purpose of a men's shed (Area C) and a lease for the purposes of a caretaker's residence and office (Area D) to Hepburn Health Services; and a lease for the purposes of a Tennis Complex (Tennis Court Lease Area) to Mount Prospect Tennis Association Incorporated, over those parts of Park Lake Reserve described in the Schedule below and, in accordance with section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

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

SCHEDULE

Those portions of Crown Allotments 15 and 16 Section 69, Township of Creswick delineated on attached plan being part of the land permanently reserved for public gardens by Order in Council of 5 February 1868 (CA15) by notice published in the Government Gazette of 1868, page 381, and 23 November 1868 (CA 16) by notice published in the Government Gazette of 1868, page 2296.



0505932 Dated 24 September 2014

RYAN SMITH MP Minister for Environment and Climate Change

Deakin University Act 2009

2015 DEAKIN UNIVERSITY INTERIM COUNCIL APPOINTMENT

Ministerial Order No. DE2

1. Purpose

The purpose of this Order is to make an interim appointment of a Governor in Council appointed position to the Council of Deakin University.

2. Authority for Order

This Order is given pursuant to section 12 and clause 9, Schedule 1 of the **Deakin University Act 2009** (the Act).

3. Name of Order

This Order is called '2015 Deakin University Council Interim Appointment DE2'.

4. Interpretation

Unless the context otherwise requires or the contrary intention appears, expressions used in this Order have the same meaning as in the Act and/or in the **Interpretation of Legislation** Act 1984, as appropriate.

5. Commencement

This Ministerial Order:

- (a) commences and takes effect on 1 January 2015; and
- (b) does not have retrospective effect; and
- (c) ceases on midnight on 31 March 2015, unless earlier revoked; and
- (d) cannot be extended.

6. Order making an interim appointment as a Governor in Council member to the Council of Deakin University

I hereby order that the following interim appointment to the Council of Deakin University is made to a vacancy in a Governor in Council appointed position:

Peter Niblett

As specified in clause 5, this appointment is valid only for the duration of the Order, unless earlier revoked.

Signed by the Minister 16 September 2014

THE HON. NICK WAKELING, MP Minister for Higher Education and Skills

Deakin University Act 2009

2015 DEAKIN UNIVERSITY INTERIM COUNCIL APPOINTMENT

Ministerial Order No. DE3

1. Purpose

The purpose of this Order is to make an interim appointment of a Governor in Council appointed position to the Council of Deakin University.

2. Authority for Order

This Order is given pursuant to section 12 and clause 9, Schedule 1 of the **Deakin University Act 2009** (the Act).

3. Name of Order

This Order is called '2015 Deakin University Council Interim Appointment DE3'.

4. Interpretation

Unless the context otherwise requires or the contrary intention appears, expressions used in this Order have the same meaning as in the Act and/or in the **Interpretation of Legislation Act 1984**, as appropriate.

5. Commencement

This Ministerial Order:

- (a) commences and takes effect on 1 January 2015; and
- (b) does not have retrospective effect; and
- (c) ceases on midnight on 31 March 2015, unless earlier revoked; and
- (d) cannot be extended.

6. Order making an interim appointment as a Governor in Council member to the Council of Deakin University

I hereby order that the following interim appointment to the Council of Deakin University is made to a vacancy in a Governor in Council appointed position:

John Stanhope

As specified in clause 5, this appointment is valid only for the duration of the Order, unless earlier revoked.

Signed by the Minister 16 September 2014

THE HON. NICK WAKELING, MP Minister for Higher Education and Skills

Deakin University Act 2009

2015 DEAKIN UNIVERSITY INTERIM COUNCIL APPOINTMENT

Ministerial Order No. DE1

1. Purpose

The purpose of this Order is to make an interim appointment of a Governor in Council appointed position to the Council of Deakin University.

2. Authority for Order

This Order is given pursuant to section 12 and clause 9, Schedule 1 of the **Deakin University Act 2009** (the Act).

3. Name of Order

This Order is called '2015 Deakin University Council Interim Appointment DE1'.

4. Interpretation

Unless the context otherwise requires or the contrary intention appears, expressions used in this Order have the same meaning as in the Act and/or in the **Interpretation of Legislation** Act 1984, as appropriate.

5. Commencement

This Ministerial Order:

- (a) commences and takes effect on 1 January 2015; and
- (b) does not have retrospective effect; and
- (c) ceases on midnight on 31 March 2015, unless earlier revoked; and
- (d) cannot be extended.

6. Order making an interim appointment as a Governor in Council member to the Council of Deakin University

I hereby order that the following interim appointment to the Council of Deakin University is made to a vacancy in a Governor in Council appointed position:

• David Ashbridge

As specified in clause 5, this appointment is valid only for the duration of the Order, unless earlier revoked.

Signed by the Minister 16 September 2014

THE HON. NICK WAKELING, MP Minister for Higher Education and Skills

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.

Road Naming:

Change Request Number	Road Name	Locality	Proposer and Location
N/A	Hemingway Place	Alphington	Darebin City Council (Private Road) Located at 545–563 and 581–595 Heidelberg Road.
N/A	Welsh Way	Alphington	Darebin City Council (Private Road) Located at 545–563 and 581–595 Heidelberg Road.

Feature Naming:

Change Request Number	Place Name	Naming Authority and Location
75546	Ken McArthur Wetlands	Mornington Peninsula Shire Council (Long-standing name) Located at The Briars Park. For further details see map at www.dtpli.vic.gov.au/namingplaces
76381	Percy Cherry Park	Greater Geelong City Council Located at Creekside Drive, Curlewis. For further details see map at www.dtpli.vic.gov.au/namingplaces
N/A	Oliver David Reserve	Knox City Council Located at 3 Olivebank Road, Ferntree Gully. For further details see map at www.dtpli.vic.gov.au/namingplaces

76925	Lummican Falls	Wallington Shire Council
70923	Lummican Fans	Wellington Shire Council (Long-standing name) A waterfall in Lummican Gully which flows north east to join the Moroka River upstream of the gorge. E497857, N5854808.
76925	Moroka River Falls	Wellington Shire Council (Long-standing name) Located at the Moroka River.
76925	Moroka Gorge Falls	Wellington Shire Council (Long-standing name) There are four waterfalls located at the gorge of Moroka River.
76911	Albert River Falls	Wellington Shire Council (Long-standing name) A series of three waterfalls at the Albert River – waterfall one, E499050, N5738481, waterfall two, E499104, N5738703, waterfall three, E449123, N578589.
76911	Bruthen Creek Falls	Wellington Shire Council (Long-standing name) Located in the headwaters of the Bruthen Creek, E471233, N5751184.
76911	Chilver Falls	Wellington Shire Council (Long-standing name) A series of three waterfalls which run into Merriman Creek. Waterfall one, E468313, N5751578, waterfall two, E468247, N5751623, waterfall three E468248, N5751704.
76911	Dianne Falls	Wellington Shire Council (Long-standing name) Located at the Jack River, E458199, N5738191.
76911	Le Grand Falls	Wellington Shire Council (Long-standing name) Located at Bruthen Creek, E471640, N5750380.
76911	Love Falls	Wellington Shire Council (Long-standing name) Located at E451957, N5739450.
76911	Nicholls Falls	Wellington Shire Council (Long-standing name) Located at the east branch of the Albert River. E451788, N5739131.
76911	Thomas Falls	Wellington Shire Council (Long-standing name) Located at the Jack River, E459545, N573503.
N/A	Pintail Park	Brimbank City Council (Long-standing name) 33 Cardigan Crescent, Taylors Lakes.
N/A	Pioneer Park	Brimbank City Council (Long-standing name) 71–79 Victoria Road, Sydenham.

N/A	Stephen Calleja Reserve	Brimbank City Council (Long-standing name) 153A Opie Road, Albanvale.
N/A	Cromwell Road Reserve	Brimbank City Council (Long-standing name) 35 Cromwell Road, Chetwyn Drive, and 15A Kinterbury Drive, Kings Park.
N/A	Proctor Crescent Reserve	Brimbank City Council (Long-standing name) 46A Proctor Crescent, Keilor Downs.
N/A	Bonfield Reserve	Brimbank City Council (Long-standing name) 2–20 Bonfield Street, Keilor.
N/A	Verona Drive Reserve	Brimbank City Council (Long-standing name) 15–15A Verona Drive, Taylors Lakes.
N/A	McShane Drive Reserve	Brimbank City Council (Long-standing name) 24 McShane Drive, Kealba.
N/A	Eskdale (Recreation Reserve Mitta Valley Sports Complex) Neighbourhood Safer Place	Country Fire Authority Eskdale, Recreation Reserve, Mitta Valley Sports Complex Building.

Localities:

Change Request Number	Naming Authority	Affected Localities	Location
72595	Bass Coast Shire Council	Part Woodleigh to The Gurdies	The Gurdies locality boundary will extend in an easterly direction to include the following parcels of land: Lot 1 and 2 TP402336, Lot 1 TP174323, Lot 1 TP174324, Lot 1 TP131423, Lot 1 TP132655, CA 1 10A Parish Corinella, Lot 1 TP571576, Lot 1 TP173424, Lots 1, 2, 3, 4 and 5 LP128138. For further details see map at www.dtpli.vic.gov.au/namingplaces

Office of Geographic Names Land Victoria 570 Bourke Street Melbourne 3000

> JOHN E. TULLOCH Registrar of Geographic Names



Heritage Act 1995

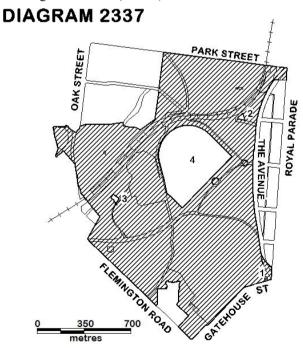
NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including Heritage Register Number H2337 in the category described as Heritage Place.

Royal Park Parkville Melbourne City

All of the place shown hatched on Diagram 2337 encompassing all of Crown Allotments 2019, 2020, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2144, 2250, 2274, 2327, 2347, 2348, 2349, 2354, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2563, 2564, all of Crown Allotment 9B of Section D, all of Crown Allotments 9 and 11 of Section 98, all of Crown Allotments 2A, 2B, 4A and 6D of Section 99A, Parish of Jika Jika, all of Lot 1 on Plan of Subdivision 427739, all of Lot 1 on Title Plan 865423, parts of Crown Allotments 2140, 2355, 2356, 2562, part of Crown Allotment 13 of Section 98, Parish of Jika Jika, and parts of the road reserve for The Avenue and Oak Street, Parkville, but not the places already included in the Heritage Register and marked as follows on Diagram 2337:

- 1 Walmsley House (H1946)
- 2 Womens Sport Pavilion (H1585)
- 3 Anzac Hall (H1747)
- 4 Royal Melbourne Zoological Gardens (H1074)



Dated 23 October 2014

Interpretation of Legislation Act 1984

WASTE MANAGEMENT POLICY (SITING, DESIGN AND MANAGEMENT OF LANDFILLS) 2004

On 14 December 2004, the Waste Management Policy (Siting, Design and Management of Landfills) was declared by the Governor in Council, pursuant to section 16A of the **Environment Protection Act 1970**. It was published in Government Gazette No. S264 on 14 December 2004.

The Waste Management Policy (Siting, Design and Management of Landfills) incorporates an Environment Protection Authority (EPA) Victoria publication entitled 'Best Practice Environmental Management – Siting, Design, Operation and Rehabilitation of Landfills, Publication 788' ('the Landfill BPEM'), as amended from time to time.

In accordance with section 32(4) of the **Interpretation of Legislation Act 1984**, notice is given that the Landfill BPEM has been amended and republished (as EPA Victoria publication 788.2, October 2014). Copies of this incorporated document have been lodged with the Clerks of the Parliament.

A copy of the incorporated document is available for inspection during normal business hours at EPA Victoria, Level 3, 200 Victoria Street, Carlton 3053. For more information, contact EPA Victoria on 1300 372 842. The incorporated document is also available via EPA Victoria's website (www.epa.vic.gov.au).

Land Acquisition and Compensation Act 1986FORM 7

S. 21(a) Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Linking Melbourne Authority declares that by this notice it acquires the following interests in the land described as 10 Bendigo Street, Collingwood, being the land more particularly described in Certificate of Title Volume 4144 Folio 743 ('the land'):

The interests acquired in the land are the interest of any lessee/occupier.

Published with the authority of the Linking Melbourne Authority.

For and on behalf of the Linking Melbourne Authority

Signed GREG HOLLAND

Name Greg Holland

Director Property Services

Dated 23 October 2014

Marine Safety Act 2010

Section 208(2)

NOTICE OF ACTIVITY EXCLUSION ZONE

In accordance with section 208(2) of the **Marine Safety Act 2010**, Parks Victoria (the waterway manager for the Yarra River upstream of the port waters of the Port of Melbourne) gives notice that the waters of the Yarra River between the downstream edge of Princess Bridge and the upstream edge of Federation Wharf, to a point on the southern side of the Yarra (adjacent to the Melbourne Grammar boat shed) are prohibited to all persons and vessels not registered to take part in the Diwali Festival Fireworks Display.

The exclusion zone takes effect between 8 pm and 11 pm on Saturday 25 October 2014. Dated 23 October 2014

ROSS WILLIAMSON As delegate of Parks Victoria

Plant Biosecurity Act 2010

DECLARATION OF AN EXOTIC PLANT DISEASE

I, Adam Fennessy, as delegate of the Minister for Agriculture and Food Security, under section 6(1) of the **Plant Biosecurity Act 2010** declare the virus listed below to be an exotic disease. cucumber green mottle mosaic virus (CGMMV)

This Order takes effect from the date of making, and remains in force for 28 days. Dated 20 October 2014

ADAM FENNESSY
Secretary
Department of Environment and
Primary Industries

Road Safety Act 1986

DECLARATION UNDER SECTION 68(4) OF THE **ROAD SAFETY ACT 1986**THAT CERTAIN PROVISIONS OF THE **ROAD SAFETY ACT 1986** AND REGULATIONS DO NOT APPLY WITH RESPECT TO EVENTS CONDUCTED BY THE CASTERTON AND DISTRICT DRAG RACING CLUB

1. Purpose

The purpose of this notice is to make a declaration under section 68(4) of the **Road Safety Act 1986** that sections 68(1) and 68(2) of the **Road Safety Act 1986** and the Regulations, including the Road Safety Road Rules 2009, do not apply to motoring events which are sanctioned, or organised and conducted by the motoring organisation, Casterton and District Drag Racing Club other than the provisions specified in Table 1.

2. Authorising provision

This notice is made under section 68(4) of the **Road Safety Act 1986**. Section 68(4) provides that the Minister for Roads may, on the application of a motoring organisation and by notice published in the Government Gazette, declare that sections 68(1) and 68(2) of the **Road Safety Act 1986** and of any regulations (except as specified in the notice) do not apply with respect to any function or event that is sanctioned, or organised and conducted, by that motoring organisation.

Section 68(1) provides that it is an offence for a person to drive or be in charge of a motor vehicle which is being used in a race or speed trial on a highway. Section 68(2) makes it an offence for a person, alone or with any other person, to organise or manage a race or speed trial or to carry out or cause to be carried out any preparations for the conduct of a race or speed trial that is held or to be held on a highway.

3. Commencement

This notice takes effect on 22 November 2014 at 7.00 am.

4. Expiry

This notice expires on 22 November 2014 at 8.00 pm.

5. Declaration

In accordance with section 68(4) of the **Road Safety Act 1986** I, Charlie Broadhurst, as delegate for the Minister for Roads and on the application of the Casterton Drag Racing Club, declare that sections 68(1) and 68(2) of the **Road Safety Act 1986** and the Regulations and Road Safety Road Rules 2009 (other than the provisions specified in Table 1) do not apply to participants in, or organisers of, the Casterton Street Drags on the highway or part(s) of a highway and between the times specified in Table 2, provided that the event is conducted in full compliance with any permit issued by the Roads Corporation.

Dated 14 October 2014

CHARLIE BROADHURST
Acting Executive Director
Roads Corporation
Delegate of the Minister For Roads

 $TABLE \ 1: Provisions \ that \ do \ apply \ to \ the \ relevant \ events \\ Road \ Safety \ Road \ Rules \ 2009$

Part 1	Introductory
Part 2	Interpretative provisions
Rule 78	Keeping clear of police vehicles, emergency vehicles, enforcement vehicles and escort vehicles
Rule 79	Giving way to police vehicles, emergency vehicles, enforcement vehicles and escort vehicles
Rule 300	Driver must not use a hand-held mobile
Rule 304	Obeying a direction by a police officer or authorised officer
Part 19	Exemptions
Part 20	Meaning and application of traffic control devices and traffic-related items
Part 21	General interpretative provisions
Schedules 1–4	Abbreviations, symbols and signs
Dictionary	Meaning of terms

Road Safety (Vehicles) Regulations 2009

ALL

Road Safety (Drivers) Regulations 2009

ALL

Road Safety (Traffic Management) Regulations 2009

ALL

Road Safety (General) Regulations 2009

ALL

TABLE 2: Location

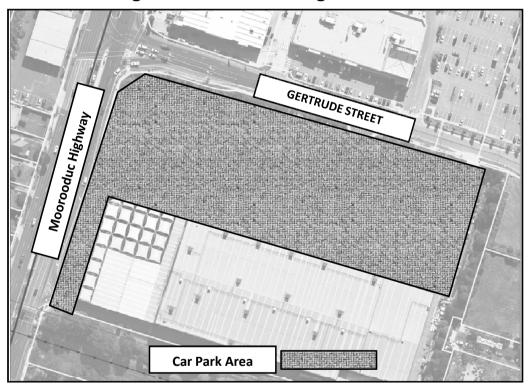
Highway or part of a highway	Times
Portland–Casterton Road from 200 metres south of the Glenelg Highway to 50 metres before the beginning of the intersection with Mackwood Lane	

Road Safety Act 1986

ORDER UNDER SECTION 98 OF THE **ROAD SAFETY ACT 1986** EXTENDING PROVISIONS TO THE PARKING FACILITIES AT THE CORNER OF MOOROODUC HIGHWAY AND GERTRUDE STREET, FRANKSTON

- I, Adam Maguire, Regional Director, VicRoads Metropolitan South East, delegate of the Minister for Roads under section 98 of the **Road Safety Act 1986** by this Order extend the application of:
- (a) sections 59, 64, 65, 77, 86, 87, 88, 89, 89E, 90 and 100 of the **Road Safety Act 1986**;
- (b) Part 6AA of the **Road Safety Act 1986**;
- (c) the Road Safety Road Rules 2009; and
- (d) Parts 8 and 9 of, and Schedules 6 and 7 to, the Road Safety (General) Regulations 2009 to the parking facilities at the corner of Moorooduc Highway and Gertrude Street, Frankston, as shown on the attached plan.

Bunnings Frankston - Parking Area Extent



Dated 14 October 2014

ADAM MAGUIRE Regional Director Metropolitan South East

Road Safety Act 1986

ORDER UNDER SECTION 98 OF THE **ROAD SAFETY ACT 1986**EXTENDING PROVISIONS TO THE PARKING FACILITIES AT POWER CENTRE, FRANKSTON

I, Adam Maguire, Regional Director, VicRoads Metropolitan South East, delegate of the Minister for Roads under section 98 of the **Road Safety Act 1986** by this Order extend the application of:

- (a) sections 59, 64, 65, 77, 86, 87, 88, 89, 89E, 90 and 100 of the **Road Safety Act 1986**;
- (b) Part 6AA of the **Road Safety Act 1986**;
- (c) the Road Safety Road Rules 2009; and
- (d) Parts 8 and 9 of, and Schedules 6 and 7 to, the Road Safety (General) Regulations 2009 to the parking facilities in Power Centre, Frankston, as shown on the attached plan.

Spotlight Group Car Park at Frankston Power Centre



Dated 14 October 2014

Subordinate Legislation Act 1994

NOTICE OF DECISION

Wildlife (State Game Reserves) Regulations 2014

I, Ryan Smith, Minister for Environment and Climate Change and Minister responsible for administering the **Wildlife Act 1975**, give notice under section 12 of the **Subordinate Legislation Act 1994** that the proposed Wildlife (State Game Reserves) Regulations 2014 have been the subject of a Regulatory Impact Statement. Public comments and submissions were invited. Seven submissions were received and have been considered in accordance with section 11 of that Act.

After consideration of the submissions, I have further considered the proposed Regulations and give notice of my intention to proceed with joint making of the proposed Regulations with the following policy changes:

- an amendment to regulation 8 to clarify the circumstances in which a traditional owner who is acting under an authorisation order given under the **Traditional Owner Settlement Act 2010** is exempt from particular offences contained in the regulations;
- an amendment to regulation 13 to provide that the Secretary must consult with the Game Management Authority before making a determination to close an area of a state game reserve to hunting;
- an amendment to regulation 21 to require a person who brings a dog into a state game reserve to bury dog faeces;
- an amendment to regulation 47 to provide that campfires may be lit in any area of a state game reserve except in an area that is set aside by the Secretary where campfires are prohibited.

The following changes of a technical nature have also been made:

- the insertion of a note for each regulation referred to in regulation 8 to alert readers to the exceptions in regulation 8;
- an amendment to the definition of flora so it has the same meaning as in the Flora and Fauna Guarantee Act 1988;
- an amendment to regulation 19(b) to fix an error to allow gundogs on all State Game Reserves;
- an amendment to regulation 47(3)(a) to substitute the word 'inflammable' for 'flammable'. Dated 16 October 2014

THE HON. RYAN SMITH MP Minister for Environment and Climate Change

Victorian Energy Efficiency Target Act 2007

NOTICE OF DECLARATION

I, Russell Northe, Minister for Energy and Resources, and Minister responsible for the administration of the **Victorian Energy Efficiency Target Act 2007**, hereby declare a discount factor under section 19 of that Act, to be used to calculate the carbon dioxide equivalent of greenhouse gas emissions to be reduced by the following activity prescribed under regulation 6(2)(a) of the Victorian Energy Efficiency Target Regulations 2008:

Installing a product in accordance with AS 3999–1992 published on 16 April 1992 incorporating Amendment No. 1 published on 9 March 2012 in a ceiling area not previously insulated for a minimum area of 20 m², being a product that complies with the criteria specified in Part A of Schedule 11.

The discount factor is zero.

The discount factor applies from the day after the day on which this declaration is published in the Government Gazette, which is the date from which this declaration is to take effect, and will expire on 31 December 2015.

Dated 12 October 2014

HON. RUSSELL NORTHE MP Minster for Energy and Resources

Planning and Environment Act 1987

BANYULE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C94 (Part 2)

The Minister for Planning has approved Amendment C94 (Part 2) to the Banyule Planning Scheme.

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

The Amendment applies a heritage overlay to the following land:

- Kenilworth Parade Precinct: 17–23 and 10–36 Kenilworth Parade, Ivanhoe
- Saxam Homestead, 108–130 Diamond Creek Road (St Helena), Greensborough.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dtpli.vic.gov.au/publicinspection and free of charge, during office hours, at the offices of the Banyule City Council, 44 Turnham Avenue, Rosanna.

JOHN PHILLIPS
Director
Planning Systems
Department of Transport, Planning and Local Infrastructure

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C267

The Minister for Planning has approved Amendment C267 to the Greater Geelong Planning Scheme.

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

The Amendment facilitates the use and development of the Armstrong Creek Town Centre Precinct (bounded by Boundary Road, Surf Coast Highway, Barwarre Road and Burvilles Road) by:

- amending the Municipal Strategic Statement to reflect the sub-regional role of the Armstrong Creek Town Centre and importance of sustainability outcomes in the Armstrong Creek Urban Growth Area:
- applying Schedule 5 to the Urban Growth Zone to the precinct;
- applying Schedule 6 to the Development Contributions Plan Overlay to the precinct;
- applying Schedule 1 to the Parking Overlay to the precinct;
- removing the Vegetation Protection Overlay Schedule 1 from some roadsides within the precinct;
- amending the Schedule to the Commercial 1 Zone; and
- incorporating the Armstrong Creek Town Centre Precinct Structure Plan, Native Vegetation Precinct Plan, Development Contributions Plan and the Small Lot Housing Code Standards for construction of a single Class 1 building and associated Class 10a buildings on an allotment December 2012.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dtpli.vic.gov.au/publicinspection and free of charge, during office hours, at the offices of the City of Greater Geelong Council, 100 Brougham Street, Geelong.

JOHN PHILLIPS
Director
Planning Systems
Department of Transport, Planning and Local Infrastructure

Planning and Environment Act 1987

HUME PLANNING SCHEME

Notice of Approval of Amendment

Amendment C154 (Part 2)

The Minister for Planning has approved Amendment C154 (Part 2) to the Hume Planning Scheme

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

The Amendment inserts a new incorporated document titled 'Woodlands Precinct Structure Plan, August 2014' into the Hume Planning Scheme and implements the PSP.

Specifically the Amendment proposes to do the following:

- Insert a new Schedule 7 to the Clause 37.07 Urban Growth Zone (UGZ7) for land in the amendment area.
- Rezone the land from Urban Growth Zone (UGZ) to Urban Growth Zone Schedule 7 (UGZ7).
- Amend the Schedule to Clause 52.17 to identify vegetation that can be removed without a planning permit.
- Amend the Schedule to Clause 81.01 to include the new incorporated document titled 'Woodlands Precinct Structure Plan, August 2014'.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dtpli.vic.gov.au/publicinspection and free of charge, during office hours, at the offices of the Hume City Council, 1079 Pascoe Vale Road, Broadmeadows, Victoria and the offices of the Metropolitan Planning Authority, Level 29, 35 Collins Street, Melbourne, Victoria.

JOHN PHILLIPS
Director
Planning Systems
Department of Transport, Planning and Local Infrastructure

Planning and Environment Act 1987

MELTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment C122

The Minister for Planning has approved Amendment C122 to the Melton Planning Scheme.

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

The effect of the Amendment is to facilitate the implementation of the Toolern Park Precinct Structure Plan and Toolern Park Development Contributions Plan.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dtpli.vic.gov.au/publicinspection and free of charge, during office hours, at the offices of the Melton City Council Civic Centre, 232 High Street, Melton, Victoria 3337.

JOHN PHILLIPS
Director
Planning Systems
Department of Transport, Planning and Local Infrastructure

Planning and Environment Act 1987

SOUTH GIPPSLAND PLANNING SCHEME

Notice of Approval of Amendment Amendment C93

The Minister for Planning has approved Amendment C93 to the South Gippsland Planning Scheme.

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

The Amendment introduces the Korumburra Town Centre Framework Plan as a Reference Document at Clause 21.16 and implements the document in Clause 21.15.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dtpli.vic.gov.au/publicinspection and free of charge, during office hours, at the offices of the South Gippsland Shire Council, 9 Smith Street, Leongatha.

JOHN PHILLIPS
Director
Planning Systems
Department of Transport, Planning and Local Infrastructure

Planning and Environment Act 1987

STONNINGTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C153

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

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

The Amendment introduces Development Plan Overlay – Schedule 2 to the Stonnington Planning Scheme and applies it to land at 590 Orrong Road and 4 Osment Street, Armadale, to guide the redevelopment of a large strategic site.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dtpli.vic.gov.au/publicinspection and free of charge, during office hours, at the offices of the Stonnington City Council, 180 Greville Street, Prahran

JOHN PHILLIPS
Director
Planning Systems
Department of Transport, Planning and Local Infrastructure

Planning and Environment Act 1987

WODONGA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C117

The Minister for Planning has approved Amendment C117 to the Wodonga Planning Scheme.

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

The Amendment:

- rezones land within Precincts A and C and part of Precinct D of the draft 'Leneva Baranduda Growth Area Framework Plan 2012' from General Residential Zone (part Lot D PS 616586), Farming and Rural Living Zones to an Urban Growth Zone;
- deletes the Development Plan Overlay Schedule 6 (DPO6) from Lot C on PS 616586 and Lot 2 on PS 645684 and deletes Development Plan Overlay Schedule 1 (DPO1) from Lot D on PS 616586:
- deletes Clause 21.10-09 and Figure 7 from the Municipal Strategic Statement;
- amends Development Plan Overlay Schedule 12 (DPO12) by removing reference to the North Leneva Structure Plan; and
- amends Development Plan Overlay Schedule 19 (DPO19) by removing reference to the North Leneva Structure Plan.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dtpli.vic.gov.au/publicinspection and free of charge, during office hours, at the offices of the Wodonga City Council, 104 Hovell Street, Wodonga.

JOHN PHILLIPS
Director
Planning Systems
Department of Transport, Planning and Local Infrastructure

Planning and Environment Act 1987

HOBSONS BAY PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C99

The Hobsons Bay City Council has resolved to abandon Amendment C99 to the Hobsons Bay Planning Scheme.

The Amendment C99 proposed to apply the Heritage Overlay to land at 16–20 Kanowna Street, Williamstown (the former Nugget Factory).

The Amendment C99 lapsed on 1 October 2014.

JOHN PHILLIPS
Director
Planning Systems
Department of Transport, Planning and Local Infrastructure

Planning and Environment Act 1987

KINGSTON PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C124

The Minister for Planning has refused to approve Amendment C124 to the Kingston Planning Scheme.

The Amendment C124 proposed to implement Schedule 2 to the Activity Centre Zone for the Mentone Activity Centre.

The Amendment C124 lapsed on 29 September 2014.

JOHN PHILLIPS
Director
Planning Systems
Department of Transport, Planning and Local Infrastructure

ORDERS IN COUNCIL

Crown Land (Reserves) Act 1978 REVOCATION OF TEMPORARY RESERVATIONS

Order in Council

The Lieutenant-Governor as the Governor's deputy, with the advice of the Executive Council, under section 10 of the **Crown Land (Reserves) Act 1978** revokes the following temporary reservations:

DOWLING FOREST – The temporary reservation by Order in Council of 26 August, 2014 of an area of Crown land in the Parish of Dowling Forest being Crown Allotments R, R3, R4, S1 and R2 as a site for Public purposes, **so far only as** Crown Allotment 2021 [area 8.177 hectares] and Crown Allotment 2037 [area 23.50 hectares], Parish of Dowling Forest as shown on Plan No. OP123551 lodged in the Central Plan Office of the Department of Transport, Planning and Local Infrastructure. – (0506597)

DOWLING FOREST – The temporary reservation by Order in Council of 3 December, 1963 of an area of 66.37 hectares, more or less, of land in the Parish of Dowling Forest (now described as Crown Allotment 5C, Section 1) as a site for an Aerodrome so far only as Crown Allotment 2032 [area 7.16 hectares], Crown Allotment 2033 [area 10.55 hectares], Crown Allotment 2035 [area 40.62 hectares] and Crown Allotment 2036 [area 3.237 hectares], Parish of Dowling Forest as shown on Plan No. OP123551 lodged in the Central Plan Office of the Department of Transport, Planning and Local Infrastructure. – (Rs 8281)

DOWLING FOREST – Crown Allotments 2023, 2025, 2026, 2027, 2028, 2029, 2030 and 2031 Parish of Dowling Forest, area 93.936 hectares, deemed to be temporarily reserved for public purposes by Order in Council of 30 September, 2014 pursuant to section 3(5)(a) of the **Parks and Crown Land Legislation Amendment Act 2013 so far only as** Crown Allotments 2027 [area 1.360 hectares] and 2030 [area 27.49 hectares], Parish of Dowling Forest as shown on plan OP123551 lodged in the Central Plan Office of the Department of Transport, Planning and Local Infrastructure. – (0506597)

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

Dated 21 October 2014 Responsible Minister THE HON RYAN SMITH Minister for Environment and Climate Change

> YVETTE CARISBROOKE Clerk of the Executive Council

Financial Management Act 1994

DECLARATION BY THE GOVERNOR IN COUNCIL OF THE MELBOURNE MARKET AUTHORITY AS A LEVIABLE AUTHORITY

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council, under section 40M(2) of the **Financial Management Act 1994** ('the Act') hereby declares the Melbourne Market Authority, a public authority within the meaning of the **Treasury Corporation of Victoria Act 1992**, to be a leviable authority for the purposes of Part 6C of the Act, with effect from and including the date it is published in the Government Gazette.

Dated 21 October 2014 Responsible Minister: HON. MICHAEL O'BRIEN MP Treasurer

> YVETTE CARISBROOKE Clerk of the Executive Council

Flora and Fauna Guarantee Act 1988

AMENDING ORDER FLORA AND FAUNA GUARANTEE (TAKING, TRADING IN OR KEEPING OF LISTED FISH) ORDER NO. 1/2009

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council makes the following Order:

1. Title

This Order may be cited as the Order Amending the Flora and Fauna Guarantee (Taking, Trading in or Keeping of Listed Fish) Order No. 1/2009.

2. Objective

The objective of this Order is to amend the Flora and Fauna Guarantee (Taking, Trading in or Keeping of Listed Fish) Order No. 1/2009.

3. Authorising provision

This Order is made under section 53(2) of the Flora and Fauna Guarantee Act 1988.

4. Amendments

The Flora and Fauna Guarantee (Taking, Trading in or Keeping of Listed Fish) Order No. 1/2009 made on 18 March 2009 and published in Government Gazette G12 on 19 March 2009 (pages 694 to 699) is amended by –

- (a) inserting the following definitions in Clause 6
 - 'commercial quantity' has the same meaning as in the Fisheries Act 1995;
 - 'Nagambie Weir' means all impounded waters upstream of Nagambie Weir to Chinamans Bridge on the Goulburn River and inclusive of Lake Nagambie; and
 - 'specified waters' means any lake or impoundment specified in the Appendix;
 - 'Victorian waters' has the same meaning as in the Fisheries Act 1995; and
- (b) for the row where the Murray Cod is listed in Column 1 of the Schedule, substituting that row with the following –

Murray Cod (Maccullochella peelii)

- 1. The minimum size for Murray Cod is 55 centimetres*.
- 2. The maximum size for Murray Cod is 75 centimetres*.
- 3. The daily catch limit with respect to:
 - the taking of Murray Cod from, or the possession of Murray Cod in, on or next to specified waters is two Murray Cod; and
 - the taking of Murray Cod from, or the possession of Murray Cod in, on or next to any Victorian waters other than specified waters is one Murray Cod.
- 4. The maximum combined number of Murray Cod that may be taken from all Victorian waters on any one day is two Murray Cod.
- The commercial quantity of Murray Cod is two Murray Cod.
- 6. A closed season on the taking of Murray Cod applies to all inland waters from 1 September to 30 November in each year.
- 7. A person must not, in, on or next to inland waters, possess any Murray Cod in any form other than whole or in the form of a carcass.

(c) following the Schedule, inserting –

APPENDIX Specified waters

Albert Park Lake	Harrietville Dredge Hole
Benalla Lake	Hume Lake
Big Meran Lake	Kangaroo Lake
Boga Lake	Kow Swamp
Booroopki Swamp	Laanecoorie Reservoir
Buffalo Lake	Lascelles Lake
Cairn Curran Reservoir	Moodemere Lake
Charlegrark Lake	Nagambie Weir
Charm Lake	Nillahcootie Lake
Cooper Lake	Numurkah Lake
Cullulleraine Lake	Taylors Lake
Eildon Lake	Victoria Lake (Shepparton)
Eppalock Lake	Walkers Lake
First Reedy Lake	Waranga Basin
Greens Lake	

5. Commencement

This Order comes into operation on 1 December 2014.

Dated 21 October 2014

Responsible Ministers:

PETER WALSH

Minister for Agriculture and Food Security

RYAN SMITH

Minister for Environment and Climate Change

YVETTE CARISBROOKE Clerk of the Executive Council

Flora and Fauna Guarantee Act 1988

ADDING OF ITEMS TO THE THREATENED LIST

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council, under section 10(1) of the **Flora and Fauna Guarantee Act 1988**, adds the items described in the Schedule below to the Threatened List.

Schedule

ITEMS TO BE ADDED TO THE THREATENED LIST

Strzeleckis Warm Temperate Rainforest Community
Nealie (Acacia loderi)
Enfield Grevillea (Grevillea bedggoodiana)
Soft Sunray (Leucochrysum molle)
Viscid Daisy-bush (Olearia viscosa)

Dated 21 October 2014
Responsible Ministers:
RYAN SMITH
Minister for Environment and Climate Change
PETER WALSH
Minister for Agriculture and Food Security

YVETTE CARISBROOKE Clerk of the Executive Council

Gambling Regulation Act 2003

REVOCATION OF DECLARATION OF GAMING MACHINES

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council, under section 3.1.3 of the **Gambling Regulation Act 2003**, revokes the declaration made by the Deputy Governor in Council on 16 June 1992, pursuant to section 6 of the **Gaming Machine Control Act 1991**.

This Order comes into effect from the date it is published in the Government Gazette.

Dated 21 October 2014

Responsible Minister:

EDWARD O'DONOHUE MLC

Minister for Liquor and Gaming Regulation

YVETTE CARISBROOKE Clerk of the Executive Council

Monash University Act 2009

APPOINTMENT OF A MEMBER TO THE COUNCIL OF THE MONASH UNIVERSITY

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council, under section 12(1) of, and clause 1 of Schedule 1 to, the **Monash University Act 2009**, appoints Mark Cubit as a member of the Monash University Council from the date of the Order to 31 December 2016 (inclusive).

The terms and conditions of this appointment are set out in the attached Schedule.

Dated 21 October 2014

Responsible Minister:

THE HON. NICK WAKELING, MP

Minister for Higher Education and Skills

YVETTE CARISBROOKE Clerk of the Executive Council

Monash University Act 2009

APPOINTMENT OF A MEMBER TO THE COUNCIL OF THE MONASH UNIVERSITY

SCHEDULE TO THE ORDER IN COUNCIL

1. Appointment Arrangements

This appointment is part-time.

2. Period of Appointment

Mark Cubit's period of appointment is from the date of the Order to 31 December 2016 (inclusive).

3. Duties and responsibilities of the position

Under section 8 of the **Monash University Act 2009** (the Act), the Council is the governing body of the University and has the entire direction and superintendence of the University. Its primary responsibilities include appointing and monitoring the performance of the Vice-Chancellor; approving the mission and strategic direction; overseeing and reviewing management; overseeing and monitoring academic activities; and approving any significant commercial activities.

4. Termination Arrangements

This appointment will cease on 31 December 2016. However, under section 12(5)(a) of the Act, a member of the Council appointed by the Governor in Council may, at any time, be removed by the Governor in Council.

5. Payment Provisions

Under section 16 of the Act, the Minister may fix the remuneration of a member.

6. Superannuation Obligations

Superannuation will be paid in accordance with the Commonwealth's Superannuation Guarantee (Administration) Act 1992.

7. Travel and Personal Expenses arrangements

All members of the Council are entitled to reimbursement of reasonable travelling and personal expenses.

8. Leave Arrangements

Not applicable.

9. Prior Service

Not applicable.

Monash University Act 2009

APPOINTMENT OF A MEMBER TO THE COUNCIL OF THE MONASH UNIVERSITY

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council, under section 12(1) of, and clause 1 of Schedule 1 to, the **Monash University Act 2009**, appoints John Simpson as a member of the Monash University Council from the date of the Order to 31 December 2016 (inclusive).

The terms and conditions of this appointment are set out in the attached Schedule.

Dated 21 October 2014

Responsible Minister:

THE HON. NICK WAKELING, MP

Minister for Higher Education and Skills

YVETTE CARISBROOKE Clerk of the Executive Council

Monash University Act 2009

APPOINTMENT OF A MEMBER TO THE COUNCIL OF THE MONASH UNIVERSITY

SCHEDULE TO THE ORDER IN COUNCIL

1. Appointment Arrangements

This appointment is part-time.

2. Period of Appointment

John Simpson's period of appointment is from the date of the Order to 31 December 2016 (inclusive).

3. Duties and responsibilities of the position

Under section 8 of the **Monash University Act 2009** (the Act), the Council is the governing body of the University and has the entire direction and superintendence of the University. Its primary responsibilities include appointing and monitoring the performance of the Vice-Chancellor; approving the mission and strategic direction; overseeing and reviewing management; overseeing and monitoring academic activities; and approving any significant commercial activities.

4. Termination Arrangements

This appointment will cease on 31 December 2016. However, under section 12(5)(a) of the Act, a member of the Council appointed by the Governor in Council may, at any time, be removed by the Governor in Council.

5. Payment Provisions

Under section 16 of the Act, the Minister may fix the remuneration of a member.

6. Superannuation Obligations

Superannuation will be paid in accordance with the Commonwealth's **Superannuation Guarantee** (Administration) Act 1992.

7. Travel and Personal Expenses arrangements

All members of the Council are entitled to reimbursement of reasonable travelling and personal expenses.

8. Leave Arrangements

Not applicable.

9. Prior Service

Not applicable.

Victoria University Act 2010

APPOINTMENT OF A MEMBER TO THE COUNCIL OF VICTORIA UNIVERSITY

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council, under section 12(1) of, and clause 1 of Schedule 1 to, the **Victoria University Act 2010**, appoints Mark Toohey as a member of the Council of Victoria University from the date of the Order to 31 December 2016 (inclusive).

The terms and conditions of this appointment are set out in the attached Schedule.

Dated 21 October 2014

Responsible Minister:

THE HON. NICK WAKELING, MP

Minister for Higher Education and Skills

YVETTE CARISBROOKE Clerk of the Executive Council

Victoria University Act 2010

APPOINTMENT OF A MEMBER TO THE COUNCIL OF VICTORIA UNIVERSITY

SCHEDULE TO THE ORDER IN COUNCIL

1. Appointment Arrangements

This appointment is part-time.

2. Period of Appointment

Mark Toohey's period of appointment is from the date of the Order to 31 December 2016 (inclusive).

3. Duties and responsibilities of the position

Pursuant to section 8 of the Victoria University Act 2010 (the Act), the Council is the governing body of the University and has the entire direction and superintendence of the University. Its primary responsibilities include appointing and monitoring the performance of the Vice-Chancellor; approving the mission and strategic direction; overseeing and reviewing management; overseeing and monitoring academic activities; and approving any significant commercial activities.

4. Termination Arrangements

This appointment will cease on 31 December 2016. However, pursuant to section 12(5)(a) of the Act, a member of the Council appointed by the Governor in Council may, at any time, be removed by the Governor in Council.

5. Payment Provisions

Pursuant to section 16 of the Act the Minister may fix the remuneration of a member.

6. Superannuation Obligations

Superannuation will be paid in accordance with the Commonwealth's Superannuation Guarantee (Administration) Act 1992.

7. Travel and Personal Expenses arrangements

All members of the Council are entitled to reimbursement of reasonable travelling and personal expenses.

8. Leave Arrangements

Not applicable.

9. Prior Service

Not applicable.

Water Industry Act 1994

WATER INDUSTRY REGULATORY ORDER 2014

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with advice of the Executive Council, under section 4D(1) of the **Water Industry Act 1994** makes the following Order:

GENERAL

1. Title

This **Order** is called the Water Industry Regulatory Order 2014.

2. Commencement

- (a) This **Order** comes into operation on the date on which it is published in the Government Gazette and remains in force until it is revoked.
- (b) The Water Industry Regulatory Order 2012 is revoked.

3. Transitional

Notwithstanding clause 2(b), the provisions of the Water Industry Regulatory Order 2012 continue in effect in respect of any determination made by the **Commission** under clause 8 of that Order prior to the commencement date of this **Order**, until the expiry of the period to which that determination applies.

4. Authorising provision

This **Order** is made under section 4D(1) of the **Act**.

5. Purpose of Order

The purpose of this **Order** is to provide a framework for economic regulation by the **Commission** for services provided by the **regulated water industry** by:

- (a) specifying which goods and services are to be prescribed goods and services in respect of which the **Commission** has the power to regulate prices;
- (b) declaring which goods and services are to be declared goods and services in respect of which the **Commission** has the power to regulate standards and conditions of service and supply;
- (c) specifying the approach to be adopted by the **Commission** in regulating the price of prescribed goods and services;
- (d) specifying particular matters to which the **Commission** must have regard in exercising its powers and functions under this **Order**;
- (e) conferring on the **Commission** certain functions in relation to monitoring, performance reporting and auditing; and
- (f) conferring on the **Commission** certain functions in relation to dispute resolution.

6. Definitions

In this **Order**, unless the contrary intention appears, the words and phrases appearing in bold type have the following meanings:

Act means the Water Industry Act 1994;

bulk recycled water service means a service provided by **Melbourne Water** in connection with the provision of a supply of recycled water;

bulk sewerage service means a service provided by **Melbourne Water** in connection with the conveyance, treatment and disposal of wastewater for a **regulated entity**;

Charter of Consultation and Regulatory Practice means the Charter of Consultation and Regulatory Practice developed and published by the Commission under section 14 of the ESC Act;

Code means a code under section 4F of the Act;

Commission means the Essential Services Commission established under the **ESC Act**; *connection service* means the connection of a serviced property to a water supply system or sewerage system;

declared services means services described in clause 7 of this Order;

developer charges means:

- (a) contributions to the costs of works imposed under Division 6 of Part 13 of the **Water Act 1989**:
- (b) contributions to the cost of works imposed under section 196 and 197 of the **Water Act 1989**:

diversion service means a service provided by a **regulated entity** in connection with the management, extraction or use of groundwater or surface water;

ESC Act means the Essential Services Commission Act 2001;

financial year means a year ending 30 June;

irrigation drainage services means a service provided by a **Rural Water Authority** in connection with the removal and disposal of run-off from irrigation;

Melbourne Water means Melbourne Water Corporation within the meaning of the Water Act 1989:

metropolitan waterways and drainage service means a service provided by Melbourne Water in connection with the performance of its functions under Part 10 of the Water Act 1989:

metropolitan water corporation means:

- (a) City West Water Corporation;
- (c) South East Water Corporation; or
- (d) Yarra Valley Water Corporation;

Minister means the Minister administering the Act;

Order means this Water Industry Regulatory Order 2014;

prescribed services means the services described in clause 7 of this Order:

price determination means a determination made by the **Commission** in respect of a **regulated entity** under clause 10 of this **Order**;

price submission means a proposal that is delivered to the **Commission** by a **regulated entity** in accordance with guidance provided by the **Commission** to the **regulated entity** under clause 13 of this **Order**;

Regional Urban Water Authority has the meaning given in section 4A of the Act;

regulated entity has the meaning given in section 4A of the Act;

regulatory period means a period over which a **price determination** made by the **Commission** under clause 10 of this **Order** is to apply;

regulated water industry has the meaning given in section 4A of the Act;

retail recycled water service means a service provided by a **regulated entity** in connection with the provision of a supply of recycled water;

retail sewerage service means a service provided by a metropolitan water corporation or by a Regional Urban Water Authority in connection with the removal, treatment and disposal of sewage and trade waste;

retail water service means a service provided by a **regulated entity** in connection with the provision of a supply of water to a person other than a **regulated entity**;

Rural Water Authority has the meaning given in section 4A of the Act;

Statement of Obligations means a Statement of Obligations issued by the **Minister** under section 4I(2) of the **Act**:

storage operator and bulk water service means a service provided by a regulated entity in connection with the provision of a supply of water to a regulated entity;

trade waste means any waterborne waste (other than sewage) which is suitable, according to the criteria of a **regulated entity**, for discharge into the **regulated entity's** sewerage system.

COVERAGE

7. Prescribed services and declared services

- (a) The following services supplied by or within the **regulated water industry** are specified as **declared services** in respect of which the **Commission** has the power to regulate standards and conditions of service and supply:
 - (i) retail water services:
 - (ii) retail recycled water services;
 - (iii) retail sewerage services;
 - (iv) storage operator and bulk water services;
 - (v) bulk sewerage services;
 - (vi) bulk recycled water services;
 - (vii) metropolitan waterways and drainage services;
 - (viii) irrigation drainage services;
 - (ix) connection services:
 - (x) services to which **developer charges** apply; and
 - (xi) diversion services.
- (b) The following services supplied by or within the **regulated water industry** are specified as **prescribed services** in respect of which the **Commission** has the power to regulate prices:
 - (i) retail water services;
 - (ii) retail recycled water services;
 - (iii) retail sewerage services;
 - (iv) storage operator and bulk water services;
 - (v) bulk sewerage services;
 - (vi) bulk recycled water services;
 - (vii) metropolitan waterways and drainage services;
 - (viii) irrigation drainage services;
 - (ix) connection services:
 - (x) services to which **developer charges** apply; and
 - (xi) diversion services.
- (c) Nothing in this **Order** is to be taken as precluding services that come within one of the categories of service identified in paragraphs (a) and (b) being regulated, whether as to price or standards and conditions of service and supply, in a different manner from any other service that comes within that same category or other services that come within a different category.

OBJECTIVE FOR REGULATION

8. Objectives

(a) The objectives of the **Commission** when performing its functions and exercising its powers in relation to the **regulated water industry** are those set out in section 8 of the **ESC Act** and section 4C of the **Act**.

- (b) In seeking to achieve these objectives the **Commission** must have regard to the matters in section 8A of the **ESC** Act and must also have regard to, and place particular emphasis on, the following matters:
 - (i) the promotion of efficient use of **prescribed services** by customers;
 - (ii) the promotion of efficiency in **regulated entities** as well as efficiency in, and the financial viability of, the **regulated water industry**; and
 - (iii) the provision to **regulated entities** of incentives to pursue efficiency improvements.

REGULATION OF PRICES

9. Regulatory period

The **Commission** must set the term of each **regulatory period** that commences on or after the commencement date of this **Order**.

10. Price determinations

- (a) Before the commencement of a **regulatory period**, the **Commission** must make a **price determination** which determines the maximum prices that a **regulated entity** may charge for **prescribed services**, or the manner in which the **regulated entity's** prices are to be calculated, determined or otherwise regulated, during the **regulatory period**.
- (b) A price determination has effect as provided in section 35 of the ESC Act.
- (c) For the avoidance of doubt, a **price determination** made by the **Commission** under paragraph (a) is a determination for the purposes of the **ESC Act**.

11. Matters to have regard to when making a price determination

When making a **price determination**, the **Commission** must have regard to:

- (a) the objectives specified in clause 8;
- (b) the matters specified in section 33(3) of the **ESC Act**;
- (c) the matters specified in the Commission's guidance issued under clause 13; and
- (d) the following pricing principles, namely that the prices that a **regulated entity** may charge for **prescribed services**, or the manner in which the **regulated entity's** prices are to be calculated, determined or otherwise regulated, should:
 - (i) enable customers or potential customers of the **regulated entity** to easily understand the prices charged by the **regulated entity** for **prescribed services** or the manner in which such prices are calculated, determined or otherwise regulated;
 - (ii) provide signals about the efficient costs of providing **prescribed services** to customers (either collectively or to an individual customer or class of customers) while avoiding price shocks where possible; and
 - (iii) take into account the interests of customers of the **regulated entity**, including low income and vulnerable customers.

12. Approach, methodology and manner of regulation

- (a) In making a **price determination** the **Commission** must adopt an approach and methodology that is consistent with section 33(2) of the **ESC Act** and this **Order**.
- (b) A **price determination** may determine the maximum prices that a **regulated entity** may charge for **prescribed services**, or the manner in which the **regulated entity's** prices are to be calculated, determined or otherwise regulated, in a manner consistent with section 33(5) of the **ESC Act** and this **Order**.

13. Commission guidance and price submission

- (a) Before making a **price determination** and following consultation, including with the relevant **regulated entity**, the **Commission** must provide guidance to the **regulated entity** setting out:
 - (i) the manner in which the **Commission** proposes to regulate the prices which the **regulated entity** may charge for **prescribed services** for the **regulatory period** consistent with section 33(5) of the **ESC Act** and this **Order**;
 - (ii) the approach and methodology which the **Commission** proposes to adopt to assess a **price submission** and make a **price determination** for the **regulatory period** consistent with section 33(2) of the **ESC** Act and this **Order**;
 - (iii) the **Commission's** expectations of the nature and scope of matters to be addressed by the **regulated entity** in its **price submission**;
 - (iv) the **Commission's** expectations regarding customer consultation by the **regulated entity** in developing its **price submission**;
 - (v) the **Commission's** expectations of the information required to be provided by the **regulated entity** to enable the **Commission** to make a **price determination**;
 - (vi) the timing and processes the Commission proposes to follow in making a price determination consistent with section 35 of the ESC Act and the Commission's Charter of Consultation and Regulatory Practice;
 - (vii) the date by which the **regulated entity** is to deliver its **price submission** to the **Commission**; and
 - (viii) any other matter that the Commission considers should be included in the guidance provided to the regulated entity or in the regulated entity's price submission
- (b) The **Commission** may at any time vary or add to the guidance provided to the relevant **regulated entity** following consultation, including with the **regulated entity**.

14. Approach for making a price determination

- (a) In making a price determination the Commission may either:
 - (i) approve the maximum prices the **regulated entity** may charge for **prescribed services**, or the manner in which the **regulated entity's** prices are to be calculated, determined or otherwise regulated, as proposed by the **regulated entity** in its **price submission**; or
 - (ii) specify the maximum prices the **regulated entity** may charge for **prescribed services**, or the manner in which the **regulated entity's** prices are to be calculated, determined or otherwise regulated.
- (b) The **Commission** may only specify the maximum prices, or the manner in which prices are to be calculated, determined or otherwise regulated, if:
 - (i) the **price submission** of the **regulated entity** does not, in the **Commission's** opinion, comply with the guidance provided by the **Commission** under clause 13 or have adequate regard for the matters specified in clause 11; or
 - (ii) the **regulated entity** failed to submit a **price submission** to the **Commission** within the time period specified for this by the **Commission**.

15. Information

- (a) The **Commission** may at any time require a **regulated entity** to provide information in relation to any matter relevant to the making of a **price determination**.
- (b) In making a price determination, the Commission may make reasonable assumptions, based on the best information available to the Commission, if in respect of any matter relevant to the price determination, the regulated entity:

- (i) does not provide information to the **Commission** in accordance with an information request from the **Commission** or does not do so within the period specified by the **Commission**; or
- (ii) provides information that the **Commission** considers is insufficient or inadequate when compared to the information requested by the **Commission**.

16. Draft decision

- (a) Subject to paragraph (c), before making a **price determination** the **Commission** must issue a draft decision and publish a notice on its Internet site which comprises:
 - (i) a copy of the draft decision;
 - (ii) the reasons for the draft decision; and
 - (iii) an invitation to interested parties to make submissions to the **Commission** in relation to the draft decision before a date specified in the notice.

and must otherwise consult on the draft decision in accordance with its Charter of Consultation and Regulatory Practice.

- (b) The **Commission** must only make a **price determination** after considering submissions received in response to the draft decision.
- (c) The **Commission** may vary an existing **price determination** without following the process set out in paragraphs (a) and (b) if the **Commission**, after consulting with the relevant **regulated entity** on the proposed variation, considers that:
 - (i) the variation is not sufficiently material to warrant that process being followed; or
 - (ii) the need for the variation is sufficiently urgent to warrant that process not being followed.

If the **Commission** decides not to follow the process set out in paragraphs (a) and (b) it must provide reasons for this decision and must make this available to interested and affected parties.

REGULATION OF SERVICE QUALITY

17. Specifying standards and conditions

The **Commission** may specify standards and conditions of service and supply with which a **regulated entity** is obliged to comply in connection with the provision by it of **declared services** by specifying standards and conditions of service and supply in a **Code** issued under section 4F of the **Act**.

MONITORING, PERFORMANCE REPORTING AND AUDITING

18. Performance monitoring and reporting

The **Commission** has the function of monitoring and reporting publicly on the performance of the **regulated water industry**.

19. Auditing

The **Commission** has the function of carrying out audits in relation to:

- (a) the compliance of **regulated entities** with the standards and conditions of service and supply specified by the **Commission** in any **Code**, or set out in their **price submission**, and the systems and processes established by the **regulated entity** to ensure such compliance;
- (b) the reliability and quality of information reported by regulated entities to the Commission and the conformity of that information with any specification issued by the Commission; and
- (c) the compliance of **regulated entities** with obligations imposed in any **Statement of Obligations** issued to them in respect of the management of their assets.

In the case of any such audits:

- (d) the **Commission** may decide the scope and frequency of such audits provided that such audits are not conducted more frequently than once in any given **financial year**;
- (e) conducted pursuant to paragraph (c), the **Commission** must include in that audit any matters requested by the **Minister**.

20. Audits requested by the Minister

The **Minister** may request the **Commission** to audit the compliance of a **regulated entity** with such obligations as are identified by the **Minister** and as are imposed on that **regulated entity** under the **Statement of Obligations** that is issued to it, in which case the **Commission** must carry out that audit in accordance with that request.

21. Publication of audit results

The **Commission** must publicly report on the results of all audits conducted under clause 19 or 20.

DISPUTE RESOLUTION

22. Disputes between regulated entities

In such circumstances as the **Commission** determines, the **Commission** has the function of facilitating the resolution of a dispute in relation to prices and standards and conditions of service and supply provided for in an agreement between two **regulated entities** to supply **storage operator and bulk water services**, **bulk sewerage services** and **bulk recycled water services**. The **Commission** may carry out this function by requiring mediation or arbitration or by any other means the **Commission** considers appropriate.

Dated 21 October 2014 Responsible Minister: PETER WALSH MLA Minister for Water

YVETTE CARISBROOKE 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 SAI Global, Unit 3, 18 Salmon Street, Port Melbourne on the date specified:

156. Statutory Rule: Supreme Court

(Oath and Affirmation of Office)

Regulations 2014

Supreme Court Authorising Act: Act 1986

Date first obtainable: 21 October 2014

Code A

157. Statutory Rule: County Court

(Oath and Affirmation of Office)

Regulations 2014

Authorising Act: County Court

Act 1958

Date first obtainable: 21 October 2014

Code A

158. Statutory Rule: Magistrates'

> Court General Amendment (Judicial Registrar Oath and Affirmation of Office)

Regulations 2014 Magistrates' Court

Act 1989

Date first obtainable: 21 October 2014

Code A

Authorising Act:

159. Statutory Rule: Coroners

> Amendment Regulations 2014

Authorising Act: Coroners Act 2008

Date first obtainable: 21 October 2014

Code A

Children, Youth 160. Statutory Rule:

> and Families Amendment (Judicial Registrar Oath and Affirmation of Office) Regulations 2014

Children, Youth Authorising Act:

and Families Act 2005

Date first obtainable: 21 October 2014

Code A

161. Statutory Rule: Financial

> Management Amendment Regulations 2014

Financial Authorising Act:

> Management Act 1994

Date first obtainable: 21 October 2014

Code A

162. Statutory Rule: **Building Further**

> Amendment (New Residential Zones) Regulations 2014

Building Act 1993 Authorising Act:

Date first obtainable: 21 October 2014

Code A

163. Statutory Rule: Planning and

> Environment (Fees) Interim Regulations 2014

Authorising Act: Planning and

> Environment Act 1987

Date first obtainable: 21 October 2014

Code B

164. Statutory Rule: Subdivision

> (Fees) Interim Regulations 2014

Subdivision Authorising Act:

Act 1988

Date first obtainable: 21 October 2014

Code A

165. Statutory Rule: Country Fire

Authority

Regulations 2014

Authorising Act: Country Fire

Authority Act 1958

Date first obtainable: 21 October 2014

Code F

166. *Statutory Rule*: Parliamentary

Salaries and Superannuation (Allowances) Amendment Regulations 2014

Authorising Act: Parliamentary

Salaries and Superannuation Act 1968

Date first obtainable: 21 October 2014

Code A

167. Statutory Rule: EastLink Project

Amendment Regulations 2014

Authorising Act: EastLink Project

Act 2004

Date first obtainable: 21 October 2014

Code A

168. Statutory Rule: Melbourne City

Link Amendment Regulations 2014

Authorising Act: Melbourne City

Link Act 1995

Date first obtainable: 21 October 2014

Code A

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M	545–608	\$48.25
N	609–672	\$53.35
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#Q	821–886	\$72.25
#R	887–950	\$77.05
#S	951–1016	\$82.30
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^{*} All prices include GST

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