



# Victoria Government Gazette

By Authority of Victorian Government Printer

**No. G 17 Thursday 30 April 2020**

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**GENERAL**

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**Advertisers Please Note**

As from 30 April 2020

The last Special Gazette was No. 213 dated 29 April 2020.

The last Periodical Gazette was No. 1 dated 29 May 2019.

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**How To Submit Copy**

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  - or contact our office on 8523 4601  
between 8.30 am and 5.30 pm Monday to Friday
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## PRIVATE ADVERTISEMENTS

### Land Act 1958

Notice is hereby given that Axicom Pty Limited has applied to lease, under section 134 of the **Land Act 1958**, for a term of 21 years, Crown land being Allotment 10C, Parish of Angahook, containing 192 square metres as a site for 'construction, maintenance and operation of a telecommunications network and telecommunications service'.

### NOTICE OF DISSOLUTION

This notice relates to the partnership previously subsisting between Suzanne Linda Johansson and Dianne Margaret Johnson, carrying on business as a hair and beauty salon at Shop 19, 18 Racecourse Road, Pakenham, Victoria 3810 under the name, style or firm of Metro Salon & Spa Supplies (Firm).

Notice is given pursuant to section 41 of the **Partnership Act 1958** that the Firm has been dissolved by mutual consent as from 1 January 2020.

MARJORIE THELMA DRAKE, late of 4/15-17 Haig Street, Croydon, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 16 December 2019, are required by the trustee, Gordon Charles Drake, to send particulars of their claims to the undermentioned firm by 5 July 2020, after which date the said trustee may convey or distribute the estate, having regard only to the claims of which he then has notice. Probate was granted in Victoria on 20 April 2020.

Dated 21 April 2020

ARGENT LAW,  
2 Stawell Street, Richmond, Victoria 3121.  
Ph: (03) 9571 7444. Contact: Helen Adoranti.

SABINA BOTFA, late of 22 Nestan Drive, Ringwood, Victoria 3134, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the Will/estate of the abovenamed deceased, who died on 31 January 2019, are required by the executors, Endre John Botfa and Peter Thomas Botfa, care of Suite 4,

426 Burwood Highway, Wantirna South, Victoria 3152, to send particulars of their claims to them by 30 June 2020, after which date the executors may distribute the assets, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 20 December 2019.

Dated 23 April 2020

BALLARDS SOLICITORS PTY LTD,  
PO Box 4118, Knox City Centre, Victoria 3152.  
Ph: (03) 9800 7500, Fax: (03) 9800 7555.

FRANK WILLIAM CLOSTER, late of 13 Lewis Road, Wantirna, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the Will/estate of the abovenamed deceased, who died on 14 September 2019, are required by the executor, Janette Ann Closter, care of Suite 4, 426 Burwood Highway, Wantirna South, Victoria 3152, to send particulars of their claims to her by 30 June 2020, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice. Probate was granted in Victoria on 30 January 2020.

Dated 24 April 2020

BALLARDS SOLICITORS PTY LTD,  
PO Box 4118, Knox City Centre, Victoria 3152.  
Mandy Greenlaw.  
Ph: (03) 9800 7500, Fax: (03) 9800 7555.

Estate FLORIDA TROY, late of Murray Vale, 63 Regent Street, Moama, New South Wales, deceased.

Creditors, next-of-kin and others having claims in respect of the abovenamed deceased, who died on 5 May 2019, are required by the substituted executors, Rodney John Troy and Deborah Maree Troy, to send particulars of such claims to them, in care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

Dated 21 April 2020

BASILE & CO. PTY LTD, legal practitioners, consultants & conveyancers (Vic. and NSW),  
46 Wellington Street, Kerang, Victoria 3579.  
RB:GR:19328.

DOROTHY JUNE TULLIS, late of Unit 149, La Trobe Retirement Village, 1 Village Drive, Reservoir, Victoria 3073, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the Will of the abovenamed deceased, who died on 4 March 2020, are required by the executors, Gwenda Joy Cavey and Barbara Ann Collins, care of 38 Beetham Parade, Rosanna, Victoria 3084, to send particulars of their claims to them by 14 October 2020, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 14 April 2020.

BOWLEN DUNSTAN & ASSOCIATES PTY,  
38 Beetham Parade, Rosanna, Victoria 3084.  
Ph: (03) 9459 5755.  
AB:WH:35909.  
Contact: Anthony Francis Bowlen.

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Re: NELLIE PAULINE BURGESS, late of Unit 2, 71 Collins Street, Mentone, Victoria, retiree, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of the deceased, who died on 17 February 2020, are required by the trustee, Adrienne Margaret Edward, to send particulars of their claims to the trustee, care of the undermentioned legal practitioners, 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 she then has notice.

BRENDAN HOLLAND & MICHAEL CAHIR,  
legal practitioners,  
130 Balcombe Road, Mentone 3194.

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Re: DAVID ROBERT PHILLIP MASON, late of 150 Leila Road, Carnegie, Victoria, retired school teacher, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of the deceased, who died on 6 September 2019, are required by the trustee, Beverley Mason, to send particulars of their claims to the trustee, care of the undermentioned legal practitioners, by a date not less 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 she then has notice.

BRENDAN HOLLAND & MICHAEL CAHIR,  
legal practitioners,  
130 Balcombe Road, Mentone 3194.

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Re: Estate of the late MEHMET KARABADJAK, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 December 2019, are required by the trustees, Ahmet Karabadjak and Kerim Karabadjak, to send particulars to the trustees, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

DE MARCO LAWYERS,  
794A Pascoe Vale Road, Glenroy 3046.

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Re: Estate of the late ROBERT ERNEST TAYLOR, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 January 2020, are required by the trustees, David Anthony Taylor and Deanne Louise Taylor, to send particulars to the trustees, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

DE MARCO LAWYERS,  
794A Pascoe Vale Road, Glenroy 3046.

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Re: Estate of the late MARIO SALVATORE TREGLIA, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 January 2020, are required by the trustees, Caterina Treglia and Gabriella Treglia, to send particulars to the trustees, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

DE MARCO LAWYERS,  
794A Pascoe Vale Road, Glenroy 3046.

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RONALD GEORGE OKE, late of 101 Mt Dandenong Road, East Ringwood, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 March 2020, are required by the executors, Ida May Oke, Stewart John Oke and Trevor Andrew Oke, to send particulars of

their claims to the undermentioned solicitors within 60 days from the date of publication of this notice, after which date the executors may convey or distribute the assets, having regard only to the claims of which the executors then have notice.

DEVENISH LAWYERS,  
23 Ringwood Street, Ringwood, Victoria 3134.

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LORNA BERYL JOYCE MACAULAY, late of 2/25 Central Place, Wodonga, Victoria 3690.

Creditors, next-of-kin and others having claims in respect of the Will/estate of the abovenamed deceased, who died on 23 August 2019, are required by the trustees, Narelle Joi Robinson and Warren Gordon Tyack, care of 20/11 Volt Lane, Albury, New South Wales 2640, to send particulars of their claims to them by 30 June 2020, after which date the trustees may convey or distribute the assets and distribute the estate, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 11 November 2019.

Dated 21 April 2020

EDEN LAWYERS,  
Office 20, 11 Volt Lane, Albury,  
New South Wales 2640.  
PO Box 1384, Albury, New South Wales 2640.  
Ph: (02) 6041 5596, Fax: (02) 6023 4303.  
MAE:SJP:19/00336.  
Contact: Mike Anthony Eden.

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Estate MURIEL ALMA TURNER.

Creditors, next-of-kin and others having claims against the estate of MURIEL ALMA TURNER, late of Whittlesea Lodge Aged Care, 30–32 Fir Street, Whittlesea, Victoria, retired legal secretary, who died on 29 December 2019, are requested to send particulars of their claims to the executor, care of the undermentioned lawyers, by Tuesday 30 June 2020, after which date he will distribute the assets, having regard only to those claims of which he then has notice.

HICKS OAKLEY CHESSELL WILLIAMS,  
PO Box 16067, Collins Street West,  
Victoria 8007.

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Re: Estate of BRIDGET HELEN FLETCHER.

Creditors, next-of-kin or others having claims in respect of the estate of BRIDGET HELEN FLETCHER, late of Respect Aged Care, 2–14 Boree Drive, Swan Hill, in the State of Victoria, home duties, deceased, who

died on 24 March 2020, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 13 July 2020, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

JOLIMAN LAWYERS,  
Beveridge Dome, 194–208 Beveridge Street,  
Swan Hill 3585.

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Re: Estate of ROBERT JAMES ROBERTS, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of ROBERT JAMES ROBERTS, late of 13 Belah Mews, Swan Hill, in the State of Victoria, retired farmer, deceased, who died on 8 March 2020, are to send particulars of their claim to the executrix, care of the undermentioned legal practitioners, by 22 June 2020, after which the executrix will distribute the assets, having regard only to the claims of which she then has notice.

JOLIMAN LAWYERS,  
Beveridge Dome, 194–208 Beveridge Street,  
Swan Hill 3585.

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NOEL ALFRED EVANS, late of Royal Freemasons Springtime, 48 Grey Street, Darley, Victoria 3340, deceased.

Creditors, next-of-kin and all others having claims in respect of the estate of the deceased, who died on 10 November 2019, are required by the executor, Lynne Susan Heller, to send particulars of such claims to the executor, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the executor will distribute the assets, having regard only to the claims of which the executor has notice.

KCL LAW,  
Level 4, 555 Lonsdale Street, Melbourne 3000.  
hhunter@kcllaw.com.au

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Re: GWENNETH RUTH BENNETT, late of 84–86 Shadforth Street, Kerang, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 January 2020, are required by

the trustee, Equity Trustees Wealth Services Limited, ACN 006 132 332, of 1/575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee, care of the undermentioned solicitors, by 3 July 2020, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

KHQ LAWYERS,  
Level 4, 600 Bourke Street, Melbourne,  
Victoria 3000.

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JEAN FLORENCE BUERCKNER, late of Livingstone Gardens, 39 Livingstone Road, Vermont South, Victoria 3133, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 11 June 2019, are required by the executors, Keith Alexander Elliott and Rhys Liam Elliott, of PO Box 6113, Vermont South, Victoria 3133, to send particulars of their claims to them by 23 June 2020, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 18 November 2019.

Dated 14 April 2020

KEITH A. ELLIOTT PTY LTD,  
PO Box 6113, Vermont South, Victoria 3133.  
Ph: (03) 9887 8136, Fax: (03) 9887 8436.  
KAE:RLE:0576/19.  
Contact: Keith Alexander Elliott.

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Re: ETHEL JUDITH DEEBLE, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 November 2019, are required by the personal representative, Matthew David Deeble, to send particulars to the personal representative, care of Moores, Level 1, 5 Burwood Road, Hawthorn, Victoria, by 30 June 2020, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which the personal representative has notice.

MOORES,  
Level 1, 5 Burwood Road, Hawthorn,  
Victoria 3122.

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Re: Estate of ANNIE MATTHEWS, deceased, late of 145 Studley Road, Heidelberg, Victoria 3084.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 21 August 2019, are required by the executor of the estate, Martha Naomi Matthews, to send particulars of their claims to her, care of the undermentioned solicitors, by 30 June 2020, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

PARKE LAWYERS,  
8 Market Street, Ringwood, Victoria 3134.

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SHEILA LYALL, late of 12 Maxflo Court, Highbury, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 September 2019, are required by Perpetual Trustee Company Limited, ACN 000 001 007, of Level 29, 525 Collins Street, Melbourne, Victoria, the executor, to send particulars to it by 17 July 2020, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

PERPETUAL LEGAL SERVICES PTY LTD,  
Level 29, 525 Collins Street, Melbourne,  
Victoria 3000.

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Creditors, next-of-kin and others having claims in respect of the estate of PETER D'ARBON, deceased, late of Leith Park, 339 St Helena Road, St Helena, Victoria, who died on 14 December 2019, are required by the executor, Richard Leighton Wood, to send particulars of their claim to him, at the undermentioned address, by 30 June 2020, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

RICHARD WOOD SOLICITORS,  
PO Box 871, Ringwood 3134.

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Re: PETER PHILLIP CHARLES HARRIS, late of 201 Melrose Road, Coorimungle, Victoria, farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 October 2019, are required by the deceased's personal representatives, Meagan Jane Compton, Rebecca Jane Alexander and Shaun David Moloney, to send particulars to

them, care of the undermentioned lawyers, by 7 July 2020, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

SLM LAW, lawyers,  
119 Murray Street, Colac 3250

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SORUBAN RAJAKULENDRAN, late of 44 Through Road, Camberwell, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 23 July 2019, are required to send particulars of their claims to the administrator, Jeremiah Rajakulendran, care of the undermentioned solicitors, by 23 June 2020, after which date the said administrator will distribute the assets, having regard only to the claims of which he then has notice.

T. J. MULVANY & CO., lawyers,  
Suite 10, 214–216 Bay Street, Brighton 3186.

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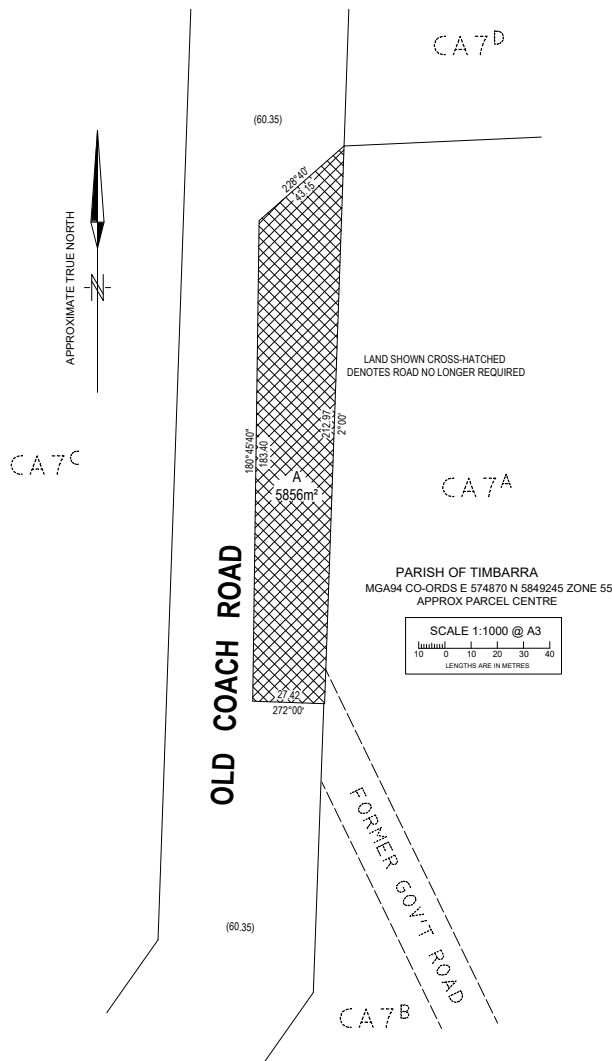


**GOVERNMENT AND OUTER BUDGET  
SECTOR AGENCIES NOTICES**

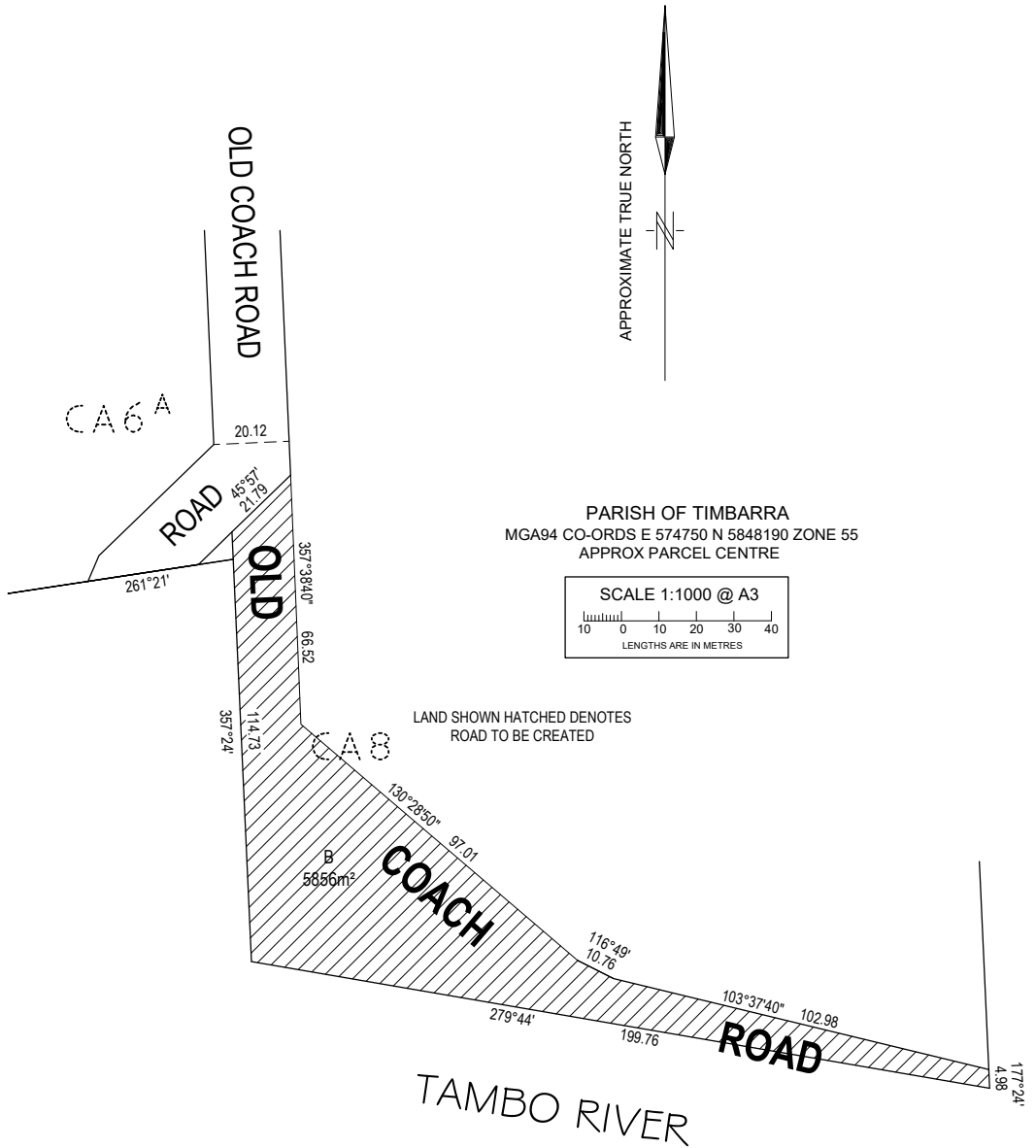


**ROAD EXCHANGE AND DISCONTINUANCE**

In accordance with section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, East Gippsland Shire Council at its ordinary meeting on 3 March 2020, formed the opinion that part of the road reserve abutting 94 Old Coach Road, Tambo Crossing, as shown cross-hatched on the plan below, is not reasonably required as a road for public use and resolved to discontinue the portion of road. The area shown hatched is to be opened for road purposes and exchanged with the cross-hatched area of unused road by private treaty to the adjoining landowner.







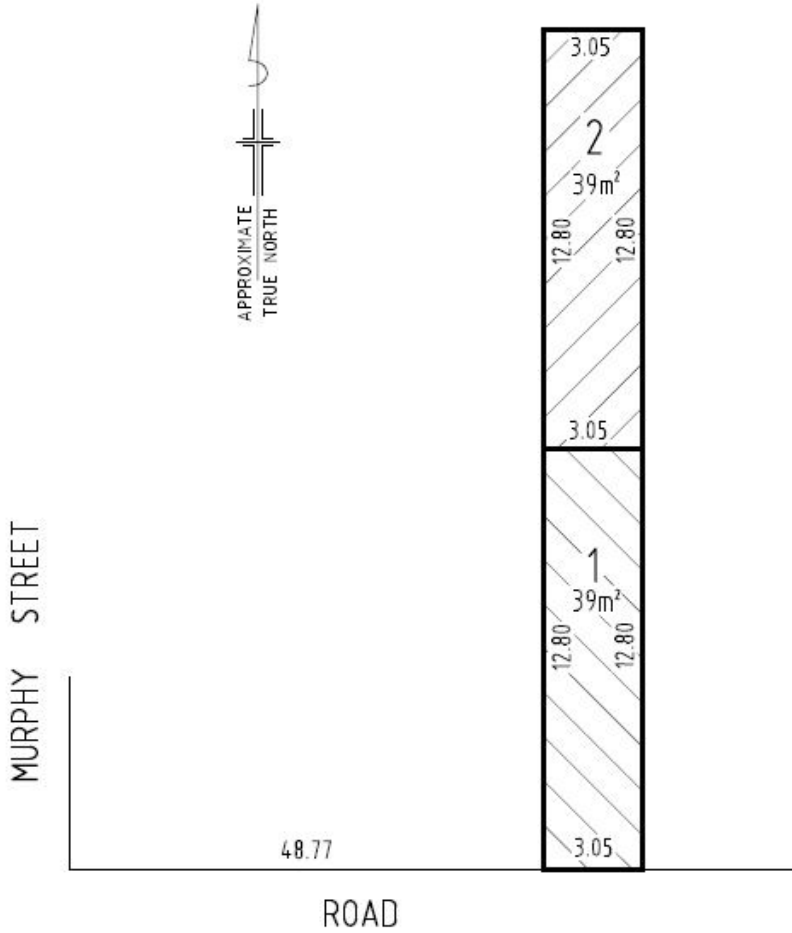
ANTHONY BASFORD  
Chief Executive Officer

BAYSIDE CITY COUNCIL

Road Discontinuance

Pursuant to section 206(1) and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Bayside City Council, at its ordinary meeting on 24 March 2020, resolved to discontinue the road abutting 38 and 40 Murphy Street, Brighton, shown hatched as Lots 1 and 2 respectively on the plan below (and being part of the land in Certificate of Title Volume 3568 Folio 443).

The road is to be sold to the abutting owners, subject to any right, power or interest held by NBN Co Limited in the road in connection with any wires or cables under the control of that authority in or near the road.



MICK CUMMINS  
Chief Executive Officer

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

Notice of the Preparation of an  
Amendment to a Planning Scheme and  
Notice of an Application for a Planning Permit  
Given Under Section 96C of the

**Planning and Environment Act 1987****Amendment C70****Planning Permit Application 2019/192**

Murrindindi Shire Council has prepared Amendment C70 to the Murrindindi Planning Scheme.

The land affected by the Amendment and planning permit application is 5 Plantation Lane, Alexandra.

The Amendment proposes to rezone the land from General Residential 1 to Low Density Residential.

The planning permit application seeks approval for use and development of the land for a cattery (domestic animal boarding) and associated works.

The applicants for the Amendment and permit are B & R Creighton.

You may inspect the Amendment, any documents that support the Amendment, the explanatory report about the Amendment and the proposed planning permit on our website at [murrindindi.vic.gov.au/planningcomment](https://murrindindi.vic.gov.au/planningcomment)

Any person who may be affected by the Amendment or by the granting of the planning permit may make a submission to the planning authority about the Amendment and the permit application. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment and permit application are 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.

The closing date for submissions is 1 June 2020. Submissions can be sent to PO Box 138, Alexandra, Victoria 3714, or emailed to [planning@murrindindi.vic.gov.au](mailto:planning@murrindindi.vic.gov.au)

The planning authority must make a copy of every submission available at its office for any person to inspect, free of charge, for two months after the Amendment comes into operation or lapses.

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

Notice of the Preparation of an Amendment  
Amendment C81

The Rural City of Wangaratta Council has prepared Amendment C81 to the Wangaratta Planning Scheme. The Amendment applies to land in the Wangaratta municipality and within proximity of the Ovens and King Rivers, and Fifteen Mile, One Mile, Three Mile and Reedy Creeks.

The Amendment proposes to implement the findings of the Wangaratta Urban Waterways Flood Investigation Study Report 2017 ('the WUWFI') by amending planning controls to improve the performance of the planning scheme in response to flood risks and amending the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) maps.

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: the Rural City of Wangaratta website, <https://www.wangaratta.vic.gov.au/publicnotices>; and at the Department of Environment, Land, Water and Planning website, [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection)

Any person who may be affected by the Amendment may make a submission to the planning authority about the Amendment. 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. The closing date for submissions is Friday 12 June 2020. A submission must be sent to the Rural City of Wangaratta, PO Box 238, Wangaratta, Victoria 3676, or via email to: [strategicplanning@wangaratta.vic.gov.au](mailto:strategicplanning@wangaratta.vic.gov.au)

The planning authority must make a copy of every submission available at its office for any person to inspect, free of charge, for two months after the Amendment comes into operation or lapses.

BRENDAN McGRATH  
Chief Executive Officer  
Rural City of Wangaratta

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 1 July 2020, 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.

ACERS, Peter, late of 288 Doolan Road, Stanhope, Victoria 3623, deceased, who died on 21 December 2019.

BECKWITH, Barbara Dawn, late of Room 79, Homestead (Residential Aged Care), 265 Baranduda Boulevard, Baranduda, Victoria 3691, deceased, who died on 22 November 2019.

JOHNSON, Christopher Donald, late of Unit 4, 165 Kent Street, Ascot Vale, Victoria 3032, deceased, who died on 11 October 2019.

McINDOE, Alan Gerard, late of Unit 1, 55 North Road, Reservoir, Victoria 3073, deceased, who died on 25 January 2020.

PLUNKETT, Brian Keith, late of Mecwacare Elstoft House, 12–14 Beulah Street, Hamlyn Heights, Victoria 3215, deceased, who died on 22 December 2019.

WALLACE, Maura Monica, late of Holloway Aged Care, 1 Rotary Drive, Keilor East, Victoria 3033, deceased, who died on 7 August 2019.

WILSON, Brian Keith, late of Unit 27, 5 Moore Street, Creswick, Victoria 3363, deceased, who died on 11 November 2019.

Dated 22 April 2020

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 3 July 2020, 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.

ALBRESS, Mary Anne, late of 3 Bushfield Crescent, Coolaroo, Victoria 3048, home duties, deceased, who died on 27 December 2019.

ANDISON, Robert John, late of Pineview Residential Care, 324 Nicolson Street, Ballarat East, Victoria 3350, pensioner, deceased, who died on 4 November 2019.

HAVLICEK, Peter Jaroslav, late of 36 Oakpark Drive, Chadstone, Victoria 3148, deceased, who died on 22 September 2019.

HIRST, Bill, late of 101A Darnley Street, Braybrook, Victoria 3019, pensioner, deceased, who died on 16 December 2019.

MORGAN, Paul Francis, late of Scope – Ref: 000025143, 2 Carramar Crescent, Warrnambool, Victoria 3280, pensioner, deceased, who died on 12 October 2019.

PHENGSAVATH, Boonmy, late of Royal Freemasons Darvall Lodge, 521 Princes Highway, Noble Park, Victoria 3174, deceased, who died on 26 February 2020.

SPARNON, Kevin James, late of Grace Villa Aged Care, 4/25–33 Grimshaw Street, Greensborough, Victoria 3088, retired, deceased, who died on 20 November 2019.

Dated 24 April 2020

## EXEMPTION

Application No. H347/2019

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by Penleigh and Essendon Grammar School (the applicant). The application for exemption is to enable the applicant, for a period of five years, with the aim of maintaining gender balance in the school as a whole, to:

- continue to provide single-gendered learning in the context of its junior and middle schools (which on its own does not require an exemption);
- make decisions as to school admissions, including refusing and failing to accept a person's application for admission on the basis of availability of places at a particular campus, which is necessarily gender based;

- c. maintain separate waiting lists for female and male students;
- d. continue to offer enrolment at kindergarten level in a way that ensure gender equality as far as possible; and
- e. advertise these matters.

(the exempt conduct).

Upon reading the material filed in support of this application, including the affidavits of Tony Larkin (former principal) and Kate Dullard (current principal) and having heard evidence from Kate Dullard and the submissions made on behalf of the applicant, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 38, 44, 107, and 182 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- The applicant private school was formed in 1977 by an amalgamation of Essendon Grammar (established in 1910) and Penleigh Presbyterian Ladies College (established in the 1870s as Miss Tulloch's School for Young Ladies) and now operates across three distinct campuses.
- The co-educational kindergarten and the male section of the junior school are conducted at the Essendon campus. The female section of the junior school is conducted at Moonee Ponds. The separate male and female classes for the middle school and the co-educational senior school classes are conducted in different houses or centres on the Keilor East campus. This model of combined single-sex and co-educational operation is called the 'diamond' model.
- The school aims for an equal balance of male and female students in its co-educational programs, namely in the kindergarten and the senior school.
- Despite the separation of male and female students into separate sections in the junior and middle schools, all students are taught the same curriculum although presentation may vary, for example to take into account the influence of gender on learning styles.
- Students are taught by a mix of male and female teachers and school policies are applied without differentiation between genders.
- All parts of the school benefit from the use and application of combined resources which are available across the various programs in the school.
- Prospective students and their parents and guardians are given information about the way the school operates.
- The school considers that the 'diamond' model of co-educational and separated gender programs provides many benefits for its students and has a positive effect on the overall well-being and academic achievement of students.
- The school is the only one offering a 'diamond' model of co-education in the northern and western suburbs of Melbourne and is one of the few doing so in Victoria and in Australia.
- The school has a significant waiting list for both males and females in the junior school. This drops markedly for the girls' section of the middle school and drops to a lesser extent for the boys' section in the middle school.
- Because there are many schools in the area catering solely to female students, there are times when places in the applicant's female junior section and female middle school section are left unfilled.
- Choices made by the school about these enrolments contribute to ensuring as far as possible that there are equal number of male and female students at each year level.
- At present, on the basis of the student numbers set out in the affidavit of Tony Larkin, the proportion of male students is higher in the later years of the middle school and in the senior school.
- The school expects that by continuing to fill its male and female sections with a view to equal number of males and females and by where necessary choosing students for co-educational programs on the basis of gender with a view to equality, it will reach and maintain relatively equal numbers of male and female students at all year levels.
- The applicant school has not previously sought or had an exemption for its conduct.
- Operating a program within the school for the benefit of a particular sex and excluding persons not of that sex from the program

falls within the exception to discrimination granted by section 39 of the Act and does not itself require an exemption. However, looking at the school as a whole, making choices about the number of students enrolled in a single-sex program so as to ensure equality in the subsequent co-educational program is not covered by the exception in section 39 or any other exception in the Act. This conduct requires an exemption. In addition, making choices about male and female prospective students at kindergarten or any other level so as to reach and maintain close to equal numbers of males and females in the coeducational sections of the school is not covered by any exception and requires an exemption.

- When making decisions about exemptions, the Tribunal is required to consider relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter). Arguably, this exemption limits the right of equality and in particular the right to equal and effective protection against discrimination of students who would wish to be offered a place at the school based solely on their place on a waiting list. I am satisfied that, in the circumstances discussed above, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an exemption from the operation of sections 38, 44, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

The exemption is to be published in the Gazette on 30 April 2020. This exemption is to remain in force from the date of publication until 29 April 2025.

Dated 22 April 2020

B. STEELE  
Senior Member

#### EXEMPTION

Application No. H407/2019

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by Christ Church Grammar School (the applicant). The application for exemption is to enable the applicant to do the following:

- advertise for prospective female students to enter the school;
  - structure its waiting lists on the basis of sex;
  - allocate student placements and offer enrolments to female students;
  - offer fee rebates to female students;
  - allocate student placements and offer enrolments to students from families who propose to send their female children to the school; and
  - advertise these matters –
- so as to attain a boy/girl ratio of up to 55/45 in each year level at the school (the exempt conduct).

Upon reading the material filed in support of this application, including the affidavits of Sandra Holland and Johann Hudson and having heard evidence from both of them and submissions made on behalf of the applicant, and having had regard to submissions made by other persons in response to the advertising of the exemption application, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 38, 44, 107, and 182 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- The applicant is a private school in South Yarra. It was established in 1898 as a boys-only school and became coeducational in 1920. It was one of the first coeducational schools in Victoria. It is now the only Anglican parish primary school in Victoria and since the 1980s averages enrolments of around 400 students. It provides a coeducational school experience for children from 3 years old to year 6, with a focus on the family unit.
- The applicant school has not had or applied for any prior exemptions from the Act or its predecessors.
- The evidence before me, which I accept, is that the school believes a coeducational environment achieves the following: it promotes strong family connections in that all students in a family are welcome; it fosters inclusiveness and interaction allowing girls and boys to learn from each other; it nurtures mutual respect; it exposes students



to positive female and male role models; it creates camaraderie across programs; it reflects the gender mix of life, thus providing a solid foundation for developing respectful relationships into adulthood; and it provides equal access to curriculum, coeducational sporting teams and subjects for boys and girls.

- According to the evidence in Sandra Holland's affidavit, which I accept, the school has had more boys than girls historically and wishes to redress this imbalance to preserve the coeducational experience for all students. The proportion of girls has dropped in recent years and intervention is needed now because there is increased competition for girl students from the high number of girls' schools in the area. It becomes more difficult for the school to attract girl students if the number of boys markedly overshadows the number of girls at the school.
- Further, according to Sandra Holland's affidavit evidence which I accept, in the primary school the current gender composition is 35% girls to 65% boys and in the kindergarten, it is 40% girls to 60% boys, with waiting lists for the next two years showing similar ratios. Further, take up rates of offers to prospective students show that around 50% of boys accept whereas only 26% of girls accept. These rates indicate that if places were offered to everyone on the 2020 waiting list, the school would have only 25% girls and 75% boys.
- The applicant, again according to the affidavit of Sandra Holland whose evidence I accept, has never had a child either enrolled or on the waiting list inform the school that they do not identify as the gender they were assigned at birth. This indicates that the numbers of children in that situation if it arises at this school will not affect any percentages under discussion.
- The imbalance in gender composition is affected by the high number of single sex girls' schools in the area surrounding the applicant and the lower number of single sex boys' schools seeking male enrolments in the age range for the applicant school.
- The applicant has taken steps to attract female students to the school. It markets itself as a 'family school' where all children

of a family can be accommodated, and this has boosted the intake of girls. The school has provided activities it expects will appeal to girls, such as mixed sporting teams, gymnastics, girls' clubs, connections with ballet schools and musical productions which focus equally on male and female roles.

- The applicant states it is committed to continuing to use non-discriminatory means to attract girls to the school.
- No exception under the Act applies to the exempt conduct. In the absence of an exemption, the exempt conduct would amount to prohibited discrimination.
- When making decisions about exemptions, the Tribunal is required to consider relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter). Arguably, this exemption limits the right of equality and in particular the right to equal and effective protection against discrimination of students who would wish to be offered a place at the school based solely on their place on a waiting list. I am satisfied that, in the circumstances discussed above, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an exemption from the operation of sections 38, 44, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

The exemption is to be published in the Gazette on 30 April 2020. This exemption is to remain in force from the date of publication until 29 April 2025.

Dated 15 April 2020

B. STEELE  
Senior Member



**Forests Act 1958****DETERMINATION OF FIREWOOD COLLECTION AREAS**

I, Scott Falconer, Deputy Chief Fire Officer, Loddon Mallee Region, Department of Environment, Land, Water and Planning, make the following determination under section 57U of the **Forests Act 1958**.

**Definitions**

In this determination and with reference to a numbered item in the table in the determination:

- (a) **closing date**, being the date of revocation of the determination of a firewood collection area, means the date specified in column 6 of the item;
- (b) **opening date**, being the date on which the determination of a firewood collection area comes into operation, means the date specified in column 5 of the item or, if no date is specified, the date on which this determination is published in the Government Gazette.

**Determination**

Each area of State forest shown hatched on a plan lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning, the number of which is shown in column 1 of an item in the table in this determination, is a firewood collection area for the purposes of section 57U of the **Forests Act 1958**, effective from the opening date for that area until the closing date for that area (inclusive).

**Table – Firewood collection areas**

<b>Item no.</b>	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>	<b>Column 6</b>
	<b>LEGL no.</b>	<b>DELWP region</b>	<b>DELWP district</b>	<b>Name of firewood collection area</b>	<b>Opening date</b>	<b>Closing date</b>
1	20-010	Loddon Mallee	Murray Goldfields	Wellsford B	30/04/2020	30/06/2020
2	20-068	Loddon Mallee	Murray Goldfields	Lyell SF Block 1	30/04/2020	30/06/2020

**Notes**

1. The information in columns 2, 3 and 4 of the table is for information only.
2. **DELWP** means Department of Environment, Land, Water and Planning.
3. The legal plan of any firewood collection area may be obtained from the Central Plan Office of the Department of Environment, Land, Water and Planning – see <<https://www.landata.vic.gov.au>>, select Central Plan Office, and LEGL Plan. Maps of firewood collection areas that are open from time to time may be obtained from <[www.delwp.vic.gov.au/firewood](http://www.delwp.vic.gov.au/firewood)>.
4. There are no firewood collection areas open outside the firewood collection seasons as defined in the **Forests Act 1958**.

Dated 23 April 2020

SCOTT FALCONER  
Deputy Chief Fire Officer, Loddon Mallee  
Department of Environment, Land, Water and Planning  
as delegate of the Secretary to the  
Department of Environment, Land, Water and Planning

**Health Complaints Act 2016**

## Section 90

## INTERIM PROHIBITION ORDER

This Interim Prohibition Order is made pursuant to section 90 of the **Health Complaints Act 2016**.

The Health Complaints Commissioner (Commissioner) has made this Interim Prohibition Order because the Commissioner reasonably believes that the general health service provider named below has contravened a code of conduct applying to the general health service being provided and is satisfied that it is necessary to make this order to avoid a serious risk to the health, safety or welfare of the public.

<b>Name of the general health service provider on whom the Interim Prohibition Order is imposed:</b>	Yao Du of Shop 100, 194–200 Bourke Street, Melbourne 3000, in the State of Victoria, trading as ‘The Gratia’s Beauty’ (ABN: 18 018 863 024)
<b>Date this Interim Prohibition Order is made:</b>	16 April 2020
<b>Date on which this Interim Prohibition Order expires:</b>	An Interim Prohibition Order can remain in force for up to 12 weeks. This Interim Prohibition Order will remain in force until 8 July 2020 while an investigation is conducted unless it is revoked before that date.
<b>Effect of this Interim Prohibition Order:</b>	<ol style="list-style-type: none"> <li>1. The general health service provider named above must not, directly or indirectly: <ul style="list-style-type: none"> <li>● advertise or cause to be advertised, or</li> <li>● offer or cause to be offered, or</li> <li>● provide or cause to be provided, or</li> <li>● establish, direct or otherwise operate any business that either advertises, offers or provides (or causes to be advertised, offered or provided) any general health service, paid or otherwise, in a clinical or non-clinical capacity, which involves, or is in any way related to, general health services including, but not limited to, cosmetic services.</li> </ul> </li> <li>2. The general health service provider named above must display a copy of this Interim Prohibition Order at their business premises and ensure that it is easily visible to the public.</li> <li>3. The general health service provider named above must publish a copy of this Interim Prohibition Order on any website she uses to offer or promote any general health service that involves, or is in any way related to, general health services including, but not limited to, cosmetic services.</li> </ol>

In this Interim Prohibition Order ‘general health service’ and ‘general health service provider’ have the same meaning as in section 3 of the **Health Complaints Act 2016**.

This Interim Prohibition Order takes effect on the service of the order on the general health service provider to whom it applies.

This Order will be published in the Victoria Government Gazette and on the internet site of the Health Complaints Commissioner, [www.hcc.vic.gov.au](http://www.hcc.vic.gov.au)

KAREN CUSACK  
Health Complaints Commissioner



## PRIME SAFE

### Meat Industry Act 1993

#### FEE SCHEDULE FOR MEAT PROCESSING FACILITIES

1 July 2020 – 30 June 2021

Licence Category	Annual Throughput	Application Fee (Payable with first annual fee only) (\$)	Annual Fee (\$)
<b>Abattoir *</b>	Up to 15,000 units	990	1,980
	15,001 to 200,000 units	1,770	3,539
	200,001 to 500,000 units	3,541	7,082
	Over 500,000 units	5,170	10,339
	To calculate number of units of throughput: 1 cattle = 5 units 1 rabbit = 0.2 units 1 other stock = 1 unit		
<b>Poultry Processing</b>	Up 50,000 units (0 to 25,000 kg)	939	1,877
	50,001 to 500,000 units	1,283	2,565
	500,001 to 2,500,000 units	1,965	3,929
	2,500,001 to 5,000,000 units	3,371	6,741
	Over 5,000,000 units	6,070	12,140
To calculate number of units of throughput: 1 bird = 1 unit 1 rabbit = 1 unit			
<b>Further Meat Processing *</b> (includes poultry meat and smallgoods)	Up to 250 tonnes	341	682
	251 to 500 tonnes	394	788
	501 to 2,500 tonnes	791	1,582
	2,501 to 5,000 tonnes	1,188	2,376
	Over 5,000 tonnes	1,445	2,889
<b>Retail Butcher Shop</b>	Meat and/or poultry only	170	339
	Meat/poultry and smallgoods  (Facilities wholesaling greater than 50 tonnes require a further meat processing licence)	342	683
<b>Prime Tallow Processing</b>	Not applicable	1,663	3,326
<b>Inedible Rendering</b>	Not applicable	1,246	2,491
<b>Pet Meat Processing Plant</b>	Not applicable	1,185	2,370
<b>Pet Food Establishments</b>	Up to 50 tonnes	145	290
	51 to 150 tonnes	492	984
	Over 150 tonnes	987	1,974

<b>Licence Category</b>	<b>Annual Throughput</b>	<b>Application Fee (Payable with first annual fee only) (\$)</b>	<b>Annual Fee (\$)</b>
<b>Meat Transport Vehicles</b>	Commercial van	–	136
	Truck/Trailer under 4.5 tonnes GVM	–	207
	Truck/Trailer over 4.5 tonnes GVM	–	262
<b>Review or Audit Fee (per hour ex. GST)</b>	Not applicable	–	264

\*Note: Facilities supervised by the Department of Agriculture, Water and Environment (DAWE) where the DAWE accepts responsibility for all products placed on the domestic market are required to pay a licence fee in accordance with the fee schedule up to a maximum fee of \$1,966. New licence applications covered by this arrangement will also be required to pay an application fee in accordance with the fee schedule up to a maximum of \$983.

<b>Licence Category</b>	<b>Annual Throughput</b>	<b>Application Fee (Payable with first annual fee only) (\$)</b>	<b>Annual Fee (\$)</b>
<b>Game Meat Processing Facility (Harvest Vehicle)</b>	Not applicable	224	448
<b>Game Meat Processing Facility: Field Depot (Vehicle) / Field Depot (Premises)</b>	Up to 500 tonnes	341	682
	501 to 2,500 tonnes	791	1,582
	Over 2,500 tonnes	1,188	2,376
<b>Game Meat Processing Facility (Premises)</b>	Up to 500 tonnes	448	895
	501 to 2,500 tonnes	978	1,955
	Over 2,500 tonnes	1,560	3,119

<b>Approval Category</b>	<b>Annual Throughput</b>	<b>Application Fee (Payable with first annual fee only) (\$)</b>	<b>Annual Fee (\$)</b>
<b>Game Meat Field Harvester</b>	Not applicable	113	226



## PRIMESAFE

### Seafood Safety Act 2003

#### FEE SCHEDULE FOR SEAFOOD PROCESSING FACILITIES

1 July 2020 – 30 June 2021

Licence Category	Annual Throughput	Application Fee (Payable with first annual fee only) (\$)	Annual Fee (\$)
<b>Wholesaler Category A *</b> (including fin fish, scallops, shellfish, eels, shark, octopus, squid)	< 200 tonnes	447	894
	201 to 400 tonnes	671	1,342
	401 to 1,000 tonnes	1,562	3,124
	1,001 to 2,000 tonnes	3,350	6,700
	> 2,000 tonnes	4,466	8,931
<b>Wholesaler Category B *</b> (including mud crabs, bugs, crabs, abalone, rock lobster, prawns)	< 75 tonnes	447	894
	76 to 150 tonnes	671	1,342
	151 to 350 tonnes	1,562	3,124
	351 to 700 tonnes	3,350	6,700
	> 700 tonnes	4,466	8,931
<b>Processor Category A *</b> (including fin fish, scallops, shellfish, eels, shark, octopus, squid)	< 150 tonnes	447	894
	151 to 300 tonnes	671	1,342
	301 to 750 tonnes	1,562	3,124
	751 to 1,500 tonnes	3,350	6,700
	> 1,500 tonnes	4,466	8,931
<b>Processor Category B *</b> (including mud crabs, bugs, crabs, abalone, rock lobster, prawns)	< 50 tonnes	447	894
	51 to 100 tonnes	671	1,342
	101 to 250 tonnes	1,562	3,124
	251 to 500 tonnes	3,350	6,700
	> 500 tonnes	4,466	8,931
<b>Further Processor Category A *</b> (including fin fish, scallops, shellfish, eels, shark, octopus, squid)	< 50 tonnes	447	894
	51 to 100 tonnes	671	1,342
	101 to 250 tonnes	1,562	3,124
	251 to 500 tonnes	3,350	6,700
	> 500 tonnes	4,466	8,931
<b>Further Processor Category B *</b> (including mud crabs, bugs, crabs, abalone, rock lobster, prawns)	< 25 tonnes	447	894
	26 to 50 tonnes	671	1,342
	51 to 100 tonnes	1,562	3,124
	101 to 200 tonnes	3,350	6,700
	> 200 tonnes	4,466	8,931
<b>Retailer</b>	Not applicable	335	670

<b>Licence Category</b>	<b>Annual Throughput</b>	<b>Application Fee (Payable with first annual fee only) (\$)</b>	<b>Annual Fee (\$)</b>
<b>Meat Transport Vehicle</b>	Commercial Van	–	136
	Truck/Trailer < 4.5 tonnes GVM	–	207
	Truck/Trailer > 4.5 tonnes GVM	–	262
<b>Review or Audit Fee (per hour ex. GST)</b>	Not applicable	–	264

\* Note: Facilities supervised by the Department of Agriculture, Water and Environment (DAWE) where the DAWE accepts responsibility for all products placed on the domestic market are required to pay a licence fee in accordance with the fee schedule up to a maximum fee of \$1,966. New licence applications covered by this arrangement will also be required to pay an application fee in accordance with the fee schedule up to a maximum of \$983.



## PRIMESAFE

### Seafood Safety Act 2003

#### FEE SCHEDULE FOR WILDCATCH AND AQUACULTURE BUSINESSES

1 July 2020 – 30 June 2021

Licence Category	Annual Throughput	Application Fee (Payable with first annual fee only) (\$)	Annual Fee (\$)
<b>Victorian Wildcatch</b>			
Crustaceans (excluding Rock Lobster)	Landed catch < 1 tonne	145	290
	Landed catch 1 to 5 tonnes	218	436
	Landed catch 5 to 10 tonnes	299	598
	Landed catch > 10 tonnes	434	867
Wildcatch General	Landed catch < 10 tonnes	145	290
	Landed catch 10 to 50 tonnes	258	516
	Landed catch > 50 tonnes	434	867
Noxious Fish Permit	Landed catch < 50 tonnes	145	290
	Landed catch > 50 tonnes	218	436
<b>Commonwealth Wildcatch</b>	Not applicable	434	867
<b>Aquaculture</b>			
Abalone	Grow out < 2 tonnes	145	290
	Grow out 2 to 8 tonnes	258	516
	Grow out > 8 tonnes	434	867
Blue Mussels & Shellfish	Grow out < 50 tonnes	145	290
	Grow out 50 to 150 tonnes	258	516
	Grow out > 150 tonnes	434	867
Fin Fish (including trout and yabbies)	Grow out < 15 tonnes	145	290
	Grow out 15 to 60 tonnes	258	516
	Grow out > 60 tonnes	434	867
<b>Review or Audit Fee (per hour ex. GST)</b>	Not applicable	–	264



**Pharmacy Regulation Act 2010**  
**VICTORIAN PHARMACY AUTHORITY**  
 Fees

Pursuant to section 104 of the **Pharmacy Regulation Act 2010**, the Victorian Pharmacy Authority has fixed the following fees for a period of 12 months commencing 1 May 2020.

<b>PROVISION</b>	<b>FEE (\$)</b>
Licences	
Annual licence – individual	\$290.00
Annual licence – corporate	\$645.00
Annual licence – hospital	\$375.00
Registration	
Annual registration – pharmacy business	\$285.00
Annual registration – pharmacy department	\$285.00
Annual registration – pharmacy depot	\$75.00
Applications	
Application for registration of pharmacy business	\$430.00
Application for registration of pharmacy department	\$525.00
Application for registration of pharmacy depot	\$75.00
Application for approval of alterations to a registered pharmacy business	\$430.00
Application for licence to carry on a pharmacy business	\$340.00
Application for licence to carry on a pharmacy business – complex	\$720.00
Application for approval to practise in special circumstances section 29(1)(b)	\$145.00
Other fees	
Site re-inspection	\$430.00
Trust or other commercial arrangement assessment	\$1,900.00

The above fees are exempt from GST (Division 81).

Dated 14 April 2020

AARON BAWDEN  
 Registrar  
 Victorian Pharmacy Authority

**Mineral Resources (Sustainable Development) Act 1990**

**ALTERNATIVE METHOD FOR ADVERTISING A LICENCE**

Regulation 22(1)(b) of the Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019 provides that the Department Head may approve a method for advertising a licence application by setting out the method in guidelines published in the Government Gazette.

I, Laura Helm, Director, Statutory Authorisations, Earth Resources Regulation and delegate of the Department Head of the Department of Jobs, Precincts and Regions, give notice that I have approved the alternative method for advertising a licence application detailed in the guideline below.

LAURA HELM  
Director  
Statutory Authorisations  
Earth Resources Regulation

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## ADVERTISING REQUIREMENTS: GUIDELINE FOR MINERALS EXPLORATION, PROSPECTING, RETENTION AND MINING LICENCE APPLICATIONS

Version 1.1

April 2020

### 1. AUTHORISATION

<b>Title</b>	Advertising Requirements: Guideline for Minerals Exploration, Prospecting, Retention and Mining Licence Applications
<b>Issuing Division/Branch</b>	Earth Resources Regulation
<b>Date Effective</b>	30 April 2020
<b>Enquiries</b>	customer.service@ecodev.vic.gov.au
<b>Contact</b>	1300 366 356
<b>Approved by</b>	Laura Helm, Director, Statutory Authorisations, Earth Resources Regulation
<b>Issued by</b>	Laura Helm, Director, Statutory Authorisations, Earth Resources Regulation  Issued as guidance under section 22(2) of the Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019

### 2. INTRODUCTION

This guideline sets out the advertising requirements for exploration, prospecting, retention and mining licence applications. It also sets out an ‘approved method’ for advertising a licence application as permitted by Regulation 22(1)(b) of the Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019 (**Regulations**).

The overall objective is to ensure that consultation mechanisms are effective, and appropriate access is provided to information, particularly with respect to:

- providing cost effective and more flexible ways for licence applicants to fulfil or exceed their statutory obligations to consult; and
- providing open and accessible ways for landholders and other interested members of the community to gain access to information and participate in the licensing process.

### 3. REGULATORY REQUIREMENTS

Section 15(5) of the **Mineral Resources (Sustainable Development) Act 1990** requires an applicant for an exploration, mining, prospecting or retention licence to advertise the application (in accordance with the Regulations) within 14 days of being notified of the acceptance of the application:

- under subsection 15(3)(b) or (4), or 26AD(4)(a) for coal mining licence applications, or
- section 26AK(3)(a) for coal mining licences granted by the Governor in Council.

If the application is for a mining or prospecting licence, the applicant must also give notice to the owner and occupier of the land affected.

Regulation 22 of the Regulations sets out the advertising requirements for the various licence types:

- **All licence applications** are required to advertise the information set out in Part 1 of Schedule 1 to the Regulations in a newspaper that circulates in each locality where all or part of the area that is the subject of the applications is located.

- **Exploration, mining and retention licences** have the additional requirement of publishing a notice in a Wednesday edition of a newspaper circulating generally in Victoria (herein after referred to as statewide) with the same information published in the local newspaper other than the map described in Item 6 of Part 1 (Regulation 22(1)(a)(ii)(A)); and the information set out in Part 2 of Schedule 1 on an internet site for at least 21 days after the latest date on which the application was advertised (Regulation 22(1)(a)(ii)(B)).

Regulation 22(3) requires an applicant to lodge a copy of each notice with the Department Head within 7 days it is advertised.

**Appendix A** sets out the specific information that must be advertised for each type of licence application and **Appendix B** provides an example advertisement.

Schedule 1 of the Regulations is replicated at **Appendix C**.

#### 4. **ALTERNATIVE APPROACH**

This section sets out an alternative method for advertising a licence.

Regulation 22(1)(b) provides that the Department Head may approve a method for advertising a licence application by setting out the method in guidelines published in the Government Gazette.

The following alternative approach has been approved as published in the Government Gazette on 30 April 2020. It applies in the specific circumstance outlined.

##### **If there is no newspaper circulating in each relevant locality**

If there is no local newspaper circulating in each locality where all or part of the area that is the subject of the licence application is located (as required under Regulation 22(1)(a)(i)), an applicant must:

- **erect roadside sign(s)** at the location of the proposed licence area for at least 21 days; or
- **notify all affected landowners and occupiers directly via letter**

##### **Roadside sign(s)**

If the application is for an exploration, mining or retention licence, the roadside sign(s) must be erected for at least 21 days after the latest date on which the application was advertised in a statewide newspaper.

If the application is for a prospecting licence, the roadside sign(s) must be erected for at least 21 days. Commencement of the 21 day period is upon Earth Resources Regulation receiving evidence (for example a dated photo) of the roadside sign(s).

The roadside sign(s) must meet the following requirements:

- provide the details required in Part 1 of Schedule 1 of the Regulations, and direct the public to a website maintained by the applicant
- placed on, or within 1.5 metres of the road reserve boundary for the land (note – roadside signs placed within a road reserve require VicRoads or Municipal Council approval)
- safely and securely mounted at least 500 millimetres above ground level
- positioned so that it is visible from the road
- made of weatherproof material
- not be less than 900 millimetres in height and 1200 millimetres in width
- the lettering on the notice must be at least 30 millimetres in height (this equates to approximately 108 point Arial font).

Earth Resources Regulation must be contacted to determine the appropriate number and location of signs, which will be proportionate to the size, geography and location of the application area.

Earth Resources Regulation requires evidence (for example dated photo(s)) that erection of roadside sign(s) was appropriate in number and location.

Signs should be removed and disposed safely by the applicant upon completion of the advertising period.

#### **Affected landowner and occupier's notification letters**

If the application is for an exploration, mining or retention licence, the letter(s) must be sent prior to the latest date on which the application was advertised in a state-wide newspaper.

If the application is for a prospecting licence, the 21 day comment period will commence upon Earth Resources Regulation receiving evidence (for example a dated copy of one of the letters sent) that affected landowners and occupiers have been notified.

Letter(s) to affected landowners and occupiers must meet the following requirements:

- contain the details required in Part 1 of Schedule 1 of the Regulations, and
- direct the public to a website maintained by the applicant.

If the application is for a mining or retention licence, immediately adjacent landowners must also be notified as per the above procedure.

Earth Resources Regulation requires evidence (for example the distribution list and a dated copy of one of the letters sent) that affected landowners and occupiers have been notified.

Australia Post offers a service for delivering advertising material to individual premises at a postcode level that may assist in notifying affected landowners and occupiers [https://auspost.com.au/content/dam/auspost\\_corp/media/documents/Letterbox-Advertising-Step-By-Step-Guide.pdf](https://auspost.com.au/content/dam/auspost_corp/media/documents/Letterbox-Advertising-Step-By-Step-Guide.pdf)

## **5. EARTH RESOURCES REGULATION WEBSITE AND OTHER CHANNELS**

### **Earth Resources Regulation Website**

In addition to the advertisement requirements presented above, details of all licence applications will be published on the Earth Resources Regulation website for the duration of the 21 day objection and comment period.

Applicants are required to provide information on their application to Earth Resources Regulation prior to the commencement of the 21 day objection or comment period for this purpose. This information is the same as the information required for advertising (i.e. the information set out in Part 1 of Schedule 1), including a map.

Applicants are also expected to have the information required in both Part 1 and Part 2 of Schedule 1 of the Regulations on their website for the duration of the 21 day objection and comment period.

### **Council Channels**

It is recommended that licence applicants contact the relevant local council and where possible have details of the licence application placed on the council website, social media channels or in any newsletters they issue. This can generally be done by contacting the relevant council planning department.

### **Radio Advertisements**

An applicant may also advertise the licence application through a radio advertisement.

Radio advertisements should meet the following requirements:

- be on a station broadcast to each relevant locality providing the details required in Part 1 of Schedule 1 of the Regulations, and
- direct the public to a website maintained by the applicant.

Earth Resources Regulation should be contacted prior to placing the radio advertisement to determine that the audience and coverage is appropriate.

**Social Media**

Applicants may wish to use social media channels, such as Twitter or FaceBook, as an additional avenue to reach local communities. These channels do not replace the advertising requirements in the Act and Regulations. Anything published on social media channels should not detract from the intent of Regulation 22 or mislead.

**6. FURTHER GUIDANCE**

This section provides further guidance on the requirements for advertising notices pursuant to Regulation 22(1)(a).

**Local newspaper advertisement**

- Publications should give good coverage of the potential licence application area (i.e. the local paper's coverage needs to be in vicinity of the site being advertised).
- The number of newspapers that should be used depends on the location of the application and the circulation area of the local newspaper(s) in the application area. The following website may assist to determine which newspaper(s) circulate in the locality of an application area, [www.newspapers.com.au/vic](http://www.newspapers.com.au/vic) (noting that this website should be used in conjunction with other sources to determine what newspaper(s) give the best coverage).
- The advertisement should appear in the Classified section of local newspapers.
- The display advertisement text should be minimum 10pt and be well spaced.
- Notices must include a map clearly identifying the application area including local roads, place names, a north point and bar scale. The minimum resolution of the map must be 300 dpi at final size and must contain lettering that is legible at the publication size.
- Branding of the applicant is encouraged.
- Applicants are encouraged to have a display advertisement of a minimum 5 column inches x 25 cms.

**Statewide newspaper advertisement**

- The advertisement must be published on a Wednesday edition of a statewide newspaper (i.e. Weekly Times, Herald Sun or The Age).
- The display advertisement text should be minimum 10 pt and be well spaced.
- Branding of the applicant is encouraged. The state-wide newspaper advertisement does not require a map.

**APPENDIX A – ADVERTISING REQUIREMENTS BY LICENCE TYPE**

This appendix sets out the advertising requirements for each licence type.

**Appendix A.1 – Mining licences**

**The Regulations provide that an application for a mining licence must be advertised by publishing:**

- 1) A notice containing the information set out in Part 1 of Schedule 1 of the regulations, in a newspaper circulating in each locality where all or part of the area that is the subject of the licence application is located; and
- 2) A notice containing the information set out in Part 1 of Schedule 1, (other than the map) in a Wednesday edition of a newspaper circulating generally in Victoria; and
- 3) The information set out in Part 2 of Schedule 1, on an Internet site maintained by the applicant for at least 21 days after the latest date on which the application was advertised;

**The following information must be included in the newspaper notices:**

- The name and address of the applicant/s.
- A contact phone number and email address of the applicant for maps and other information requests.
- The Internet site address or other location where the information in Part 2 of this Schedule is published.
- Details of the application, including the following –
  - (a) the application number;
  - (b) the locality or localities where the land to which the application relates is located;
  - (c) the approximate area of land to which the application relates in hectares;
  - (e) the date of the application;
  - (f) an outline of the proposed program of work to which the application relates;
  - (g) the term the licence is applied for;
  - (h) if applicable, the date authority to enter was granted.
- The following statement outlining that any person may object or comment on the grant of a licence:

Any person may object or comment to a licence being granted. (Section 24 and 24A, **Mineral Resources (Sustainable Development) Act 1990**).

A person who objects or comments must:

- a. put the objection or comments in writing; and
- b. include the grounds on which it is made.

All objections or comments must be lodged within 21 days after the latest date on which the application was advertised and can be lodged online or posted to:

The Minister for Resources  
c/- Manager Licensing  
Earth Resources Regulation  
GPO Box 2392  
Melbourne, Victoria 3000

It is recommended that comments or objections are lodged online at <https://rram.force.com/ObjectionSubmission> to ensure timely consideration.

Enquiries can be made by writing to the Manager Licensing at the above address or by phoning the Earth Resources Information Centre on 1300 366 356.



- A map clearly identifying the land to which the application relates, including relevant roads and place names (not required in Victoria wide paper)
- A statement that, subject to other statutory requirements being satisfied, a mining licence, if granted, entitles the holder of the licence to carry out mining on the relevant land, explore for minerals, construct any facilities specified in the licence, and do anything else that is incidental to that mining (see text box).

Subject to other statutory requirements being satisfied, a mining licence, if granted, entitles the holder of the licence to carry out mining on the relevant land, explore for minerals, construct any facilities specified in the licence, and do anything else that is incidental to that mining.

- A statement that further information regarding the statutory requirements that must be complied with prior to work being undertaken on a licence, including landowner and occupier consent requirements, is available on the Department's Internet site with the website address listed (see text box)

Further information regarding the statutory requirements that must be complied with prior to work being undertaken on a licence, including landowner and occupier consent requirements, is available at <https://earthresources.vic.gov.au/community-and-land-use>

**The following information must be published on the applicant's website for the 21-day objection period:**

- a. Details of the proposed program of work on the licence.
- b. A description of the applicant's systems for managing impacts of the proposed work on the community (including landowners and occupiers) and the environment.
- c. An outline of how the applicant intends to meet the licensee's obligations under section 39A of the **Mineral Resources (Sustainable Development) Act 1990** to consult with the community (including landowners and occupiers).

Applicants are encouraged to have a display advertisement of a minimum 5 column inches x 25 cms.

**Appendix A.2 – Exploration licences**

**The Regulations provide that an application for an exploration licence must be advertised by publishing:**

- 1) A notice containing the information set out in Part 1 of Schedule 1, in a newspaper circulating in each locality where all or part of the area that is the subject of the licence application is located; and
- 2) A notice containing the information set out in Part 1 of Schedule 1, (other than the map) in a Wednesday edition of a newspaper circulating generally in Victoria; and
- 3) The information set out in Part 2 of Schedule 1, on an Internet site maintained by the applicant for at least 21 days after the latest date on which the application was advertised;

**The following information must be included in the newspaper notices:**

- The name and address of the applicant/s.
- A contact phone number and email address of the applicant for maps and other information requests.
- The Internet site address or other location where the information in Part 2 of this Schedule is published.
- Details of the application, including the following –
  - a) the application number;
  - b) the locality or localities where the land to which the application relates is located;

- c) the approximate area of land to which the application relates in graticular sections;
  - d) the date of the application;
  - e) an outline of the proposed program of work to which the application relates;
  - f) the term the licence is applied for.
- The following statement outlining that any person may object or comment on the grant of a licence:

Any person may object or comment to a licence being granted. (Section 24 and 24A, **Mineral Resources (Sustainable Development) Act 1990**).

A person who objects or comments must:

- a. put the objection or comments in writing; and
- b. include the grounds on which it is made.

All objections or comments must be lodged within 21 days after the latest date on which the application was advertised and can be lodged online or posted to:

The Minister for Resources  
c/- Manager Licensing  
Earth Resources Regulation  
GPO Box 2392  
Melbourne, Victoria 3000

It is recommended that comments or objections are lodged online at <https://rram.force.com/ObjectionSubmission> to ensure timely consideration.

Enquiries can be made by writing to the Manager Licensing at the above address or by phoning the Earth Resources Information Centre on 1300 366 356.

- A map clearly identifying the land to which the application relates, including relevant roads and place names (not required in Victoria wide paper)
- A statement that, subject to other statutory requirements being satisfied, an exploration licence, if granted, entitles the holder of the licence to explore and search for minerals in the relevant land, but does not entitle the holder to undertake mining (see text box).

Subject to other statutory requirements being satisfied, an exploration licence, if granted, entitles the holder of the licence to explore and search for minerals in the relevant land, but does not entitle the holder to undertake mining.

- A statement that further information regarding the statutory requirements that must be complied with prior to work being undertaken on a licence, including landowner and occupier consent requirements, is available on the Department's Internet site (the notice must include the relevant Internet site address) see below.

Further information regarding the statutory requirements that must be complied with prior to work being undertaken on a licence, including landowner and occupier consent requirements, is available at <https://earthresources.vic.gov.au/community-and-land-use>

**The following information must be published on the website for the 21-day objection period:**

- a. Details of the proposed program of work on the licence.
- b. A description of the applicant's systems for managing impacts of the proposed work on the community (including landowners and occupiers) and the environment.
- c. An outline of how the applicant intends to meet the licensee's obligations under section 39A of the **Mineral Resources (Sustainable Development) Act 1990** to consult with the community (including landowners and occupiers).

Applicants are encouraged to have a display advertisement of a minimum 5 column inches x 25 cms.

**Appendix A.3 – Retention licences**

**The Regulations provide that an application for a retention licence must be advertised by publishing:**

- 1) A notice containing the information set out in Part 1 of Schedule 1, in a newspaper circulating in each locality where all or part of the area that is the subject of the licence application is located; and
- 2) A notice containing the information set out in Part 1 of Schedule 1, (other than the map) in a Wednesday edition of a newspaper circulating generally in Victoria; and
- 3) The information set out in Part 2 of Schedule 1, on an Internet site maintained by the applicant for at least 21 days after the latest date on which the application was advertised;

**The following information must be included in the newspaper notice:**

- The name and address of the applicant/s.
- A contact phone number and email address of the applicant for maps and other information requests.
- The Internet site address or other location where the information in Part 2 of this Schedule is published.
- Details of the application, including the following –
  - a) the application number;
  - b) the locality or localities where the land to which the application relates is located;
  - c) the approximate area of land to which the application relates in hectares;
  - d) the date of the application;
  - e) an outline of the proposed program of work to which the application relates;
  - f) the term the licence is applied for.
- The following statement outlining that any person may object or comment on the grant of a licence:

Any person may object or comment to a licence being granted. (Section 24 and 24A, **Mineral Resources (Sustainable Development) Act 1990**).

A person who objects or comments must:

- a. put the objection or comments in writing; and
- b. include the grounds on which it is made.

All objections or comments must be lodged within 21 days after the latest date on which the application was advertised and can be lodged online or posted to:

The Minister for Resources  
c/- Manager Licensing  
Earth Resources Regulation  
GPO Box 2392  
Melbourne, Victoria 3000

It is recommended that comments or objections are lodged online at <https://rram.force.com/ObjectionSubmission> to ensure timely consideration.

Enquiries can be made by writing to the Manager Licensing at the above address or by phoning the Earth Resources Information Centre on 1300 366 356.

- A map clearly identifying the land to which the application relates, including relevant roads and place names.

- A statement that, subject to other statutory requirements being satisfied, a retention licence, if granted, entitles the holder of the licence to retain rights to a mineral resource and explore and carry out other work to establish the economic viability of mining, but does not entitle the holder to undertake mining (see below).

Subject to other statutory requirements being satisfied, a retention licence, if granted, entitles the holder of the licence to retain rights to a mineral resource, and explore and carry out other work to establish the economic viability of mining, but does not entitle the holder to undertake mining.

- A statement that further information regarding the statutory requirements that must be complied with prior to work being undertaken on a licence, including landowner and occupier consent requirements, is available on the Department's Internet site (the notice must include the relevant Internet site address).

Further information regarding the statutory requirements that must be complied with prior to work being undertaken on a licence, including landowner and occupier consent requirements, is available at <https://earthresources.vic.gov.au/community-and-land-use>

**The following information must be published on the website for the 21-day objection period:**

- a. Details of the proposed program of work on the licence.
- b. A description of the applicant's systems for managing impacts of the proposed work on the community (including landowners and occupiers) and the environment.
- c. An outline of how the applicant intends to meet the licensee's obligations under section 39A of the **Mineral Resources (Sustainable Development) Act 1990** to consult with the community (including landowners and occupiers).

Applicants are encouraged to have a display advertisement of a minimum 5 column inches x 25 cms.

**Appendix A.4 – Prospecting licence**

**An application for a prospecting licence must be advertised by publishing:**

1. A notice containing the information set out in Part 1 of Schedule 1, in a newspaper circulating in each locality where all or part of the area that is the subject of the licence application is located.

**The following information must be included in the newspaper notice:**

The name and address of the applicant/s.

- A contact phone number and email address of the applicant for maps and other information requests.
- Details of the application, including the following –
  - a) the application number;
  - b) the locality or localities where the land to which the application relates is located;
  - c) the approximate area of land to which the application relates in hectares;
  - d) the date of the application;
  - e) an outline of the proposed program of work to which the application relates;
  - f) the term the licence is applied for;
  - g) if applicable, the date authority to enter was granted.

- The following statement outlining that any person may object or comment on the grant of a licence:

Any person may object or comment to a licence being granted. (Section 24 and 24A, **Mineral Resources (Sustainable Development) Act 1990**).

A person who objects or comments must:

- a. put the objection or comments in writing; and
- b. include the grounds on which it is made.

All objections or comments must be lodged within 21 days after the latest date on which the application was advertised and can be lodged online or posted to:

The Minister for Resources  
c/- Manager Licensing  
Earth Resources Regulation  
GPO Box 2392  
Melbourne, Victoria 3000

It is recommended that comments or objections are lodged online at <https://rram.force.com/ObjectionSubmission> to ensure timely consideration.

Enquiries can be made by writing to the Manager Licensing at the above address or by phoning the Earth Resources Information Centre on 1300 366 356.

- A map clearly identifying the land to which the application relates, including relevant roads and place names.
- A statement that, subject to other statutory requirements being satisfied, a prospecting licence, if granted, entitles the holder of the licence to prospect or explore for minerals, carry out mining on the relevant land, and do anything else that is incidental to that mining.
- A statement that further information regarding the statutory requirements that must be complied with prior to work being undertaken on a licence, including landowner and occupier consent requirements, is available on the Department's Internet site (the notice must include the relevant Internet site address).

**APPENDIX B – EXAMPLE ADVERTISEMENT**

This appendix provides an example advertisement and example website content.

**Example Advertisement****Notice of Application for an Exploration Licence (EL001234)****Mineral Resources (Sustainable Development) Act 1990 (MRSDA) – Section 15(5)**

Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019 – Regulation 22(1) and Schedule 1

**1. Name and address of applicant**

ACME Minerals Exploration Pty Ltd  
1 Spring Street  
Melbourne  
Victoria 3000

**2. Contact phone number and email address of the applicant for maps and other information requests**

John Acme  
Telephone: 1234 567 890  
Email: john.acme@acmeminerals.com.au

**3. Applicant's website**

**Further information about this application is available at the following website or other location:**

Website: [www.acmeminerals.com.au/community-notice](http://www.acmeminerals.com.au/community-notice)

**4. Details of the Application**

**Application No.:** EL001234

**Locality:** 20 km east of Maroona, 30 km west of Beaufort, 12 km southeast of Ararat

**Area of application:** 98 Graticular Sections/ 71 km<sup>2</sup>

**Date of application:** 01/01/2020

**Term the licence is applied for:** 5 years

**Outline of proposed works:**

For the first year, low impact field exploration is planned to include historical research, field mapping, aerial surveys, soil sampling, rock chipping and hand auguring with minimal impact on the environment.

Should future higher impact exploration activities be planned such as exploration drilling, it will involve a submission of a low impact exploration plan or work plan to Earth Resources Regulation, detailed rehabilitation plans, and monitoring and auditing.

Throughout the exploration planning process, Acme Minerals will consult with individual land holders and the broader community and provide information on planned exploration activities and allow opportunities for feedback to be incorporated into the planning process.

**5. Objections or Comments**

Any person may object or comment to a licence being granted. (Section 24 and 24A, **Mineral Resources (Sustainable Development) Act 1990**).

A person who objects or comments must:

- a. put the objection or comments in writing; and
- b. include the grounds on which it is made.

All objections or comments must be lodged within 21 days after the latest date on which the application was advertised and can be lodged online or posted to:

Manager Licensing  
Earth Resources Regulation  
GPO Box 2392  
Melbourne, Victoria 3001

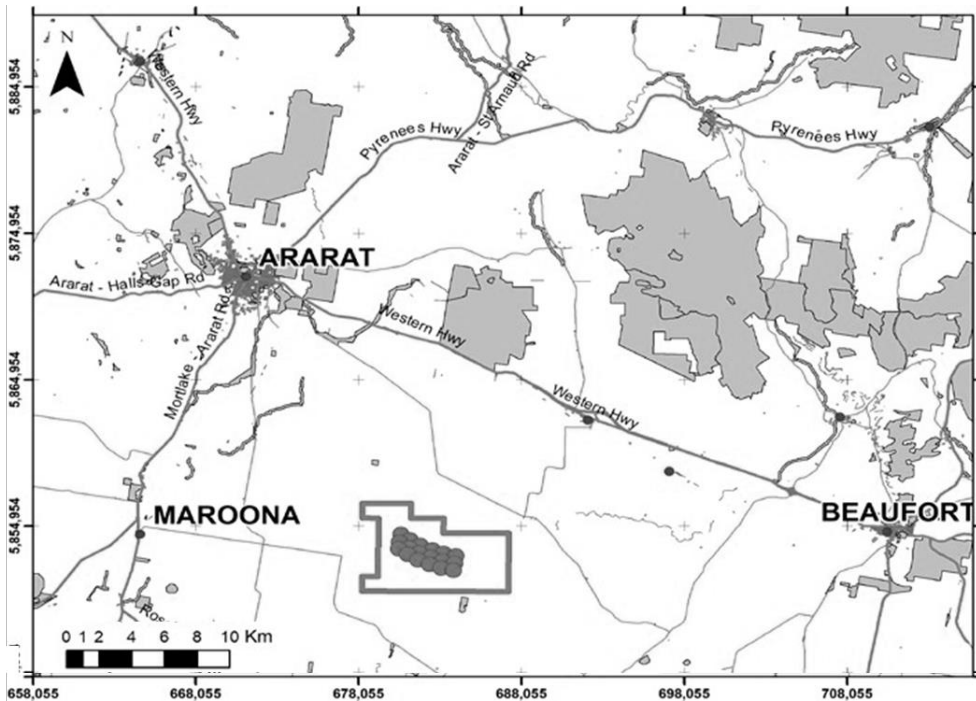
It is recommended that comments or objections are lodged online at <https://rram.force.com/ObjectionSubmission> to ensure timely consideration.

Enquiries can be made by writing to the Manager Licensing at the above address or by phoning the Earth Resources Information Centre on 1300 366 356.

## 6. Other Statutory Requirements

Subject to other statutory requirements being satisfied, an exploration licence, if granted, entitles the holder of the licence to explore and search for minerals in the relevant land, but does not entitle the holder to undertake mining.

Further information regarding the statutory requirements that must be complied with prior to work being undertaken on a licence, including landowner and occupier consent requirements, is available at <https://earthresources.vic.gov.au/community-and-land-use>





## **Example Website Content**

### **Work Program**

#### **Nature of On Ground Exploration/Timing and Forecast Expenditure**

A program of proposed staged exploration activities is set out below – exploration may be accelerated or moderated dependent upon success, staff availability and funding.

#### **Stage 1 – Historical Research/Data compilation/Field Reconnaissance/Identify Stakeholders.**

Historical research on past exploration over this tenement will be undertaken along with data compilation to utilise all historical findings to forward plan the exploration program. Reconnaissance trips to site to undertake geological mapping and become familiar with the geology, ground conditions and local stakeholders.

**Stage 2 – Geological mapping / Soil sampling.** Planning for soil sampling grids over select targets will take place along with further detailed geological mapping and collection of local information to aid in all future exploration programs. Ground geophysics surveys such as Induced Polarisation (IP) and ground magnetics may be undertaken over high priority targets. Auger drilling may be undertaken if shallow geochemical targets are identified.

**Year 3 – Ground Based Geophysics.** Assess all results to date on the area. 3D modelling of identified lode targets. Determine appropriateness of selected geophysical methods to assist with target definition.

Should future higher impact exploration activities be planned such as exploration drilling, it will involve a submission of a low impact exploration plan or work plan to Earth Resources Regulation, detailed rehabilitation plans, and monitoring and auditing.

### **Environment Strategy**

All rehabilitation will be carried out as soon as is practicable after exploration activities have taken place and in line with the current Guidelines for environmental management in exploration and mining. ACME Minerals Exploration Pty Ltd will ensure all staff and contractors are aware of all site-specific environmental sensitivities, such as weeds and endangered flora and fauna and will act accordingly.

ACME Minerals Exploration Pty Ltd are committed to minimising or where possible avoiding environmental impact and will work in accordance with the Guidelines as determined by the Victorian Government and will facilitate effective rehabilitation of all disturbed areas. No wetlands, waterways or lakes will be impacted by exploration activities.

### **The Community Engagement Plan**

In general terms, the licensee's community engagement plan is broadly based on the following:

Identify individuals or groups which may be impacted by the operations on the licence. This would involve the compilation of a list of adjacent landowners, persons living on or in the vicinity of the licence and other community groups which may be impacted by the operations. Groups such as the Victorian Farmers Federation or the local Field Naturalists Club, Government Departments, Federal, State or local, and other government bodies such as CMA's who have a particular interest in the land on which the licence is situated should also form part of the consultation group.

It will be necessary to identify the expectations or attitudes of these groups and individuals. Often a direct face to face approach is the best way to engage many members of the community.

The licensee will need to assess the impact of their operation on these individuals and groups. Following the consultation, the full impact would be assessed by guidelines provided by the Department.

An assessment will be made following the consultation as to what level of community input and involvement can be achieved. There are likely to be a range of matters which may need to be considered. Ideally, many of the ideas and suggestions will be mutually beneficial to both the licensee and the local community. Matters such as working hours or attitudes to working on days of high fire danger or working on hot and windy days may be matters which the local community could have views which need to be considered by the licensees.

Any contact or complaint will be noted in a complaints book, and the licensee will promptly make suitable arrangements to contact the complainant. Where possible, the matter would be settled between the two parties, but the local Inspector or the Mining Warden may be requested to assist in resolving any issue or mediating on the matter.

Such interaction with the community will be used to identify any issues that may be arising from the operations on the licence and will attempt to accommodate the views of the stakeholders in dealing with any such issues.

The community is welcomed for their interest and input into ensuring that there are minimum adverse effects to the amenity of the area, or the impact on the expectation of the community for the peaceful enjoyment of their local environment.

The licensee is mindful of the need to maintain these exceptionally good community relations and to ensure that the channels of communication between the licence holder and the community in which it operates are kept open. All discussion with the community is based on mutual trust and respect.

**APPENDIX C – REGULATION EXCERPT**

Excerpt from the Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019.

**Schedule 1 – Information required in notice of licence application**

Regulation 22

**Part 1**

1. The name and address of the applicant/s.
2. A contact phone number and email address of the applicant for maps and other information requests.
3. The Internet site address or other location where the information in Part 2 of this Schedule is published (not relevant for prospecting licence applications).
4. Details of the application, including the following –
  - (a) the application number;
  - (b) the locality or localities where the land to which the application relates is located;
  - (c) in the case of a notice of application for an exploration licence, the approximate area of land to which the tender relates in graticular sections;
  - (d) in the case of a notice of application for a mining licence, prospecting licence or retention licence, the approximate area of land to which the tender relates in hectares;
  - (e) the date of the application;
  - (f) an outline of the proposed program of work to which the application relates;
  - (g) the term the licence is applied for;
  - (h) in the case of a notice of application for a mining licence or prospecting licence, if applicable, the date authority to enter was granted;
5. A statement that any person may object to the grant of a licence in accordance with section 24\* of the Act and details as to how a person can object to grant of the licence, including current contact details for the Department and the Department's Internet site address through which objections can be made.
6. A map clearly identifying the land to which the application relates, including relevant roads and place names.
7. If the application is for an exploration licence, a statement that, subject to other statutory requirements being satisfied, an exploration licence, if granted, entitles the holder of the licence to explore and search for minerals in the relevant land, but does not entitle the holder to undertake mining.
8. If the application is for a mining licence, a statement that, subject to other statutory requirements being satisfied, a mining licence, if granted, entitles the holder of the licence to carry out mining on the relevant land, explore for minerals, construct any facilities specified in the licence, and do anything else that is incidental to that mining.
9. If the application is for a prospecting licence, a statement that, subject to other statutory requirements being satisfied, a prospecting licence, if granted, entitles the holder of the licence to prospect or explore for minerals, carry out mining on the relevant land, and do anything else that is incidental to that mining.
10. If the application is for a retention licence, a statement that, subject to other statutory requirements being satisfied, a retention licence, if granted, entitles the holder of the licence to retain rights to a mineral resource and explore and carry out other work to establish the economic viability of mining, but does not entitle the holder to undertake mining.
11. A statement that further information regarding the statutory requirements that must be complied with prior to work being undertaken on a licence, including landowner and occupier consent requirements, is available on the Department's Internet site (the notice must include the relevant Internet site address).

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**Part 2**

1. Details of the proposed program of work to be carried out under the licence.
2. A description of the tenderer's systems for managing impacts of the proposed work on the community (including landowners and occupiers) and the environment.
3. An outline of how the tenderer intends to meet a licensee's obligations under section 39A of the Act to consult with the community (including landowners and occupiers).

\* the MRSDA was recently amended with the introduction of section 24A enabling that any person may comment on a licence being granted (this is in addition to section 24 – any person may object to a licence being granted). This guideline has been prepared to reflect the provisions of both section 24 and section 24A.

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**Mineral Resources (Sustainable Development) Act 1990****EXEMPTION OF LAND FROM AN EXPLORATION, MINING,  
RETENTION OR PROSPECTING LICENCE**

I, Laura Helm, Director Statutory Authorisations, pursuant to section 7 of the **Mineral Resources (Sustainable Development) Act 1990** and under delegation of the Minister for Resources, hereby exempt all that Crown land situated within the boundaries of exploration licence application EL006869 from being subject to a licence under the **Mineral Resources (Sustainable Development) Act 1990**.

Dated 27 April 2020

LAURA HELM  
Director Statutory Authorisations  
Delegate of the Minister

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**Plant Biosecurity Act 2010****ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION INTO VICTORIA OF MATERIALS WHICH ARE HOSTS OF CITRUS CANCKER**

I, Rosa Crnov, as delegate of the Minister for Agriculture, being of the reasonable suspicion that the exotic disease citrus cancker exists within Australia but outside Victoria, make the following Order.

**1 Objective**

The objective of this Order is to prohibit, restrict and impose conditions upon the entry or importation into Victoria of materials which are hosts of citrus cancker.

**2 Authorising provision**

This Order is made under section 36(1) of the **Plant Biosecurity Act 2010** (the Act).

**3 Commencement**

This Order comes into force on the day of making.

**4 Revocation**

The Order entitled ‘*Order prohibiting or restricting the entry or importation into Victoria of materials which are hosts of citrus cancker*’ made under section 36(1) of the **Plant Biosecurity Act 2010**, and published in Victoria Government Gazette G20 on 16 May 2019 at pages 853–855, is revoked.

**5 Definitions**

In this Order –

‘**citrus cancker**’ means the exotic disease caused by the bacteria *Xanthomonas citri* subsp. *citri*.

‘**host material**’ means any material capable of being affected or contaminated with citrus cancker including host plants and agricultural equipment and used packages used in the cultivation, processing, packaging and distribution of host plants.

‘**host plant**’ means any plant or plant product belonging to the family *Rutaceae* and species *Lansium domesticum*.

‘**kaffir lime leaves**’ means the leaves of commercially grown kaffir lime (*Citrus hystrix*) plants that are intended for culinary use only.

**6 Prohibitions, restrictions and conditions**

The following prohibitions, restrictions and conditions are specified in relation to the entry or importation of host material.

- (a) The entry or importation into Victoria of any host material is prohibited.
- (b) Sub-clause (a) does not apply if the host material –
  - (i) originates from an area for which there is currently in place an area freedom certificate issued by an officer responsible for agriculture in the State or Territory from which the material originated, certifying that the area from which the material originated is known to be free of citrus cancker; or
  - (ii) is accompanied by a plant health certificate, assurance certificate or plant health declaration, certifying or declaring that the material has been treated in a manner prescribed in the Schedule of this Order; or
  - (iii) enters Victoria under and in accordance with a permit issued by an inspector and there is compliance with any conditions or requirements set out in the permit.

**7 Verification of consignments**

Where requested by an inspector, host material imported into Victoria which is required by clause 6(b)(ii) to be accompanied by a certificate or declaration, must be –

- (a) presented to an inspector for inspection; or
- (b) verified by a person accredited to do so by the Department of Jobs, Precincts and Regions.

**8 Expiry**

This Order remains in force for a period of 12 months after the date of making.

**Schedule**

Host material must –

- (1) in the case of citrus fruit (*Citrus* spp.), be –
  - (a) commercially grown by a registered grower on a property that has been registered by the State or Territory's department responsible for agriculture in which the property is located; and
  - (b) sourced from a registered property which has been surveyed prior to harvest by an officer responsible for agriculture in the State or Territory in which the property is located and found to be free of citrus canker; and
  - (c) sourced from trees that have been –
    - (i) treated for citrus canker with a copper-based spray in accordance with an approved Australian Pesticides and Veterinary Medicines Authority (APVMA) permit; and
    - (ii) monitored for citrus leaf miner *Phyllocnistis citrella*, and treated as required, with an insecticide registered for the control of citrus leaf miner at rates specified on an approved label or in accordance with an approved APVMA permit; and
    - (iii) monitored for citrus canker; and
  - (d) post-harvest treated –
    - (i) as specified on an approved label or in accordance with an approved APVMA permit, using a product containing sodium hypochlorite or calcium hypochlorite to produce a solution of 200 ppm w/v of available chlorine (which is maintained at a pH of 6.0 to 7.5). Fruit must remain completely wet with the solution for at least 2 minutes, either through continued immersion or continuous spraying. An appropriate wetting agent/surfactant must be used to achieve maximum contact of the solution with the surface of the fruit; or
    - (ii) as specified on an approved label or in accordance with an APVMA permit, using a product containing 950 g/kg sodium ortho-phenylphenate tetrahydrate (SOPP tetrahydrate) to produce a solution of 2 kg SOPP tetrahydrate to 100 L water, completely wetting fruit with the solution and maintaining the solution at a pH of 12.0, for at least –
      - (A) 45 seconds if the solution has sufficient soap or detergent to cause foam to appear; or
      - (B) 1 minute otherwise, and
    - (iii) with no artificial drying or further treatment occurring during treatments specified in sub-paragraphs (i) or (ii); and
  - (e) packed in a facility (pack house) that has been registered by the State or Territory's department responsible for agriculture in which the facility is located; and

- (f) inspected at a rate of 600 units per consignment lot, prior to dispatch and found to be free from symptoms of citrus canker and free from extraneous plant material (except stems that are less than 2.5 cm in length and are attached to the fruit).
- (2) in the case of kaffir lime leaves, be –
  - (a) commercially grown by a registered grower on a property which has been surveyed prior to harvest by an officer responsible for agriculture in the State or Territory in which the property is located and found to be free of citrus canker; and
  - (b) sourced from trees that have been –
    - (i) monitored for citrus leaf miner *Phyllocnistis citrella* and treated as required, with an insecticide registered for the control of citrus leaf miner at rates specified on an approved label or in accordance with an approved APVMA permit; and
    - (ii) monitored for citrus canker; and
  - (c) post-harvest treated –
    - (i) in accordance with an approved APVMA permit, using the product Tsunami on Farm Peracetic Acid Biocide, containing 160 g/L peroxyacetic acid and 110 g/L hydrogen peroxide, to produce a solution of 200 ppm peroxyacetic acid (POAA), and completely wet leaves by immersion in solution for 1 minute; and
  - (d) with no artificial drying or further treatment occurring during the drying period; and
  - (e) packed in a facility (pack house) that has been registered by the State or Territory's department responsible for agriculture in which the facility is located; and
  - (f) inspected at a rate of 600 units per consignment lot, prior to dispatch and found to be free from symptoms of citrus canker and free from extraneous plant material (except the small petiole attached to the leaves).

**Notes**

Section 38 of the Act provides that it is an offence for a person to cause, permit or assist any plant, plant product, plant vector, used equipment, used package, earth material or beehive to enter Victoria in contravention of an importation order under section 36. The maximum penalty of 60 penalty units applies in the case of a natural person, and 300 penalty units in the case of a body corporate.

Terms in this Order that are defined in the Act have that meaning.

Dated 24 April 2020

ROSA CRNOV  
Chief Plant Health Officer

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**Port Management Act 1995****WITHDRAWAL OF DETERMINATION OF WHARFAGE FEES**

Victorian Ports Corporation (Melbourne) hereby withdraws the Determination of Wharfage Fees made on 20 February 2020 under section 74(1)(b) of the **Port Management Act 1995** and gazetted on 27 February 2020 (G8 of 2020, page 429).

Dated 24 April 2020

RACHEL JOHNSON  
Chief Executive Officer  
Victorian Ports Corporation (Melbourne)

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**Professional Standards Act 2003**

AUTHORISATION AND PUBLICATION PURSUANT TO SECTION 14

Association of Consulting Surveyors National Professional Standards Scheme

I, Jill Hennessy MP, Attorney-General, pursuant to section 14 of the **Professional Standards Act 2003**, authorise the publication of the Association of Consulting Surveyors National Professional Standards Scheme submitted to me by the Professional Standards Council of New South Wales. This Scheme is published with this authorisation and will commence in accordance with section 15 of the **Professional Standards Act 2003**.

Dated 20 April 2020

HON. JILL HENNESSY MP  
Attorney-General

**Professional Standards Act 1994 (NSW)**

ASSOCIATION OF CONSULTING SURVEYORS  
NATIONAL PROFESSIONAL STANDARDS SCHEME

**PREAMBLE**

**Occupational Association**

- A Association of Consulting Surveyors National Limited (CSN) is a voluntary occupational association for Consulting Surveyors in Australia.
- B The occupational group for the purposes of this Scheme, represented by CSN, consists of Consulting Surveyors with a principal place of practice in Australia.

**Nature of Scheme**

- C CSN has made an application to the Professional Standards Council (Council), appointed under the **Professional Standards Act 1994 (NSW)** (the Act), for approval of a scheme under the Act and this document comprises the scheme (Scheme).
- D The Scheme is intended to operate under the Act, which has the purpose of improving occupational standards of professional persons and to protect consumers of their services.
- E The Scheme has been prepared by CSN for the purposes of limiting occupational liability of Participating Members to the extent to which such liability may be limited under the Act.
- F The Scheme does not affect Damages which are below the Monetary Ceiling applying in respect of a Participating Member. The Scheme limits liability for Damages to the Monetary Ceiling applying in respect of a Participating Member only if the Participating Member has insurance as required under section 21 of the Act.
- G The Scheme is to apply to all Participating Members.
- H Responsibility for the administration of the Scheme and ensuring that it complies with the requirements of the Act and of the Council rests with CSN.

**Risk Management**

- I CSN has furnished the Council with a detailed list of the risk management strategies intended to be implemented in respect of its Participating Members and an outline of how these strategies are intended to be implemented.
- J CSN will report annually to the Council on the implementation and monitoring of its risk management strategies, the effect of those strategies and any changes made to them.

**Jurisdiction**

- K The Scheme is intended to apply in all jurisdictions within Australia.



**ASSOCIATION OF CONSULTING SURVEYORS  
NATIONAL LIMITED PROFESSIONAL STANDARDS SCHEME**

**1. Preliminary Matters**

- 1.1 This Scheme is a scheme under the Act prepared by CSN, whose business address is Level 7, 350 Kent Street, Sydney, New South Wales 2000.
- 1.2 Relevant definitions for the purpose of this Scheme are as follows:
- (a) **‘Annual Fee Income’** means the amount charged during a Financial Year for services provided by or on behalf of the Consulting Surveying Practice;
  - (b) **‘Court’** has the same meaning as it has in the Act;
  - (c) **‘Consulting Surveyor’** means a person engaging in the following professional activities:
    - (i) practising the science of measurement; and
    - (ii) assembling and assessing land and geographic related information and using that information for the purpose of planning and implementing the efficient administration of the land and the sea and the structures on them;<sup>1</sup>
  - (d) **‘Corporate Member’** has the same meaning it has in CSN’s Constitution (as amended from time to time);
  - (e) **‘Consulting Surveying Practice’** means an Individual Member or Corporate Member that carries on (whether alone or jointly) a business of providing professional services of a type a Consulting Surveyor typically provides;
  - (f) **‘Corresponding Law’** has the meaning given in clause 2.2;
  - (g) **‘CSN Insurance Standards’** means the insurance standards approved from time to time by CSN;
  - (h) **‘Damages’** has the same meaning as it has in the Act;
  - (i) **‘Financial Year’** means a financial accounting period commencing on 1 July and ending 30 June;
  - (j) **‘Individual Member’** has the same meaning it has in CSN’s Constitution (as amended from time to time);

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<sup>1</sup> For the avoidance of doubt, the professional activities described in this definition of Consulting Surveyor include but are not limited to the following which may occur either on, above or below surface of the land or the sea:

- (i) the determination of the size and shape of the earth and the measurement of all data needed to define the size, position, shape and contour of any part of the earth’s surface;
- (ii) the positioning of objects in space and the positioning and monitoring of physical features, structures and engineering works on, above or below the surface of the earth;
- (iii) the determination of the position of the boundaries of public or private land or structures, including national and international boundaries, and the registration of those lands with the appropriate authorities;
- (iv) the design, establishment and administration of land and geographic information systems and the collection, storage, analysis and management of data within those systems;
- (v) the study of the natural and social environment, the measurement of land and marine resources and the use of the data in the planning of development in urban, rural and regional areas;
- (vi) the planning, development and redevelopment of property, whether urban or rural and whether land or buildings;
- (vii) the assessment of value and the management of property, whether urban or rural and whether land or buildings;
- (viii) the planning, measurement, design and management of construction works, including the estimation of costs; and
- (ix) the production of plans, maps, files, charts and reports.

In the application of the foregoing activities a Consulting Surveyor takes into account the relevant legal, economic, environmental and social aspects affecting each project.

- (k) **‘Monetary Ceiling’** is, in respect of a Participating Member at the Relevant Time, the monetary ceiling applicable for the purposes of limitation of liability under the Scheme, being the greater of:
  - (i) the amount determined according to the table in clause 4.4; or
  - (ii) the amount specified by CSN in accordance with its discretionary authority under the amount specified by CSN in accordance with its discretionary authority under clause 5;
- (l) **‘Occupational Liability’**:
  - (i) for the operation of this scheme in New South Wales or in a jurisdiction other than New South Wales pursuant to the Act, has the meaning given to it in the Act<sup>2</sup>; and
  - (ii) for the operation of the Scheme in a jurisdiction other than New South Wales under a Corresponding Law of that jurisdiction, means any liability included in the meaning of ‘occupational liability’ in the Corresponding Law which is on force in that jurisdiction from time to time;
- (m) **‘Participating Members’** means those persons specified in clause 3.1 of the Scheme;
- (n) **‘PI Insurance Policy’** means a policy of insurance insuring the Participating Member against Occupational Liability to which the cause of action relates that complies with the CSN Insurance Standards; and
- (o) **‘Relevant Time’** means, in respect of a cause of action founded on an act or omission, the time of that act or omission occurring.

## 2. Jurisdiction

- 2.1 The Scheme applies in New South Wales in accordance with the Act.
- 2.2 In addition to New South Wales, the Scheme is intended to operate in ACT, Northern Territory, Queensland, South Australia, Victoria, Western Australia and Tasmania in accordance with the professional standards legislation of those states and territories and subject to the requirements of that legislation (each a Corresponding Law), so that references to a provision of the Act, the application of the Scheme to a liability, the limit of a liability under the Act or what constitutes Occupational Liability, are intended to pick up the relevant provisions of the Corresponding Laws, applied *mutatis mutandis*, to the extent that is necessary for the application of the Scheme in any of those jurisdictions as an interstate scheme.

## 3. Persons to whom the Scheme applies

- 3.1 The Scheme applies to:
  - (a) all Individual Members and Corporate Members of CSN who are not exempted under clause 3.2 of the Scheme; and
  - (b) all persons to whom the scheme applies pursuant to sections 18, 19, 20 or 20A of the Act.
- 3.2 A person referred to in clause 3.1(a) may, on application, be exempted from participation in the Scheme by CSN with effect from the date specified by CSN. This clause 3.2 does not apply to persons to whom the Scheme applies pursuant to sections 18, 19, or 20 of the Act.
- 3.3 The Scheme also applies to all persons to whom the Scheme applied under clause 3.1 at the Relevant Time, whether or not the Scheme would otherwise still apply to those persons.
- 3.4 CSN may, upon application by a person who has been exempted from the Scheme under clause 3.2, revoke an exemption of that person from participation in the Scheme with effect from the date specified by CSN.

<sup>2</sup> Section 5(1) of the Act provides that the Act does not apply to liability for Damages arising from the death of or personal injury to a person; a breach of trust, or fraud or dishonesty. Section 5(2) of the Act also provides that the Act does not apply to liability which may be the subject of proceedings under Part 14 of the **Real Property Act 1900**.

**4. Limitation of liability**

- 4.1 The Scheme limits the Occupational Liability of a Participating Member for Damages<sup>3</sup>:
- (a) arising from a single cause of action founded on an act or omission by a Participating Member acting in the performance of providing services of a Consulting Surveyor; and
  - (b) to the extent those Damages exceed the Monetary Ceiling applying in respect of the Participating Member at the Relevant Time.
- 4.2 If a proceeding relating to Occupational Liability is brought against a Participating Member, the Participating Member is not liable for Damages in relation to that cause of action above the amount of the Monetary Ceiling applying in respect of the Participating Member if the Participating Member can satisfy a Court that:
- (a) the Participating Member has the benefit of a PI Insurance Policy; and
  - (b) the amount payable under the PI Insurance Policy in relation to the Occupational Liability<sup>4</sup> is at least the amount of the Monetary Ceiling applying in respect of the Participating Member.
- 4.3 For the purposes of section 26 of the Act, the Scheme only affects a liability for Damages arising from a single cause of action to the extent to which the liability results in Damages exceeding the Monetary Ceiling applying in respect of the Participating Member, as determined by the Council and set out in clause 4.4.
- 4.4 The monetary ceiling applicable for the purposes of limitation of liability under the Scheme at the Relevant Time is to be determined according to the following table:

<b>Class</b>	<b>Description</b>	<b>Monetary ceiling (Maximum amount of liability)</b>
1	A Participating Member who is at the Relevant Time an Individual Member who is a principal, partner, officer or employee of a Consulting Surveying Practice that generated Annual Fee Income for the Financial Year immediately preceding the Relevant Time of up to and including \$2 million.  A Participating Member which is at the Relevant Time a Corporate Member that generated Annual Fee Income for the Financial Year immediately preceding the Relevant Time of up to and including \$2 million.	\$2 million

<sup>3</sup> Damages as defined in section 4 of the Act means:

- (a) damages awarded in respect of a claim or counter-claim or by way of set-off; and
- (b) costs in or in relation to the proceedings ordered to be paid in connection with such an award (other than costs incurred in enforcing a judgment or incurred on an appeal made by a defendant); and
- (c) any interest payable on the amount of those damages or costs.

<sup>4</sup> Section 4(1A) of the Act provides that a reference in the Act 'to an amount payable under an insurance policy in respect of an occupational liability includes a reference to –

- (a) defence costs payable in respect of a claim, or notification that may lead to a claim (other than reimbursement of the defendant for the time spent in relation to the claim), but only if those costs are payable out of the one sum insured under the policy in respect of the occupational liability; and
- (b) the amount payable under or in relation to the policy by way of excess.'

However, see also section 26A of the Act and its note, which has the effect that section 4(1A) does not reduce the cap on the liability of the Participating Member to the client.

Class	Description	Monetary ceiling (Maximum amount of liability)
2	<p>A Participating Member who is at the Relevant Time an Individual Member who is a principal, partner, officer or employee of a Consulting Surveying Practice that generated Annual Fee Income for the Financial Year immediately preceding the Relevant Time of greater than \$2 million and up to and including \$5 million.</p> <p>A Participating Member which is at the Relevant Time a Corporate Member that generated Annual Fee Income for the Financial Year immediately preceding the Relevant Time of greater than \$2 million and up to and including \$5 million.</p>	\$5 million
3	<p>A Participating Member who is at the Relevant Time an Individual Member who is a principal, partner, officer or employee of a Consulting Surveying Practice that generated Annual Fee Income for the Financial Year immediately preceding the Relevant Time of greater than \$5 million.</p> <p>A Participating Member which is at the Relevant Time a Corporate Member that generated Annual Fee Income for the Financial Year immediately preceding the Relevant Time of greater than \$5 million.</p>	\$10 million

4.5 Notwithstanding anything to the contrary contained in this Scheme if, in particular circumstances giving rise to Occupational Liability, the liability of any person who is subject to this Scheme is capped both by this Scheme and also by any other scheme under professional standards legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and, if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher will be the applicable cap.

#### 5. Conferral of discretionary authority

5.1 CSN has discretionary authority, on application by a Participating Member, to specify in relation to the Participating Member, a higher maximum amount of liability than would otherwise apply under the Scheme in relation to the Participating Member, either in all cases or in any specified case or class of case.

5.2 Before specifying a higher maximum amount of liability in respect of a Participating Member under clause 5.1, CSN must satisfy itself that there is evidence of top-up professional indemnity insurance commensurate with the higher Monetary Ceiling sought.

5.3 If, in the exercise of its discretion under clause 5.1 CSN has specified a higher maximum amount of liability than would otherwise apply under the Scheme in respect of a Participating Member, the Monetary Ceiling applying in respect of that Participating Member is that higher maximum amount.

#### 6. Duration

6.1 The date of the Scheme's commencement in New South Wales, Victoria, Queensland, Western Australia, Tasmania, and the Northern Territory is 1 July 2020.

6.2 In the Australian Capital Territory and in South Australia, the Scheme will commence:

- (a) on the date provided for in the Minister's notice in relation to the Scheme, if a date is provided; or
- (b) on the first day two months after the day on which notice was given, in any other case.

- 6.3 The Scheme will be in force in New South Wales for a period of five years from the date of its commencement in New South Wales.
- 6.4 For any other jurisdiction, the Scheme will be in force for whichever of the following periods ends first:
- (a) five years from the date of commencement in the applicable jurisdiction; or
  - (b) five years from the date of commencement in New South Wales.
- 6.5 Clauses 6.3 and 6.4 are subject to the provisions of each jurisdiction applicable to the revocation, extension or cessation of Schemes.
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**Professional Standards Act 2003**

## AUTHORISATION AND PUBLICATION PURSUANT TO SECTION 14

## The New South Wales Bar Association Professional Standards Scheme

I, Jill Hennessy MP, Attorney-General, pursuant to section 14 of the **Professional Standards Act 2003**, authorise the publication of the New South Wales Bar Association Professional Standards Scheme submitted to me by the Professional Standards Council of New South Wales. This Scheme is published with this authorisation and will commence in accordance with section 15 of the **Professional Standards Act 2003**.

Dated 20 April 2020

HON. JILL HENNESSY MP  
Attorney-General

**Professional Standards Act 1994 (NSW)**THE NEW SOUTH WALES BAR ASSOCIATION  
PROFESSIONAL STANDARDS SCHEME**PREAMBLE**

- A. The New South Wales Bar Association [NSWBA] is an occupational association.
- B. The NSWBA has made an application to the Professional Standards Council, appointed under the **Professional Standards Act 1994** (NSW) (the Act), for a scheme under the Act.
- C. The scheme is prepared by the NSWBA for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.
- D. The scheme propounded by the NSWBA is to apply to all members of the New South Wales Bar Association who hold a NSW barrister's practising certificate issued by the NSWBA and who have professional indemnity insurance that is required under law to be held by New South Wales barristers in order to practise.
- E. The NSWBA has furnished the Councils with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- F. The scheme is intended to commence on 1 July 2020 and remain in force for five (5) years from its commencement unless, prior to that time, it is revoked, its operation ceases, or it is extended pursuant to section 32 of the Act.
- G. The scheme is also intended to apply in Victoria, Western Australia, Australian Capital Territory, Northern Territory, Queensland, South Australia, Tasmania.

**1. Occupational Association**

The New South Wales Bar Association (the Bar Association) is an occupational association whose business address is Selborne Chambers, 174 Phillip Street Sydney. The New South Wales Bar Association Scheme (the scheme) is a scheme under the **Professional Standards Act 1994** (NSW) (the Act). The scheme applies in New South Wales, the Australian Capital Territory, the Northern Territory, Queensland, Victoria, Western Australia, South Australia and Tasmania.

**2. Persons to Whom the Scheme Applies (Participating Members and Other Persons)**

- 2.1 The scheme applies to persons referred to in clause 2.2 and clause 2.3 of this scheme.
- 2.2 All members of the Bar Association who hold a NSW barrister's practising certificate issued by the Bar Association and who have professional indemnity insurance that is required under law to be held by New South Wales barristers in order to practise.
- 2.3 Persons to whom the scheme applies:
  - 2.3.1 In New South Wales by virtue of sections 18, 19, 20 and 20A of the Act; and
  - 2.3.2 In the Australian Capital Territory, the Northern Territory, Queensland, Victoria,

Western Australia, South Australia and Tasmania by virtue of the comparable provisions to sections 18 and 19 of the Act in the corresponding legislation of those jurisdictions; and

- 2.3.3 In the Australian Capital Territory, the Northern Territory, Victoria, Western Australia, South Australia and Tasmania by virtue of the comparable provision to section 20 of the Act in the corresponding legislation of those jurisdictions; and
- 2.3.4 In Queensland by virtue of section 21A of the **Professional Standards Act 2004** (Qld), and in Western Australia by virtue of section 34A of the **Professional Standards Act 1997** (WA).

### **3. Limitation of Liability**

- 3.1 Subject to clause 3.3 below, a person to whom the scheme applies against whom a cause of action relating to occupational liability is brought, is not liable in damages in relation to that cause of action for anything done or omitted on or after the commencement of the scheme above a monetary ceiling (a maximum amount of liability) of \$1,500,000.
- 3.2 For the purposes of the operation of the scheme in NSW ‘occupational liability’ has the same meaning as it has in the Act and excludes any liability which may not from time to time be limited pursuant to the Act. Similarly, for the purposes of the operation of the scheme in other jurisdictions in which it applies i.e. ACT, Northern Territory, Queensland, Victoria, Western Australia, South Australia and Tasmania, ‘occupational liability’ has the same meaning as it has in the corresponding legislation of those jurisdictions and excludes any liability which may not from time to time be limited pursuant to that legislation.
- 3.3 The person to whom the scheme applies must be able to satisfy the court that they have the benefit of:
  - 3.3.1 an insurance policy insuring them against that occupational liability, and
  - 3.3.2 an insurance policy under which the amount payable in respect of the occupational liability relating to that cause of action is not less than the maximum amount of liability specified in the scheme in relation to the person to whom the scheme applies and the kind of work to which the cause of action relates at the time at which the act or omission giving rise to the cause of action occurred.
- 3.4 Notwithstanding anything to the contrary contained in this scheme, if in particular circumstances giving rise to occupational liability, the liability of any person who is subject to this scheme should be capped both by this scheme and also by any other scheme under Professional Standards Legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and, if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

### **4. Commencement and duration**

- 4.1. The scheme will commence:
  - 4.1.1. In New South Wales, the Northern Territory, Tasmania, and Western Australia, on 1 July 2020, or, if the date of its publication is later than 1 July 2020, two months after the date of its publication; and
  - 4.1.2. In Queensland, on 1 July 2020, or, if the date the Minister’s notice of approval of the scheme is given later than 1 July 2020, two months after the date on which notice is given; and
  - 4.1.3. In Victoria, on 1 July 2020, or, if the date of its publication is later than 1 May 2020, two months after the date of its publication; and
  - 4.1.4. In the Australian Capital Territory and South Australia, on the date provided for in the notice giving approval of or publishing the scheme or, if no such date is specified, two months after the approval or scheme is published.

- 4.2. The scheme will remain in force in force in New South Wales, the Northern Territory, Tasmania, Western Australia, Queensland, Victoria, the Australian Capital Territory and South Australia until 30 June 2025 unless:
- 4.2.1. in the case of New South Wales, in accordance with section 32 of the Act it is earlier revoked or ceases to have effect or its period of operation is extended for a period of up to 12 months; or
  - 4.2.2. in so far as the scheme operates in the Australian Capital Territory, the Northern Territory, Queensland, Victoria, Western Australia, South Australia, and Tasmania, in accordance with the law of those jurisdictions its operation in those jurisdictions is earlier revoked or ceases to have effect or its period of operation is extended for a period of up to 12 months, or it ceases to have effect in New South Wales.
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**Professional Standards Act 2003**

## AUTHORISATION AND PUBLICATION PURSUANT TO SECTION 14

## The Western Australian Bar Association Professional Standards Scheme

I, Jill Hennessy MP, Attorney-General, pursuant to section 14 of the **Professional Standards Act 2003**, authorise the publication of the Western Australian Bar Association Professional Standards Scheme submitted to me by the Professional Standards Council of Western Australia. This Scheme is published with this authorisation and will commence in accordance with section 15 of the **Professional Standards Act 2003**.

Dated 28 April 2020

HON. JILL HENNESSY MP  
Attorney-General

**Professional Standards Act 1997 (WA)**THE WESTERN AUSTRALIAN BAR ASSOCIATION  
PROFESSIONAL STANDARDS SCHEME**PREAMBLE****Occupational Association**

- A. The Western Australian Bar Association (Association) is an occupational association, constituted as an incorporated body under the **Associations Incorporation Act 2015 (WA)**.
- B. The Association has made an application to the Professional Standards Council, appointed under the **Professional Standards Act 1997 (WA)** (the Act), for a scheme under the Act.
- C. The scheme is prepared by the Association for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.
- D. The scheme propounded by the Association is to apply to members of the Association who are based in and practise as independent barristers in Western Australia.
- E. The Association has furnished the Councils with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- F. This scheme is intended to commence on the following day:
  - (a) In New South Wales, the Northern Territory, Queensland, Tasmania, Victoria and Western Australia on 1 July 2020; and
  - (b) In the Australian Capital Territory and in South Australia:
    - (i) On the date provided for in the Minister's notice in relation to the amendments, if a date is provided; or
    - (ii) On the first day two months after the day on which notice was given, in any other case.
- G. The scheme is also intended to apply in New South Wales, Victoria, Queensland, South Australia, the Australian Capital Territory, the Northern Territory and Tasmania.

**THE WESTERN AUSTRALIAN BAR ASSOCIATION SCHEME****1. Occupational association**

- 1.1 The Association is a voluntary occupational association of legal practitioners practising exclusively as independent barristers in Western Australia.
- 1.2 The Association Scheme (the Scheme) is a scheme under the Act, prepared by the Western Australian Bar Association (Association) whose business address is Level 25, Allendale Square, 77 St Georges Terrace, Perth, Western Australia.
- 1.3 the Scheme applies in Western Australia and also in New South Wales, Victoria, Queensland, South Australia, the Australian Capital Territory, the Northern Territory and Tasmania.

1.4 Relevant definitions for the purposes of this Scheme are as follows:

‘Interstate Member’ means a practising barrister whose primary occupation is at the Bar who does not normally reside in Western Australia and who is a member of the Bar of another state or Territory in Australia who has been elected as an Interstate Member of the Association as provided under clause 9(d) of the Association’s Constitution.

‘Honorary Member’ means any person who, in the opinion of a General Meeting of the Association, is worthy of being elected as an Honorary Member of the Association who has been elected as an Honorary Member of the Association as provided under clause 9(a) of the Association’s Constitution.

‘Judicial Member’ means any person who is a judge of the High Court of Australia, Supreme Court of Western Australia, the Federal Court of Australia, the Family Court of Western Australia, the Family Court of Australia, the District Court of Western Australia or the Federal Circuit Court or any person who is a judicial officer of equivalent status in any other Court or Tribunal who has been elected as a Judicial Member of the Association as provided under clause 9(b) of the Association’s Constitution.

‘Magistrate Member’ means any person who is the Chief Magistrate of the Magistrates Court of Western Australia; and, upon the recommendation of Bar Council, a former member who is a Magistrate of the Magistrates Court of Western Australia or the Family Court who has been elected as a Magistrate Member of the Association as provided under clause 9(c) of the Association’s Constitution.

‘Member’ means any of the following persons who are eligible for membership of the Association under clause 4 of the Association’s Constitution and who have been elected as Members of the Association under clause 5 of the Association’s Constitution:

- (a) a barrister who does not carry on any other occupation inconsistent with the maintenance of proper standards of professional conduct and integrity;
- (b) a barrister who is not primarily occupied at the Bar due to the fact that she or he is responsible for the care of a child;
- (c) a Queen’s Counsel or Senior Counsel for the State who is a law officer of the Crown in right of the State or of the State, including the offices of Attorney General, Solicitor General, Director of Public Prosecutions, or any law officer of the Crown in right of the Commonwealth or of the Commonwealth, including the Attorney General, Solicitor General, Director of Public Prosecutions or any Special Prosecutor appointed by the Commonwealth;
- (d) a university lecturer who is a practising barrister; and
- (e) a member of the State or Federal Parliament who practises or practised as a barrister or a barrister who is a Minister of the Crown.

‘Ex officio Member’ means the Attorney General of Western Australia and the Solicitor-General for Western Australia if elected as ex officio members of the Association by Bar Council under clause 10 of the Association’s Constitution.

**2. Persons to Whom the Scheme Applies**

2.1 The Scheme applies to all Members of the Association, being those members who are based in and practise as independent barristers in Western Australia as provided under clause 4 of the Association’s Constitution.

This Scheme does not apply to –

- (a) Members to whom an exemption is granted by the Association’s Bar Council under clause 2.2;
- (b) Interstate Members; and
- (c) Honorary, Judicial, Magistrate or Ex Officio Members.

2.2 The Association may, upon application by a Member, exempt a Member from participation in the Scheme with effect from a date specified by the Association on or after the date on which the exemption is granted.

2.3 The Association may, upon application by a Member, revoke an exemption of that person from participation in the Scheme with effect from a date specified by it.

2.4 This Scheme also applies to all persons to whom the Scheme applied under clause 2.1 at the time of any act or omission, giving rise to occupational liability.

### **3. Limitation of liability**

3.1 This Scheme only affects the liability for damages arising from a single cause of action to the extent to which the liability results in damages exceeding \$500,000.

3.2 If a person, who was at the time of the act or omission giving rise to occupational liability, a person to whom the scheme applied, against whom a proceeding relating to occupational liability is brought, is able to satisfy the court that such person has the benefit of an insurance policy:

- (a) of a kind which complies with the standards determined by the Association,
- (b) insuring such person against that occupational liability, and
- (c) under which the amount payable in respect of that occupational liability is not less than the monetary ceiling specified in this scheme,

that person is not liable in damages in relation to that cause of action above the monetary ceiling specified in this scheme.

3.3 The monetary ceiling is \$2 million.

3.4 This Scheme limits the occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the Scheme was in force of any person to whom the Scheme applied at the time the act or omission occurred.

3.5 Notwithstanding anything to the contrary contained in this Scheme, if in particular circumstances giving rise to occupational liability, the liability of any person who is subject to this Scheme should be capped by both this Scheme and also by any other scheme under the Professional Standards legislation (whether of this jurisdiction or under the law of any other Australian State or Territory) and if the amount of such caps should differ, then the cap on the liability of such a person arising from such circumstances which is higher shall be the applicable cap.

### **4. Commencement**

This Scheme is intended to commence on the following day:

- (a) In Western Australia, New South Wales, the Northern Territory, Queensland, Tasmania and Victoria on 1 July 2020; and
- (b) In the Australian Capital Territory and in South Australia:
  - (i) On the date provided for in the Minister's notice in relation to the amendments, if a date is provided; or
  - (ii) On the first day two months after the day on which notice was given, in any other case.

### **5. Duration**

5.1 This Scheme will be in force in Western Australia for 5 years from the date of commencement in that jurisdiction.

5.2 For any other jurisdiction, the Scheme will be in force for:

- (a) 5 years from the date of commencement in that jurisdiction; or
- (b) 5 years from the date of commencement in Western Australia;

whichever period ends first.

5.3 Clauses 5.1 and 5.2 are subject to the provisions of each jurisdiction applicable to the revocation, extension or cessation of schemes.

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**Subordinate Legislation Act 1994**

(Section 12)

## NOTICE OF DECISION

## Children's Services Regulations 2020

I, James Merlino, Minister for Education, Minister responsible for administering the **Children's Services Act 1996** (CS Act), give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to make the proposed Children's Services Regulations 2020 (the proposed Regulations).

Most early childhood education and care services in Victoria are regulated under the National Quality Framework (NQF) (approximately 4,200 long day care, family day care, preschool and outside school hours care services).

The remaining approximately 315 children's services are, by definition, excluded from the NQF and remain regulated under the CS Act and Children's Services Regulations 2009 (current Regulations). Most of these services provide occasional care, where children attend for short periods of time.

The regulatory regimes are similar, but not consistent. Following a national decision to keep occasional care services outside the NQF, the Victorian children's services regulatory regime is being reformed to align it with the NQF, where appropriate, to simplify arrangements for service providers and ensure more consistent minimum standards for all Victorian early childhood services.

The CS Act and the Education and Care Services National Law (National Law) set out the architecture of the licensing frameworks, requirements for provider accountability and oversight of services, principles for the safety, health and wellbeing of children, and the regulator's powers and duties.

The **Children's Services Amendment Act 2019** (Amendment Act) aligns the CS Act, where appropriate, with the National Law. The proposed Regulations complete the alignment of the two regulatory regimes by prescribing various matters to support the new regulatory framework in the CS Act, as amended.

The proposed Regulations must be made and commence by 17 May 2020, to replace the current Regulations, which will expire on 18 May 2020. The Amendment Act will also commence on 17 May 2020, by a Proclamation to be made by the Governor in Council. This will ensure that all changes to the children's services regulatory regime will commence on the same day.

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Regulations. A copy of the RIS and an Exposure Draft of the proposed Regulations was published on the Engage Victoria platform at <https://engage.vic.gov.au> on 17 February 2020 and notice of the RIS was published in the Government Gazette and The Age newspaper on 17 February 2020 inviting public comment. The consultation period ended on 17 March 2020.

During the consultation period the Department of Education and Training held nine face-to-face information sessions in metropolitan and regional locations, including via videoconference. 97 people participated in the face-to-face sessions and videoconference.

In response to the RIS and proposed Regulations, 28 responses to an online survey on the Engage Victoria platform and two written submissions were received from stakeholders, representing early childhood educators and children's services providers, including local government, not-for-profit entities, and operators of recreational facilities. All responses were carefully considered.

The consultation indicated broad sector support for the alignment, where appropriate, of the children's services regulatory requirements with the NQF. This support is consistent with feedback provided during consultation on the proposed law reform in mid-2019, through web-based information, direct correspondence, state-wide face-to-face information sessions, stakeholder forums and individual meetings with some key stakeholders.

In response to the RIS and proposed Regulations, stakeholders particularly welcomed the streamlining in licensing and regulatory requirements, seeing this as more efficient and less onerous for the provider. They also supported the reduction of seven licence types to two service approval types, and the proposed new fee structure. There was strong support for quality measures that aim to embed best practice into the sector, including the educational program, staff qualifications and staff to child ratios, and outdoor space requirements, as well as the measures to minimise the risks of harm to children in services. Feedback also confirmed support for the requirement in the Amendment Act for the educational program to be based on an approved learning framework.

Other relevant issues or queries raised in the consultation were:

- the impact of staffing requirements and fees on small and rural services
- availability of outdoor space for proposed new services to be operated by local councils
- the need to continue to recognise the historical minimum training requirements for a small number of longstanding educators without qualifications who undertook a specific bridging course instead of a Certificate III. These educators do not hold ‘approved’ qualifications but were recognised under the expiring Regulations
- the sector’s need for support for transition and compliance.

After careful consideration of the submissions and feedback received, I have decided that the proposed Regulations should be made with the following amendments:

- extending the transitional period for existing providers to comply with the new requirements for policies and procedures from 1 January 2021 to 1 January 2022; and
- continuing to recognise the historical minimum training requirement for educators without ‘approved’ qualifications whose training was recognised under the expiring Regulations.

The day before the close of the consultation period, on 16 March 2020, the Premier declared a State of Emergency in Victoria in relation to the Coronavirus pandemic. In making my decision, I have also considered the impact of the pandemic on the sector’s ability to meet the new operational requirements in the proposed Regulations. It is likely that on the commencement date many children’s services will have suspended operation. However, due to the commencement date of the Amendment Act, and the need to replace the expiring Regulations, it is not possible to defer the commencement of the proposed Regulations. The Department of Education and Training will provide support and resources to the children’s services sector to enable a smooth commencement and transition.

The Statement of Reasons for my decision to make the proposed Regulations is located at [www.engage.vic.gov.au/childrens-services-regulations-2020](http://www.engage.vic.gov.au/childrens-services-regulations-2020)

Dated 30 April 2020

THE HON. JAMES MERLINO MP  
Minister for Education

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**Water Act 1989**

## COLIBAN REGION WATER CORPORATION

## Notice of Making By-law No. 13 – Recreational Areas

In accordance with section 287ZC of the **Water Act 1989** the Coliban Region Water Corporation provides notice that it has made By-law No. 13 – Recreational Areas. The by-law was made using a model by-law issued by the Minister for Water on 9 October 2012.

The title of the by-law is By-law No. 13 – Recreational Areas.

The purpose and general purport of the by-law is:

- (a) to prescribe provisions for –
  - (i) the control, management and the use of land, services and facilities; and
  - (ii) the protection of the land, services and facilities; and
  - (iii) the protection of people in the area from injury or nuisance; and
  - (iv) the conservation and preservation of plants, animals, flora, fauna and habitat; and
  - (v) the control of the introduction of any new plants and animals; –
 in a recreational area under the management and control of the Corporation; and
- (b) to prescribe provisions for the management, protection and use of lands, waterways and works in a recreational area.

A copy of the by-law may be inspected, free of charge, 8.00 am–4.45 pm business days at the Corporation’s office located at 37–45 Bridge Street, Bendigo. However, to facilitate compliance with coronavirus (COVID-19) social distancing requirements, any person who wishes to obtain a hard copy can request for it to be posted to them. Requests can be made through our website, or by calling 1300 363 200. A copy of the by-law may also be viewed on the Corporation’s website, [www.coliban.com.au](http://www.coliban.com.au), which contains information concerning the Corporation’s operations.

**Water Act 1989**

## DECLARATION OF SERVICED PROPERTIES

For the purposes of section 144 of the **Water Act 1989**, Goulburn Valley Region Water Corporation (trading as Goulburn Valley Water) declares it has made provision for water and/or sewerage services to the following lots commencing 31 May 2020:

**Potable Water and Sewerage**

Lots 84–97, 100–109, 11–113 PS817260T; 135 Channel Road, Shepparton

Lots 1 and 2 PS829009K; 17 Hogan Street, Tatura

Lots 1, 2 and S2 PS826749H/S1; 7 Glanville Drive, Kilmore

Lots 3 and S2 PS300764V; 18–20 Karook Street, Cobram

PC376196T; 18–20 Schubert Street, Cobram

Lots 21–30 PS513162N/S3; Oswald Drive, Alexandra

Lots 1 and 2 PS830067M; 10 Melbourne Road, Yea

Lots 1–4 PS823636N; 58 Blayney Lane and 271B High Street, Nagambie.

**Potable Water only**

Lots 14–44 PS812920D/S2; Goulburn Valley Highway, Alexandra.

**Sewerage Only**

Lots 1 and 2 PS709074T; 6 and 8 Green Street, Alexandra.

For more information, telephone Goulburn Valley Water on 1800 45 45 00.



**Water Act 1989****NOTICE OF DECLARATION OF SERVICED PROPERTIES**

Notice is hereby given that Westernport Water has made provision for water and/or recycled water and/or sewer services for the properties listed below. In accordance with section 144 of the **Water Act 1989**, these properties are now liable to be rated as serviced properties from 30 April 2020, or subject to the approval of subdivision.

<b>Lot/Plan Numbers</b>	<b>Property Address</b>
<b>Water and Sewer Services</b>	
Lots 1 and 2/PS725259P	31 Phillip Island Road, San Remo
Lots 1 and 2/PS741404R	512 Ventnor Beach Road, Ventnor
Lots 1 and 2/PS831019T	5 Walpole Street, Corinella
Lots 1 to 10/PS831797R	32–34 Boys Home Road, Newhaven
Lots 1 and 2/PS833723M	21 Bembridge Crescent, Ventnor
Lots 1 and 2/PS835516G	10 Acacia Road, Grantville

A copy of the notice and plans for the above are available for inspection at Westernport Water's Office, 2 Boys Home Road, Newhaven.

[www.westernportwater.com.au](http://www.westernportwater.com.au)

**Water Act 1989****YARRA VALLEY WATER – DECLARATION OF SERVICED PROPERTIES**

Pursuant to section 144 of the **Water Act 1989**, Yarra Valley Water declares the following land to be serviced property for the listed services on or from the Declaration Date/s listed below.

<b>Development Address/Estate Name</b>	<b>Stage/s</b>	<b>Plan of Subdivision number</b>	<b>Suburb</b>	<b>Drinking Water</b>	<b>Recycled Water</b>	<b>Sewerage Services</b>	<b>Date serviced property declared</b>
Aston Estate	31	PS814798L	Craigieburn	Y	Y	Y	25/03/20
Arramont Estate	7	PS816006P	Wollert	Y	Y	Y	27/03/20
Highlands Estate	298	PS746085D	Craigieburn	Y	Y	Y	01/04/20
86–100 Brush Road	1	PS802872T	Epping	Y	N	Y	01/04/20
The Maples Estate	4	PS818673L	Doreen	Y	Y	Y	15/04/20
Wallan Valley Estate	17A	PS805598V	Wallan	Y	N	Y	16/04/20
Trijena Estate	6	PS819162H	Mickleham	Y	Y	Y	17/04/20
Lyndarum North Estate	8	PS821107D	Wollert	Y	Y	Y	17/04/20
Olivine Estate	5B	PS825756R	Donnybrook	Y	Y	Y	22/04/20
75 Bonds Lane	1	PS817578K	Greenvale	Y	N	Y	22/04/20
Rathdowne Estate	5	PS819166Y/S2	Wollert	Y	Y	Y	22/04/20
65 Carroll Lane	1	PS810469D	Greenvale	Y	N	Y	24/04/20



**Heritage Act 2017**

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 2017**, I give notice under section 53 that the Victorian Heritage Register is amended by modifying a place in the Heritage Register:

Number: H1514

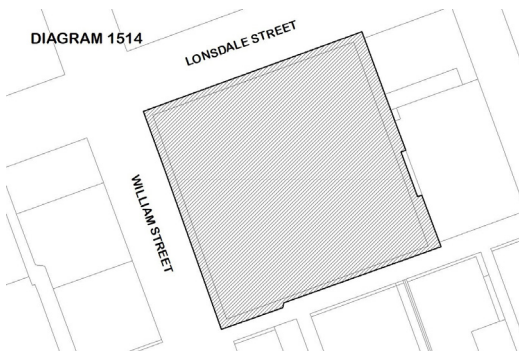
Category: Registered Place

Place: Law Courts

Location: 210 William Street, Melbourne

Municipality: City of Melbourne

All of the place shown hatched on Diagram 1514 encompassing all of Crown Allotment 15A Section 19 City of Melbourne, Parish of Melbourne North and parts of the road reserves from the line of the building to the edge of the footpaths of Lonsdale Street, William Street and Little Bourke Street.



Dated 30 April 2020

STEVEN AVERY  
Executive Director



**Planning and Environment Act 1987**  
**GREATER SHEPPARTON PLANNING SCHEME**  
Notice of Approval of Amendment  
Amendment C213gshe

The Minister for Planning has approved Amendment C213gshe to the Greater Shepparton Planning Scheme.

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

The Amendment amends the Schedule to Clause 43.01 Heritage Overlay to extend interim heritage controls from 1 May 2020 to 1 November 2020, for a period of approximately six months while permanent heritage controls are finalised via Amendment C205.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the City of Greater Shepparton, 90 Welsford Street, Shepparton.

STUART MENZIES  
Director  
State Planning Services  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**  
**HUME PLANNING SCHEME**  
Notice of Approval of Amendment  
Amendment C239hume

The Minister for Planning has approved Amendment C239hume to the Hume Planning Scheme.

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

The Amendment applies the Specific Controls Overlay (SCO) to various properties listed under the Schedule to Clause 51.01 (Specific Sites and Exclusions) and other related consequential changes, as part of the Smart Planning Program to improve the transparency of site specific controls. The changes improve the clarity and format of the planning scheme by implementing the reforms introduced by VC148.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Hume City Council, Customer Service Centre, 1079 Pascoe Vale Road, Broadmeadows.

STUART MENZIES  
Director  
State Planning Services  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

LATROBE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C123latr

The Minister for Planning has approved Amendment C123latr to the Latrobe Planning Scheme.

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

The Amendment inserts an incorporated document titled ‘Loy Yang Power Station & Coal Mine Incorporated Document, April 2020’ in the Schedules to Clause 45.12 and Clause 72.04 and applies the Specific Controls Overlay (SCO4) to the affected land at the Loy Yang Power Station and Mine.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Minister for Planning, Level 16, 8 Nicholson Street, East Melbourne.

STUART MENZIES

Director

State Planning Services

Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

PORT PHILLIP PLANNING SCHEME

Notice of Approval of Amendment

Amendment C188port

The Minister for Planning has approved Amendment C188port to the Port Phillip Planning Scheme.

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

The Amendment extends the Heritage Overlay (HO7) to include 41–57 Dickens Street, 1–3 Ruskin Street, 1 Addison Street, 49–51 and 59–61 Mitford Street, Elwood, and makes consequential changes to the Port Phillip Planning Scheme on an interim basis until 1 April 2021.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Port Phillip City Council, 99a Carlisle Street, St Kilda, Victoria 3182.

STUART MENZIES

Director

State Planning Services

Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

## TOWONG PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C025

The Minister for Planning has approved Amendment C025 to the Towong Planning Scheme.

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

The Amendment implements recommendations of the *Towong Shire Settlement Strategy, 2010* and *Towong Shire Rural Land Use Study, 2010* by rezoning land and making associated changes to the Towong Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Towong Shire Council, 32 Towong Street, Tallangatta 3700.

STUART MENZIES

Director

State Planning Services

Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

## WHITTLESEA PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C238wsea

The Minister for Planning has approved Amendment C238wsea to the Whittlesea Planning Scheme.

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

The Amendment applies the Specific Controls Overlay (SCO) to various properties listed under the Schedule to Clause 51.01 (Specific Sites and Exclusions) and other related consequential changes, as part of the Smart Planning Program to improve the transparency of site specific controls. The changes improve the clarity and format of the planning scheme by implementing the reforms introduced by VC148.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Whittlesea City Council, Civic Centre, 25 Ferres Boulevard, South Morang.

STUART MENZIES

Director

State Planning Services

Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

**BALLARAT PLANNING SCHEME**

Notice of Lapsing of Amendment

Amendment C207ball

The City of Ballarat has resolved to abandon Amendment C207ball to the Ballarat Planning Scheme.

Amendment C207ball proposed to rezone the land at 1415–1425 Sturt Street, 2, 4, 6, 8, 10, 12, 14 to 24 and 15 to 23 Ajax Street, 1 Murray Street and sections of the road reserve of Murray and Ajax Streets in Newington to a new Special Use Zone – Schedule 17 (Ballarat Clarendon College Sturt Street Campus) concurrently with planning permit application PLP/2017/444 as part of a section 96A combined amendment and permit process. The planning permit application sought to demolish or relocate dwellings and existing school buildings, develop a sports playing field and undertake other associated buildings and works to implement Stage 1 of the *Ballarat Clarendon College Sturt Street Campus Master Plan 2017–2030*.

Amendment C207ball lapsed on 3 July 2019.

STUART MENZIES

Director

State Planning Services

Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

**BANYULE PLANNING SCHEME**

Notice of Lapsing of Amendment

Amendment C152bany

The Minister for Planning has refused to approve Amendment C152bany to the Banyule Planning Scheme.

The Amendment C152bany proposed to apply the Heritage Overlay (HO198) to 22 Arden Crescent, Rosanna, on a permanent basis.

The Amendment C152bany lapsed on 27 October 2019.

STUART MENZIES

Director

State Planning Services

Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

**MORELAND PLANNING SCHEME**

Amendment C164pt2moreBmore

Notice of Lapsing of Amendment

The Moreland City Council has resolved to abandon Amendment C164pt2moreBmore to the Moreland Planning Scheme.

The Amendment proposed to rezone land identified as potential Commercial 3 Zone areas, consistent with directions of the Moreland Industrial Land Strategy 2015–2030 for the Brunswick Activity Centre for category 2 areas.

The Amendment lapsed on 8 May 2019.

STUART MENZIES

Director

State Planning Services

Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

**YARRA RANGES PLANNING SCHEME**

Amendment C176yran

Notice of Lapsing of Amendment

The Yarra Ranges Shire Council has resolved to abandon Amendment C176yran to the Yarra Ranges Planning Scheme.

The Amendment proposed to rezone the site to allow subdivision into 48 residential lots and open space including wetlands. The areas of open space and wetlands are proposed to be owned by Council and managed partly by Council and partly by Melbourne Water through a management plan.

The Amendment lapsed on 10 March 2020.

STUART MENZIES

Director

State Planning Services

Department of Environment, Land, Water and Planning

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## ORDERS IN COUNCIL

### Education and Training Reform Act 2006

#### APPOINTMENTS OF DEPUTY CHAIRPERSON AND MEMBERS TO THE ADULT, COMMUNITY AND FURTHER EDUCATION BOARD

##### Order in Council

The Governor in Council, under section 3.3.10(1) of the **Education and Training Reform Act 2006**, appoints to the Adult, Community and Further Education Board:

- May Lam as a member, from 1 May 2020 to 30 April 2023 (both dates inclusive)
- John Maddock AM as a member, from 1 May 2020 to 30 April 2023 (both dates inclusive)
- Antoinette Masiero as a member, from 1 May 2020 to 30 April 2023 (both dates inclusive)
- Winifred Scott as a member, from 1 May 2020 to 30 April 2023 (both dates inclusive)
- Penelope Wilson as a member, from 1 May 2020 to 30 April 2022 (both dates inclusive)
- Ronald Wilson PSM as a member, from 1 May 2020 to 30 April 2021 (both dates inclusive)
- Raoul Wainwright as Deputy Chairperson, from 1 May 2020 to 25 June 2021 (both dates inclusive).

The terms and conditions of the appointment are contained in the attached Schedule.

Dated 28 April 2020

Responsible Minister:

THE HON GAYLE TIERNEY MP  
Minister for Training and Skills  
Minister for Higher Education

CLAIRE CHISHOLM  
Clerk of the Executive Council

### Education and Training Reform Act 2006

#### APPOINTMENTS OF MEMBERS TO THE ADULT, COMMUNITY AND FURTHER EDUCATION BOARD SCHEDULE TO THE ORDER IN COUNCIL

#### 1. Appointment Arrangements

Members are appointed on a part-time basis.

#### 2. Period of Appointment

The period of appointment for the following members is for the below terms:

- May Lam as a member, from 1 May 2020 to 30 April 2023 (both dates inclusive)
- John Maddock AM as a member, from 1 May 2020 to 30 April 2023 (both dates inclusive)
- Antoinette Masiero as a member, from 1 May 2020 to 30 April 2023 (both dates inclusive)
- Winifred Scott as a member, from 1 May 2020 to 30 April 2023 (both dates inclusive)
- Penelope Wilson as a member, from 1 May 2020 to 30 April 2022 (both dates inclusive)
- Ronald Wilson PSM as a member, from 1 May 2020 to 30 April 2021 (both dates inclusive)
- Raoul Wainwright as Deputy Chairperson, from 1 May 2020 to 25 June 2021 (both dates inclusive).

#### 3. Duties and Responsibilities of the Position

The functions and powers of the Adult, Community and Further Education Board (ACFE) are provided under Division 2 of Part 3.3 of the **Education and Training Reform Act 2006** (the Act).

The functions of the ACFE Board include inquiring into and making reports on the development of policies, programs and services regarding providing adult, community and further education; planning, developing, evaluating and funding policies, programs and services for the co-ordination, provision and support of adult, community and further education; providing for the delivery of adult, community and further education; and advising the Minister on any matter relating to adult, community and further education. The ACFE Board also has certain financial powers, including the ability to make payments by way of grants, subsidies or loans in relation to adult, community and further education.

**4. Termination Arrangements**

Clause 2(3) of Schedule 2 to the Act, stipulates that the office of a member becomes vacant if the member becomes bankrupt, is found guilty of an offence which is, or which would if committed in Victoria be, an indictable offence or is absent from three consecutive meetings of the Board without the leave of the Chairperson or in the case of the Chairperson without the Minister's leave.

**5. Payment Provisions**

Pursuant to clause 3(1) of Schedule 2 to the Act, remuneration for all members is fixed at \$439 per day.

**6. Superannuation Obligations**

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

**7. Travel and Personal Expenses arrangements**

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

**8. Leave Arrangements**

There are no leave entitlements for this part-time statutory position.

**9. Prior Service**

Long service and other leave entitlements are not available. Prior service is therefore not applicable for the calculation of long service or leave entitlements.

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**Public Administration Act 2004**

ORDER RELATING TO ADMINISTRATIVE OFFICES

Order in Council

The Governor in Council by Order made under section 11 of the **Public Administration Act 2004** amends the Order in Council made on 4 December 2014 (effective from 1 January 2015) under section 11 of the **Public Administration Act 2004** to change the Department in relation to which the Local Government Inspectorate is established from the Department of Premier and Cabinet to the Department of Justice and Community Safety.

This Order comes into effect on 1 May 2020.

Dated 28 April 2020

Responsible Minister:

THE HON DANIEL ANDREWS MP

Premier

CLAIRE CHISHOLM  
Clerk of the Executive Council

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## PRICING FOR SPECIAL GAZETTE, PERIODICAL GAZETTE AND VICTORIAN LEGISLATION

Retail price varies according to the number of pages in each Victoria Government Special Gazette, Victoria Government Periodical Gazette and Victorian legislation. The table below sets out the prices that apply.

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#S	951–1016	\$86.83
#T	1017–1080	\$92.21
#U	1081–1146	\$97.75
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#W	1211–1276	\$108.88
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<i>Price Code</i>	<i>No. of Pages (Including cover and blank pages)</i>	<i>Price*</i>
#Z	1407–1470	\$125.60
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#ZB	1537–1610	\$136.57
#ZC	1611–1666	\$142.32
#ZD	1667–1730	\$147.70
#ZE	1731–1796	\$153.66
#ZF	1797–1860	\$159.20
#ZG	1861–1926	\$164.42
#ZH	1927–1990	\$170.38
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