



Victoria Government Gazette

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No. G 42 Thursday 20 October 2022

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GENERAL

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As from 20 October 2022

The last Special Gazette was No. 576 dated 19 October 2022.

The last Periodical Gazette was No. 1 dated 30 May 2022.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
 - or contact our office on 8523 4601
between 8.30 am and 5.30 pm Monday to Friday
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**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (General)
MELBOURNE CUP HOLIDAY WEEK 2022**

Please Note New Deadlines for General Gazette G44/22:

The Victoria Government Gazette (General) for Melbourne Cup week (G44/22) will be published on **Thursday 3 November 2022**.

Copy Deadlines:

Private Advertisements	9.30 am on Friday 28 October 2022
Government and Outer Budget Sector Agencies Notices	9.30 am on Friday 28 October 2022

Office Hours:

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

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

KIM BURNES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Re: IRENE LEHEL, late of Unit 4, 303–305 Church Street, Richmond, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 November 2021, are required by the trustee, Christine Anne Eager, to send particulars to the trustee, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she has notice.

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

ANTONINO MARIO FAILLA, late of 51 Casey Drive, Lalor 3075, in the State of Victoria, panel beater, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 May 2022, are required by the executrix, Giuseppa Failla, care of Arthur J. Dines & Co., solicitors, 2 Enterprise Drive, Bundoora, in the said State, to send particulars to her by 19 December 2022, after which date the executrix may convey or distribute the assets, having regards only to claims to which she has notice.

Dated 10 October 2022

ARTHUR J. DINES & CO.,
property law advisors,
2 Enterprise Drive, Bundoora 3083.

VELIKA KIPROV, late of 22 Currawong Avenue, Lalor, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 October 2017, are required by the executor, Danny Goulinas, care of Arthur J. Dines & Co., solicitors, 2 Enterprise Drive, Bundoora, in the said State, to send particulars to him by 19 December 2022, after which date the executor may convey or distribute the assets, having regards only to claims to which he has notice.

Dated 13 October 2022

ARTHUR J. DINES & CO.,
property law advisors,
2 Enterprise Drive, Bundoora 3083.

FINKA PETROVSKA, late of 105 Langdon Drive, Mernda, in the State of Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 April 2021, are required by the executor, Lazo Petrovski, care of Arthur J. Dines & Co., solicitors, 2 Enterprise Drive, Bundoora, in the said State, to send particulars to him by 19 December 2022, after which date the executor may convey or distribute the assets, having regards only to claims to which he has notice.

Dated 14 October 2022

ARTHUR J. DINES & CO.,
property law advisors,
2 Enterprise Drive, Bundoora 3083.

MARIA TRAIKOPOULOS, late of 14 Palm Street, Thomastown, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 July 2022, are required by the executrix, Angela Kreskas, care of Arthur J. Dines & Co., solicitors, 2 Enterprise Drive, Bundoora, in the said State, to send particulars to her by 19 December 2022, after which date the executrix may convey or distribute the assets, having regards only to claims to which she has notice.

Dated 12 October 2022

ARTHUR J. DINES & CO.,
property law advisors,
2 Enterprise Drive, Bundoora 3083.

Trustee Act 1958**SECTION 33 NOTICE****Notice to Claimants**

ROBIN GARTH GASSON, late of 217/220 Middleborough Road, Blackburn South, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased,

who died 22 November 2021, are required by the executor, Jeffrey Lewis Dunemann, care of Barry Kenna & Co., 318D Station Street, Box Hill South, Victoria, to send particulars to him by 29 December 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

Dated 20 October 2022

BARRY KENNA & CO.,
318D Station Street, Box Hill South,
Victoria 3128.

Re: MARIJA COVRE, also known as Maria Covre, late of 31 Cockaigne Street, Doncaster, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 29 July 2021, are required by Anita Bekavac, the executrix of the estate of the deceased, to send particulars of their claims to her, care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date she may convey or distribute the assets, having regard only to the claims of which she then has notice.

CAREW COUNSEL SOLICITORS,
Level 10, 313 La Trobe Street, Melbourne,
Victoria 3000.
Tel: 03 9670 5711. Fax: 03 9670 2226.

Estate of the late ALFRED WILLIAM ROY.

Creditors, next-of-kin and others having claims in respect of the Will/estate of the abovenamed deceased, who died on 7 July 2021, are required by the executors, Lorraine Joan Van Der Koogh and Barrie Russell Ryan, care of PO Box 187, Moe, Victoria 3825, to send particulars of their claims to them by 10 January 2023, after which date the executors may convey or distribute the assets and distribute the estate, having regard only to the claims of which they then have notice.

DAVINE SHANAHAN FITZPATRICK,
Suite 1, 55 Lloyd Street, Moe, Victoria 3825.

Re: TEKLJICA PAUNOVIC, late of 4 Olinda Court, Broadmeadows, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased,

who died on 27 May 2022, are required by the trustee, Dusan Paunovic, to send particulars to the trustee, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: FRANCESCO SOLARINO, late of 35 Willandra Drive, Epping, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 July 2022, are required by the trustee, Giovanni Solarino, to send particulars to the trustee, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: KATHERINE ANN WILSON, late of 8 Miles Street, Bentleigh, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 June 2022, are required by the trustee, Matthew David Rawlings, to send particulars to the trustee, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: COLIN JAMES NORTH, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 March 2022, are required by the executors, Susan Marie Alberti, Andrew James North and Andrew Dermenzies, to send particulars to the executors, care of their below lawyers, by 22 December 2022, after which date the executors will convey or distribute the

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

DERMENZIES LAWYERS,
10 Wilfred Road, Ivanhoe East 3079.

Re: PAMELA CHRISTINE GIBBONS,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 January 2022, are required by the trustees, Janet Mary Pobjoy and Heather Anne Anderson, care of Featherbys Lawyers, of 14 Ninth Avenue, Rosebud, Victoria, to send particulars to the trustees by 15 December 2022, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

FEATHERBYS LAWYERS, solicitors,
14 Ninth Avenue, Rosebud 3939.

SUSAN MARGARET ZWETSLOOT,
deceased, late of Menarock Life Aged Care,
Heathmont, 27–29 The Greenway, Heathmont,
Victoria 3135, Australia.

Creditors, next of kin and others having claims in respect of the estate of the deceased, who died on 22 July 2022, are required by the executor and trustee, Joanna Katherine Goldsmith, to send particulars to her, care of the undermentioned solicitors, by 27 December 2022, after which date the executor and trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

FRENKEL PARTNERS, lawyers,
Level 11, 140 William Street, Melbourne 3000.

DOMINIC GEORGE LAWRENCE
SCHEMBRI, late of 739 Ballarat Road, Ardeer,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 August 2022, are required by the executor, Neil Peter William Garfirth, to send particulars to him, care of the undermentioned solicitors, by 23 December 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

GOLDSMITHS LAWYERS,
52–54 Rosslyn Street, West Melbourne 3003.

Estate of GRAEME EDMUND MOIR, of
440 Camberwell Road, Camberwell, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 November 2021, are required by the trustee, Audrey Marguerite Moir, care of Level 11, Rialto South Tower, 525 Collins Street, Melbourne, Victoria, to send particulars to the trustee, care of her below lawyers, by 19 December 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she has notice.

HALL & WILCOX LAWYERS,
Level 11, Rialto South Tower,
525 Collins Street, Melbourne 3000.

Re: STANLEY MARTIN LESLIE
GUILFOYLE.

Creditors, next-of-kin and others having claims against the estate of STANLEY MARTIN LESLIE GUILFOYLE, late of Apartment 43, 2 Malmsbury Street, Kew, Victoria, retired, deceased, who died on 2 July 2022, are requested to send particulars of their claims to the executors, care of the undermentioned lawyers, by 19 December 2022, after which date the executors will distribute the assets, having regard only to the claims of which the executors then have notice.

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

Re: Estate of EUNICE KIMPTON.

Creditors, next-of-kin and others having claims against the estate of EUNICE KIMPTON, late of 101 Whalley Drive, Wheelers Hill, Victoria, retired receptionist, deceased, who died on 20 July 2022, are requested to send particulars of their claims to the executor, care of the undermentioned lawyers, by 21 December 2022, after which date the executor will distribute the assets, having regard only to the claims of which the executor then has notice.

HICKS OAKLEY CHESSELL WILLIAMS,
PO Box 2165, Mount Waverley, Victoria 3149.

Trustee Act 1958
SECTION 33 NOTICE
Notice to Claimants

JUNE FRANCES BALL, late of 3 Peel Street, Northcote, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 July 2022, are required by Equity Trustees Wealth Services Limited, ACN 006 132 332, of Level 1, 575 Bourke Street, Melbourne, Victoria, the executor of the estate of the deceased, to send particulars of their claims by 20 December 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which it then has notice.

HUNT & HUNT,
Level 5, 114 William Street, Melbourne,
Victoria 3000.
Ref: 9645436.

Re: Estate of ELAINE ALISON JAMES, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of ELAINE ALISON JAMES, late of Bentleys Aged Care, 47 Harpin Street, East Bendigo, in the State of Victoria, retired, deceased, who died on 8 September 2022, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 19 December 2022, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

JOLIMAN LAWYERS,
42 McCallum Street, Swan Hill, Victoria 3585.

Re: BERYL HEYDON GRAHAM, deceased, of 29 Heathfield Road, Brighton East, Victoria, retired.

Creditors, next-of-kin and others having claims in respect to the estate of the deceased, who died on 13 July 2022, are required to send particulars of their claims to the executor, Keith Ross Cameron, care of 273 Hampton Street, Hampton, Victoria 3188, by 21 December 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which he may then have notice.

KEITH R. CAMERON SOLICITORS,
273 Hampton Street, Hampton, Victoria 3188.

JUDITH McKENZIE CHRISTIE, late of 497 Rathdowne Street, Carlton, in the State of Victoria, farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died at Carlton, Victoria, on 21 June 2022, are required by Janet Irene Christie, one of the executors and trustees of the estate of the said named deceased, to send particulars of their claims to her, care of the undermentioned solicitor, by 19 December 2022, after which date she may convey or distribute the assets of the estate, having regard only to the claims of which she then has notice.

KIRBY & CO.,
Level 4, 488 Bourke Street, Melbourne 3000.
Ph: 03 9670 9691.

Re: MIROSLAV JAN HLEDIK, late of 44 Baggott Drive, Hoppers Crossing, Victoria 3029, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 14 November 2021, are required by the administrator, Helen Le Brun, care of Unit 4, 5 Wedge Street South, Werribee, Victoria 3030, to send particulars of their claims to the undersigned solicitors within 60 days from the date of publication, after which date the administrator may convey or distribute the assets and distribute the estate, having regard only to the claims of which she then has notice.

LE BRUN & ASSOCIATES,
PO Box 2068, Werribee, Victoria 3030.
mail@lebrun.com.au

YVONNE POTTER, late of 12 Cavendish Avenue, Wantirna, Victoria 3152, care worker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 7 February 2018, are required by the executor, Eric Dickinson, to send particulars of their claims to him, care of the undermentioned lawyers, by 19 December 2022, after which date the executor may convey or distribute the estate, having regard only to the claims of which he then has notice.

LOBB & KERR LAWYERS,
262 Stephenson's Road, Mount Waverley,
Victoria 3149.
legal@lobbkerr.com.au

Re: HUGH CHARLES ALLAN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 August 2022, are required by the trustees, Phillip John Allan and Linley Elizabeth Sirgiovanni, to send particulars to their solicitors at the address below by 20 December 2022, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

MST LAWYERS,
Level 3, 545 Blackburn Road,
Mount Waverley 3149.

Re: CARMEL MARY CLIFFORD, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 May 2021, are required by the trustee, Deborah Terese Stewart, to send particulars to her solicitors at the address below by 20 December 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MST LAWYERS,
Level 3, 545 Blackburn Road,
Mount Waverley 3149.

Re: EILEEN DOROTHY CLIFFORD, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 August 2022, are required by the trustee, Deborah Terese Stewart, to send particulars to her solicitors at the address below by 20 December 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MST LAWYERS,
Level 3, 545 Blackburn Road,
Mount Waverley 3149.

Re: VERENA ROSMARIE ASHER, in the Will called Vrena Rosmarie Asher, late of Arcare Aged Care, 1997–2005 Malvern Road, Malvern East, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 August 2022, are required by the

trustee, Basil John Clarence Jenkins, in the Will called Basil Jenkins, care of Level 11, 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee, care of the undermentioned solicitors, by 20 December 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

McKEAN PARK, lawyers,
Level 11, 575 Bourke Street, Melbourne,
Victoria 3000.

Re: MILOSAV MILOSEVIC, late of 44 Trinity Way, South Morang, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 January 2022, are required by the trustee, Elvira Milosevic, to send particulars to the trustee, care of the undermentioned solicitors, by Monday 19 December 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors,
Shop 26, 314–360 Childs Road, Mill Park,
Victoria 3082.
AJM:22200087.

Re: MARGARET ANNE NAYLER, late of Unit 61, 3 Rockley Road, South Yarra, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 July 2022, are required by the legal personal representative, Marvin Lee Weinberg, to send particulars to him, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which the legal personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

MEERKIN & APEL, lawyers,
56 Greville Street, Prahran, Victoria 3181.

MAE JEAN SMITH, late of Room C17, 74 Potts Road, Langwarrin, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased,

who died on 10 June 2022, are required by the executors, Laurence Ralph Smith and Colin David Smith, to send particulars of such claims to them, care of the undermentioned solicitor, by a date not later than two months 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 they then have notice.

MISTY ROYCE, law practice,
PO Box 4084, Frankston Heights, Victoria 3199.

BARBARA JEAN HONAN, late of
23 Marna Street, Healesville, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 23 February 2022, are required by the trustees, David George Dickson and Terence James Sonnet, care of the undermentioned solicitor, to send particulars to the trustees by 24 December 2022, after which date the trustees may distribute the assets, having regard only to the claims of which they then have notice.

NICOLE SLINGSBY,
301 Maroondah Highway, Healesville,
Victoria 3777.
Ph: 03 8521 5656.

LESLIE WALTER TULAU, deceased, late
of 90 Fernlea Road, Yallourn North, Victoria.

Creditors, next-of-kin and others having a claim in respect of the estate of the deceased, who died on 18 February 2019, are required to send written particulars of their claim to the executors, care of PO Box 104, Moe, Victoria 3825, 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 they may then have notice of.

O'HALLORAN DAVIS, solicitors,
12–14 Kirk Street, Moe 3825.

ANTHONY FREDERICK HENRY
WALLER, late of 37 Wells Road, Beaumaris,
Victoria 3193, company director, deceased.

Creditors, next-of-kin and others having claims in respect of the Will/estate of the abovenamed deceased, who died on 5 May 2022, are required by the executor, Deborah Mary Waller, care of Perpetuity Legal, Level 11,

456 Lonsdale Street, Melbourne, Victoria 3000, to send particulars of their claims to her by 29 December 2022, after which date the executor may convey or distribute the assets and distribute the estate, having regard only to the claims of which she then has notice. Probate was granted in Victoria on 5 August 2022.

PERPETUITY LEGAL,
Level 11, 456 Lonsdale Street, Melbourne,
Victoria 3000.
Ph: 03 9070 9883. Contact: Lav Chhabra.

Re: SHIRLEY MAY COX, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 August 2022, are required by the trustees, Jennifer Jane Graham and Miranda Frances Cox, to send particulars to the trustees, care of the solicitors named below, by 19 December 2022, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

RUSSELL KENNEDY, solicitors,
Level 12, 469 La Trobe Street, Melbourne,
Victoria 3000.

Re: JOHN WILLIAM HAZLETT, late
of 986 Murraydale Road, Tyntynder, Victoria,
farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 June 2021, are required by the administrator, Patrick Vincent Lyttleton, to send particulars to him, care of the undermentioned lawyers, by a date not later than two months from the date of publication hereof, after which date the administrator will convey or distribute the assets, having regard only to the claims of which he then has notice.

SUZANNE LYTTLETON LAWYERS,
PO Box 2181, St Kilda West, Victoria 3182.
Telephone: 9646 4477.

IRIS LIERKAMP, late of 13 Barkly Street
West, Ararat, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 22 June 2022, are required

to send particulars of their claims to the executor, David Lierkamp, care of the undermentioned solicitors, by 20 December 2022, after which date the said executor will distribute 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.

MERLYN OLIVE MOLAN, late of
10 Koroit Street, Warnnambool, Victoria 3280,
retired hotelier, deceased.

Creditors, next-of-kin and others having claims in respect of the Will/estate of the abovenamed deceased, who died on 8 April 2022, are required by the executors, Anthony Michael Molan and Marguerite Noeline Moloney, care of Level 24, 570 Bourke Street, Melbourne, Victoria 3000, to send particulars of their claims to them within 60 days from the date of publication of this notice, after which date the executors may convey or distribute the assets and the estate, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 15 July 2022.

TR LEGAL,
Level 24, 570 Bourke Street, Melbourne,
Victoria 3000.

Re: ALLAN ROBERT FRASER, late of
73 Swanston Street, Terang, Victoria 3264,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 May 2022, are required by the executor, Heather Mavis Fraser, to send particulars to her, care of the undermentioned solicitors, by 19 December 2022, after which date she may convey or distribute the assets, having regard only to the claims of which she then has notice.

TAITS LEGAL,
99 High Street, Terang 3264.

RHONDA MARY TRONSON, late of
10A Silesia Court, Warnnambool, Victoria 3280,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who

died on 20 May 2020, are required by the trustees, Dean Craig Tronson and Kiel Christopher Hall, to send particulars of their claims to the trustees, care of the undermentioned lawyers, by a date not later than 20 December 2022, being two months from the date of publication hereof, after which the trustees may convey or distribute the assets, having regard only to the claims of which they have notice.

Dated 20 October 2022

THE FAMILY LAWYER,
Suite 6, 5–7 Chandler Road, Boronia,
Victoria 3000.

ANTONIA GLIATAS, deceased, late of
6 Stewart Street, Brunswick, Victoria 3056.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 3 April 2022, are required by the executors, Theodoros Gliatas and Georgios Gliatas, to send particulars to them, care of the undersigned solicitors, by 22 December 2022, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

WOODS WILLS LAWYERS,
338 Barkly Street, Brunswick, Victoria 3056.

PHILIP IAN NEAL, deceased, late of 3,
35 Rossmoyne Street, Thornbury, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 1 June 2021, are required by the executor, Gregory Alan Neal, to send particulars to him, care of the undersigned solicitors, by 22 December 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

WOODS WILLS LAWYERS,
338 Barkly Street, Brunswick, Victoria 3056.

VALERIE PRITCHARD, deceased, late of
3A Kars Street, Beechworth, Victoria 3747.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 8 August 2021, are required by the executor, Gregory James Pritchard, to send particulars to him, care of the

undersigned solicitors, by 22 December 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

WOODS WILLS LAWYERS,
338 Barkly Street, Brunswick, Victoria 3056.

ADVERTISEMENT OF ONLINE AUCTION BY THE SHERIFF

On Tuesday 22 November 2022 at 11.00 am, unless process is stayed or satisfied, all the estate and interest, if any, of the person(s) named below, in the land described below, will be auctioned online by the Sheriff.

VS Group of Companies Pty Ltd,
30 Woorak-Ni Ni-Lorquon Road, Glenlee,
Victoria 3418, sole proprietor of an estate in fee simple in the land described in the following properties.

Each property will be auctioned separately.

Note: You are purchasing the interest in the below commercial properties only; they are not sold with a business.

Firstly, Property 1:

Certificate of Title Volume 04905 Folio 953 and Volume 04850 Folio 989 upon which is erected a vacant commercial shop and known as 57–59 Commercial Street, East Kaniva, Victoria 3419.

The following recordings in the Register affect or may affect the land as at 12 October 2022:

No recordings listed.

Note: this property is subject to GST.

Secondly, Property 2:

Certificate of Title Volume 08625 Folio 934 upon which is erected a vacant motel and known as 7291 Western Highway, Nhill, Victoria 3418.

The following recordings in the Register affect or may affect the land as at 12 October 2022:

No Recordings listed.

Note: this property is subject to GST.

The Sheriff is unable to provide access to these properties. Refer to the advertisement on realestate.com.au for further information.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated

in particulars of sale in contract of sale. Payment is by EFT only, using OSKO.

Note: This is an online auction only. Online registration is required. A copy of the registration form can be obtained from the website listed below. All registration forms must be emailed to realestatesection@justice.vic.gov.au prior to the auction, to participate.

Please visit the Sheriff's Office Victoria Real Estate Section website at www.justice.vic.gov.au/sheriffrealestate for an information sheet on Sheriff's Auctions, a contract of sale and further information. Alternately, you can contact the Sheriff's Office Victoria Real Estate Section at realestatesection@justice.vic.gov.au

SHERIFF OF VICTORIA

ADVERTISEMENT OF ONLINE AUCTION BY THE SHERIFF

On Tuesday 24 November 2022 at 11.00 am, unless process is stayed or satisfied, all the estate and interest, if any, of the person(s) named below, in the land described below, will be auctioned online by the Sheriff.

Juan Pablo Rosales and Shuo Zhang both of 21 Eccles Way, Botanic Ridge, Victoria 3977, joint proprietors of an estate in fee simple in the land described on Certificate of Title Volume 11239 Folio 319 upon which is erected a house and known as 21 Eccles Way, Botanic Ridge, Victoria 3977.

The following recordings in the Register affect or may affect the land as at 14 October 2022:

- Registered Mortgage Dealing Number AH665397A,
- Registered caveat Dealing Number AV346039M,
- Agreement section 173 **Planning and Environment Act 1987** AC755801N,
- Agreement section 173 **Planning and Environment Act 1987** AC755822E,
- Agreement section 173 **Planning and Environment Act 1987** AD986828S,
- Notice section 45 **Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020** AT390559B,
- Covenant Number PS539502U,
- Owners Corporation 1 Plan No. PS539502U.

The Sheriff is unable to provide access to these properties. Refer to the advertisement on realestate.com.au for further information.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract of sale. Payment is by EFT only, using OSKO.

Note: This is an online auction only. Online registration is required. A copy of the registration form can be obtained from the website listed below. All registration forms must be emailed to realestatesection@justice.vic.gov.au prior to the auction, to participate.

Please visit the Sheriff's Office Victoria Real Estate Section website at www.justice.vic.gov.au/sheriffrealestate for an information sheet on Sheriff's Auctions, a contract of sale and further information. Alternately, you can contact the Sheriff's Office Victoria Real Estate Section at realestatesection@justice.vic.gov.au

SHERIFF OF VICTORIA

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**GLEN EIRA
CITY COUNCIL**INCLUSION OF TREES IN THE CLASSIFIED TREE REGISTER**

On 20 September 2022, under subclause 16(1)(a) of the Classified Tree Local Law (the Local Law), Glen Eira City Council resolved to include the trees listed in each item to the Schedule to this notice, nominated under subclause 11(1) of the Local Law, in the Classified Tree Register.

Schedule

Item	Tree	Location
1.	Yellow Gum (<i>Eucalyptus leucoxylon</i>) – 114/CTR/2021	Caulfield Junior College, 186 Balaclava Road, Caulfield North
2.	English Oak (<i>Quercus robur</i>) – 114/CTR/2021	Caulfield Junior College, 186 Balaclava Road, Caulfield North
3.	Bunya Pine (<i>Araucaria bidwillii</i>) – 134/CTR/2021	Glen Eira College, 37–71 Booran Road, Caulfield
4.	Lilly Pilly (<i>Syzygium smithii</i>) – 349/CTR/2022	44 Teak Street, Caulfield South
5.	Southern Blue Gum (<i>Eucalyptus globulus</i>) – 357/CTR/2022	5 Hawthorn Road, Caulfield North

CHRISTIAN RENAUD
Authorised OfficerGLEN EIRA
CITY COUNCIL**INCLUSION OF TREES IN THE CLASSIFIED TREE REGISTER**

On 12 October 2022, under subclause 16(1)(a) of the Classified Tree Local Law (the Local Law), Glen Eira City Council resolved to include the trees listed in each item to the Schedule to this notice, nominated under subclause 11(1) of the Local Law, in the Classified Tree Register.

Schedule

Item	Tree	Location
1.	River Red Gum No. 1 of 2 (<i>Eucalyptus camaldulensis</i>) – 80/CTR/2021	12 Gardenvale Road, Caulfield South
2.	River Red Gum No. 2 of 2 (<i>Eucalyptus camaldulensis</i>) – 80/CTR/2021	12 Gardenvale Road, Caulfield South

3.	Southern Mahogany (<i>Eucalyptus botryoides</i>) – 238/CTR/2021	43 Blackwood Street, Carnegie
4.	Camphor Laurel No. 1 of 7 (<i>Cinnamomum camphora</i>) – 186/CTR/2021	15–17 Omama Road, Murrumbeena
5.	Camphor Laurel No. 2 of 7 (<i>Cinnamomum camphora</i>) – 186/CTR/2021	15–17 Omama Road, Murrumbeena
6.	Camphor Laurel No. 3 of 7 (<i>Cinnamomum camphora</i>) – 186/CTR/2021	15–17 Omama Road, Murrumbeena
7.	Camphor Laurel No. 4 of 7 (<i>Cinnamomum camphora</i>) – 186/CTR/2021	15–17 Omama Road, Murrumbeena
8.	Camphor Laurel No. 5 of 7 (<i>Cinnamomum camphora</i>) – 186/CTR/2021	15–17 Omama Road, Murrumbeena
9.	Camphor Laurel No. 6 of 7 (<i>Cinnamomum camphora</i>) – 186/CTR/2021	15–17 Omama Road, Murrumbeena
10.	Camphor Laurel No. 7 of 7 (<i>Cinnamomum camphora</i>) – 186/CTR/2021	15–17 Omama Road, Murrumbeena

CHRISTIAN RENAUD
Authorised Officer

Planning and Environment Act 1987
MACEDON RANGES PLANNING SCHEME
Notice of the Preparation of an Amendment
Amendment C145macr

The Macedon Ranges Shire Council has prepared Amendment C145macr. The Amendment applies to all land affected by Schedule 4 to the Environmental Significance Overlay shown as ESO4 in the Macedon Ranges Planning Scheme mapping. The ESO4 applies to the extent of Eppalock Special Water Supply Catchment (ESWSC), including the Malmsbury, Lauriston and Upper Coliban Reservoirs within the Upper Coliban Catchment area, a designated open water supply catchment in the southwest portion of the Campaspe River basin in central Victoria.

The Amendment proposes to:

- replace Schedule 4 to Clause 42.01 Environmental Significance Overlay – Eppalock Proclaimed Catchment with the proposed new Schedule 4 to Clause 42.01 Environmental Significance Overlay – Eppalock Special Water Supply Catchment to modify the number of matters that require planning permission, focussing development that has the potential to impact the health of the catchment;
- amend the Schedule to Clause 66.04, referral of permit applications under local provisions to replace the existing referral requirements under Schedule 4 to the Environmental Significance Overlay with a requirement for all applications not exempt under the revised Schedule 4 to the Environmental Significance Overlay to be referred to the relevant water authority;
- introduce the Schedule to Clause 72.08 Background documents to include the Upper Coliban Integrated Catchment Management Plan (North Central Catchment Management Authority and Coliban Region Water Corporation, 2019) as a background document supporting the amended Schedule 4 to Clause 42.01.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the Macedon Ranges Shire Council website at www.mrsc.vic.gov.au/have-your-say and during office hours, at the office and services

centres of the Macedon Ranges Shire Council at Kyneton Administration Centre, 129 Mollison Street, Kyneton; Woodend Community Centre and Library, corner of Forest and High Streets, Woodend; Gisborne Administration Centre, 40 Robertson Street, Gisborne; or at the Department of Environment, Land, Water and Planning website, 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 24 November 2022. A submission must be sent to Macedon Ranges Shire Council, PO Box 151, Kyneton, Victoria 3444 or via email, mrsc@mrsc.vic.gov.au

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

BERNIE O'SULLIVAN
Chief Executive Officer
Macedon Ranges Shire Council

Planning and Environment Act 1987

MANSFIELD PLANNING SCHEME

Notice of the Preparation of an Amendment **Amendment C54mans**

The Mansfield Shire Council has prepared Amendment C54mans to the Mansfield Planning Scheme. The land affected by the Amendment is 104 Dead Horse Lane, Mansfield, Victoria 3722. The Amendment proposes to rezone part of the land from Farming Zone to General Residential Zone Schedule 1.

A copy of the Amendment and supportive documentation can be inspected, free of charge, on the Department of Environment, Land, Water and Planning's website at www.delwp.vic.gov.au/public-inspection; Council's engage portal,

engage.mansfield.vic.gov.au or during office hours, at the Mansfield Shire Council, 33 Highett Street, Mansfield.

Any person who may be affected by the Amendment may make a submission in writing 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 provide notice of the opportunity to attend Council meetings and any public hearing held to consider submissions. The closing date for submissions is 18 November 2022 at 5.00 pm. A submission must be sent to the Mansfield Shire by: online form, preferred, visit engage.mansfield.vic.gov.au; email at planningenquiries@mansfield.vic.gov.au please use 'Amendment C54mans – submission' in the email subject line; or by mail: Strategic Planning, Mansfield Shire Council, 33 Highett Street, Mansfield, Victoria 3722.

KIRSTEN ALEXANDER
Chief Executive Officer

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 21 December 2022, 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.

BINOTTO, Rhiannon Wendy, late of Ozanam House, 179–191 Flemington Road, North Melbourne, Victoria 3051, deceased, who died on 27 August 2022.

CHOW, Lye Eu, also known as Eu Lye Chow, Eu Lye Fong, Chow Lye Eu, Eu Lye Chow Fong and Eu Chow, late of Regis Inala Lodge, 220 Middleborough Road, Blackburn South, Victoria 3130, pensioner, deceased, who died on 1 July 2022.

FLOYD, Graham, late of Golden Oaks Nursing Home, Stoneham Street, Golden Square, Victoria 3555, deceased, who died on 26 June 2022.

GOLDSMITH, Mark Anthony, late of Unit 3, 3 Agonis Court, Rosebud, Victoria 3939, deceased, who died on 2 March 2022.

HOPE, Janet, late of Unit 74, 25 King Street, Prahran, Victoria 3181, retired, deceased, who died on 2 February 2022.

KEPPEL, Michael Thomas, also known as Thomas Keppel, late of Twin Parks Aged Care Centre, 33–47 Blake Street, Reservoir, Victoria 3073, retired, deceased, who died on 3 April 2022.

MACKNEY, Nancy, late of Unit 5, 35 Bryants Road, Dandenong South, Victoria 3175, pensioner, deceased, who died on 30 May 2022.

SALESKI, Silko, late of Unit 6, 10A Dunlop Avenue, Ascot Vale, Victoria 3032, deceased, who died on 22 December 2021.

SMITH, Betty Christine, also known as Violet Christine Smith, Betty Christina Smith and Betty Smith, late of 4 Jensen Street, Glenroy, Victoria 3046, pensioner, deceased, who died on 29 January 2022.

SPRAGUE, Neil Reginald, late of Unit 1, 87–89 Mitchell Street, Bentleigh, Victoria 3204, deceased, who died on 21 March 2022.

VINCENT, Terry John, also known as Terry Vincent, late of Unit 1, 95 Noble Street, Noble Park, Victoria 3174, deceased, who died on 25 March 2022.

Dated 12 October 2022

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 22 December 2022, 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.

GERRARD, James Walter, late of Unit 2, 15 White Street, Healesville, Victoria 3777, deceased, who died on 30 June 2022.

KUES-SALES, Patricia Ann, late of Unit 1, 26 Ligar Street, Stawell, Victoria 3380, deceased, who died on 30 March 2022.

NEWTON, Gael Janet, late of 9 Dallas Street, Mount Waverley, Victoria 3149, deceased, who died on 9 May 2022.

ROWAN, Keith Alfred, late of Unit 5, 48 Stanger Street, Yarraville, Victoria 3013, deceased, who died on 9 October 2021.

SCHWAB, Kim Damien, late of Ron Conn Nursing Home, 33 Westminster Drive, Avondale Heights, Victoria 3034, deceased, who died on 3 July 2022.

TROY, Gwendoline Victoria, also known as Gwendoline Victoria Maiden-Graves, late of Doutta Galla, Suite 2, 48 Geelong Road, Footscray, Victoria 3011, deceased, who died on 17 June 2022.

Dated 14 October 2022

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 26 December 2022, 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.

BROWN, Clinton Paul, late of Room 7, Lionsbrea Aged Care – Ringwood, 29 Everard Road, Ringwood East, Victoria 3135, deceased, who died on 10 August 2022.

CURTIS, Catherine Elizabeth, late of McKellar Centre, 45 Ballarat Road, North Geelong, Victoria 3215, deceased, who died on 2 April 2022.

GODSMARK, Edward, late of Lyndoch Living Aged Care, 10 Hopkins Road, Warrnambool, Victoria 3280, deceased, who died on 11 July 2022.

KAUR, Amandeep, late of 49 Kingbird Avenue, Tarneit, Victoria 3029, deceased, who died on 8 March 2020.

KNOX, Jeannette Olga, late of Unit 2, 26–28 Leigh Road, Croydon, Victoria 3136, deceased, who died on 28 February 2022.

LITCHFIELD, Neil Bernard, late of Unit 4, 281 Dorset Road, Boronia, Victoria 3155, deceased, who died on 9 November 2021.
Date of Grant 13 October 2022.

McKERRAL, Graeme Kenneth, late of Unit 6, 22 Victoria Street, Cobden, Victoria 3266, deceased, who died on 5 August, 2022.

McSWEENEY, Ray, late of Benetas Lovell House, 389 Alma Road, Caulfield North, Victoria 3161, deceased, who died on 11 June 2022.

PARKER, Maurice George, late of Bupa Aged Care, 208 Holdsworth Road, Bendigo, Victoria 3550, deceased, who died on 24 February 2022.

SINGH, Swaranjeet, late of 49 Kingbird Avenue, Tarneit, Victoria 3029, deceased, who died on 8 March 2020.

Dated 17 October 2022

HUMAN RIGHTS LIST

EXEMPTION

Application No. H278/2022

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by A. T. Kearney Australia Pty Ltd (the Applicant). On 21 April 2022, the Applicant was granted an exemption to enable it to offer scholarships of up to \$15,000 to four female undergraduate or postgraduate university students. The Applicant made the current application to allow it to increase the amount granted with the scholarships during the life of the exemption. This is to ensure the scholarships remain competitive and effective in a changing inflationary environment.

The Applicant amended its initial application and now seeks the current exemption in H135/2021 to be revoked, and for the Tribunal to grant a new exemption to enable the Applicant to advertise for and select four female undergraduate or postgraduate university students to be awarded a scholarship each to support their studies, and to undertake a paid internship at one of the Applicant's Australian offices, and to be mentored by a senior female consultant (the exempt conduct).

The exempt conduct wording removes reference to the amount to be granted with each scholarship and would allow the Applicant to increase those amounts over the life of the exemption in response to cost of living and study increases.

The material filed in support of this application is similar to that which the Tribunal accepted when granting the exemption in H135/2021. That exemption application was publicised, submissions were invited, and a hearing was held on 31 March 2022. The Tribunal did not receive any submissions objecting to that application. The further evidence before the Tribunal now includes an affidavit of Kyna Messias, HR Co-ordinator, and oral evidence of Kyna Messias and Ali Moore, Senior HR Co-ordinator, at the directions hearing on 5 October 2022.

On the evidence before it, the Tribunal is satisfied that the Applicant wishes to increase the amounts granted in its scholarships and to have the flexibility to continue to do so over the life of the exemption. The reasons for, and aims of, the scholarship program remain the same. On the evidence before it, the Tribunal is satisfied that it is appropriate to revoke the exemption in H135/2021, and grant a new exemption from sections 16, 44, 107 and 182 of the Act to enable the Applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal notes:

- The Applicant is a global management consulting firm with offices in more than 40 countries. Its Australian offices are located in Melbourne and Sydney. The Applicant's recruitment objective is to ensure that it hires the best diverse talent which supports the Applicant's overall strategy and contributes to their Gender Equality Strategy and Diversity Policy.
- The Applicant seeks to increase the proportion of females working as consultants and in leadership roles within the Applicant's business and the wider industry. Statistics provided by the Applicant indicate that only 30% of the Kearney ANZ consultant workforce is female. The broader management consulting industry continues to record disparity between male and female employees, which becomes even more apparent in management and leadership roles.¹
- The Applicant believes that offering female-only scholarships is an effective way to market to female students and to support ambitious and driven females to build successful careers in management consulting.

¹ Australia's gender equality scorecard February 2022 by Workplace Gender Equality Agency.

- The Applicant has been granted an exemption for similar conduct in 2016 and most recently in April 2022. The exempt activity in this application is designed to allow the Applicant flexibility to increase the amount provided with the scholarships to remain competitive and effective in a changing recruitment market and inflationary environment.
- The Victorian Equal Opportunity and Human Rights Commission was provided notice of the application and informed the Tribunal that it would not seek leave to intervene in the proceeding.
- The scholarships will be open to all female undergraduates in their second year or later, as well as to postgraduate students. The scholarships are intended to assist with the costs of study and professional development. The recipients will receive funds to be used to support either their next year of study or other educational related activities. In addition, the scholars will have the opportunity to do a paid internship at one of the Applicant's Australian offices, and receive mentorship from a senior female consultant.
- The Applicant continues to undertake a number of other strategies to encourage more female students to consider a career with the Applicant as a consultant and in the broader industry. The Applicant actively works with and financially supports a number of student societies and networks including Women in Science and Engineering at Melbourne University, University of Queensland Women's Network, University of Sydney Women's Network, Women in Engineering University NSW, Capital W at University of NSW, and University of Western Australia Women in Business. The Applicant completed an Employer of Choice for Gender Equality submission to the Workplace Gender Equality Association, and its Gender Equality Strategy has been endorsed by its global CEO. The Applicant also actively recruits senior females to leadership roles. Nevertheless, these strategies have not been sufficient to affect a permanent improvement in the percentage of females working as consultants and in leadership roles with the Applicant and in the wider management consulting industry.
- The Applicant considers the scholarships will not only provide an opportunity for the successful recipients, but will also bring the Applicant and the roles it offers to the attention of more female students. While that will assist the Applicant in meeting its diversity goals, it will also encourage greater participation in the management consulting industry. An exemption for similar conduct has been granted in New South Wales.
- No exception or exemption in the Act applies to the exempt conduct, and in the absence of the Tribunal granting an exemption, the exempt conduct would amount to prohibited discrimination.
- When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (the Charter). I have considered the nature of the right, the importance of the purpose of the limitation, the nature and extent of the limitation, and the relationship between the limitation and its purpose, and any less restrictive means reasonably available to achieve the purpose the limitation seeks to achieve.
- I accept the exempt conduct limits the right to equality and in particular the right to equal and effective protection against discrimination on the basis of sex. This exemption will allow discrimination on the basis of sex in relation to students who are not female who may wish to undertake a scholarship and paid internship with mentoring support with the Applicant. The reasons provided in support of the exemption note the low participation rate of females in the Applicant's and the broader management consulting industry consultant workforce.
- The Tribunal has granted an exemption for similar conduct in the past. While I note the exemption will allow the Applicant to discriminate on the basis of sex in relation to choosing successful candidates for the scholarships, I also note the scholarships do not displace anyone from current opportunities and add to the opportunities offered by the Applicant. I also note the scholarship program will not prevent anyone

from seeking internships or graduate and ongoing employment opportunities with the Applicant. I am satisfied the exempt conduct is specific and focused on its purpose, and that the Applicant continues to pursue less restrictive strategies.

- It is also important to note that the limitation the exemption proposes is temporary, as the Act limits an exemption to no more than five years. If a further exemption application is made at that time, it would be considered at that time against the requirements of the Act.
- I am satisfied that in all the circumstances, the limits imposed by this exemption on the right to equality are reasonable and justified under the Charter.

Section 89(3)(a) of the Act allows the Tribunal to revoke an exemption with effect from a date not less than 3 months after the date the notice is published. The Tribunal hereby revokes the exemption in H135/2021 with effect as at 20 January 2023.

The Tribunal grants the current application for an exemption from the operation of sections 16, 44, 107 and 182 of the Act to enable the Applicant to engage in the exempt conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 20 October 2027.

Dated 20 October 2022

C. THWAITES
Member

Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of Cemetery Trust Fees and Charges

I, Bryan Crampton as Delegate of the Secretary to the Department of Health for the purposes of section 40(2) of the **Cemeteries and Crematoria Act 2003**, give notice that I have approved the scale of fees and charges fixed by the following cemetery trust.

The approved scale of fees and charges will take effect from the date of publication of this notice in the Victoria Government Gazette and will be published on the internet.

The fees will be published on the internet at <http://www.health.vic.gov.au/cemeteries>

The Spring Hill Cemetery Trust

Dated 12 October 2022

BRYAN CRAMPTON

Manager

Cemetery Sector Governance Support

HERITAGE
VICTORIA
HERITAGE
VICTORIA
HERITAGE
VICTORIA

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 including a place in the Heritage Register:

Number: H2413

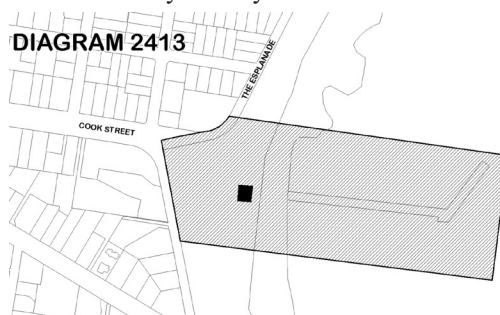
Category: Registered Place, Registered Objects
Integral to a Registered Place; Registered
Archaeological Place

Place: Flinders Telegraph Cable Complex
and Pier

Location: The Esplanade, Flinders

Municipality: Mornington Peninsula Shire

All of the place shown hatched on Diagram 2413 encompassing all of Allotment 16B Parish of Flinders, and the parts of Allotment 29A Section A Township of Flinders, Lot 16A Township of Flinders, and part of the road reserve of The Esplanade. All of the registered objects integral to the place are listed in the inventory held by the Executive Director.



Dated 20 October 2022

STEVEN AVERY
Executive Director

**Building Act 1993**

The Building Regulations 2018

STATE BUILDING SURVEYOR

Notice of Accreditation

In accordance with Regulation 244A(4) of the Building Regulations 2018, the Victorian Building Authority (VBA) hereby provides the following notice of decision by the Building Regulations Advisory Committee to renew 1 building product accreditation.

Dated 20 October 2022

ANDREW CIALINI

State Building Surveyor

A duly authorised delegate of the VBA

Building Act 1993*Section 14A(2)***Building Regulations 2018***Regulation 244A(1)*

CERTIFICATE OF ACCREDITATION

Name of product: Dincel Structural Walling System

Product description: The Dincel Structural Walling System is a permanent formwork constructed from an engineered Polyvinyl Chloride (PVC) polymer and consists of a 2.6 mm external/internal polymer 'face' and a 2.6 mm polymer internal webbing.

Description of the purpose and use of the building product: The Dincel Structural Walling System is used as a loadbearing reinforced concrete wall system that utilises the pre-fabricated and modular permanent formwork described above.

Conditions to which the accreditation is subject:

1. This accreditation does not apply to any other provisions of the National Construction Code series and only accredits the limited and conditional uses of the product to the performance requirement CP2.
2. The Dincel PVC concrete wall system must be designed by an engineer registered in the category and class of civil engineer in accordance with Volume One of the National Construction Code as published from time to time.
3. In the event that any other Performance Solution involving a fire performance requirement within the meaning of the Building Regulations 2018 is applied to a specific building project, the project fire safety engineer must consider whether the presence of the Dincel Construction System PVC formwork used externally will affect the assessment of the building design. In consideration of a combustible external wall, the project fire safety engineer must rely on the report titled 'Project: Dincel Structural Walling System – Evidence of Suitability Report-Rev F #7147101' dated February 2020, prepared by Omnii Consulting Fire Engineers.

Details of any variation of the accreditation:

- Reaccreditation granted for a period of three years from the date the existing accreditation was set to expire.
- Certificate number adjusted to include this amendment.

The name, address and Australian business number of the holder of the accreditation:

Dincel Structural Walling, 101 Quarry Road, Erskine Park, New South Wales 2759, ABN 78 083 839 614

Certificate number: V20/01-A1

Date of issue: 7 October 2022

Date of expiry: 10 June 2026

Electricity Industry Act 2000**NOTIFICATION OF GRANT OF LICENCE TO GENERATE AND SELL ELECTRICITY**

The Essential Services Commission (the commission) gives notice under section 30(a) of the **Electricity Industry Act 2000** (Industry Act) that, pursuant to section 19(1) of the Industry Act, the commission has granted an application by BESS Longwarry Pty Ltd (ACN 642 469 234) for a licence to generate electricity for supply or sale, and to sell electricity to the wholesale electricity market.

The licence was issued on 12 October 2022 and is granted on an ongoing basis. A copy of the licence is available on the commission's website at www.esc.vic.gov.au or can be obtained by calling the commission on 03 9032 1300.

KATE SYMONS
Chairperson

Fisheries Act 1995**FISHERIES NOTICE 2022**

I, Travis Dowling, CEO of the Victorian Fisheries Authority, as delegate of the Minister for Fishing and Boating, having undertaken consultation in accordance with section 3A of the **Fisheries Act 1995** (the Act), make the following Fisheries Notice under sections 67, 68A, 114 and 152 of the Act.

Dated 28 September 2022

TRAVIS DOWLING
CEO
Victorian Fisheries Authority

FISHERIES (EASTERN ABALONE ZONE) NOTICE 2022**1. Title**

This Notice may be cited as the Fisheries (Eastern Abalone Zone) Notice 2022.

2. Objectives

The objective of this Notice is to:

- a. fix minimum size limits for blacklip abalone taken under an Abalone Fishery Access Licence in the Eastern Abalone Zone.
- b. address sustainability concerns for Victorian Eastern Abalone Zone abalone stocks and related management issues by closing specified marine waters to commercial abalone harvest.

3. Authorising provision

This Notice is made under sections 67, 68A, 114 and 152 of the Act.

4. Commencement

This Notice comes into operation on 1 April 2022.

5. Definitions

In this Fisheries Notice –

‘**AFAL**’ means an Abalone Fishery (Eastern Zone) Access Licence;

‘CEO’ means the Chief Executive Officer of the VFA;

‘closed waters’ means the marine waters within a spatial management unit for which the optimal target has been reached or exceeded as specified in Column 3 of Schedule 2 and/or the marine waters within a reef code for which the upper limit has been reached or exceeded as specified in Column 3 of Schedule 3;

‘eastern abalone zone’ means all Victorian waters east of longitude 148° East;

‘nominated operator’ means –

- (a) a licence holder permitted under section 39(1) of the Act; or
- (b) a person listed on an access licence for the purposes of section 39(2) of the Act;

‘size zone’ means each area of Victorian marine waters between the coordinates specified in Column 1 of Schedule 1;

‘spatial management unit’ means each area of Victorian marine waters specified in Column 1 of Schedule 2;

‘reef code’ means each area of Victorian marine waters specified in Column 1 of Schedule 3;

‘the Act’ means the **Fisheries Act 1995**;

‘optimal target’ means for the spatial management unit specified in Column 1 of Schedule 2, the amount of abalone specified in Column 3 of Schedule 2;

‘upper limit’ means for the reef code specified in Column 1 of Schedule 3, the amount of abalone specified in Column 3 of Schedule 3;

‘VFA’ means the Victorian Fisheries Authority.

6. **Minimum sizes for blacklip abalone taken from the eastern abalone zone**

- (1) For the purposes of the Act, the minimum size with respect to the taking of blacklip abalone under an AFAL from the waters specified in Column 1 of Schedule 1 is the size specified for those waters in Column 2 of Schedule 1.

Notes: There are offences in sections 68A and 68B of the Act relating to taking or possessing fish of a species that are less than the minimum size specified for that species of fish in this Notice. Various penalties apply.

Under section 152(3), of the Act, if a provision of this Notice is inconsistent with any regulations, the Fisheries Notice prevails to the extent of the inconsistency. The general size limits specified in the Fisheries Regulations 2009 will continue to apply in circumstances where the size limits specified in clauses 6 and 7 do not apply.

7. **Abalone not to be taken from more than one size zone**

For the purposes of section 67 of the Act –

- (a) the taking of abalone under an AFAL from more than one size zone on any fishing trip; or
- (b) the possession of abalone taken from more than one size zone on-board any boat being used under an AFAL; or
- (c) the landing of abalone taken under an AFAL from more than one size zone; is prohibited.

Note: It is an offence under section 67(3) of the **Fisheries Act 1995** to fail to comply with a prohibition.

8. **Spatial management unit catch target exceeded**

Marine waters within a spatial management unit are immediately closed (‘closed waters’) to commercial abalone harvest when the optimal target specified in Column 3 of Schedule 2 has been reached or exceeded.

9. **Reef code upper limit catch exceeded**

Marine waters within a reef code are immediately closed (‘closed waters’) to commercial abalone harvest when the upper limit specified in Column 3 of Schedule 3 has been reached or exceeded.

10. Closed waters

- (1) For the purposes of section 67 of the Act –
- (a) the taking of abalone from closed waters; or
 - (b) the possession of abalone in or on closed waters –
- by the holder of an access licence, or a person acting or purporting to act under an access licence, is prohibited.

Note: Failure to comply with this prohibition is an offence under section 67 of the Fisheries Act 1995. A maximum penalty of 100 penalty units and/or six months imprisonment applies.

Sub-clause (1)(b) does not apply to a person possessing abalone on-board a boat under way and travelling by the most direct route to reach a point of landing or specified open waters for the purpose of commercial abalone diving.

11. Application to fisheries reserves

This Notice applies to a Fisheries Reserve, as declared under Section 88 of the Act, to the extent that fishing is permitted in the Fisheries Reserve.

12. Revocation

- (1) The Fisheries (Eastern Abalone Zone) Notice 2022, published in the Victorian Government Gazette (No. S 107) on 3 March 2022, is revoked.
- (2) Unless sooner revoked, this Notice will be revoked on 31 March 2023.

SCHEDULES**SCHEDULE 1**

Column 1 Spatial management unit name	Column 2 Coordinates bordering spatial management unit	Column 3 Minimum size (Millimetres)
Marlo spatial management unit that includes: a. Reef Code 21.00 Lakes Entrance b. Reef Code 22.01 Marlo c. Reef Code 22.02 French's d. Reef Code 22.03 Point Ricardo e. Reef Code 22.04 Cape Conran f. Reef Code 22.05 East Cape g. Reef Code 22.06 Yeerung Reef h. Reef Code 22.08 Pearl Point i. Reef Code 22.09 Tamboon Reef j. Reef Code 22.10 Clinton Rocks k. Reef Code 23.01 Point Hicks	1. 37°52'53"S 148°00'04"E 2. 37°55'46"S 148°00'04"E 3. 37°47'59"S 149°12'56"E 4. 37°46'39"S 149°12'54"E	120 mm
Mallacoota West spatial management unit that includes: a. Reef Code 23.02 Whaleback b. Reef Code 23.03 Mueller c. Reef Code 23.04 Petrel Point d. Reef Code 23.05 Island Point	1. 37°47'53"S 149°16'54"E 2. 37°48'26"S 149°16'55"E 3. 37°48'25"S 149°17'40"E 4. 37°48'30"S 149°17'40"E 5. 37°47'17"S 149°27'12"E 6. 37°46'11"S 149°27'12"E	125 mm

Column 1 Spatial management unit name	Column 2 Coordinates bordering spatial management unit	Column 3 Minimum size (Millimetres)
Mallacoota Large spatial management unit that includes: a. Reef Code 23.06 Big Rame b. Reef Code 24.00 The Skerries c. Reef Code 24.03 Easby Creek	1. 37°46'11"S 149°27'12"E 2. 37°47'17"S 149°27'12"E 3. 37°45'05"S 149°32'45"E 4. 37°43'45"S 149°32'45"E	135 mm
Mallacoota Central spatial management unit that includes: a. Reef Code 24.04 Red River b. Reef Code 24.05 Secret Reef c. Reef Code 24.06 Sandpatch Point d. Reef Code 24.07 Sandpatch Point Lee e. Reef Code 24.08 Benedore	1. 37°43'45"S 149°32'45"E 2. 37°45'05"S 149°32'45"E 3. 37°42'10"S 149°39'22"E 4. 37°41'23"S 149°39'22"E	125 mm
Mallacoota Small spatial management unit that includes: a. Reef Code 24.09 Little Rame b. Reef Code 24.14 Bastion Point	Little Rame 1. 37°41' 23"S 149°39' 22"E 2. 37°42' 10"S 149°39' 22"E 3. 37°41' 27"S 149°41' 22"E 4. 37°41' 04"S 149°40' 39"E Bastion Point 1. 37°35'05"S 149°44'19"E 2. 37°36'42"S 149°46'10"E 3. 37°34'23"S 149°50'16"E 4. 37°33'07"S 149°50'16"E 5. 37°33'07"S 149°51'36"E 6. 37°33'59"S 149°51'36"E 7. 37°33'41"S 149°53'30"E 8. 37°32'28"S 149°53'30"E	115 mm

Column 1 Spatial management unit name	Column 2 Coordinates bordering spatial management unit	Column 3 Minimum size (Millimetres)
Airport spatial management unit that includes: a. Reef Code 24.10 Little Rame Lee b. Reef Code 24.11 Shipwreck – Seal Creek c. Reef Code 24.15 Tullaberga Island d. Reef Code 24.16 Gabo Harbour e. Reef Code 24.21 Quarry/ Betka Beach	1. 37°41' 04"S 149°40' 39"E 2. 37°41' 27"S 149°41' 22"E 3. 37°36' 42"S 149°46' 10"E 4. 37°35' 05"S 149°44' 19"E 5. 37°34' 23"S 149°50' 16"E 6. 37°33' 07"S 149°50' 16"E 7. 37°33' 07"S 149°51' 36"E 8. 37°33' 59"S 149°51' 36"E 9. 37°32' 28"S 149°53' 30"E 10. 37°33' 41"S 149°53' 30"E 11. 37°33' 57"S 149°54' 02"E 12. 37°33' 50"S 149°54' 20"E 13. 37°32' 55"S 149°54' 20"E 14. 37°32' 34"S 149°54' 16"E	120 mm
Airport spatial management unit that includes: a. Reef Code 25.10 Little Rame Lee b. Reef Code 25.11 Shipwreck – Seal Creek c. Reef Code 25.15 Tullaberga Island d. Reef Code 25.16 Gabo Harbour e. Reef Code 25.21 Quarry/Betka Beach	1. 37°41' 04"S 149°40' 39"E 2. 37°41' 27"S 149°41' 22"E 3. 37°36' 42"S 149°46' 10"E 4. 37°35' 05"S 149°44' 19"E 5. 37°34' 23"S 149°50' 16"E 6. 37°33' 07"S 149°50' 16"E 7. 37°33' 07"S 149°51' 36"E 8. 37°33' 59"S 149°51' 36"E 9. 37°32' 28"S 149°53' 30"E 10. 37°33' 41"S 149°53' 30"E 11. 37°33' 57"S 149°54' 02"E 12. 37°33' 50"S 149°54' 20"E 13. 37°32' 55"S 149°54' 20"E 14. 37°32' 34"S 149°54' 16"E	110 mm
Mallacoota East spatial management unit that includes: a. Reef Code 24.17 Gabo Island b. Reef Code 24.18 Gunshot c. Reef Code 24.19 Iron Prince	1. 37°32' 34"S 149°54' 16"E 2. 37°32' 55"S 149°54' 20"E 3. 37°33' 50"S 149°54' 20"E 4. 37°33' 57"S 149°54' 02"E 5. 37°32' 56"S 149°55' 58"E 6. 37°32' 07"S 149°54' 45"E 7. 37°31' 09"S 149°56' 34"E 8. 37°32' 02"S 149°57' 37"E 9. 37°31' 14"S 149°58' 22"E 10. 37°30' 46"S 149°57' 49"E	120 mm

SCHEDULE 2

Column 1 Spatial management unit name	Column 2 Coordinates bordering spatial management unit	Column 3 Optimal target
Marlo spatial management unit that includes: a. Reef Code 21.00 Lakes Entrance b. Reef Code 22.01 Marlo c. Reef Code 22.02 French's d. Reef Code 22.03 Point Ricardo e. Reef Code 22.04 Cape Conran f. Reef Code 22.05 East Cape g. Reef Code 22.06 Yeerung Reef h. Reef Code 22.08 Pearl Point i. Reef Code 22.09 Tamboon Reef j. Reef Code 22.10 Clinton Rocks k. Reef Code 23.01 Point Hicks	1. 37°52'53"S 148°00'04"E 2. 37°55'46"S 148°00'04"E 3. 37°47'59"S 149°12'56"E 4. 37°46'39"S 149°12'54"E	71.5 tonnes
Mallacoota West spatial management unit that includes: a. Reef Code 23.02 Whaleback b. Reef Code 23.03 Mueller c. Reef Code 23.04 Petrel Point d. Reef Code 23.05 Island Point	1. 37°47'53"S 149°16'54"E 2. 37°48'26"S 149°16'55"E 3. 37°48'25"S 149°17'40"E 4. 37°48'30"S 149°17'40"E 5. 37°47'17"S 149°27'12"E 6. 37°46'11"S 149°27'12"E	44 tonnes
Mallacoota Large spatial management unit that includes: a. Reef Code 23.06 Big Rame b. Reef Code 24.00 The Skerries c. Reef Code 24.03 Easby Creek	1. 37°46'11"S 149°27'12"E 2. 37°47'17"S 149°27'12"E 3. 37°45'05"S 149°32'45"E 4. 37°43'45"S 149°32'45"E	20 tonnes
Mallacoota Central spatial management unit that includes: a. Reef Code 24.04 Red River b. Reef Code 24.05 Secret Reef c. Reef Code 24.06 Sandpatch Point d. Reef Code 24.07 Sandpatch Point Lee e. Reef Code 24.08 Benedore	1. 37°43'45"S 149°32'45"E 2. 37°45'05"S 149°32'45"E 3. 37°42'10"S 149°39'22"E 4. 37°41'23"S 149°39'22"E	57 tonnes

Column 1 Spatial management unit name	Column 2 Coordinates bordering spatial management unit	Column 3 Optimal target
Mallacoota Small spatial management unit that includes: a. Reef Code 24.09 Little Rame b. Reef Code 24.14 Bastion Point	Little Rame 1. 37°41' 23"S 149°39' 22"E 2. 37°42' 10"S 149°39' 22"E 3. 37°41' 27"S 149°41' 22"E 4. 37°41' 04"S 149°40' 39"E Bastion Point 1. 37°35'05"S 149°44'19"E 2. 37°36'42"S 149°46'10"E 3. 37°34'23"S 149°50'16"E 4. 37°33'07"S 149°50'16"E 5. 37°33'07"S 149°51'36"E 6. 37°33'59"S 149°51'36"E 7. 37°33'41"S 149°53'30"E 8. 37°32'28"S 149°53'30"E	21 tonnes
Airport spatial management unit that includes: a. Reef Code 24.10/25.10 Little Rame Lee b. Reef Code 24.11/25.11 Shipwreck – Seal Creek c. Reef Code 24.15/25.15 Tullaberga Island d. Reef Code 24.16/25.16 Gabo Harbour e. Reef Code 24.21/25.21 Quarry/Betka Beach	1. 37°41' 04"S 149°40' 39"E 2. 37°41' 27"S 149°41' 22"E 3. 37°36' 42"S 149°46' 10"E 4. 37°35' 05"S 149°44' 19"E 5. 37°34' 23"S 149°50' 16"E 6. 37°33' 07"S 149°50' 16"E 7. 37°33' 07"S 149°51' 36"E 8. 37°33' 59"S 149°51' 36"E 9. 37°32' 28"S 149°53' 30"E 10. 37°33' 41"S 149°53' 30"E 11. 37°33' 57"S 149°54' 02"E 12. 37°33' 50"S 149°54' 20"E 13. 37°32' 55"S 149°54' 20"E 14. 37°32' 34"S 149°54' 16"E	85 tonnes
Mallacoota East spatial management unit that includes: a. Reef Code 24.17 Gabo Island b. Reef Code 24.18 Gunshot c. Reef Code 24.19 Iron Prince	1. 37°32' 34"S 149°54' 16"E 2. 37°32' 55"S 149°54' 20"E 3. 37°33' 50"S 149°54' 20"E 4. 37°33' 57"S 149°54' 02"E 5. 37°32' 56"S 149°55' 58"E 6. 37°32' 07"S 149°54' 45"E 7. 37°31' 09"S 149°56' 34"E 8. 37°32' 02"S 149°57' 37"E 9. 37°31' 14"S 149°58' 22"E 10. 37°30' 46"S 149°57' 49"E	32.5 tonnes

SCHEDULE 3

Column 1 Reef code name	Column 2 Coordinates bordering reef code	Column 3 Upper limit
Reef Code 22.01 Marlo	Coordinates bordering Marlo reef code 1. 37°48'36"S 148°18'00"E 2. 37°50'13"S 148°18'00"E 3. 37°50'07"S 148°32'24"E 4. 37°48'08"S 148°32'24"E	2 tonnes
Reef Code 22.02 French's	Coordinates bordering French's reef code 1. 37°48'08"S 148°32'24"E 2. 37°50'07"S 148°32'24"E 3. 37°50'14"S 148°36'26"E 4. 37°48'11"S 148°36'26"E	8.5 tonnes
Reef Code 22.03 Point Ricardo	Coordinates bordering Point Ricardo reef code 1. 37°48'11"S 148°36'26"E 2. 37°50'14"S 148°36'26"E 3. 37°50'02"S 148°39'04"E 4. 37°48'12"S 148°39'04"E	6.5 tonnes
Reef Code 22.04 Cape Conran	Coordinates bordering Cape Conran reef code 1. 37°48'12"S 148°39'04"E 2. 37°50'02"S 148°39'04"E 3. 37°49'30"S 148°44'21"E 4. 37°48'24"S 148°44'21"E	19.5 tonnes
Reef Code 22.05 East Cape	Coordinates bordering East Cape reef code 1. 37°48'24"S 148°44'21"E 2. 37°49'30"S 148°44'21"E 3. 37°49'25"S 148°46'24"E 4. 37°47'29"S 148°46'24"E	22.1 tonnes
Reef Code 22.06 Yeerung Reef	Coordinates bordering Yeerung Reef reef code 1. 37°47'29"S 148°46'24"E 2. 37°49'25"S 148°46'24"E 3. 37°48'33"S 148°52'14"E 4. 37°47'10"S 148°52'14"E	10.4 tonnes

Column 1 Reef code name	Column 2 Coordinates bordering reef code	Column 3 Upper limit
Reef Code 22.08 Pearl Point	Coordinates bordering Pearl Point reef code 1. 37°47'10"S 148°52'14"E 2. 37°48'33"S 148°52'14"E 3. 37°48'40"S 149°01'08"E 4. 37°46'51"S 149°01'08"E	26 tonnes
Reef Code 22.09 Tamboon Reef	Coordinates bordering Tamboon Reef reef code 1. 37°46'51"S 149°01'08"E 2. 37°48'40"S 149°01'08"E 3. 37°48'02"S 149°10'03"E 4. 37°46'41"S 149°10'03"E	2 tonnes
Reef Code 22.10 Clinton Rocks	Coordinates bordering Clinton Rocks reef code 1. 37°46'41"S 149°10'03"E 2. 37°48'02"S 149°10'03"E 3. 37°47'46"S 149°11'43"E 4. 37°46'43"S 149°11'43"E	2 tonnes
Reef Code 23.01 Point Hicks	Coordinates bordering Point Hicks reef code 1. 37°46'43"S 149°11'43"E 2. 37°47'46"S 149°11'43"E 3. 37°47'59"S 149°12'56"E 4. 37°46'39"S 149°12'54"E	2 tonnes
Reef Code 23.02 Whaleback	Coordinates bordering Whaleback reef code 1. 37°47'53"S 149°16'54"E 2. 37°48'26"S 149°16'55"E 3. 37°48'25"S 149°17'40"E 4. 37°48'30"S 149°17'40"E 5. 37°48'36"S 149°18'33"E 6. 37°46'57"S 149°18'33"E	8.5 tonnes
Reef Code 23.03 Mueller	Coordinates bordering Mueller reef code 1. 37°46'57"S 149°18'33"E 2. 37°48'36"S 149°18'33"E 3. 37°48'09"S 149°20'26"E 4. 37°46'36"S 149°20'26"E	7.8 tonnes

Column 1 Reef code name	Column 2 Coordinates bordering reef code	Column 3 Upper limit
Reef Code 23.04 Petrel Point	Coordinates bordering Petrel Point reef code 1. 37°46'36"S 149°20'26"E 2. 37°48'09"S 149°20'26"E 3. 37°47'22"S 149°24'15"E 4. 37°46'27"S 149°24'15"E	23.4 tonnes
Reef Code 23.05 Island Point	Coordinates bordering Island Point reef code 1. 37°46'27"S 149°24'15"E 2. 37°47'22"S 149°24'15"E 3. 37°47'17"S 149°27'12"E 4. 37°46'11"S 149°27'12"E	17.6 tonnes
Reef Code 23.06 Big Rame	Coordinates bordering Big Rame reef code 1. 37°46'11"S 149°27'12"E 2. 37°47'17"S 149°27'12"E 3. 37°46'17"S 149°30'58"E 4. 37°45'20"S 149°30'21"E 5. 37°45'20"S 149°29'47"E	14.5 tonnes
Reef Code 24.00 The Skerries	Coordinates bordering The Skerries reef code 1. 37°45' 20"S 149°29' 47"E 2. 37°45' 20"S 149°30' 21"E 3. 37°46' 17"S 149°30' 58"E 4. 37°45' 27"S 149°32' 01"E 5. 37°44' 22"S 149°31' 17"E	4 tonnes
Reef Code 24.03 Easby Creek	Coordinates bordering Easby Creek reef code 1. 37°44' 22"S 149°31' 17"E 2. 37°45' 27"S 149°32' 01"E 3. 37°45' 05"S 149°32' 45"E 4. 37°43' 45"S 149°32' 45"E	1.5 tonnes
Reef Code 24.04 Red River	Coordinates bordering Red River reef code 1. 37°43' 45"S 149°32' 45"E 2. 37°45' 05"S 149°32' 45"E 3. 37°44' 30"S 149°34' 00"E 4. 37°43' 28"S 149°34' 00"E	2.6 tonnes

Column 1 Reef code name	Column 2 Coordinates bordering reef code	Column 3 Upper limit
Reef Code 24.05 Secret Reef	Coordinates bordering Secret Reef reef code 1. 37°43' 28"S 149°34' 00"E 2. 37°44' 30"S 149°34' 00"E 3. 37°44' 10"S 149°35' 19"E 4. 37°43' 21"S 149°35' 19"E	2 tonnes
Reef Code 24.06 Sandpatch Point	Coordinates bordering Sandpatch Point reef code 1. 37°43' 21"S 149°35' 19"E 2. 37°44' 10"S 149°35' 19"E 3. 37°43' 48"S 149°36' 12"E 4. 37°43' 30"S 149°35' 53"E	23.4 tonnes
Reef Code 24.07 Sandpatch Point Lee	Coordinates bordering Sandpatch Point Lee reef code 1. 37°43' 30"S 149°35' 53"E 2. 37°43' 48"S 149°36' 12"E 3. 37°42' 27"S 149°37' 35"E 4. 37°41' 56"S 149°37' 17"E	39.0 tonnes
Reef Code 24.08 Benedore	Coordinates bordering Benedore reef code 1. 37°41' 56"S 149°37' 17"E 2. 37°42' 27"S 149°37' 35"E 3. 37°42' 10"S 149°39' 22"E 4. 37°41' 23"S 149°39' 22"E	9.1 tonnes
Reef Code 24.09 Little Rame	Coordinates bordering Little Rame reef code 1. 37°41' 23"S 149°39' 22"E 2. 37°42' 10"S 149°39' 22"E 3. 37°41' 27"S 149°41' 22"E 4. 37°41' 04"S 149°40' 39"E	19.5 tonnes

Column 1 Reef code name	Column 2 Coordinates bordering reef code	Column 3 Upper limit
Reef Code 24.14 Bastion Point	Coordinates bordering Bastion Point reef code 1. 37°35'05"S 149°44'19"E 2. 37°36'42"S 149°46'10"E 3. 37°34'23"S 149°50'16"E 4. 37°33'07"S 149°50'16"E 5. 37°33'07"S 149°51'36"E 6. 37°33'59"S 149°51'36"E 7. 37°33'41"S 149°53'30"E 8. 37°32'28"S 149°53'30"E	7.8 tonnes
Reef Code 24.17 Gabo Island	Coordinates bordering Gabo Island reef code 1. 37°32' 34"S 149°54' 16"E 2. 37°32' 55"S 149°54' 20"E 3. 37°33' 50"S 149°54' 20"E 4. 37°33' 57"S 149°54' 02"E 5. 37°32' 56"S 149°55' 58"E 6. 37°32' 07"S 149°54' 45"E	24.7 tonnes
Reef Code 24.18 Gunshot	Coordinates bordering Gunshot reef code 1. 37°31' 21"S 149°56' 49"E 2. 37°32' 02"S 149°57' 37"E 3. 37°31' 14"S 149°58' 22"E 4. 37°30' 56"S 149°58' 01"E	2.6 tonnes
Reef Code 24.19 Iron Prince	Coordinates bordering Iron Prince reef code 1. 37°31' 09"S 149°56' 34"E 2. 37°31' 21"S 149°56' 49"E 3. 37°30' 56"S 149°58' 01"E 4. 37°30' 46"S 149°57' 49"E	15.0 tonnes

Interpretation of Legislation Act 1984

GUIDELINES FOR MODERNISING STATEWIDE NEWSPAPER PUBLIC NOTICES

I, Danny Pearson, Assistant Treasurer, pursuant to section 38O of the **Interpretation of Legislation Act 1984**, make the following Guidelines that any Victorian Government department, public statutory authority, and prescribed entity for the purpose of section 38P of the **Interpretation of Legislation Act 1984** must consider when publishing notices on the approved alternative publication internet site www.publicnotices.vic.gov.au

DANNY PEARSON
Assistant Treasurer

GUIDELINES FOR MODERNISING STATEWIDE NEWSPAPER PUBLIC NOTICES FOR VICTORIAN GOVERNMENT DEPARTMENTS AND PUBLIC STATUTORY AUTHORITIES

Contents

Using the Guidelines

- 1 Introduction
- 2 Rationale and objectives
- 3 Guiding principles
- 4 Implementation
- 5 Checklist

Using the Guidelines

Why should I read the Guidelines?

Under section 38O of the **Interpretation of Legislation Act 1984** (the Act), departments and public statutory authorities are required to have regard to these Guidelines when publishing certain public notices electronically under section 38M of the Act.

The Guidelines support departments and statutory bodies in applying modernising changes to the Act to publish public notices in state-wide print newspapers through digital mediums.

When should I use the Guidelines?

Departments and public statutory authorities must consider the principles outlined in these Guidelines when publishing notices electronically that are otherwise required to be published in state-wide print newspapers. These Guidelines are not intended for non-government audiences.

The Guidelines apply to public notices required to be published in state-wide print newspapers under Victorian legislation and regulations, regardless of whether they are accompanied by additional mandatory or voluntary means of communication.

The Guidelines outline principles to help departments and statutory bodies decide how to publish or require public notices, as well as implementation considerations and a process checklist.

Guiding principles summary

1. **Publication minimises regulatory and cost burdens.**
Considerations: time and cost.
2. **Public notices are accessible by the general public.**
Considerations: technology friendly and publication frequency.
3. **Public notices are targeted to any cohorts specifically or disproportionately impacted.**
Considerations: older, culturally and linguistically diverse communities and special interest groups.
4. **Publication is proportionate or appropriate to the subject matter.**
Considerations: privacy, national schemes and urgency of information dissemination.

1. Introduction

1.1 Purpose

The purpose of these Guidelines is to support the modernisation of legislative requirements to publish public notices in print newspaper circulating generally in Victoria (that is, statewide newspapers) through digital mediums and provide a consistent set of principles to support publication.

The Guidelines support government departments and public statutory authorities in applying changes to the Act that commenced on 31 July 2022. Section 38M of the Act deems electronic publication on the centralised Victorian government website www.publicnotices.vic.gov.au to have met any requirements to publish public notices in statewide newspapers across any Victorian legislation and subordinate instruments. The changes do not affect requirements to publish notices in print newspapers in a particular locality. This means requirements to publish in regional and local newspapers will remain unaffected. Section 65 provides for regulations to make exemptions to section 38M. Departments and statutory bodies are required to have regard to these Guidelines when publishing any notice by electronic means under section 38P of the Act.

www.publicnotices.vic.gov.au has been designed as a ‘one-stop shop’ for Victorian public notices with the purpose of:

- making information more accessible
- reducing ambiguity about where information is located
- digitising data for easy consumption.

Where possible, a digital approach should be taken when publishing in-scope public notices (see section 1.2). Publication on the website should be considered in the first instance. While case-by-case consideration will be needed according to these Guidelines, a digital approach will often meet the objectives of a public notice.

The changes give Victorians greater access to public information and offer departments and statutory bodies increased flexibility when meeting legislative requirements for print newspaper public notice publications. This includes flexibility to continue publishing public notices in newspapers where needed and does not affect requirements to specifically publish notices in regional and local newspapers.

Supporting communication, such as social media campaigns and department or statutory body website notifications, can help reach intended audiences and should be used to help modernise the public notice process where appropriate.

Departments and statutory bodies providing advice and guidance to non-government stakeholders about using the centralised website should take into account the principles outlined in these Guidelines. These Guidelines are not specifically intended for non-government audiences.

The Guidelines outline the scope of applicable public notices, guiding principles to help departments and statutory bodies decide how best to publish or require public notices, implementation considerations and a process checklist.

1.2 Scope of the Guidelines

The Guidelines apply to all public notices required to be published in print newspapers circulating generally in Victoria (statewide newspapers) under all Victorian Government legislation and subordinate instruments, regardless of whether they are accompanied by additional mandatory, alternative or voluntary means of communication, including:

- Online (in addition to newspaper notifications)
- Victorian Government Gazettes
- ‘Other’ mediums, including signs affixed to property, land or business premises, or notices/ letters posted to individuals or organisations.

The Guidelines do not relate to publication of public notices in print newspapers in a particular locality, region or place within Victoria.

The Guidelines relate only to public notices required to be published in print newspapers, whether or not they are described in legislation, regulations or other statutory instruments as ‘public notices’.

The Guidelines do not impact or change any existing legislative requirements for the content or audience of public notices.

1.2.1 When the Guidelines apply

These Guidelines, in conjunction with section 38M of the Act, can assist you in determining if you can publish a public notice on the central website rather than in a statewide newspaper.

Requirements to publish in local and regional newspapers are not affected by this change. Public notices required to be published in a regional or local newspaper cannot be published on the central website.

Some examples are provided in Table 1 to highlight the difference between statewide and local/regional legal provisions. If unsure, please obtain advice.

Table 1: Examples of legal provisions that may permit publication on the central website

Can consider publication on the central website, subject to the Guidelines	Cannot consider publication on the central website
Circulating generally in the state of Victoria	Areas affected/specified by the order
Circulating generally throughout Victoria	Areas affected by the plan
Circulating generally throughout the state	The area in which an ongoing protection relates
In Victoria	Locally
Circulating generally in the area (where both statewide newspaper or a local/ regional newspaper are implicitly permitted)	Part of the state to which the objectives apply
	In a particular locality

1.2.2 Some examples where the Guidelines apply

Example 1

‘The Commission must issue guidelines with respect to the display, advertisement and notification of applications under this section’:

Example Act 2000, section 30.

In this example, there is no explicit reference in the legislative provision to a ‘public notice’ or a ‘newspaper’ requirement.

However, if the guidelines made under this provision require businesses, government, or citizens to publish notice of their application in a print newspaper, then the newspaper print requirement would be subject to the Interpretation of **Legislation Act 1984**, which deems the publication requirement will be met if the notice is published on the central website in accordance with these Guidelines.

Example 2

An Act containing an obligation to publish information in a newspaper generally circulating in the relevant municipality is combined with a definition of ‘publish’, which in the Act means ‘to publish by any means including by publication on the Internet’.

In this example, publication in a newspaper by electronic form is already permitted but not required. The Interpretation of **Legislation Act 1984** operates alongside that provision, meaning departments have the option of complying through publication on the central website or digital version of a newspaper (assuming that there is a local newspaper available in electronic form).

In considering their options, departments should have regard to these Guidelines and consider opting for electronic publication on the central website to facilitate the online consolidation of public notices.

Example 3

A set of regulations contains a requirement to publish certain information in both a print newspaper circulating generally in Victoria, the Government Gazette, and electronic publication on a specified departmental website.

In this example, the Interpretation of **Legislation Act 1984** will deem the requirement to publish in a print newspaper to be met if the notice is published electronically on the central website in accordance with these Guidelines.

The compulsory requirements to publish information in the Gazette and on a specified departmental website are unaffected. These two publication forms will still be required in addition to the first requirement, though linkages can be provided between websites.

2. Rationale and objectives

This section outlines the impact that changing technology trends are having on public notice consumption and the benefits of transitioning to an online ‘one-stop shop’ for public notices.

2.1 Modernising public notice requirements

Public notices are an important regulatory tool for communicating information about everyday matters affecting Victorians. They need to be accessible and contain relevant and up to date information.

The central website, www.publicnotices.vic.gov.au, was developed by the Victorian Government following a review in early 2021 by the Department of Treasury and Finance (DTF). The review found many requirements across Victorian legislation and regulation to publish public notices in newspapers. Most of these require government to publish a notice while some require non-government organisations (businesses, individuals, trusts and boards) to publish a notice. These newspaper requirements impose a time and monetary burden that can be managed more effectively if given an option to publish on a centralised government website.

Changing readership and technology trends are giving way to new forms of communication and connection. Newspapers are no longer the only available and most efficient form of communication for conveying public notices to a mass audience and more and more people are using online mediums for news and information. There will continue to be circumstances where newspaper publication will be the most appropriate form of communication for a public notice, such as when trying to reach communities reliant on print information, but given its ability to meet changing contemporary needs, publication on the central website should be considered in the first instance for newspaper notices circulating generally in Victoria.

This approach to print newspaper requirements also supports Victoria’s commitment to the intergovernmental Council of Financial Federal Relations to support technology neutral legislation that does not impede or restrict the use of digital technology by government, businesses or citizens.

2.2 Objectives

The objectives of the Guidelines are to:

- a) encourage public notices to be published in a modern way through a consolidated user-friendly digital location
- b) support the reduction in regulatory costs associated with print publication in newspapers for government and businesses
- c) facilitate flexibility in the publication of public notices where other forms of publication are warranted to support a digital approach
- d) provide consistency across government on how decisions about publication of public notices are made.

2.3 Educating stakeholders about the central Victorian website

The central Victorian government website, www.publicnotices.vic.gov.au, has been designed and communicated as the ‘one-stop shop’ for public notices in Victoria. To support the transition, departments and statutory bodies are encouraged to educate internal and external stakeholders about the website to maximise its benefits.

Departments and statutory bodies that deal with regulated entities or stakeholders should provide support about the move to online publication, such as specific guidance material.

3. Guiding principles

This chapter outlines principles and considerations to ensure the process of publishing a public notice is simple and consistent and poses minimal burden. This is a whole of Victorian Government framework.

Departments and statutory bodies should equally and holistically apply the four principles and relevant considerations (green icons) when publishing public notices. The examples show how the principles and considerations may be applied. The questions (a non-exhaustive list) should be used as prompts during publication and communication processes. Departments and statutory bodies should also be aware of and adhere to other relevant policy, regulatory and legislative requirements.

3.1 The principles

Principle 1: Publication minimises regulatory and cost burden

The publication of a public notice should impose minimal regulatory and cost burden. That is, the chosen method of publication should minimise the regulatory and administrative burden to businesses and be cost effective for government and taxpayers.

Time efficient

The publication of a public notice should not delay government and business activity by creating excessive administrative and time burden. Public notices should be easy to understand, not onerous and time consuming, and easy to find and follow.

Cost effective

Publication should be cost effective for all involved. This includes publication costs (such as advertising costs) and costs to access the public notice (such as cost of buying a newspaper containing the public notice). Where multiple forms of communication are planned, the cost should be weighed against potential diminishing benefits i.e. the likely success of an additional medium of communication generating additional public responses. It does not necessarily mean publishing public notices at the lowest possible cost.

Example: An agency opts for online publication on the central government website because the upload process is quick and the website provides access over an extended period. There are no strong policy reasons for newspaper publication. The notice is also published on the department website as the agency is aware the intended audience often visits the department's website for other business needs. The cost of using any further additional mediums of communication does not increase benefit to the intended audience, so is not considered.

Questions:

- What method would minimise time-related costs?
- What notification method will be most cost effective to government, taxpayers and the intended audience?

Principle 2: Public notices are accessible by the general public

Public notices should be easily accessible by the general public, so that a minimum level of effort is required for users to remain informed. Accessibility includes ease of locating the notice and ease of navigating information in the form in which it is presented.

Typically, publication on the central website is considered accessible to a general audience, due to people being able to locate and return to many notices in the same location, and use automated search functions. However, there may be reasons why other forms of publication, or supporting communications, are needed to enhance or support accessibility for specific cohorts (outlined under Principle 3 below).

Technology friendly

Departments and statutory bodies are encouraged to consider publication on the centralised website in the first instance to meet changing technology and readership trends.

Consolidated information will maximise the benefits of a centralised location for public notices and will be the most accessible to most Victorians.

Publication frequency

Frequency of publication may dictate where the intended audience expects to find a public notice relevant to them and should be a point of consideration.

While efforts should be made to promote the central website as the central location for Victorian public notices, supporting communication mediums could be used to reach audiences not commonly communicated with.

Example: There is a need to communicate a public notice to all Victorians. Publication on the central website is preferred due to ease in which the information can be uploaded and the fact that it is a medium accessible to the general public. Additional communication through a social media drive, radio, and print newspaper is also used to direct public attention to the electronic public notice.

Questions:

- Does the public notice meet Victoria's accessibility standards?
- Is the public notice accessible to the general public?
- If communication with the intended audience is infrequent, does the intended audience expect to receive information via a particular medium?
- Do multiple publication and communication mediums need to be used to ensure the public notice is reaching the intended audience?

Principle 3: Public notices are targeted to any cohorts specifically or disproportionately impacted

Where there are cohorts that are specifically or disproportionately impacted, reasonable additional efforts should be made to direct their attention to the relevant public notice. Cohorts may be based on demographic factors or people with a common interest or occupation. The vulnerability or need of affected cohorts should also be considered when choosing how to publish and communicate.

Departments and statutory bodies should consider specific cohorts that make up the intended audience, as well as the likely audience. For example, the content of a public notice may be relevant to all local residents of a town generally and not necessarily of greater relevance to an older demographic, but the locality may be one where there is a significantly higher proportion of older people than other Victorian municipalities.

Electronic publication on the centralised website should still be considered when dealing with specific cohorts. Additional communications about the notice and/or additional publication mediums can help with reaching specific cohorts.

Age

The age of the intended or likely audience should be considered when deciding how to reach them.

Though a decreasing trend, print newspapers remain the most popular source of information among people aged 75 or older and should therefore be considered as a publication medium when dealing with an older cohort. Where the intended audience is younger and potentially more digitally literate, online mediums may be most effective in relaying information.

Culturally and linguistically diverse (CALD) communities

Victorians who speak a language other than English at home or have limited English language skills often are only able to consume information that is targeted to their cultural and linguistic needs. Supporting forms of communication should be considered, such as translated text online or publication in a dedicated newspaper printed in other languages.

Special interest groups

Those with specific interests or occupations often form special interest groups and may need information through specific mediums they are familiar with. This may include communication of a public notice through a community news bulletin or a club newsletter.

Example: A notice relating to a state board appointment where the board's role relates mainly to non-English speaking people is published on the centralised website. It is also supported by a notice in a community newsletter.

Those who read the community newsletter but are not affected by the board appointment (the likely audience) may also be able to relay the details to someone who might be impacted by the notice, helping with wide communication about the public notice.

Questions:

- Does the target audience speak English?
- What is the digital literacy of the intended audience?
- Is the information provided online translatable?
- Does the impacted cohort rely on/expect to receive information via a specific medium?
- Do multiple publication and communication channels need to be used to ensure the public notice is reaching the intended audience?

Principle 4: Publication is proportionate and appropriate to the subject matter

While online publication on the central website is encouraged, the nature and subject of the public notice should be taken into consideration. Sometimes online publication, or online publication alone, may not be appropriate.

Privacy

There may be instances where a public notice, i.e. a notice that includes private or sensitive information, may cause harm to the intended audience or public if published more widely than originally envisaged by the primary legislation. In such cases, departments and statutory bodies should continue to accommodate the original policy rationales behind the publication requirements.

National schemes

Participation in a national regulatory scheme may require consistency with other jurisdictions. This is of particular importance for detailed schemes or schemes that have specific rules. Departments and statutory bodies should consider where the intended audience expects to find such notices and whether the intended audience is likely to view or would need to view similar kinds of public notices relating to other jurisdictions.

For those schemes that only provide general requirements operating at a high level or principle-focused level, discretion should be used in deciding how to meet the schemes' requirements along with the principles set out in these Guidelines.

Urgency in information dissemination

In instances where information needs to be relayed urgently to the public, departments and statutory bodies may choose to use multiple forms of publication and communication to ensure the intended audience is informed. However, care should be taken to keep messaging consistent across all mediums to avoid misinformation.

Example: A public notice about an imminent and serious risk to public health requires targeted publication and communication to inform the affected community. However, disseminating the information too broadly, for example to communities that are not affected, may cause panic and sunk costs. The agency therefore chooses to publish the public notice on the central website and support the publication by communicating the information about the notice via local radio channels and flyers at local GP offices.

Questions:

- Is the chosen publication channel appropriate for the public notice subject matter?
- Is the intended audience likely to be negatively impacted if information about the public notice is widely made available?
- Is the notice part of a national regulatory scheme? If so, is there a nationally consistent approach to publishing notices that needs to be complied with?

4. Implementation

This chapter provides practical information about publishing and communication public notices.

4.1 Mediums and content

It is encouraged that the central website be used as the preferred publication medium to facilitate modernisation and the consolidation of Victorian public notices online.

However, departments and statutory bodies should continue to use their discretion in choosing the most appropriate mix of publication and communication of a public notice that will best meet the needs of the intended audience and align with the necessary legislative and/or regulatory requirements.

4.1.1 Publication of a public notice

Any form of public notice publication should contain full information about the public notice and meet all relevant legislative and regulatory requirements and the principles set out in these Guidelines.

4.1.2 Communication of a public notice

Supporting communication about the notice publication can help meet the principles and help the community transition to a modern way of accessing public information over time. Communication does not have to fully replicate the contents of public notices but can be used to raise awareness of a notice and where to find it. Supporting communication mediums may include:

- social media platforms e.g. Twitter, Facebook
- websites

- on the ground notices
- radio
- flyers
- newsletters/news bulletins/news boards.

Supporting communication should appropriately link to the primary publication of the public notice.

4.2 Using the central government website

Instructions for how to publish on the website are available on www.publicnotices.vic.gov.au

5. Checklist

A checklist is provided in Table 2 to help departments and statutory bodies decide how to publish public notices. Entities may wish to use some but not all aspects of the methodology, focusing on the areas of greatest importance relevant to the entity and public notice.

In addition, departments and statutory bodies may wish to develop their own checklists to support and educate their stakeholders and/or regulated entities as part of other supporting material.

Table 2: Checklist for departments and statutory bodies when publishing notices

Step	To do	Detail
1	Prepare	Identify if the Guidelines apply to the public notice type
2	Assess	Identify intended / likely audience Undertake complementary analysis to identify if the cohort has any special needs that need to be taken into consideration before publishing and communicating the public notice
3	Decide	Shortlist ways in which the relevant legislative/ regulatory requirements, Guideline principles and needs of the intended might be met Decide on the best mixture of publication and communication channels for the relevant public notice
4	Implement	Outline the required tasks to publish the public notice based on the publication and communication mediums chosen Apply the implementation strategy and commence delivery of the public notice
5	Monitor and evaluate	Monitor engagement from the intended audience Modify publication and communication mediums being used if they are not meeting the objectives of the public notice, such as appropriately reaching the intended audience

FORM 7

Regulation 16

Land Acquisition and Compensation Act 1986

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Minister for Environment and Climate Action declares that by this notice it acquires the following interests in the land described as:

Part of Lots 4, 5 and 6 on Plan of Subdivision 009255 contained in Certificate of Title Volume 05336 Folio 133, forming part of the property known as 33 Ryans Road, Clayton South, Victoria 3169 and shown as Reserve No. 1 on proposed Plan of Subdivision 904625T.

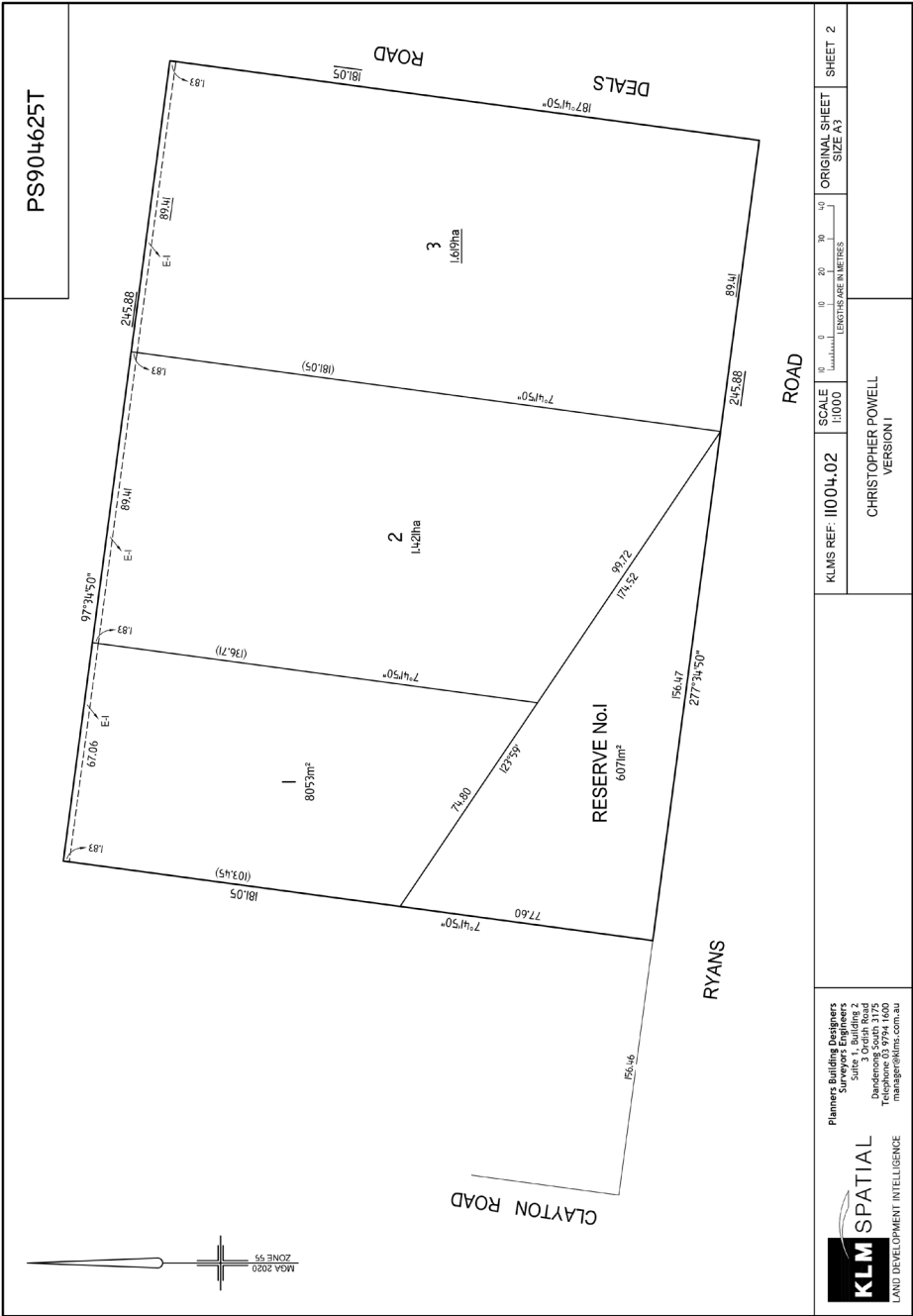
Interests Acquired: All interests excluding any leasehold interests in the land (including the leasehold interests of P&M's Structures Pty Ltd (ACN 617 575 694) and Global Scrap Metal Recyclers Pty Ltd (ACN 142 651 465)).

The acquisition is made pursuant to section 5(4) of the **Crown Land (Reserves) Act 1978** for the purpose of the Sandbelt Parklands Project.

A notice of intention to acquire the interests in the land was served on:

1. TT Aust Holding Pty Ltd (ACN 619 168 508), as registered proprietor, on 16 August 2022;
2. EDL LFG (VIC) Pty Ltd (ACN 061 503 348), as licensee, on 12 August 2022; and
3. National Australia Bank Ltd (ACN 004 044 937), as mortgagee, on 11 August 2022.

Published with the authority of the Minister for Environment and Climate Action.



For and on behalf of the Minister for Environment and Climate Action

Signed: ALIX RHODES

Name: Alix Rhodes

Executive Director, Land Management Policy
Department of Environment, Land, Water and Planning

Date: 20 October 2022

FORM 7

Regulation 16

Land Acquisition and Compensation Act 1986

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Minister for Environment and Climate Action declares that by this notice it acquires the following interests in the land described as:

The whole of Lot 2 Plan of Subdivision 617239Y contained in Certificate of Title Volume 11150 Folio 977, forming part of the property known as 78–82 Ryans Road, Clayton South, Victoria 3169 and shown as Reserve No. 1 on proposed Plan of Subdivision 904628M.

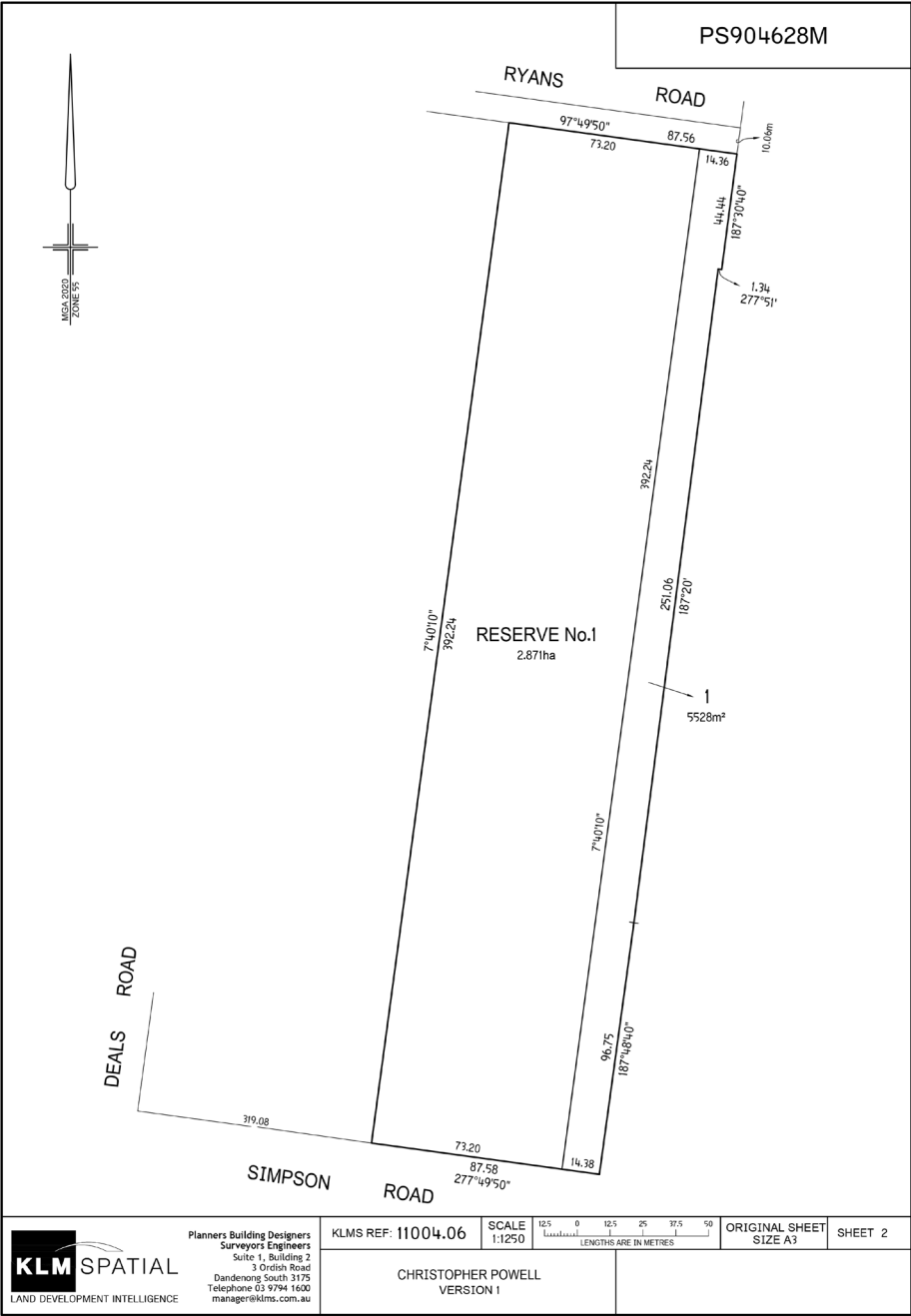
Interests Acquired: All interests excluding any leasehold interests in the land.

The acquisition is made pursuant to section 5(4) of the **Crown Land (Reserves) Act 1978** for the purpose of the Sandbelt Parklands Project.

A notice of intention to acquire the interests in the land was served on:

1. Spring Valley Golf Club Inc (ABN 17 180 035 151), as registered proprietor, on 17 August 2022; and
2. EDL LFG (VIC) Pty Ltd (ACN 061 503 348), as licensee, on 26 August 2022.

Published with the authority of the Minister for Environment and Climate Action.



For and on behalf of the Minister for Environment and Climate Action

Signed: ALIX RHODES

Name: Alix Rhodes

Executive Director, Land Management Policy

Department of Environment, Land, Water and Planning

Date: 20 October 2022

FORM 7

Regulation 16

Land Acquisition and Compensation Act 1986

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Minister for Environment and Climate Action declares that by this notice it acquires the following interests in the land described as:

Part of Lot 1 on Title Plan 254522M contained in Certificate of Title Volume 05720 Folio 817, forming part of the property known as 654–718 Clayton Road, Clayton South, Victoria 3169 and shown as Reserve No. 1 on proposed Plan of Subdivision 904624V.

Interests Acquired: All interests excluding any leasehold interests in the land.

The acquisition is made pursuant to section 5(4) of the **Crown Land (Reserves) Act 1978** for the purpose of the Sandbelt Parklands Project.

A notice of intention to acquire the interests in the land was served on:

1. Whitehorse City Council (ABN 39 549 568 822), Glen Eira City Council (ABN 65 952 882 314), Monash City Council (ABN 23 118 071 457) and Boroondara City Council (ABN 83 441 314 965), as tenants in common, on 10 August 2022;
2. Stonnington City Council (ABN 67 688 032 530), as a tenant in common, on 15 August 2022; and
3. EDL LFG (VIC) Pty Ltd (ACN 061 503 348), as licensee, on 26 August 2022.

Published with the authority of the Minister for Environment and Climate Action.



FORM 7

Regulation 16

Land Acquisition and Compensation Act 1986

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Minister for Environment and Climate Action declares that by this notice it acquires the following interests in the land described as:

Part of all three lots listed below, forming part of the property known as Ryans Road, Clayton South, Victoria 3169 and shown as Reserve No. 1 on proposed Plan of Subdivision 904626R:

Part of Lot 1 on Title Plan 513251B, Certificate of Title Volume 03780 Folio 959;

Part of Lot 1 on Title Plan 553514T, Certificate of Title Volume 08080 Folio 847; and

Part of Lot 1 on Title Plan 831815E, Certificate of Title Volume 08192 Folio 060.

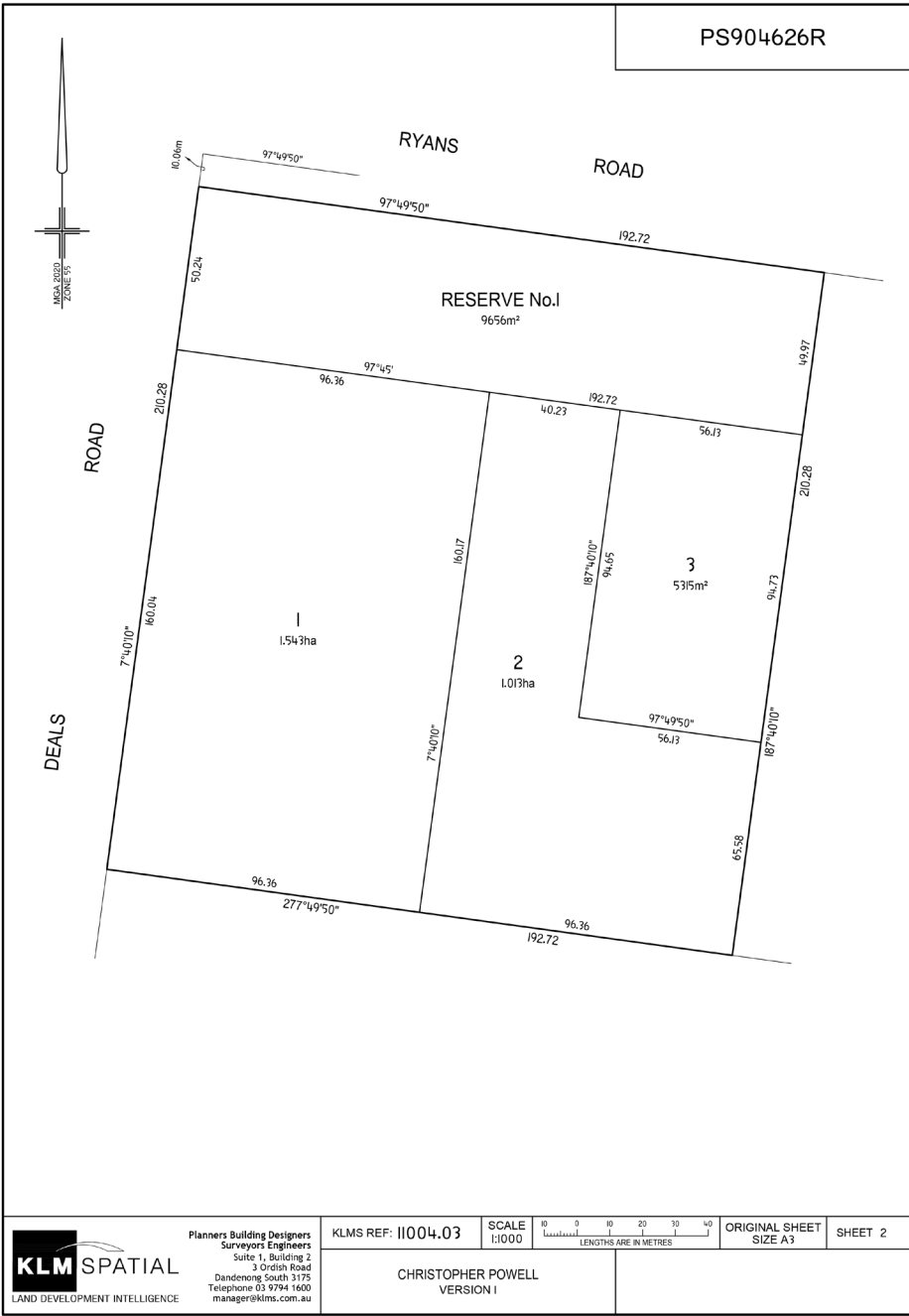
Interests Acquired: All interests excluding any leasehold interests in the land.

The acquisition is made pursuant to section 5(4) of the **Crown Land (Reserves) Act 1978** for the purpose of the Sandbelt Parklands Project.

A notice of intention to acquire the interests in the land was served on:

1. Oakleigh Go-Kart Racing Club Inc (ABN 83 979 568 255), as registered proprietor, on 15 August 2022; and
2. EDL LFG (VIC) Pty Ltd (ACN 061 503 348), as licensee, on 26 August 2022.

Published with the authority of the Minister for Environment and Climate Action.



For and on behalf of the Minister for Environment and Climate Action

Signed: ALIX RHODES

Name: Alix Rhodes

Executive Director, Land Management Policy
Department of Environment, Land, Water and Planning

Date: 20 October 2022

Magistrates' Court Act 1989NOTICE SPECIFYING MAGISTRATE TO
THE SPECIALIST FAMILY VIOLENCE
COURT DIVISION

Pursuant to section 41A(3) of the **Magistrates' Court Act 1989**, I assign the following magistrates to the Specialist Family Violence Court Division of the Magistrates' Court of Victoria:

Magistrate Helen Spowart

Dated 17 October 2022

JUSTICE LISA HANNAN
Chief Magistrate

**Major Transport Projects
Facilitation Act 2009**

(Section 10)

DECLARATION OF A MAJOR
TRANSPORT PROJECT

I, Daniel Andrews, Premier of the State of Victoria, under section 10(1)(b) of the **Major Transport Projects Facilitation Act 2009** (the Act) declare New Regional Platform at Sunshine Station to be a declared project to which the Act (other than Parts 3 and 8) applies.

This declaration comes into effect on the date it is published in the Government Gazette.

Dated 14 September 2022

HON. DANIEL ANDREWS MP
Premier of Victoria

**Major Transport Projects
Facilitation Act 2009**

(Section 14)

APPOINTMENT OF MINISTER TO BE
THE PROJECT MINISTER
FOR A DECLARED PROJECT

I, Daniel Andrews, Premier of the State of Victoria, in accordance with section 14 of the **Major Transport Projects Facilitation Act 2009** appoint the Minister for Transport Infrastructure to be the Project Minister for New Regional Platform at Sunshine Station.

This declaration comes into effect on the date it is published in the Government Gazette.

Dated 14 September 2022

HON. DANIEL ANDREWS MP
Premier of Victoria

Marine Safety Act 2010

Section 208(2)

NOTICE OF BOATING ACTIVITY
EXCLUSION ZONE

Southern Rural Water as the declared waterway manager for Lake Glenmaggie hereby gives notice under section 208(2) of the **Marine Safety Act 2010** that all persons and vessels not registered to take part in the Glenmaggie and District Boat Club (GDBC) Glenmaggie Cup and Australian Championships are prohibited from entering and remaining in the following waters.

Waters of Lake Glenmaggie – north of GDBC extending east from Licola (Glenmaggie) Road Bridge to a line of buoys extending out in an arc from the water's edge at Glenmaggie Point to approximate location 37°53'36.5"S 146°45'49.8"E and to the water's edge at Glenmaggie Cemetery Point.

The exclusion zone will be in effect for the following times:

12.00 pm to 5.30 pm Friday 21 October 2022

7.00 am to 5.00 pm Saturday 22 October 2022

7.00 am to 5.00 pm Sunday 23 October 2022

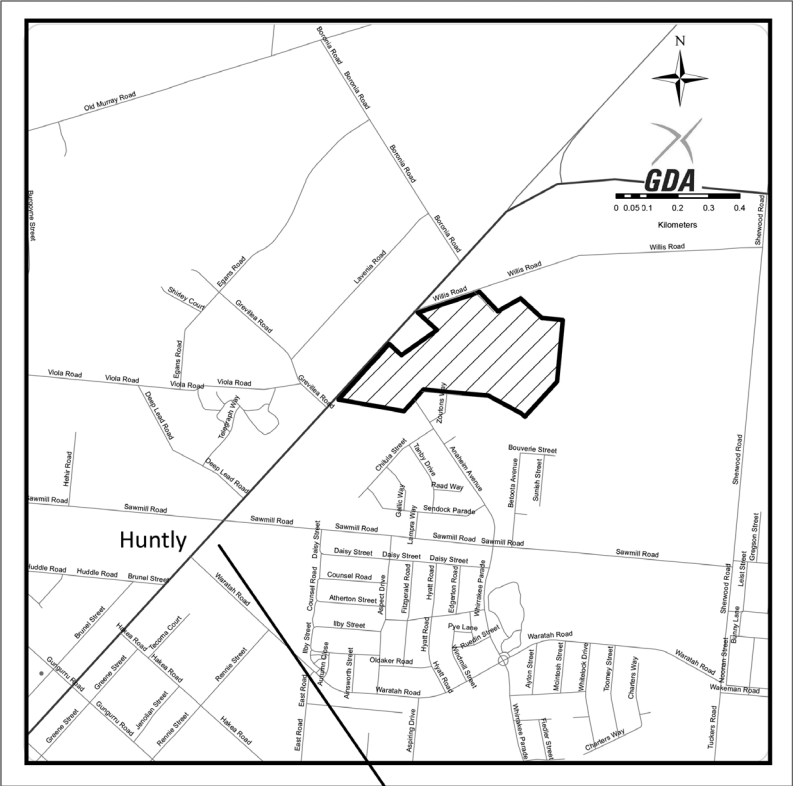
Dated 17 October 2022

EDWARD SMITH
Manager Headworks Operations

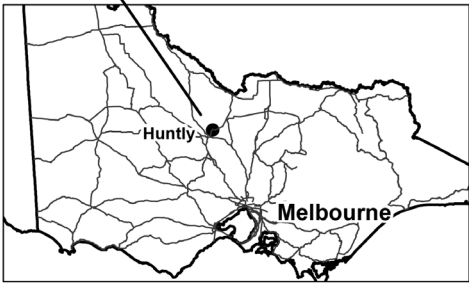
Mineral Resources (Sustainable Development) Act 1990
EXEMPTION OF LAND FROM A LICENCE

I, Stephen Adamthwaite, Director Statutory Authorisations, Earth Resources Regulation pursuant to section 7 of the **Mineral Resources (Sustainable Development) Act 1990** (the ‘Act’) and acting under delegation from the Minister for Resources dated 22 January 2022, hereby exempt all that land situated within the boundaries of the hatched area on attached Schedule A from being subject to any and all licences under the Act.

Schedule A



Locality Map



Dated 11 October 2022

STEPHEN ADAMTHWAITE,
Director Statutory Authorisations
Earth Resources Regulation

Serious Offenders Act 2018**APPROVAL OF PROCEDURES FOR DRUG TESTING FOR CERTAIN
OFFENDERS SUBJECT TO SUPERVISION ORDERS**

I, Rebecca Falkingham, Secretary to the Department of Justice and Community Safety revoke the ‘Approval of procedure for saliva drug testing for certain offenders subject to supervision orders’ published in the Victorian Government Gazette on 17 February 2022, and approve the following test procedures for the purposes of Division 4 of Part 13 of the **Serious Offenders Act 2018** where:

- a court has made a supervision order or interim supervision order that includes conditions requiring the offender to:
 - o submit to breath testing, urinalysis or other test procedures approved by the Secretary to the Department of Justice and Community Safety for detecting alcohol or drug use; and
 - o reside at a residential facility, a residential treatment facility, or any other place; and
- an officer suspects on reasonable grounds that the offender has breached a condition of their supervision order or interim supervision order by consuming drugs.

**APPROVED PROCEDURE FOR SALIVA TESTING PURSUANT TO SECTION 213(1) OF
THE *SERIOUS OFFENDERS ACT 2018***

Before collecting the saliva sample, the officer must be satisfied of the offender’s identity.

Information to be given to the offender before conducting the test –

The officer must inform the offender of all the following information –

- the officer suspects on reasonable grounds that the offender has breached a condition of his or her supervision order or interim supervision order by consuming drugs;
- in accordance with the conditions of the offender’s supervision order or interim supervision order and section 213 of the **Serious Offenders Act 2018**, the offender is required to submit to saliva testing.

Refusal to submit to saliva test –

If an offender refuses to provide a required saliva sample, the officer must inform the offender that failure to comply may constitute a contravention of the supervision order or interim supervision order.

Procedure for administering saliva testing –

The saliva test must be administered by the officer according to the following steps:

1. select the relevant saliva drug testing instrument, which has been approved for saliva test purposes internally (the instrument);
2. review packaging on the instrument and ensure the instrument is within the expiry date. Ensure there is no visible damage to the instrument. If there is damage or the instrument is past the expiry date it should be discarded;
3. record the date, place and time of where the sample will be collected (in a form that includes the information contained in Schedule 1);
4. record batch number and expiry date of the instrument (see Schedule 1);
5. hand the instrument to the offender and request the offender insert the instrument into their mouth and follow instructions set by the test manufacturer;
6. wait the test manufacturer’s required time for the test to be complete;
7. record the outcome of the test (see Schedule 1) and advise offender of the result;
8. ask the offender to sign the form (see Schedule 1);
9. if the offender believes that prescribed medication may result in inaccurate test results, the offender may complete an authorisation for the disclosure of medical information to the Department of Justice and Community Safety (in a form which includes the information contained in Schedule 2);
10. If the test is positive, the officer must take a photo of the positive preliminary test and place it on the offender’s file;

If preliminary saliva test provides a positive indication –

11. If an officer determines that it is appropriate for a secondary test to be conducted, the officer must advise the offender that a secondary saliva test is required, and that this sample will be sent to a laboratory for confirmatory forensic testing;
12. the officer will then administer a secondary saliva test following steps 1 – 6 of the Procedure for administering saliva testing and prepare the sample for laboratory testing in accordance with Australian Standards®.

APPROVED PROCEDURE FOR ION SCANNING PURSUANT TO SECTION 213(1) OF THE *SERIOUS OFFENDERS ACT 2018***Identification of offender**

- before directing an offender to undergo ion scanning, the officer must ensure positive identification of the offender.

Information given to the offender before the test

The officer must inform the offender of all the following information –

- the officer suspects on reasonable grounds that the offender has breached a condition of his or her supervision order or interim supervision order by consuming drugs;
- in accordance with the conditions of the offender’s supervision order or interim supervision order and section 213 of the **Serious Offenders Act 2018**, the offender is required to submit for an ion scan.

Refusal to submit to an Ion scan

If an offender refuses to allow a supervision officer to conduct an Ion scan, the officer must inform the offender that failure to comply may constitute a contravention of the supervision order or interim supervision order.

Conducting the Ion Scan

The officer conducting the Ion Scan must –

- swipe the offender’s hand or clothing sampling swab in one direction;
- ensure that swabs must only be used once;
- ensure that if a swab becomes wet, it is replaced and the sample retaken.

Positive test result

- The offender will be advised that the test has recorded a positive result.
- A photograph will be taken of the result.
- The result will be recorded in a register (in a form that includes the information contained in Schedule 1).

REBECCA FALKINGHAM
Secretary, Department of Justice and Community Safety

Serious Offenders Act 2018**SCHEDULE 1****INFORMATION TO BE INCLUDED IN THE SALIVA TESTING AND ION SCANNING FORM****Section 213**

Date	Place	Time	Name of offender	Instrument batch number	Instrument expiry date	Outcome of test	Offender's signature	Name of officer	Officer's signature	Witnessing Officer's signature

Serious Offenders Act 2018**SCHEDULE 2****CONSENT TO THE RELEASE OF MEDICAL INFORMATION****Section 213**

Offender to complete:

I have been prescribed and am taking the following medication(s) (list):		
My treating health practitioner(s) are (list):		
I authorise the treating health practitioner(s) I have listed above to release information about the medication(s) I am prescribed and taking, to the Department of Justice and Community Safety:	Name of offender:	
	Date:	
	Signature:	
	Witness name:	
	Witness signature:	

Serious Offenders Act 2018**REVOCATION AND APPROVAL OF PROCEDURES FOR DRUG TESTING AND URINALYSIS FOR CERTAIN OFFENDERS SUBJECT TO SUPERVISION ORDERS**

I, Rebecca Falkingham, Secretary to the Department of Justice and Community Safety revoke the approval of 'procedure for drug testing and urinalysis for certain offenders subject to supervision orders' published in the Victorian Government Gazette on 13 September 2018, and approve the following test procedures for the purposes of Division 4 of Part 13 of the **Serious Offenders Act 2018** where –

- a court has made a supervision order or an interim supervision order that contains:
 - o a condition requiring the offender to submit to breath testing, urinalysis or other test procedures approved by the Secretary to the Department of Justice and Community Safety for detecting alcohol or drug use; and
 - o a condition directing the offender to reside at a residential facility, a residential treatment facility, or any other place; and
- an officer has taken for analysis a sample of a substance found in the possession of the offender that the officer believes to be a drug of dependence or alcohol and to be not lawfully in the possession of the offender, pursuant to section 215(1) of the **Serious Offenders Act 2018**.

APPROVED SEALING AND LABELLING PROCEDURES FOR SAMPLES TAKEN
PURSUANT TO SECTION 215(1) OF THE **SERIOUS OFFENDERS ACT 2018**

A sample of a substance taken pursuant to section 215(1) of the **Serious Offenders Act 2018** is to be placed, in the presence of a witness, in a sterile and air-tight container.

The container is to be sealed, in the presence of the witness, with a tamper-proof seal.

The container is to be labelled, in the presence of the witness, with a permanent ink pen with the following information –

- name of the offender in whose possession the sample was found;
- date and time on which the sample was taken;
- address of the place where the sample was taken;
- brief description of the sample;
- name and signature of the officer who has taken the sample and sealed the container; and
- name and signature of the witness who has observed the collection, containment, and sealing of the sample.

APPROVED DELIVERY PROCEDURES FOR SAMPLES TAKEN PURSUANT TO
SECTION 215(1) OF THE **SERIOUS OFFENDERS ACT 2018**

The sealed and labelled container containing a sample of a substance taken pursuant to section 215(1) of the **Serious Offenders Act 2018** is to be securely stored at a residential facility or residential treatment facility, or a community corrections centre within the meaning of the **Corrections Act 1986**, until collected by Victoria Police or a supervision officer for delivery to an appropriate testing agency.

A record of the chain of custody must accompany the sample and be completed and signed by any person who has handled the sample.

APPROVED RECORDING PROCEDURES FOR SAMPLES TAKEN PURSUANT TO
SECTION 215(1) OF THE **SERIOUS OFFENDERS ACT 2018**

The officer in charge must maintain a register that records the carrying out of each test of a sample taken pursuant to section 215(1) of the **Serious Offenders Act 2018**, in the form of Schedule 1.

REBECCA FALKINGHAM
Secretary, Department of Justice and Community Safety

SCHEDULE 1

REGISTER OF TESTS OF SAMPLES TAKEN PURSUANT TO SECTION 215(1) OF THE
SERIOUS OFFENDERS ACT 2018

Sample/collection details				Test details and results			Entry author details	
Date/ time	Offender	Location	Description	Date of analysis	Result	Reference no.	Author	Signature

Water Act 1989**INSTRUMENT OF DECLARATION OF A DRAINAGE COURSE****Murray Valley West Catchment**

I, Helen Vaughan, Deputy Secretary, Department of Environment, Land, Water and Planning, as the delegate of the Minister administering the **Water Act 1989** declare under section 218 of that Act land in the Parishes of Baramah, Moira, Picola, Narioka, Yielima, Barwo, Yalca, Waaia, Ulupna and Baulkamaugh, situated along the Murray Valley West Catchment and as shown on the Murray Valley West Catchment Drainage Course Declaration Extent Plan (Ref: LEGL./21-759) to be a Drainage Course and I appoint Goulburn-Murray Rural Water Corporation as having the management and control of the drainage course.

Dated 10 October 2022

HELEN VAUGHAN

Deputy Secretary, Department of Environment, Land, Water and Planning

Water Act 1989**VARIATION OF THE GOULBURN-MURRAY WATER CORPORATION
GOULBURN MURRAY IRRIGATION DISTRICT**

I, Sonia Parisi, Acting Executive Director, Department of Environment, Land, Water and Planning, as the delegate of the Minister administering the **Water Act 1989**, under section 122I of the **Water Act 1989** determine that the Goulburn Murray Irrigation District of Goulburn-Murray Water Corporation is varied by including the land shaded in red as indicated on Goulburn-Murray Water Corporation's plan numbers LEGL./21-309 and LEGL./21-310.

This determination will take effect on the date it is published in the Victoria Government Gazette.

Dated 12 October 2022

SONIA PARISI

Acting Executive Director, Partnerships and
Sector Performance, Water and Catchments

Department of Environment, Land, Water and Planning
(as delegate of the Minister)

Note:

Copies of the plans referred to in this determination may be inspected at Goulburn-Murray Water Corporation, 40 Casey Street, Tatura, Victoria 3616.

Water Act 1989**VARIATION OF THE GOULBURN-MURRAY WATER CORPORATION
NYAH PUMPED IRRIGATION DISTRICT**

I, Sonia Parisi, Acting Executive Director, Department of Environment, Land, Water and Planning, as the delegate of the Minister administering the **Water Act 1989**, under section 122I of the **Water Act 1989** determine that the Nyah Pumped Irrigation District of Goulburn-Murray Water Corporation is varied by including the land shaded in red as indicated on Goulburn-Murray Water Corporation's plan number LEGL./21-311.

This determination will take effect on the date it is published in the Victoria Government Gazette.

Dated 12 October 2022

SONIA PARISI

Acting Executive Director, Partnerships and
Sector Performance, Water and Catchments

Department of Environment, Land, Water and Planning
(as delegate of the Minister)

Note:

Copies of the plans referred to in this determination may be inspected at Goulburn-Murray Water Corporation, 40 Casey Street, Tatura, Victoria 3616.

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

Notice of Approval of Amendment

Amendment C238ball

The Minister for Planning has approved Amendment C238ball to the Ballarat Planning Scheme.

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

The Amendment facilitates the Ballarat Base Hospital Redevelopment Project (project) by:

- amending the Schedule to Clause 45.01 (Public Acquisition Overlay) to insert a new Schedule 5;
- applying the Public Acquisition Overlay – Schedule 5 (PAO5) to the land required by the project and introducing Planning Scheme Map no.22 PAO.

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 or by contacting 1800 789 386 to arrange a time to view the Amendment documentation and, free of charge, at the Ballarat City Council website at www.ballarat.vic.gov.au and/or during office hours, at the offices of the Ballarat City Council, 25 Armstrong Street South, Ballarat.

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

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

Notice of Approval of Amendment

Amendment C171bany

The Minister for Planning has approved Amendment C171bany to the Banyule 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 Overlay controls for 20 individual heritage places recommended for protection in the Banyule Heritage Study 2020 until 1 May 2023.

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 or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, during office hours, at the offices of the Banyule City Council, 1 Flintoff Street, Greensborough and on the Banyule City Council website at shaping.banyule.vic.gov.au/Heritage

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
GREATER GEELONG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C448ggee

The Minister for Planning has approved Amendment C448ggee to the Greater Geelong Planning Scheme.

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

The Amendment amends the schedules to Clause 45.12 and Clause 72.04 and applies a Specific Controls Overlay to Part 1/250 Beach Road, Avalon to include the incorporated document, Part 1/250 Beach Road, Avalon, August 2022.

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 or by contacting 1800 789 386 to arrange a time to view the Amendment documentation and, free of charge, at the City of Greater Geelong Council website at www.geelongaustralia.com.au and/or during office hours, at the offices of the City of Greater Geelong Council, 137–149 Mercer Street, Geelong.

MATT COHEN

Director, Development Approvals and Design
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
MANNINGHAM PLANNING SCHEME

Notice of Approval of Amendment

Amendment C135mann

The Minister for Environment and Climate Action has approved Amendment C135mann to the Manningham Planning Scheme.

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

The Amendment facilitates the Bulleen Park Sporting Facilities Redevelopment project by applying the Specific Controls Overlay to land required for the project to allow the use and development of that land in accordance with the specific control of the Bulleen Park Sporting Facilities – 175–189 Bulleen Road, Bulleen, August 2022.

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 or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, during office hours, at the offices of the Manningham City Council, 699 Doncaster Road, Doncaster and also on the Council website at www.manningham.vic.gov.au

STUART MENZIES

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

Planning and Environment Act 1987
MARIBYRNONG PLANNING SCHEME

Notice of Approval of Amendment
Amendment C164mari

The Minister for Planning has approved Amendment C164mari to the Maribyrnong Planning Scheme.

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

The Amendment applies the Development Contributions Plan Overlay Schedule 2 (DCPO2) to the land affected by the Amendment, applies a new Schedule 2 to Clause 45.06, inserts an incorporated document titled 'Maribyrnong Development Contributions Plan, July 2021' into the Maribyrnong Planning Scheme and amends the Schedule to Clause 72.03 to include new planning scheme maps.

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 or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, on the Maribyrnong City Council website at www.maribyrnong.vic.gov.au and/or during office hours, at the offices of the Maribyrnong City Council, corner Hyde and Napier Streets, Footscray.

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

Planning and Environment Act 1987
MAROONDAH PLANNING SCHEME

Notice of Approval of Amendment
Amendment C149maro

The Minister for Planning has approved Amendment C149maro to the Maroondah Planning Scheme.

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

The Amendment corrects two technical errors contained in Schedule 1 to the Activity Centre Zone (Clause 37.08) and Schedule 1 to the Development Contributions Plan Overlay (Clause 45.06) in the Maroondah 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 or by contacting 1800 789 386 to arrange a time to view the Amendment documentation and, free of charge, at the Maroondah City Council website at www.maroondah.vic.gov.au and/or during office hours, at the offices of the Maroondah City Council, Realm, 170 Maroondah Highway, Ringwood.

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

Planning and Environment Act 1987**MELTON PLANNING SCHEME****Notice of Approval of Amendment****Amendment C230melt**

The Minister for Environment and Climate Action has approved Amendment C230melt to the Melton Planning Scheme.

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

The Amendment facilitates the extension of the operation of the existing Ravenhall Concrete Manufacturing Facility to service major infrastructure projects. The Amendment applies the Specific Controls Overlay Schedule 6 (SCO6) maps so the land is subject to the amended Ravenhall Concrete Manufacturing Facility, Incorporated Document, July 2022.

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 or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, at the Melton City Council website at www.melton.vic.gov.au or during office hours, at the offices of the Melton City Council, 232 High Street, Melton.

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987**MORNINGTON PENINSULA PLANNING SCHEME****Notice of Approval of Amendment****Amendment C227morn**

The Minister for Planning has approved Amendment C227morn to the Mornington Peninsula Planning Scheme.

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

The Amendment implements the recommendations of the Tootgarook Wetland Management Plan (BMT, 2018) and Extent of Tootgarook Wetland, Mornington Peninsula, Victoria (Biosis, 2019) by amending existing Environmental Significance Overlays (ESOs), introducing a new schedule to Clause 42.01 (ESO) and applying it to the current extent of Tootgarook Wetland and buffers, and rezoning several public land parcels to provide better recognition, protection, maintenance and enhancement of Tootgarook Wetland.

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 or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, at the Mornington Peninsula Shire Council website at www.mornpen.vic.gov.au or during office hours, at the offices of the Mornington Peninsula Shire Council, 90 Besgrove Street, Rosebud.

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
MURRINDINDI PLANNING SCHEME
Notice of Approval of Amendment
Amendment C72muri

The Minister for Planning has approved Amendment C72muri to the Murrindindi 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 and inserts an Incorporated Document titled ‘969 Goulburn Valley Highway, Thornton – September 2022 (Tanglewood Music Festival)’ to facilitate the use and development of land for the purpose of a place of assembly (music festival) annually for five years at 969 Goulburn Valley Highway, Thornton.

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 or by contacting 1800 789 386 to arrange a time to view the Amendment documentation and, free of charge, at the Murrindindi Shire Council website at www.murrindindi.vic.gov.au and/or during office hours, at the offices of the Murrindindi Shire Council, Perkins Street, Alexandra.

MATT COHEN
Director, Development Approvals and Design
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
STONNINGTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment C323ston

The Minister for Planning has approved Amendment C323ston to the Stonnington 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 45.12 (Specific Controls Overlay) and Clause 72.03 (Documents Incorporated in this Planning Scheme) to insert reference to a new incorporated document titled ‘70–88 Greville Street and 42 Charles Street, Prahran – July 2022’.

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 or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, at the Stonnington City Council website at www.stonnington.vic.gov.au or during office hours, at the offices of the Stonnington City Council, 311 Glenferrie Road, Malvern.

MATT COHEN
Director, Development Approvals and Design
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
WANGARATTA PLANNING SCHEME
Notice of Approval of Amendment
Amendment C91wang

The Minister for Planning has approved Amendment C91wang to the Wangaratta 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 and inserts an Incorporated Document titled '21–23 Templeton Street, Wangaratta – September 2022' to facilitate redevelopment of the land at 21–23 Templeton Street, Wangaratta for social housing.

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 or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, at the Wangaratta Rural City Council website at <https://www.wangaratta.vic.gov.au> and/or during office hours, at the Wangaratta Government Centre, 62–68 Ovens Street, Wangaratta.

MATT COHEN
Director, Development Approvals and Design
Department of Environment, Land, Water and Planning

ORDERS IN COUNCIL

Crown Land (Reserves) Act 1978

RESERVATION OF LAND – TRUGANINA

Order in Council

The Governor, with the advice of the Executive Council, under section 4(1) of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown land for the Preservation of an area of ecological significance:

MUNICIPAL DISTRICT OF THE WYNDHAM CITY COUNCIL

TRUGANINA – Preservation of an area of ecological significance; the land being Crown Allotment 2171, Parish of Truganina [area 1.276 hectares] as shown on plan OP125877 lodged in the Central Plan Office.

File Ref: 0704883

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

Dated: 18 October 2022

Responsible Minister:

HON LILY D'AMBROSIO MP

Minister for Environment and Climate Action

SAMUAL WALLACE

Clerk of the Executive Council

Domestic Animals Act 1994

**EXEMPTION OF DOMESTIC ANIMAL BUSINESSES FROM OPERATION OF
DOMESTIC ANIMALS ACT 1994**

Order in Council

The Governor in Council under section 5(1)(b) of the **Domestic Animals Act 1994** (the Act), and in accordance with section 27 of the **Interpretation of Legislation Act 1984**, revokes the Order dated 7 April 2020 which exempted breeding domestic animal businesses keeping more than 10 relevant fertile female dogs on their registered premises from the operation of section 54D of the Act as set out in the Order.

This revocation Order takes effect on 20 October 2022.

Dated: 18 October 2022

Responsible Minister:

THE HON. GAYLE TIERNEY MP

Minister for Agriculture

SAMUAL WALLACE

Clerk of the Executive Council

Development Victoria Act 2003

PROJECT ORDER

Order in Council

The Governor in Council under section 34 of the **Development Victoria Act 2003** (Vic) ('the Act') by Order:

- (a) declares the redevelopment of the Melbourne Arts Precinct Transformation Project to be a project to which the Act applies;
- (b) specifies that the following provisions of Divisions 2, 3, 4, 5, 6 of Part 3 of the Act are to apply to the Declared Project: Sections 34, 35, 36, 38, 39, 40, 41, 43, 44, 45, 46, 53 and 54; and
- (c) specifies that the area of land as shown hatched in the plan attached is to be the project area for the purposes of the Declared Project.

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

Dated: 18 October 2022

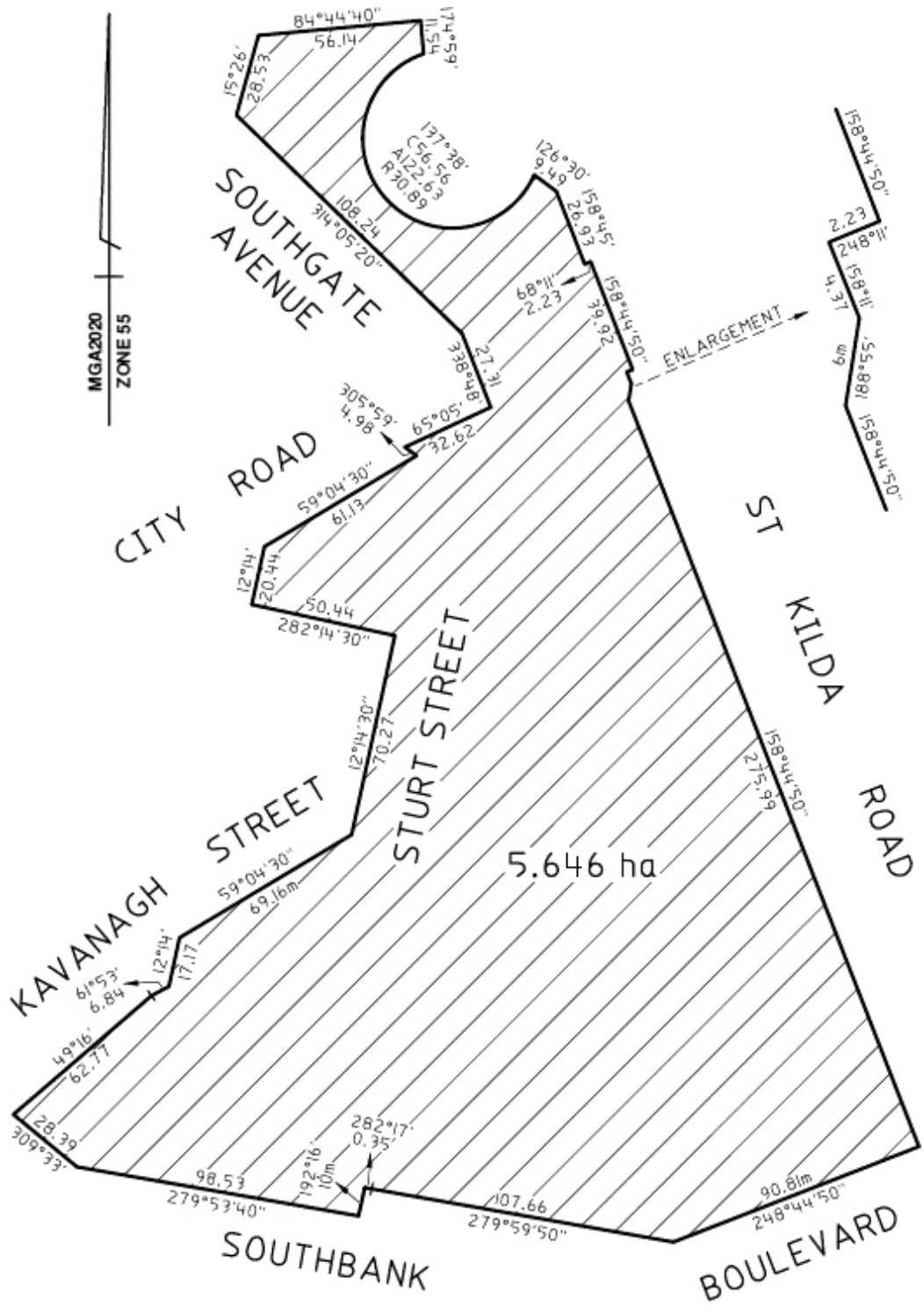
Responsible Minister:

HON JACINTA ALLAN MP

Minister for Transport Infrastructure

SAMUAL WALLACE
Clerk of the Executive Council

DRAWING OF AREA OF LAND DECLARED AS THE PROJECT ORDER



Electricity Safety Act 1998
EXEMPTION UNDER SECTION 120W OF THE
ELECTRICITY SAFETY ACT 1998

Order in Council

The Governor in Council, under section 120W of the **Electricity Safety Act 1998** (Act), makes the following Order to exempt AusNet Electricity Services Pty Ltd (ABN 91 064 651 118) (AusNet Services) from complying with certain provisions under section 120M of the Act on the terms and conditions specified in this Order.

1. EXEMPTIONS

From the **effective date** of this Order, AusNet Services is exempt from:

- 1.1. complying with section 120M of the Act in relation to each polyphase electric line that originates from the **Kalkallo zone substation** that is owned or operated by a **major electricity company** other than AusNet Services; and
- 1.2. complying with section 120M(1)(c) of the Act in relation to each polyphase electric line that originates from the **Kalkallo zone substation** that is owned or operated by AusNet Services, subject to AusNet Services' continued compliance with the condition in clause 2 below.

2. CONDITION OF EXEMPTION

The exemption in clause 1.2 is granted subject to the condition that AusNet Services must **cover, insulate** or place underground each overhead **polyphase electric line** (or part thereof) that originates from the **Kalkallo zone substation** that is owned or operated by AusNet Services and does not have the **required capacity**.

3. INTERPRETATION

- 3.1. In this Order –

cover has the meaning given in section 120N(5) of the Act.

effective date means the date this Order is published in the Government Gazette.

insulate, in relation to a **polyphase electric line** (other than a *covered polyphase electric line*), means comprised of conductors that are separated from any adjoining conductive material by a permanently affixed protective layer of non-conducting material.

Kalkallo zone substation means the zone substation located at Latitude -37.53833, Longitude 144.94140, and listed in Schedule 1 of the **Electricity Safety (Bushfire Mitigation Duties) Regulations 2017**.

major electricity company has the meaning given in section 3 of the Act.

polyphase electric line has the meaning given in section 120K of the Act.

required capacity has the meaning given in section 120K of the Act.

- 3.2. In this Order, unless context requires otherwise, words denoting the singular include the plural, and vice versa.

4. COMMENCEMENT

This Order takes effect on the date it is published in the Government Gazette.

Dated 18 October 2022

Responsible Minister:

THE HON LILY D'AMBROSIO MP

Minister for Energy

SAMUAL WALLACE
Clerk of the Executive Council

Municipal Association Act 1907

**ORDER TO APPROVE THE MAKING OF THE MUNICIPAL ASSOCIATION OF
VICTORIA RULES 2022**

Order in Council

The Governor in Council under section 3(2) of the **Municipal Association Act 1907** hereby approves the making of the Municipal Association of Victoria Rules 2022 as attached.

Dated: 18 October 2022

Responsible Minister:

THE HON MELISSA HORNE MP
Minister for Local Government

SAMUAL WALLACE
Clerk of the Executive Council



**[Proposed]
MAV RULES 2022**

**MUNICIPAL ASSOCIATION OF VICTORIA
RULES 2022**

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**MUNICIPAL ASSOCIATION OF VICTORIA
RULES
PART 1 – PRELIMINARY**

1 Objectives

- 1.1 The objectives of the Association are to:
- 1.1.1 promote local government and improve community awareness of the capacity and capabilities of the sector for the benefit of Victorian communities;
 - 1.1.2 promote through its advocacy role appropriate powers, functions and responsibilities for local government having regard to the needs and characteristics of its individual members;
 - 1.1.3 act as the representative body of local government for the purpose of promoting effective inter-governmental co-operation;
 - 1.1.4 strengthen the Association's leadership role in Victorian local government by focusing on:
 - 1.1.4.1 targeted advocacy to Governments and relevant organisations;
 - 1.1.4.2 continually improving systems for effective member liaison, communication and participation; and
 - 1.1.4.3 building the capacity and capabilities of Victorian councils to meet the challenges of the 21st century;
 - 1.1.5 provide policy and strategic advice to Victorian councils;
 - 1.1.6 provide support to Victorian councils; and
 - 1.1.7 provide services to Victorian councils.
- 1.2 The Association may exercise all functions and powers which are necessary or convenient for it to carry out its objectives provided it is not inconsistent with the **Municipal Association Act 1907** or any other Act.
- 1.3 These Rules are made under the **Municipal Association Act 1907**.
- 1.4 Any previous Rules made under the **Municipal Association Act 1907** are revoked.

2 Definitions

Unless express or implied to the contrary, the following terms appearing in these Rules have the meanings respectively set out:

'Act'	means the Municipal Association Act 1907 .
'Association'	means the Municipal Association of Victoria.
'Audit and Risk Committee'	means the Audit and Risk Committee established under Rule 25.
'Board'	means the Board referred to in Rule 9.
'Board member'	means the President or a Director (including a Director who is a Deputy President).
'business day'	means a day which is not a Saturday, Sunday or public holiday for the whole of Victoria.
'Chief Executive Officer'	means the person appointed by the Board to be the Chief Executive Officer of the Association or any person acting in that position.
'Corporations Act'	means the Corporations Act 2001 (Cth) or any Act which substantially re-enacts the Corporations Act 2001 (Cth).

‘councillor’	means a person who holds the office of member of a Victorian council, and includes a person appointed as Administrator of a council by an Order in Council made under Division 7, 8 or 9 of Part 7 of the Local Government Act 2020 or by or under any other Act.
‘delegate’	means a councillor of a participating member council chosen by that council to be its representative at the State Council, and includes, in the absence of the councillor at a meeting of the State Council, a substitute delegate of the council of which the Councillor is a member.
‘Director’	means a member of the Board who is not the President.
‘Eligibility Criteria’	means the criteria that apply for a person to be eligible to act in the role of the President, a Director or other officer of the Association, as set out in the Fit and Proper Person Policy.
‘Fit and Proper Person Policy’	means the policy required to be adopted by the Board in accordance with sub-Rule 21.5, as amended from time to time.
‘Local Government General Election’	means a general election held in accordance with the Local Government Act 2020 .
‘MAV Election Day’	means the first Friday in March in every second year.
‘non participating member council’	means a council which is not a participating member council.
‘officer’	has the meaning set out in the Corporations Act .
‘participating member council’	has the meaning set out in sub-Rule 5.1.
‘regional groupings of councils’	means – (a) the councils within the metropolitan area that comprise the five (5) metropolitan regions; and (b) the councils outside the metropolitan area that comprise the five (5) non-metropolitan regions – that are determined and classified from time to time by the Board.
‘Register of Delegates’	means the Register of Delegates maintained under sub-Rule 7.6.
‘the State Council’	means the body consisting of all the delegates of participating member councils of the Association.

3 Amendment of Rules

- 3.1 Subject to sub-Rules 3.2-3.5 (inclusive), these Rules may be amended by the State Council.
- 3.2 An amendment to the Rules may be proposed by:
- 3.2.1 any participating member council:
- 3.2.1.1 notifying the Chief Executive Officer that it has, by resolution, expressed support for the proposed amendment; and
- 3.2.1.2 submitting to the Chief Executive Officer a motion setting out the proposed amendment, which must be received not less than 60 calendar days before the meeting of the State Council at which consideration is sought of a resolution of the kind described in sub-Rule 3.3.1; or
- 3.2.2 the Board.

- 3.3 Unless extraordinary circumstances exist and the Board resolves that a proposed amendment should be submitted to the State Council for determination as a matter of urgency so that the operations of the Association will not continue to be seriously impaired, a proposed amendment to the Rules cannot be submitted to the State Council for determination unless:
- 3.3.1 the State Council first resolves that the proposed amendment be the subject of consultation between the Association and participating member councils;
 - 3.3.2 at least 60 calendar days elapse between the resolution of the State Council and notice of the proposed amendment being given to delegates under sub-Rule 3.3.3; and
 - 3.3.3 notice of the proposed amendment, and a report on the outcome of the consultation, is given to delegates not less than 30 calendar days before the meeting of the State Council at which the proposed amendment is to be submitted for determination.
- 3.4 The State Council may determine to amend the Rules where at least 60 per cent of all delegates appointed under Rule 7 vote in favour of the proposed amendment.
- 3.5 Any amendment to the Rules by the State Council does not take effect until the amendment is approved by the Governor in Council.

PART 2 – MEMBERSHIP AND MEMBERSHIP PARTICIPATION

Division 1 – Councils As Members

4 Membership of the Association

Each member council of the Association is either a:

- 4.1 participating member council; or
- 4.2 non participating member council.

5 Participating Member Councils

- 5.1 A participating member council is a council which:
- 5.1.1 has not defaulted in its obligation to pay the most recent annual instalment of its biennial subscription; and
 - 5.1.2 has not become a non-participating member council by reason of sub-Rules 5.3 and 5.4.
- 5.2 A participating member council is liable to pay:
- 5.2.1 the biennial subscription levied by the Association, in two equal (or as near to equal as is practicable) annual instalments; and
 - 5.2.2 any other monies levied on it by the Association within the period stipulated for payment by the Association.
- 5.3 A participating member council can only cease to be a participating member council if:
- 5.3.1 it gives to the Chief Executive Officer written notice of its intention to cease to be a participating member council; and
 - 5.3.2 at least six months elapse from the giving of the notice referred to in this sub-Rule.
- 5.4 If the period of six months referred to in sub-Rule 5.3 elapses on a date which is a date before the second annual instalment of its biennial subscription is due, the cessation of participating member council status will not take effect until that next annual instalment is paid.
- 5.5 A participating member council that has given notice in accordance with sub-Rule 5.3 must, until the cessation of its participating member council status takes effect, pay any annual instalment of its biennial subscription and other monies levied on it by the Association.
- 5.6 A council which is a participating member council is, through its delegate, entitled to participate in the activities of the Association in the way provided for in these Rules.

6 Non Participating Member Councils

- 6.1 A council which is a non participating member council remains as a non participating member council until it pays an annual instalment of the biennial subscription.
- 6.2 Except to the extent that the Chief Executive Officer has agreed that the Association will provide specified services to the council in return for a fee, a non participating member council is not entitled to avail itself of the privileges and benefits of any of the functions or services performed or carried on by the Association.
- 6.3 Subject to Rule 14, a non participating member council is not eligible to participate in the activities of the Association or to exercise the powers of a delegate to:
 - 6.3.1 vote on any item of business under consideration at a meeting of the Association;
 - 6.3.2 nominate any person or be nominated for any office or position on a committee of the Association; or
 - 6.3.3 hold the office of President or Director.

Division 2 – Appointment and Obligations of Delegates**7 Appointment of Delegates**

- 7.1 A participating member council must appoint one of its councillors as a delegate and one of its councillors as a substitute delegate to the Association.
- 7.2 The participating member council must notify the Association of the appointments in the form specified in Schedule 1 as soon as practicable after it has made the appointment and in any event no later than seven (7) business days after the appointment has been made.
- 7.3 Appointments must be made by a resolution of the participating member council.
- 7.4 If a participating member council revokes the appointment of a councillor as a delegate or substitute delegate, or the councillor who has been appointed as a delegate or substitute delegate:
 - 7.4.1 dies;
 - 7.4.2 resigns, by written notice given to the participating member council and to the Chief Executive Officer; or
 - 7.4.3 ceases to be a councillor,the participating member council must, as soon as practicable, appoint another of its councillors to be its delegate or substitute delegate (as the case may be).
- 7.5 The participating member council for which the President is a delegate must appoint another Councillor to be its additional delegate to the State Council, principally for the purpose of enabling the additional delegate to cast a deliberative vote on behalf of the participating member council at meetings of the State Council. The additional delegate appointed has, subject to these Rules, all of the rights and privileges of a delegate except that they cannot:
 - 7.5.1 nominate for the office of President or Director; or
 - 7.5.2 vote in any election for the President or a Director.
- 7.6 The Association must maintain a Register of Delegates, listing those who are currently delegates and substitute delegates and the participating member councils that appointed them.
- 7.7 Any delegate or substitute delegate must, upon request, be given access to the Register of Delegates.

8 Obligations of Delegates

- 8.1 A delegate must use reasonable endeavours to attend all meetings of the Association which the delegate is eligible to attend.

- 8.2 A delegate must:
 - 8.2.1 attend every meeting of the State Council if it is practicable for them to do so, and if they are unable to attend a meeting must encourage their participating member council's substitute delegate to attend;
 - 8.2.2 if present and not prohibited from doing so, vote on every matter under consideration by the State Council; and
 - 8.2.3 regularly report to their participating member council on matters discussed and considered by the Association and on the decisions made, and have regard to any protocols published by the Board that relate to the performance of their functions as a delegate.
- 8.3 A delegate is prohibited from voting on any matter at a meeting of the State Council in respect of which the delegate has a conflict of interest.
- 8.4 For the purposes of sub-Rule 8.3 a delegate will have a conflict of interest in a matter if an impartial and fair-minded person would consider that the delegate's private interests could result in the delegate acting in a manner contrary to their duty to the Association.
- 8.5 A delegate's private interests will not, for the purposes of sub-Rule 8.4, include the personal opinions or beliefs of the delegate or any interest derived from their membership of a participating member council.
- 8.6 A delegate who has a conflict of interest in respect of a matter at a meeting of the State Council must, prior to the consideration of that matter, disclose to the meeting the:
 - 8.6.1 existence; and
 - 8.6.2 natureof the conflict of interest.

Division 3— The Board and Election of the President and Directors

9 The Board

- 9.1 The Association will be governed by the Board.
- 9.2 The Board will be comprised of:
 - 9.2.1 the President; and
 - 9.2.2 ten (10) delegates elected to the office of Director:
 - 9.2.2.1 five (5) of whom will be delegates from metropolitan councils, each being elected by delegates of one (1) of the five (5) regional groups of metropolitan councils to which their participating member council belongs; and
 - 9.2.2.2 five (5) of whom will be delegates from non-metropolitan councils, each being elected by delegates of one (1) of the five (5) regional groups of non-metropolitan councils to which their participating member council belongs.
- 9.3 The President and each Director will, subject to these Rules:
 - 9.3.1 be entitled to remain in office for two (2) years; but
 - 9.3.2 go out of office at 6am on MAV Election Day; and
 - 9.3.3 be eligible for re-election to their respective offices unless their re-election would mean that:
 - 9.3.3.1 in the case of the President, the President will have served a period of eight (8) continuous years as President; or
 - 9.3.3.2 in the case of a Director, they will have served a period of eight (8) continuous years as a Director.

- 9.4 Despite the provisions of sub-Rule 9.3, the Board may recommend to the State Council that there be a longer term of office for the President and the ten (10) Directors.
- 9.5 The State Council may, if it receives a recommendation from the Board, approve a longer term of office for the President and the ten (10) Directors if two thirds ($\frac{2}{3}$) of all delegates appointed under Rule 7 vote in favour of the proposed term of office.

10 Conduct of Elections

- 10.1 The Chief Executive Officer may from time to time appoint an individual or organisation to be the Association's Election Manager.
- 10.2 The individual or organisation appointed must have the necessary expertise and experience to manage any election provided for in these Rules.
- 10.3 The Election Manager is responsible for the conduct of elections (including by-elections) for the offices of President and the ten (10) Directors.

11 Election of the President

- 11.1 The President of the Association will be elected by the delegates that comprise the State Council.
- 11.2 The Chief Executive Officer may, after advising the Board and considering a recommendation from the Election Manager, determine whether postal, attendance or electronic voting will apply to the election of the President and must notify the delegates of all participating member councils at least 50 calendar days before MAV Election Day of the voting method to apply.
- 11.3 An election for the office of President must be conducted in accordance with the provisions in Schedule 2.
- 11.4 Any person elected to be President must:
 - 11.4.1 demonstrate to the Chief Executive Officer, or a person to whom the Chief Executive Officer has delegated the task, at such times and in such manner as is required in accordance with the Fit and Proper Person Policy, that they meet the Eligibility Criteria; and
 - 11.4.2 notify the Chief Executive Officer as soon as practicable upon becoming aware that they no longer meet the Eligibility Criteria.
- 11.5 A person elected to be President does not take office and is not entitled to any allowances until the Chief Executive Officer, or other person to whom the Chief Executive Officer has delegated the task under the Fit and Proper Person Policy, confirms that the person elected meets the Eligibility Criteria.

12 Election of Directors

- 12.1 A Director will be elected by the delegates in the region within which their participating member council is located.
- 12.2 The Chief Executive Officer may, after advising the Board and considering a recommendation from the Election Manager, determine whether postal, attendance or electronic voting will apply to the election of the ten (10) regional Directors and must notify the delegates of all participating member councils at least 50 calendar days before MAV Election Day of the voting method to apply.
- 12.3 An election for the office of Director must be conducted in accordance with the provisions in Schedule 2.
- 12.4 Any person elected to be a Director must:
 - 12.4.1 demonstrate to the Chief Executive Officer, or a person to whom the Chief Executive Officer has delegated the task, at such times and in such manner as is required in accordance with the Fit and Proper Person Policy, that the person meets the Eligibility Criteria; and
 - 12.4.2 notify the Chief Executive Officer as soon as practicable upon becoming aware that they no longer meet the Eligibility Criteria.

- 12.5 A person elected to be a Director does not take office and is not entitled to any allowances until the Chief Executive Officer, or other person to whom the Chief Executive Officer has delegated the task under the Fit and Proper Person Policy, confirms that the person elected meets the Eligibility Criteria.

13 Voting Entitlements for Elections

- 13.1 For the purposes of electing the President, each delegate has one (1) vote.
- 13.2 For the purposes of electing a Director from each of the regional groupings of participating member councils, each delegate has one (1) vote for the Director of the region within which their participating member council is located.

14 Casual Vacancies

- 14.1 A casual vacancy is created on the Board where the President or a Director (as the case may be):
- 14.1.1 dies;
 - 14.1.2 resigns in writing to the Chief Executive Officer;
 - 14.1.3 ceases to be a councillor; or
 - 14.1.4 is unable to demonstrate to the Chief Executive Officer or a person to whom the Chief Executive Officer has delegated the task in accordance with the Fit and Proper Person Policy, within one (1) month (or such longer period as the Chief Executive Officer acting reasonably allows) from the time they are required or requested to do so, that they meet the Eligibility Criteria.
- 14.2 A casual vacancy on the Board does not occur if:
- 14.2.1 the council for which the President is a delegate ceases to be a participating member council;
 - 14.2.2 the council for which a Director is a delegate ceases to be a participating member council; or
 - 14.2.3 the President's or Director's appointment as a delegate has been revoked by the participating member council which had appointed them.

15 Filling Casual Vacancies

- 15.1 Subject to sub-Rules 15.4 and 15.5, a by-election must be held to fill a casual vacancy on the Board. The provisions of Schedule 2 will apply to any by-election with all necessary adaptations.
- 15.2 The Chief Executive Officer may, after advising the Board and considering a recommendation from the Election Manager, determine whether postal, attendance or electronic voting will apply to any by-election and must, at least 50 calendar days before the by-election date, notify the delegates:
- 15.2.1 of all participating member councils, in the case of a by-election for the President; or
 - 15.2.2 of the regional grouping of councils which has been left unrepresented by the casual vacancy, in the case of a Director
- of the voting method to apply.
- 15.3 Notwithstanding anything contained in sub-Rules 15.1 and 15.2 a by-election for the office of President may be conducted at a special meeting of the State Council.
- 15.4 If a casual vacancy occurs in the office of President after 31 August in the year which immediately precedes the year in which MAV Election Day falls, that Deputy President who represents the same regional grouping of councils as the President who has ceased to hold office will become President until MAV Election Day. If there is also a casual vacancy in the office of such Deputy President then the Deputy President who remains on the Board (or in their absence a Director elected by the Board) becomes the President until MAV Election Day.

- 15.5 If any other casual vacancy occurs on the Board after 31 August in the year which immediately precedes the year in which MAV Election Day falls, the Board may decide that the casual vacancy is not to be filled.
- 15.6 If, immediately following a Local Government General Election, there exist at any one time six (6) or more casual vacancies on the Board the Chief Executive Officer may, notwithstanding anything contained in these Rules, appoint such number of Board members as are necessary to ensure that the Board comprises 11 Board members.
- 15.7 A Board member appointed by the Chief Executive Officer must:
 - 15.7.1 be a delegate; and
 - 15.7.2 come from the same regional grouping of councils as the Board member who is being replaced.
- 15.8 The Chief Executive Officer must, before making any appointment under sub-Rule 15.6:
 - 15.8.1 call for nominations from delegates of councils located in the regional grouping of councils that have been left unrepresented on the Board;
 - 15.8.2 make enquiries for the purposes of ensuring that the nominees meet the Eligibility Criteria;
 - 15.8.3 ensure that the delegate appointed has nominated or accepted a nomination for the vacant office; and
 - 15.8.4 consult with all of those delegates of the participating member councils within the relevant regional grouping of councils who have not nominated for the vacant office.

PART 3 – THE STATE COUNCIL

16 Annual and Other Meetings

- 16.1 The delegates of participating member councils meeting together in accordance with these Rules comprise the State Council.
- 16.2 In each calendar year there will take place:
 - 16.2.1 the annual meeting of the State Council; and
 - 16.2.2 at least one other meeting of the State Council.
- 16.3 The purpose of the annual meeting is to:
 - 16.3.1 consider an annual report from the President about the activities and financial affairs of the Association;
 - 16.3.2 consider any motion or other item of business proposed by the Board; and
 - 16.3.3 generally deal with the business of the Association, including any motions or items submitted by participating member council in accordance with sub-Rule 17.1.
- 16.4 Apart from the meetings of the State Council described in sub-Rule 16.2, a special meeting of the State Council may be called by the President or any ten (10) delegates of participating member councils to transact the business specified in the notice calling the meeting.
- 16.5 The quorum necessary to transact business at a meeting of the State Council is half the number of all delegates appointed under Rule 7 plus one (1), and no business may be transacted at a meeting of the State Council unless that number of delegates is in attendance.
- 16.6 Meetings of the State Council may be adjourned or deferred at any time by the President or by a resolution to adjourn to a date to be fixed carried at the meeting.
- 16.7 Except in the case of an Extraordinary Meeting called under Rule 20, preliminary notice in writing giving a general description of the business to be transacted and the date, time and place of any meeting of the State Council must be given to delegates not less than 90 calendar days before the date fixed for the meeting.

- 16.8 Except for the conduct of any election for which a separate voting procedure applies, delegates may vote on any item of business in person or, if the meeting of the State Council is conducted wholly or partly by electronic means, by voting electronically, or by any combination of those methods.

17 Submission of Business by Participating Member Councils

- 17.1 Participating member Councils may, in accordance with a form determined by the Board, submit for consideration at meetings of the State Council a motion or item for inclusion in the business to be dealt with provided that:
- 17.1.1 the submission of the motion or item has already been the subject of a resolution made by that participating member council;
 - 17.1.2 notice of such motion or item has been given to the Chief Executive Officer not less than 60 calendar days before the meeting;
 - 17.1.3 the Board considers that the motion or item is of such strategic relevance to the Association or of such significance to local government that it ought to be considered at the meeting; and
 - 17.1.4 the motion or item is not repetitive in form or substance of a motion or item considered at the most recently held meeting of the State Council.
- 17.2 Motions or items which relate to the same subject may be consolidated into a single matter, with such amendments as the Board in its discretion determines are warranted, prior to inclusion in the business papers and circulation to delegates.
- 17.3 Nothing in sub-Rule 17.1 affects the right of the Board to submit for consideration at any meeting of the State Council a motion or item that it has resolved should be considered by the State Council.

18 Agenda and Business Papers

The agenda and business papers for any meeting of the State Council must be forwarded to delegates not less than 30 calendar days before the date of the meeting.

19 Conduct of Meetings

- 19.1 Meetings of the State Council will be conducted in accordance with the procedures in Schedule 3.
- 19.2 Meetings of the State Council will be chaired by the President or, in their absence, by a Deputy President. In the absence of a Deputy President a delegate appointed by resolution of the meeting will chair the meeting.
- 19.3 At any meeting of the State Council:
- 19.3.1 each delegate in attendance is entitled to one (1) vote;
 - 19.3.2 if the delegate of a participating member council is not in attendance the substitute delegate of that council may vote in place of that delegate; and
 - 19.3.3 the President cannot exercise a deliberative vote.
- 19.4 Subject to sub-Rules 3.4 and 9.5, any matter arising at a meeting of the State Council is determined by the majority of votes of those delegates appointed under Rule 7 who are in attendance and are not prohibited from voting.
- 19.5 If voting is equal at a meeting of State Council, the President, if in attendance and chairing the meeting, has a casting vote only.
- 19.6 Business which is not included in the agenda of a meeting of any State Council may not be dealt with unless at least half of the delegates eligible to attend are in attendance and agree to deal with it.
- 19.7 The Chief Executive Officer must ensure that accurate minutes are kept of all meetings of the State Council.

20 Extraordinary Meetings

- 20.1 The Board may call an Extraordinary Meeting of the State Council to deal with a matter or matters of exceptional importance.
- 20.2 Notwithstanding anything else in these Rules:
 - 20.2.1 not less than 30 calendar days' notice of the date of the Extraordinary Meeting and the matter or matters to be dealt with must be given to delegates; and
 - 20.2.2 the State Council may, at the commencement of the Extraordinary Meeting, resolve to dispense with some or all of the procedures in Schedule 3 and any Meeting Procedure Protocols that have previously been adopted by the State Council.
- 20.3 If the State Council has, at the commencement of an Extraordinary Meeting, resolved to dispense with some or all of the procedures in Schedule 3 and any Meeting Procedure Protocols previously adopted by the State Council then the procedures to be followed at the Extraordinary Meeting will be within the discretion of the State Council.

PART 4 – THE BOARD**Division 1 – The Board****21 The Role and Functions of the Board**

- 21.1 Without limiting the governance role of the Board, the Board is responsible for:
 - 21.1.1 developing and giving effect to the strategic direction of the Association;
 - 21.1.2 the oversight of the administration and financial management of the Association;
 - 21.1.3 appointing and overseeing the performance of the Chief Executive Officer, in accordance with Rule 33;
 - 21.1.4 the oversight of the provision of services by the Association;
 - 21.1.5 the oversight of the Association's risk management;
 - 21.1.6 adopting the Association's Annual Budget;
 - 21.1.7 receiving the Association's audited accounts;
 - 21.1.8 performing those duties imposed, and performing those functions and exercising those powers conferred, on the Board by these Rules;
 - 21.1.9 ensuring the legal and ethical integrity of the Association; and
 - 21.1.10 the conduct of the affairs of the Association more generally.
- 21.2 In performing its governance role the Board must:
 - 21.2.1 govern for the entire local government sector and put the interests of that sector above the interests of any individual council or person;
 - 21.2.2 promote diversity within the local government sector with a view to ensuring that the sector reflects the diversity of the communities which it serves;
 - 21.2.3 seek to enhance the reputation and standing of the Association; and
 - 21.2.4 report to participating member councils annually on its own performance, and the performance of the Association, measured against published performance criteria.
- 21.3 Within six (6) months of the first of its meetings held after an MAV Election Day the Board:
 - 21.3.1 may adopt a Board Charter;
 - 21.3.2 must adopt a Board Code of Conduct setting out the standards of conduct to be observed by Board members;
 - 21.3.3 must adopt protocols for the role of delegates; and

- 21.3.4 must adopt protocols for the role and performance of those holding the office of:
 - 21.3.4.1 President;
 - 21.3.4.2 Deputy President; and
 - 21.3.4.3 Directorand must then regularly review compliance with those protocols.
- 21.4 The Board must:
 - 21.4.1 adopt a policy for the determination of allowances and reimbursement of out-of-pocket expenses to be paid to the President, a Deputy President and all other Directors;
 - 21.4.2 review such policy at least once every three (3) years; and
 - 21.4.3 annually determine allowances payable to the President, a Deputy President and all other Directors in accordance with the policy adopted.
- 21.5 The Board must adopt a policy (**Fit and Proper Person Policy**) setting out:
 - 21.5.1 the criteria that apply for a person to be eligible to be the President, a Director or any other officer of the Association;
 - 21.5.2 the information that is required to be provided for the purposes of demonstrating the criteria have been met; and
 - 21.5.3 the times when that information is required to be provided, and make such policy generally available to participating member councils.
- 21.6 For the purposes of the Fit and Proper Person Policy:
 - 21.6.1 the criteria must be limited to criteria relevant to the determination of whether a person is a fit and proper person for the purposes of their role as President, Director or other officer of the Association, taking into account matters such as whether the person:
 - 21.6.1.1 is disqualified from managing a corporation under Part 2D.2 of the **Corporations Act**;
 - 21.6.1.2 is subject to a banning or disqualification order made by the Australian Securities and Investments Commission under Sub-division B of Division 8 of the **Corporations Act** or Part 2-4 of the **National Consumer Credit Protection Act 2009** (Cth) (or any like provisions of any Act which substantially re-enacts the **National Consumer Credit Protection Act 2009** (Cth)); or
 - 21.6.1.3 fails to meet other criteria that a regulator relevant to the business of the Association would take into account for the determination of whether a person is a fit and proper person; and
 - 21.6.2 the information must be required to be provided:
 - 21.6.2.1 in the case of a person elected to be President or a Director, as soon as practicable after the person is elected;
 - 21.6.2.2 in the case of another officer of the Association who is not elected, before the time of their appointment; and
 - 21.6.2.3 annually, so that the information available to the Association is not more than 12 months old.
- 21.7 The Board must review the Fit and Proper Person Policy at least once every three (3) years.

22 Conduct of Meetings

- 22.1 Subject to these Rules, the conduct of meetings of the Board is at the discretion of the Board.

- 22.2 The Board may, from time to time, adopt Meeting Procedure Protocols which are to be observed by the President and Directors who are in attendance at meetings of the Board.
- 22.3 Any Meeting Procedure Protocol must not be inconsistent with these Rules.
- 22.4 An agenda and notice of meeting of the Board must be given to Board members not less than seven (7) calendar days before the meeting, unless the meeting is to deal with business which the President or Chief Executive Officer considers to be urgent or requiring immediate resolution by the Board. In that event the notice given to Board members must be reasonable notice.
- 22.5 If in attendance, the President must chair any meeting of the Board.
- 22.6 The quorum necessary to transact business at a meeting of the Board will be six (6) Board members.
- 22.7 Each Board member in attendance at a meeting of the Board is entitled to one (1) vote.
- 22.8 Any matter arising at a meeting of the Board is determined by the majority of the votes of those Board members in attendance who are not prohibited from voting. In the event of an equality of votes the President (or if the President is not in attendance, the Board member chairing the meeting) has a casting vote.
- 22.9 Meetings of the Board may be deferred or adjourned at any time by the President or other member of the Board presiding, as the case may be, to a date to be fixed.
- 22.10 The President must ensure that accurate minutes are kept of all meetings of the Board.
- 22.11 Meetings of the Board may be held:
 - 22.11.1 wholly in person;
 - 22.11.2 wholly by electronic means; or
 - 22.11.3 partly in person and partly by electronic means.
- 22.12 Each notice of meeting of the Board must specify whether the meeting is to be held:
 - 22.12.1 wholly in person;
 - 22.12.2 wholly by electronic means; or
 - 22.12.3 partly in person and partly by electronic means.
- 22.13 The contemporaneous linking together in oral communication by telephone, audio-visual or other instantaneous means that gives the meeting participants as a whole a reasonable opportunity to participate will, for the purposes of sub-Rule 22.11, constitute meeting by electronic means.
- 22.14 If a meeting of the Board is held wholly or partly by electronic means:
 - 22.14.1 each Board member taking part in the meeting must be able to communicate and be understood by each of the other Board members taking part in the meeting;
 - 22.14.2 a Board member must not voluntarily leave the meeting by disconnecting their telephone, audio-visual or other communication equipment unless that Board member has previously notified the President or other Board member chairing the meeting; and
 - 22.14.3 a Board member is conclusively presumed to have attended and formed part of a quorum at all times during a meeting unless that Board member has, with the approval of the President or other Board member chairing the meeting, left the meeting.

23 Circulating Resolutions

- 23.1 Six (6) of the Board members may sign a document, known as a 'Circulating Resolution', containing a statement that they are in favour of a resolution of the Board in the terms set out in that document.

- 23.2 A resolution in those terms is deemed to have been made at a meeting of the Board held on the day and at the time on which the document was signed by the Board member whose signature first brings to six (6) or more the portion of the Board members who have signed the resolution.
- 23.3 For the purposes of sub-Rule 23.2 two (2) or more separate documents containing statements in identical terms, each of which is signed by one (1) or more Board members, are deemed together to constitute a single document containing a statement in those terms signed by the those Board members on those respective days on which they signed the separate documents.
- 23.4 Every resolution made under this Rule 23 must as soon as practicable be entered in the minutes of Board meetings.
- 23.5 Any form of electronic communication addressed to and received by the Association and purporting to be signed by a Board member for the purposes of this Rule 23 is deemed to be a written document signed by the Board member, and any statement sent electronically by a Board member to a specified electronic address that they are in favour of the specified resolution that has been proposed will be taken to be a document containing that statement and duly signed by the Board member.

24 Internal Auditor

- 24.1 The Board must from time to time appoint an individual or organisation to be the Association's Internal Auditor.
- 24.2 The individual or organisation appointed must have the necessary expertise and experience to provide internal audit services to the Association.
- 24.3 The Chief Executive Officer may, from time to time and separately from any scheduled internal audit program approved by the Audit and Risk Committee established under sub-Rule 25.1, engage the Internal Auditor to audit an aspect of the Association's operations.
- 24.4 Any report of the Internal Auditor prepared following an audit of the kind described in sub-Rule 24.3 must be presented to:
 - 24.4.1 the Board; and
 - 24.4.2 the Audit and Risk Committee.

25 Audit and Risk Committee

- 25.1 The Board must establish an Audit and Risk Committee and appoint its members.
- 25.2 The Audit and Risk Committee must:
 - 25.2.1 include Board members; and
 - 25.2.2 consist of a majority of members who are not Board members or members of the Association's staff, and who collectively have:
 - 25.2.2.1 expertise in financial management and risk; and
 - 25.2.2.2 experience in public sector management.
- 25.3 The chairperson of the Audit and Risk Committee must not be a Board member.
- 25.4 The Board must prepare and approve an Audit and Risk Committee Charter.
- 25.5 The Audit and Risk Committee Charter must specify the functions and responsibilities of the Audit and Risk Committee, including:
 - 25.5.1 monitoring the Association's financial management;
 - 25.5.2 monitoring and providing advice on risk management and fraud prevention systems and internal controls; and
 - 25.5.3 overseeing internal audit functions.
- 25.6 The Audit and Risk Committee must adopt an annual work program.

- 25.7 The Audit and Risk Committee must:
 - 25.7.1 prepare annually an audit and risk report that describes the activities of the Audit and Risk Committee during the preceding 12 months, including its findings and recommendations; and
 - 24.7.2 provide a copy of that audit and risk report to the Chief Executive Officer for tabling at the next meeting of the Board.
- 25.8 The Chief Executive Officer must:
 - 25.8.1 ensure the preparation and maintenance of agendas, minutes and reports of the Audit and Risk Committee; and
 - 25.8.2 table reports and minutes of meetings of the Audit and Risk Committee at meetings of the Board when requested by the chairperson of the Audit and Risk Committee to do so.

26 Committees

- 26.1 The Board may appoint committees of persons (however titled) to undertake any functions specified by the Board.
- 26.2 A committee may consist of:
 - 26.2.1 Board members;
 - 26.2.2 delegates;
 - 26.2.3 members of staff of the Association; or
 - 26.2.4 any other persons whom the Board considers have the necessary skills, experience and expertise,or any combination of the above.

27 Delegation

The Board may, by instrument of delegation, delegate to a committee appointed by the Board any power or function of the Board, other than this power of delegation.

28 Summits and Forums

- 28.1 The Board may, from time to time, convene a summit or forum to deliberate on a specified issue affecting participating member councils.
- 28.2 Each delegate of a participating member council must be given reasonable notice of any such summit or forum.

29 Election of Deputy Presidents

- 29.1 The Board must elect two of its members to be Deputy Presidents of the Association, one of whom must be a Director of a non-metropolitan grouping of councils and the other of whom a Director of a metropolitan grouping of councils.
- 29.2 A Deputy President may act in the place of the President when requested by the President to do so.
- 29.3 The Board may appoint a Deputy President to act in the place of the President when the President is absent, is incapable of acting or refuses to act.

30 Regional Groupings of Councils

- 30.1 The Board must, after consulting participating member councils, determine the regional groupings of councils, and classify each participating member council as being located within and therefore belonging to either:
 - 30.1.1 one (1) of the five (5) regional groupings of metropolitan councils; or
 - 30.1.2 one (1) of the five (5) regional groupings of non-metropolitan councils.
- 30.2 The Board must provide notice to councils of its determination and classification of all participating member councils into regional groupings of councils within 14 business days of its determination and classification.

- 30.3 The Board must review the regional groupings of councils and the classification of each participating member council into one (1) of those regional groupings at least once every six (6) years.

31 Particular Obligation of Directors

A Director must liaise with other delegates and participating member councils within the region that they represent by meeting with them regularly, by providing written reports and information on the Association's activities and by any other means which are convenient and satisfy the needs of the regional grouping of councils.

32 Conflict of Interest

- 32.1 A Board member is prohibited from voting on any matter at a meeting of the Board in respect of which the Board member has a conflict of interest.
- 32.2 For the purposes of sub-Rule 32.1 a Board member will have a conflict of interest in a matter if an impartial and fair-minded person would consider that the Board member's private interests could result in the Board member acting in a manner that is contrary to their duty to the Association.
- 32.3 A Board member's private interests will not, for the purposes of sub-Rule 32.2, include:
- 32.3.1 the personal opinions or beliefs of the Board member;
 - 32.3.2 any interest derived from the Board member's membership of a participating member council;
 - 32.3.3 any interest arising out of or affected by any election or appointment under Rule 29;
 - 32.3.4 any interest arising out of or affected by any:
 - 32.3.4.1 policy, code or protocol which, by reason of these Rules, the Board is expressly required or empowered to adopt;
 - 32.3.4.2 review which, by reason of these Rules, the Board is expressly required or empowered to carry out; or
 - 32.3.4.3 determination which, by reason of these Rules, the Board is expressly required or empowered to make.
- 32.4 A Board member who has a conflict of interest in respect of a matter at a meeting of the Board must, prior to the consideration of the matter, disclose to the meeting the:
- 32.4.1 existence; and
 - 32.4.2 nature
- of the conflict of interest and then absent themselves from attendance until such time as the Board has concluded its consideration of the matter.
- 32.5 A disclosure under sub-clause 32.1 must be recorded in the minutes of the meeting of the Board.

PART 5 – MANAGEMENT OF THE ASSOCIATION

33 Chief Executive Officer

- 33.1 The Chief Executive Officer is responsible for the day-to-day management of the Association and for providing strategic advice to the Board.
- 33.2 The Chief Executive Officer is accountable to the Board.
- 33.3 The Chief Executive Officer may attend and participate in any meeting of the Board, as required.
- 33.4 The Board may, by instrument, delegate to the Chief Executive Officer any power or function of the Board, including this power of delegation.
- 33.5 The Board must review the delegation or delegations to the Chief Executive Officer within six (6) months of the first of its meetings held after an MAV Election Day.

- 33.6 The Board must develop, adopt and keep current a Chief Executive Officer Employment and Remuneration Policy which provides for:
- 33.6.1 the process for recruiting and appointing the Chief Executive Officer;
 - 33.6.2 provisions which must appear in the contract of employment under which the Chief Executive Officer is employed;
 - 33.6.3 performance monitoring; and
 - 33.6.4 an annual review of the Chief Executive Officer's performance.

PART 6 – FINANCIAL

Division 1 – Revenue of the Association

34 Accounts and Records

The Association must ensure that proper accounts and records of its transactions and affairs and other appropriate records are kept so that its financial operations and financial position can be adequately explained at any time.

35 Subscriptions

The:

- 35.1 amount of the biennial subscription to be paid by participating member councils;
 - 35.2 date on which annual instalment notices are to be sent to participating member councils; and
 - 35.3 date by which annual instalments of the biennial subscription must be paid
- will be determined by the Board and notified to participating member councils in writing.

36 Investments

The Association may, in accordance with any Investment Policy adopted by the Board from time to time, invest in any of the funds that councils may invest in under section 103 of the **Local Government Act 2020** or the **Trustee Act 1958**.

Division 2 – Municipal Officers' Fidelity Guarantee Fund

37 Members of the Fund

For the purposes of this Division, 'Authority' includes the bodies referred to in section 5 of the Act contributing to the fund.

38 Management of the Fund

Subject to these Rules, the Board is responsible for the management and operation of the Municipal Officers' Fidelity Guarantee Fund.

39 The Municipal Officers' Fidelity Guarantee Fund

- 39.1 The Municipal Officers' Fidelity Guarantee Fund consists of:
- 39.1.1 all premiums received by the Association by way of premiums on guarantees;
 - 39.1.2 all monies received by the Association under section 7 of the Act;
 - 39.1.3 all monies received by the Association by way of interest on moneys invested under these Rules; and
 - 39.1.4 all other moneys received by the Association in connection with the activities of the Fund.

40 Decisions of the Board

- 40.1 The Board will from time to time determine:
- 40.1.1 the manner and form of an application for a guarantee;
 - 40.1.2 the form of the policies to be issued;
 - 40.1.3 the level of premium payable; and
 - 40.1.4 the level of cover available.

41 Expiration of Policies

Unless renewed, all policies will terminate on the 30th June next following the date of their issue.

42 Application for Guarantee

Any Authority may make application for a guarantee in respect of its employees. Upon acceptance of any application and upon acceptance and payment of the appropriate premium fixed by the Board, the Association will issue to the Authority a policy in the appropriate form determined by the Board.

43 Renewal of Policies

Before becoming entitled to the renewal of any policy, the Authority in the name of which the policy has been issued must submit to the Board a statement of its revenue from general rates and charges during the preceding financial year and the Board will fix the premium payable on the basis of such revenue and such other information as the Board may determine from time to time; including, without limitation, claims history and risk management practices.

44 Cancellation of Policies

44.1 Any policy may be cancelled:

44.1.1 at any time at the written request of the Authority, in which case the Association will be entitled to retain the premium for the period during which the policy has been in force; and

44.1.2 by the Association in the event of the Authority;

44.1.2.1 failing to comply with its duty of absolute good faith;

44.1.2.2 failing to comply with its duty of disclosure;

44.1.2.3 making a misrepresentation to the Association during negotiations for the policy before it was entered into;

44.1.2.4 failing to comply with a condition or other provision of the policy, including the provision with respect to payment of the premium; or

44.1.2.5 making a fraudulent claim under the policy.

45 Notice of Cancellation

45.1 The Association may give written notice to the Authority that it has cancelled the policy and that the cancellation will take effect 14 calendar days from the date of the written notice.

45.2 Where the Association cancels the policy of an Authority the Association will refund to the Authority an amount of premium proportionate to the unexpired term of the policy.

46 Liability of the Association

The liability of the Association under any blanket policy to pay out of the Municipal Officers' Fidelity Guarantee Fund any loss sustained by the Authority will be based on the absolute good faith of the application and of the truth and completeness of any information supplied by and on behalf of the Authority and will depend upon the due payment of the premium.

47 Investment of Funds

The Board may, in accordance with any Investment Policy adopted by the Board from time to time, invest the fund or any part of it in the funds in which councils may invest under section 103 of the **Local Government Act 2020** or the **Trustee Act 1958**.

48 Expenses

All expenses incurred in the management of the Fund will be paid out of the Funds and the Fund will contribute from time to time an amount determined by the Board towards the overall cost of management and administration of the Association.

PART 7 – GENERAL PROVISIONS**49 Common Seal**

- 49.1 The common seal of the Association may only be used in accordance with the direction of the Board and affixed in the presence of any Board member and the Chief Executive Officer (or in the absence of the Chief Executive Officer any other member of the Association's staff previously nominated for this purpose by the Chief Executive Officer).
- 49.2 Any documents to which the common seal has been affixed must be kept in a register maintained for that purpose.
- 49.3 The Chief Executive Officer must, at each meeting of the Board, report on any documents to which the common seal has been affixed.

50 Business Name

The Association may, in conducting its activities, use with the approval of the Board any business name which it determines to register under the **Business Names Registration Act 2011** (Cth).

PART 8 – TRANSITIONAL PROVISIONS**51 Reference to Former Rules**

In this Part 8 any reference to 'the former Rules' is a reference to those Rules of the Association made under the Act that were in place immediately prior to the commencement of these Rules, being the Rules published in the *Victoria Government Gazette* on 7 February 2013.

52 General Saving

Except as these Rules expressly or by necessary implication provide otherwise, all persons, things and circumstances appointed or created by or under the former Rules or existing under the former Rules immediately before the commencement of these Rules continue under these Rules and have the same, operation and effect as they respectively would have had had the former Rules not been revoked.

53 Specific Savings and Transitional Arrangements

- 53.1 Without limiting the generality of Rule 52:
- 53.1.1 each council that was a financial member of the Association under the former Rules will, upon the commencement of these Rules, be deemed to be a participating member council and to continue in the same regional grouping of councils until the Board determines otherwise;
- 53.1.2 each councillor who was a representative and substitute representative of the Association under the former Rules will, upon the commencement of these Rules, be deemed to be a delegate or substitute delegate of that council (as the case may be);
- 53.1.3 the Management Board constituted under the former Rules will, until MAV Election Day, continue to exist and to operate as if all of the former Rules relevant to its membership, duties, functions, powers and proceedings continue to apply;
- 53.1.4 each person holding an office (whether as the President or a Deputy President or Director) under the former Rules will continue to hold that office until they go out of office in accordance with the former Rules; and
- 53.1.5 the Chief Executive Officer under the former Rules becomes the Chief Executive Officer for the purposes of these Rules.
- 53.2 Any office held prior to the commencement of these Rules will not be taken into account in calculating the period described in sub-Rule 9.3.3.1 or 9.3.3.2.
- 53.3 The first MAV Election Day after the commencement of these Rules will be held on 3 March 2023.

Municipal Association of Victoria
SCHEDULE 1
Notification of appointment (Rule 7)

The Chief Executive Officer
Municipal Association of Victoria

At the meeting of _____ on _____
(insert name of council) (insert date)

Cr _____ was appointed as the council's delegate (representative) to the Association.

Cr _____ was appointed as the council's substitute delegate* (representative) to the Association.

.....
Chief Executive Officer
(signature of Chief Executive Officer required)

Dated:
(insert date)

*Appointment of a substitute delegate is required by Rule 7.1 of the Association's Rules. Appointment of *both* a delegate and substitute delegate is therefore required.

Note: Submission of this notice to the Association will result in the revocation of any previous appointment of a delegate or substitute delegate.

Municipal Association of Victoria
SCHEDULE 2
Election Procedures for President and Directors
(Rules 11 & 12)

Division 1 – General requirements applying to elections

1. Nomination

- 1.1 Only a delegate may nominate as a candidate for the election to the office of President or Director.
- 1.2 Any delegate wanting to nominate as a candidate for election either to the office of President or Director must submit to the Election Manager a nomination in the form specified in Schedule 4.
- 1.3 A nomination must be submitted to the Election Manager no earlier than 9am on the day which is 43 calendar days before MAV Election Day, and no later than the close of nominations at 4.00 pm on the day which is 25 calendar days before MAV Election Day, and may be posted, hand delivered or sent electronically to an address publicly advertised by the Election Manager.
- 1.4 The name of the candidate on the form of nomination must correspond with the name of the delegate that:
 - 1.4.1 appeared in the notification of appointment, given under sub-Rule 7.2; or
 - 1.4.2 appears on the Register of Delegates.
- 1.5 A delegate nominating for election may nominate themselves or be nominated by another delegate but must be the participating member council's delegate appointed by the council under Rule 7 and notified to the Association in the form of Schedule 1.
- 1.6 The Election Manager must reject the nomination if:
 - 1.6.1 the person nominating is not the delegate appointed by a participating member council; or
 - 1.6.2 the person nominating has been nominated by a person who is not the delegate of a participating member council; or
 - 1.6.3 the nomination has been submitted other than in the period between the opening and closing of nominations.
- 1.7 The Election Manager may require information from:
 - 1.7.1 the nominee;
 - 1.7.2 the person nominating the nominee;
 - 1.7.3 the Chief Executive Officer; or
 - 1.7.4 any other member of the Association's staffin order to decide to reject a nomination under sub-clause 1.6.
- 1.8 After nominations have closed, the Election Manager and the Association may publish on their respective websites the names of all candidates.

2. Candidate's Entitlements

- 2.1 Each candidate for election may provide to the Election Manager a statement containing no more than 200 words and a photograph of themselves, a copy of which must be lodged no later than the close of nominations at 4.00pm on the day which is 25 calendar days before MAV Election Day so that it can be circulated under clause 12 of this Schedule.
- 2.2 Each candidate may appoint a scrutineer in writing to the Election Manager to be present at the ballot draw to determine the order of candidates on the ballot paper and at the count of the votes.

- 2.3 A person appointed as scrutineer for the purposes of the counting of votes cannot be a candidate for the office in respect of which votes are to be counted.
- 2.4 Subject to sub-clause 2.3, a scrutineer appointed in accordance with sub-clause 2.2 has the right to attend either or both of a ballot draw or count of votes for which they are appointed.

3. Withdrawal or Death of a Candidate

- 3.1 A candidate may withdraw by giving written notice to the Election Manager:
 - 3.1.1 at any time before the close of nominations; or
 - 3.1.2 after the close of nominations if the withdrawal will leave only one (1) candidate remaining.
- 3.2 If the withdrawal or death of a candidate before the conduct of an election means that only one candidate remains in the election, the Election Manager must declare the remaining candidate to be elected.
- 3.3 If the withdrawal or death of a candidate before the conduct of an election means that there are no candidates for an election, the election fails and the Election Manager must:
 - 3.3.1 if the failure relates to the election of President, advise all the delegates;
 - 3.3.2 in any other case, advise the delegates within the relevant region – that the election has failed and that a new election will be conducted.
- 3.4 The Election Manager must proceed to conduct a new election under sub-clause 3.3 as soon as is practicable.
- 3.5 If the withdrawal or death of a candidate occurs:
 - 3.5.1 after the close of nominations but before ballot papers have been printed and sent to delegates the Election Manager must remove the name of the candidate from the ballot paper; or
 - 3.5.2 after the close of nominations and after the ballot papers have been printed and sent to delegates the nomination will be deemed to have been annulled and any vote for that candidate will be dealt with as if their name had not been on the ballot paper with the numbers indicating subsequent preference being deemed to have been altered accordingly.

4. Election Manager's Duties

If an election is to be conducted for the office of President and for any Directors, the Election Manager must:

- 4.1 as soon as practicable after the close of nominations at 4.00 pm on the day which is 25 calendar days before MAV Election Day hold a draw by lot to determine the order in which the name of each candidate is to appear on the ballot paper;
- 4.2 within seven (7) calendar days of the close of nominations send to each delegate of a participating member council whose name appears on the Register of Delegates a statement setting out the names of the candidate, the positions for which they have nominated and the order in which candidates' names will appear on the ballot paper; and
- 4.3 prepare separate ballot papers for each of the elections setting out the names of the candidates who have nominated.

5. Election of President

- 5.1 If only one delegate nominates for the office of President before the close of nominations, that delegate will be declared elected by the Election Manager.
- 5.2 If two or more delegates nominate for the office of President, an election must be conducted by the Election Manager.

6. Marking of Ballot Papers for Election of President

- 6.1 Where an election is conducted for the office of President, the delegate must mark their vote on the ballot paper delivered to them by placing:
 - 6.1.1 the figure 1 opposite the name of the candidate for whom they vote as their first preference; and
 - 6.1.2 the figures 2, 3, 4 (and so on as the case requires) opposite the respective names of all remaining candidates so as to indicate by numerical sequence the order of their preference for each candidate.
- 6.2 Where there are only two candidates a ballot paper will be deemed to be sufficiently marked if marked with the figure 1 so as to indicate the delegate's first preference.
- 6.3 At any election where there are more than two candidates the requirements of this sub-clause will be deemed to be sufficiently complied with if the ballot paper is marked with the figures 1, 2, 3, 4, (and so on up to the number of candidates in the election) opposite the names of all the candidates on the ballot paper except one, and in any such case the delegate will be deemed and taken to have given their last preference vote for the candidate opposite whose name no figure is placed.
- 6.4 A ballot paper must be rejected if it is not marked in the manner required by this clause.
- 6.5 If the election is conducted by attendance voting, each delegate must, within 30 minutes after the delivery of the ballot papers, place their ballot paper in the appropriate box provided by the Election Manager.

7. Election Results for the Office of President

- 7.1 In this clause 7, 'absolute majority of votes' means a number of votes greater than one-half of the total number of ballot papers (excluding ballot papers which are rejected) and if necessary, includes a draw by lot.
- 7.2 If an election for the office of President has been conducted, the candidate who has received the greatest number of first preference votes, if that number constitutes an absolute majority of votes, is to be declared elected by the Election Manager.
- 7.3 If no candidate has received an absolute majority of first preference votes, the Election Manager must:
 - 7.3.1 arrange the ballot papers by placing in separate parcels all those ballot papers on which a first preference is indicated for the same candidate and preference votes are duly given for all (or all but one) of the remaining candidates, omitting ballot papers which are rejected; and
 - 7.3.2 declare the candidate who received the fewest first preference votes a defeated candidate; and
 - 7.3.3 distribute the ballot papers counted to the defeated candidate among the undefeated candidates next in order of the voters' preference; and
 - 7.3.4 after the distribution, again ascertain the total number of votes given to each undefeated candidate.
- 7.4 The candidate who has then received the greatest number of votes, if that number constitutes an absolute majority of votes, is declared elected by the Election Manager.
- 7.5 If no candidate then has an absolute majority of votes, the process of declaring the candidate who has the fewest votes a defeated candidate and distributing the ballot papers counted to the defeated candidate among the undefeated candidates next in order of the voters' preference is to be repeated until one candidate has received an absolute majority of votes and is declared elected by the Election Manager.
- 7.6 If on any count two or more candidates have an equal number of votes and one of them has to be declared a defeated candidate, the undefeated candidate is to be determined by lot conducted by the Election Manager.

- 7.7 If on a final count two candidates have an equal number of votes, the successful candidate is to be determined by lot conducted by the Election Manager.

8. Election of 10 Regional Directors

- 8.1 If only one delegate from a regional grouping of councils nominates for the position of Director for that region that delegate will be declared elected as the Director for that region.
- 8.2 If two or more delegates from a regional grouping of councils nominate for the office of Director, an election must be conducted by the Election Manager.

9. Marking of Ballot Papers for Election of Director

- 9.1 Where an election is conducted for a position as a Director, the delegate must mark their vote on the ballot paper delivered to them by placing:
- 9.1.1 the figure 1 opposite the name of the candidate for whom they vote as their first preference; and
 - 9.1.2 the figures 2, 3, 4 (and so on up to the number of candidates in the election) opposite the respective names of all remaining candidates so as to indicate by numerical sequence the order of their preference for each candidate.
- 9.2 Where there are only two candidates a ballot paper will be deemed to be sufficiently marked if marked with the figure 1 so as to indicate the delegate's first preference.
- 9.3 At any election where there are more than two candidates the requirements of this sub- clause will be deemed to be sufficiently complied with if the ballot paper is marked with the figures 1, 2, 3, 4, (and so on up to the number of candidates in the election) opposite the names of all the candidates on the ballot paper except one, and in any such case the delegate will be deemed and taken to have given their last preference vote for the candidate opposite whose name no figure is placed.
- 9.4 A ballot paper must be rejected if it is not marked in the manner required by this clause.
- 9.5 If the election is conducted by attendance voting, each delegate must, within 30 minutes after the delivery of the ballot papers, place their ballot paper in the appropriate box provided by the Election Manager.

10. Election Results for Directors

- 10.1 In this clause 10, 'absolute majority of votes' means a number of votes greater than one-half of the total number of ballot papers (excluding ballot papers which are rejected) and if necessary, includes a vote by lot.
- 10.2 If an election for any of the Directors has been conducted, the candidate who has received the greatest number of first preference votes, if that number constitutes an absolute majority of votes, is to be declared elected by the Election Manager.
- 10.3 If no candidate has received an absolute majority of first preference votes, the Election Manager must:
- 10.3.1 arrange the ballot papers by placing in separate parcels all those ballot papers on which a first preference is indicated for the same candidate and preference votes are duly given for all (or all but one) of the remaining candidates, omitting ballot papers which are rejected; and
 - 10.3.2 declare the candidate who received the fewest first preference votes a defeated candidate; and
 - 10.3.3 distribute the ballot papers counted to the defeated candidate among the undefeated candidates next in order of the voters' preference; and
 - 10.3.4 after the distribution, again ascertain the total number of votes given to each undefeated candidate.

- 10.4 The candidate who has then received the greatest number of votes, if that number constitutes an absolute majority of votes, is declared elected by the Election Manager.
- 10.5 If no candidate then has an absolute majority of votes, the process of declaring the candidate who has the fewest votes a defeated candidate and distributing the ballot papers counted to the defeated candidate among the undefeated candidates next in order of the voters' preference is to be repeated until one candidate has received an absolute majority of votes and is declared elected by the Election Manager.
- 10.6 If on any count two or more candidates have an equal number of votes and one of them has to be declared a defeated candidate, the undefeated candidate is to be determined by lot conducted by the Election Manager.
- 10.7 If on a final count two candidates have an equal number of votes, the successful candidate is to be determined by lot conducted by the Election Manager.

11. Where Delegate has Nominated for President and Director

- 11.1 If any candidate declared elected as President has also nominated for a position as a Director that nomination must be declared to be invalid and any vote expressed for them for that other position will be dealt with as if their name had not been on the ballot paper and the numbers indicating subsequent preferences had been altered accordingly.
- 11.2 In the event that such a procedure results in there being no candidate for the office of Director, an election must be held for the vacancy.

Division 2 – Optional postal voting

12. Application of Postal Voting

- 12.1 If the Chief Executive Officer has determined that postal voting will apply to an election, then, in addition to the notification required to be given a delegate under clause 4, the Election Manager must, at least 14 calendar days before the last day of voting, deliver or send to each delegate who is entitled to vote at the election:
 - 12.1.1 a postal vote certificate or declaration envelope;
 - 12.1.2 a ballot paper for postal voting;
 - 12.1.3 a prepaid envelope for the return of the certificate and the ballot paper;
 - 12.1.4 instructions on how to vote;
 - 12.1.5 notice of how and when the ballot paper must be returned by; and
 - 12.1.6 any other material that the Election Manager thinks is appropriate.
- 12.2 If an election is conducted by postal voting and the Chief Executive Officer determines that extraordinary circumstances exist, a reference in these Rules to 'MAV Election Day' is to be taken as a day fixed by the Chief Executive Officer as the last day on which postal ballots may be validly received by the Election Manager. The Chief Executive Officer must give written notice to delegates of the extraordinary circumstances that have been determined to exist, and details of the day fixed as the last day on which postal ballots may be validly received by the Election Manager.

13. Ballot Papers and Declaration Envelopes

- 13.1 Subject to sub-clause 13.2, the Election Manager must ensure that:
 - 13.1.1 ballot papers are made of marked security paper; and
 - 13.1.2 declaration envelopes are opaque.
- 13.2 Each replacement declaration envelope issued under clause 14 must be identified as a replacement declaration envelope.
- 13.3 The Election Manager must keep a record of all persons who have been issued with a postal voting envelope and must keep a record of all those who have returned a declaration envelope.

14. Issuing Replacement Voting Materials

- 14.1 If on or before the last day of voting a delegate:
- 14.1.1 claims that they have lost or destroyed the declaration envelope or ballot paper or both; or
 - 14.1.2 claims that they have not received a postal ballot envelope; or
 - 14.1.3 satisfies the Election Manager that they have spoilt the declaration envelope or ballot paper or both and returns the spoilt declaration envelope or spoilt ballot paper or both,
- the Election Manager must issue the voter with the appropriate replacement material.
- 14.2 If a spoilt declaration envelope or ballot paper has been returned under sub-clause 14.1.3 the Election Manager must cancel the spoilt declaration envelope or ballot paper.
- 14.3 The Election Manager may use any means of identifying declaration envelopes, ballot papers and postal ballot envelopes issued under this provision which they consider appropriate to comply with clause 16.

15. Requirements Applying to Voters

- 15.1 A delegate voting must:
- 15.1.1 mark their preference on the ballot paper in the manner required in this Schedule;
 - 15.1.2 sign their name on the declaration envelope in the place provided and complete any details where indicated;
 - 15.1.3 insert the completed ballot paper in the declaration envelope provided and seal the envelope; and
 - 15.1.4 place the declaration envelope in the prepaid envelope provided.
- 15.2 The delegate must post or deliver the prepaid envelope containing the declaration envelope and ballot paper to the Election Manager at the address on the envelope so as to reach the Election Manager not later than 6.00 pm on the last day of voting or to deliver it to the address designated by the Election Manager for that purpose not later than 6.00 pm on the last day of voting or by any other time specified by the Election Manager.

16. Receipt of Declaration Envelopes

- 16.1 The Election Manager may, before the close of voting:
- 16.1.1 remove the declaration envelopes from the prepaid envelopes;
 - 16.1.2 separate the signed declaration envelopes from the unsigned declaration envelopes;
 - 16.1.3 disallow the unsigned declaration envelopes; and
 - 16.1.4 arrange all signed declaration envelopes according to the appropriate regional grouping of councils.
- 16.2 The Election Manager must:
- 16.2.1 identify the declaration envelopes issued under clause 14;
 - 16.2.2 satisfy themselves that:
 - 16.2.2.1 the person voting was entitled to vote; or
 - 16.2.2.2 the person has not voted or attempted to vote more than once at the election; or
 - 16.2.2.3 the declaration envelope was signed by the same person whose name appears on the list of representatives entitled to vote.

- 16.3 If the Election Manager is satisfied they must accept the ballot paper within the declaration envelope for further scrutiny without opening the declaration envelope in which it is contained, but if the Election Manager is not satisfied the ballot paper within the declaration envelope must be disallowed without opening the declaration envelope within which it is contained.
- 16.4 The Election Manager must arrange all the declaration envelopes containing accepted ballot papers in accordance with sub-clause 16.1.4.

17. Security of Declaration Envelopes

- 17.1 The Election Manager must ensure that all declaration envelopes received are securely kept until after the close of voting.
- 17.2 The Election Manager must ensure that all declaration envelopes remain unopened until after the close of voting.

18. Handling of Election Materials

- 18.1 The Election Manager must as soon as practicable after the close of voting do the following in the presence of any scrutineers and any other person who is authorised:
 - 18.1.1 retrieve the secured declaration envelopes;
 - 18.1.2 make up into separate parcels:
 - 18.1.2.1 the records kept of persons who have returned a declaration envelope;
 - 18.1.2.2 the spoilt ballot papers and the declaration envelopes;
 - 18.1.2.3 the unsigned declaration envelopes;
 - 18.1.2.4 the declaration envelopes disallowed under sub-clauses 16.1.3 and 16.3; and
 - 18.1.2.5 any unused declaration envelopes;
 - 18.1.3 separate the signed declarations from the declaration envelopes;
 - 18.1.4 open the allowed declaration envelopes and take out the ballot papers;
 - 18.1.5 make up the signed declaration envelopes into separate parcels and ascertain the number of votes received by each candidate and the number of informal votes;
 - 18.1.6 set aside any rejected ballot papers;
 - 18.1.7 make up into separate parcels:
 - 18.1.7.1 the used ballot papers;
 - 18.1.7.2 any rejected ballot papers; and
 - 18.1.7.3 any unused ballot papers;
 - 18.1.8 prepare and sign a certificate which may be signed by any of the scrutineers specifying the number of:
 - 18.1.8.1 votes received by each candidate; and
 - 18.1.8.2 ballot papers set aside as rejected;
 - 18.1.9 make a statement on the outside of each parcel containing:
 - 18.1.9.1 a description of its contents;
 - 18.1.9.2 the name of the council and the regional grouping of councils;
 - 18.1.9.3 the date of the count; and
 - 18.1.9.4 enclose and properly fasten each parcel and sign the statement made under this sub-clause and permit any scrutineer to sign the statement.

- 18.2 As far as practicable, the Election Manager must ensure that the ballot paper is removed from a signed declaration envelope in a way that prevents any person from seeing how a delegate voted.
- 18.3 The Election Manager must, as soon as practicable, ascertain from the certificate prepared under sub-clause 18.1.8 the number of first preference votes given to each candidate.

19. Safe Custody of Ballot Materials

- 19.1 The Election Manager is, until such time as the election is declared, responsible for the safe custody of postal ballot envelopes and all documents and materials, including during the adjournment of any count of the vote, and must:
 - 19.1.1 keep a record of the ballot papers that have been printed; and
 - 19.1.2 reconcile that number with the number of ballot papers which have been issued, spoilt or unused
- 19.2 The Election Manager must:
 - 19.2.1 certify the record kept under sub-clause 19.1 as being true and correct; and
 - 19.2.2 submit the record and forward the ballot papers, declarations and declaration envelopes to the Association as soon as practicable after MAV Election Day.

Municipal Association of Victoria**Schedule 3****Regulation of proceedings of the State Council (Rule 19)****1. Meeting Procedure Generally**

- 1.1 Subject to the provisions in this Schedule the conduct of meetings of the State Council are at the discretion of the State Council.
- 1.2 The State Council may, from time to time, adopt Meeting Procedure Protocols which are to be observed by delegates.
- 1.3 A Meeting Procedure Protocol may provide for a meeting of the State Council to be held wholly in person, wholly by electronic means or partly in person and partly by electronic means.
- 1.4 Any Meeting Procedure Protocol adopted by the State Council must not be inconsistent with these Rules.

2. Confirmation of the Minutes

- 2.1 A copy of the minutes of the immediately preceding meeting of the State Council must be sent to the delegates at least one (1) business day before the meeting at which confirmation of the minutes is to be considered.
- 2.2 The minutes of any meeting are to be confirmed at the next following meeting of the State Council to which they relate and are to be the first business dealt with at that meeting.
- 2.3 If a copy of the minutes of the preceding meeting has not been delivered within the period specified in sub-clause 2.1, delegates will be permitted to read the minutes prior to the confirmation of such minutes.
- 2.4 No discussion will be permitted on the contents of the minutes except as to their accuracy as a record of proceedings.
- 2.5 When the minutes have been confirmed by the meeting they will be signed by the President (or, in the absence of the President, by a Deputy President).

3. Order of Business

The order of business at the meeting will be the order in which the business stands in the notice of the meeting, unless the delegates in attendance resolve to alter it.

4. Conduct at Meetings

- 4.1 Any delegate wishing to move a motion or amendment or take part in discussion on any matter will address the Chairperson and must not be interrupted unless called to order, at which point they must sit down until the delegate (if any) calling to order has been heard and the question of order disposed of. The delegate moving the motion or amendment or taking part in the discussion may, following this, proceed with the subject.
- 4.2 Any person in attendance at any meeting who is not a delegate may take part in discussion only at the discretion of the Chairperson but may not move a motion or amendment or vote on any matter.

5. Proposing Motions or Amendments

- 5.1 Any delegate wishing to propose an original motion or amendment must state the nature of the motion or amendment before they address the meeting.
- 5.2 No motion or amendment may be withdrawn except where leave of the meeting has been given.
- 5.3 No motion or amendment may be discussed or put to the vote unless it has been seconded.
- 5.4 A delegate moving a motion will be held to have spoken on the matter, but a delegate merely seconding a motion will not be held to have spoken to it.

- 5.5 If two or more delegates rise to speak at the same time, the Chairperson will decide who is entitled to priority.
- 5.6 No delegate may speak a second time on the same motion, unless entitled to reply or to ask a question of clarification or to give an explanation when they have been misrepresented or misunderstood.

6. Submission of Motions

If required by the Chairperson, all motions (whether original motions or amendments) will be put in writing, signed by the mover and delivered to the Chief Executive Officer immediately on their being moved or seconded.

7. Dealing with Amendments

- 7.1 No second or subsequent amendment (whether on an original proposition or on an amendment) will be taken into consideration until the previous amendment has been dealt with and finalised.
- 7.2 If any words of an original motion are rejected, the insertion of other proposed words will form the next motion, whereupon any further amendment to insert other words may be moved.
- 7.3 If an amendment is lost, then a second amendment may be moved to the motion to which the first amendment was moved, but only one amendment may be submitted to the meeting for discussion at a time.

8. Right of Reply

The mover of every original motion, but not of any amendment, will have a right of reply immediately after which the question will be put from the chair, except no delegate will be allowed to speak more than once on the same matter unless permission is given to explain or the attention of the Chairperson is called to a point of order.

9. Time Limits

- 9.1 The original mover of a motion will not speak for more than two (2) minutes and all other speakers will be allowed not more than two (2) minutes to speak on any motion or amendment. The original mover of the motion will have a right of reply of not more than one (1) minute.
- 9.2 Any speaker may be granted an extension of time for a further two (2) minutes upon a motion being moved, seconded and carried by the meeting, but no discussion will be allowed upon a motion to grant an extension of time.

10. Adjournment of Meeting

- 10.1 No discussion will be allowed on any motion for adjournment of the meeting.
- 10.2 If the motion for adjournment is lost, the subject then under consideration or the next subject on the business paper, or any other matter that may be allowed precedence, will be discussed before any subsequent motion for adjournment is made.

11. Enforcement of Schedule

A delegate may require the enforcement of any clause in this Schedule by directing the Chairperson's attention to any failure to observe it.

12. Points of Order and Delegate Conduct

- 12.1 If a delegate raises a point of order they must state the provision, rule or practice they rely upon.
- 12.2 When called upon to decide on points of order, the Chairperson will state the provision, rule or practice which the Chairperson deems applicable to the case without discussing or commenting on it, and the Chairperson's decision as to order in each case is final.
- 12.3 No delegate may digress from the subject matter of the question under discussion or comment on the words used by any other delegate in a previous debate, and all

imputations of improper motives and all personal reflections on delegates will be deemed out of order.

- 12.4 Whenever any delegate makes use of disorderly expression or one which is capable of being applied offensively to any other delegate, the delegate so offending will be required by the Chairperson to withdraw the expression and to make an acceptable apology to the meeting.

13. Putting Questions To Vote

The Chairperson, in taking the sense of the meeting, will put the question before the meeting first in the affirmative, then in the negative, and the result of the vote will be recorded in the minutes.

14. Absence of a Quorum

If debate on any motion which has been moved or seconded is interrupted by the absence of a quorum, the debate may be resumed at the next meeting.

15. Suspension of Procedures

Any one or more of the clauses this Schedule may be suspended by resolution for a special purpose at any meeting.

Municipal Association of Victoria
Schedule 4
Nomination Form (Clause 1 of Schedule 2)

Nomination for election of President and Directors held on _____

I, the undersigned _____

being the delegate of _____
(insert name of council)

nominate _____
(insert full name of councillor who is to be the candidate)

as a candidate for election to the following office:

☐ President

☐ Director for the _____ region
(insert name of region)

(Mark with an 'X' the election for which the candidate is nominated)

Signature _____

And I, the above-named _____
(insert name in full)

consent to the nomination and declare that I am the appointed

delegate of _____
(insert name of council)

I acknowledge and agree that, if I am elected to hold the office for which I am nominated, my ability to hold the office and remain in such office is subject to my being able to demonstrate that I meet the Eligibility Criteria in accordance with the Fit and Proper Person Policy (as those terms are defined in MAV Rules 2022). I agree to provide information for such determination to be made at the times required in accordance with the Fit and Proper Person Policy. I also acknowledge and agree to notify the Chief Executive Officer or their delegate if at any time I no longer meet the applicable Eligibility Criteria.

Signature _____

NOTE: A separate nomination form must be completed and delivered to the Election Manager for each election for which a candidate is to be nominated.

SUBORDINATE LEGISLATION ACT 1994 **NOTICE THAT STATUTORY RULES ARE** **OBTAINABLE**

Notice is hereby given under section 17(3) of the **Subordinate Legislation Act 1994** that the following Statutory Rules were first obtainable from TIMG Bookshop, Level 10, 575 Bourke Street, Melbourne 3000, on the date specified:

116. *Statutory Rule:* Bail Regulations 2022

Authorising Act: Bail Act 1977

Date first obtainable: 18 October 2022

Code D

117. *Statutory Rule:* Surveillance Devices Amendment (Body-worn Cameras) Regulations 2022

Authorising Act: Surveillance Devices Act 1999

Date first obtainable: 18 October 2022

Code A

118. *Statutory Rule:* Child Wellbeing and Safety Amendment (Child Safe Standards Sector Regulators) Regulations 2022

Authorising Act: Child Wellbeing and Safety Act 2005

Date first obtainable: 18 October 2022

Code A

119. *Statutory Rule:* Child Wellbeing and Safety (Information Sharing) Amendment Regulations 2022

Authorising Act: Child Wellbeing and Safety Act 2005

Date first obtainable: 18 October 2022

Code A

120. *Statutory Rule:* Environment Protection Amendment (Wind Turbine Noise) Regulations 2022

Authorising Act: Environment Protection Act 2017

Date first obtainable: 18 October 2022

Code B

121. *Statutory Rule:* Health Services (Quality and Safety) Amendment Regulations 2022

Authorising Act: Health Services Act 1988

Date first obtainable: 18 October 2022

Code A

122. *Statutory Rule:* Plumbing Amendment Regulations 2022

Authorising Act: Building Act 1993

Date first obtainable: 18 October 2022

Code A

123. *Statutory Rule:* Family Violence Protection (Information Sharing and Risk Management) Amendment Regulations 2022

Authorising Act: Family Violence Protection Act 2008

Date first obtainable: 18 October 2022

Code A

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