



Victoria Government Gazette

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GENERAL

GENERAL GAZETTE

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PRIVATE ADVERTISEMENTS

Notice is hereby given that Lam Engineering Services Pty Ltd ACN 006 603 149 has applied for a Crown Lease pursuant to section 134 of the Land Act 1958 for a term of five years in respect of Crown Allotment 203C no section Parish of Cut Paw Paw for Motor Service Station.

NOTICE OF DISSOLUTION OF
PARTNERSHIP

Take notice that Irene Dugan of 246 Bay Street, Brighton (hereinafter called "the remaining partner") and Irenka Kovacs of 5/71 Clarence Street, Elsternwick (hereinafter called "the retiring partner") who has been carrying on the business of hairdressing under the business name of Scissorhands at 246 Bay Street, Brighton in partnership with each other have dissolved such partnership as at 24 December 1994.

The said retiring partner has retired from the partnership and the said remaining partner is continuing the business on her own account under the business name from the premises at 246 Bay Street, Brighton.

Dated 16 December 1994.

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

Notice is hereby given that Eve Dulce May Knight has retired from partnership as at 1 January 1995. Therefrom the practice shall be carried on by Robert Dale Knight.

COOK & McCALLUM, solicitors, 422 Collins Street, Melbourne and 60-64 Wells Street, Frankston

Special Resolution Passed
LYDIARD No. 1 CO-OPERATIVE HOUSING
SOCIETY LIMITED
CARDIGAN VILLAGE No. 1 CO-
OPERATIVE HOUSING SOCIETY LIMITED
PROGRESSIVE No. 1 CO-OPERATIVE
HOUSING SOCIETY LIMITED
PROGRESSIVE No. 4 CO-OPERATIVE
HOUSING SOCIETY LIMITED

At a special general meeting of each of the abovenamed societies duly convened and held at 44 Armstrong Street South, Ballarat on 19 December 1994, commencing at 5.00 p.m. the subjoined special resolution was duly passed:

"That the Society having successfully completed its objectives ahead of its expected term be wound up voluntarily, and that Geoffrey Walter Cunningham of 44 Armstrong Street South, Ballarat, be appointed liquidator for the purposes of the winding up."

G. W. CUNNINGHAM, liquidator, 44 Armstrong Street South, Ballarat

Creditors, next of kin and others having claims against the estate of Jean Winifred Bain, late of 5 Bruce Street, Box Hill in the State of Victoria, home duties, deceased, are requested by the trustee Leslie Roydon Bain of 121 Clarke Street, Benalla in the said State, gentleman, to send particulars of their claims to him care of the undermentioned solicitor by 15 March 1995, after which date the trustee may convey or distribute the assets of the deceased having regard only to the claims of which he then has notice.

DENIS JOHNSTON, solicitor, corner Bridge and Nunn Streets, Benalla

Creditors, next of kin or others having claims in respect of the estate of Norman Rupert Meggs of Unit 13/77 Tanti Avenue, Mornington, retired, deceased, who died on 17 May 1994, are to send particulars of their claims to the executor care of the undermentioned solicitors by 22 February 1995, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

ROBERTS & ROBERTS, solicitors, 41 Main Street, Mornington

Creditors, next of kin or others having claims in respect of the estate of Sarah Jane Oliver, late of Carrum Private Nursing Home, Station Street, Carrum, formerly of 6 Gladstone Street, Lilydale in the State of Victoria, gentlewoman, deceased, who died on 17 October 1994, are to send particulars of their claims to the executor care of the undermentioned solicitors by 12 February 1995, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

EALLES & MACKENZIE, solicitors, 114-116 Main Street, Lilydale

Creditors, next of kin or others having claims in respect of the estate of Beverley Dawn Mary McEwan, late of Site 326, Sun Country Holiday Village, Tocomwal Road, Mulwala, N.S.W., formerly of 2/25 Rokewood Crescent, Coolaroo, deceased, who died on 14 November 1994, are to send particulars of their claims to the executor care of the undermentioned solicitors by 12 December 1994, after which date the executor will distribute the assets having regard only to the claims of which she then has notice.

PEARSONS, barristers and solicitors, 794 Pascoe Vale Road, Glenroy

Creditors, next of kin and others having claims against the estate of Kevin David Gibson, late of 9 Beckett Street, Chadstone, Victoria, retired sales representative, deceased, who died on 9 October 1994, are required to send particulars of their claim to the executor, Helen Mary Gartlan, care of the undermentioned solicitors by 20 February 1995, after which date she will distribute the estate of the deceased having regard only to the claims of which she then has notice.

W. CAREW HARDHAM & GARTLAN, solicitors, 974 Main Road, Eltham

Creditors, next of kin and others having claims in respect of the estate of Elizabeth Agnes Griffiths, late of 37 Maginness Street, Benalla, Victoria, home duties, who died on 5 August 1994, are requested to send particulars of their claims in writing to the undermentioned solicitor for the administrator Darren Leonard Griffiths by 1 March 1995, after which date the administrator will distribute the assets having regard only to the claims of which he then has notice.

HAMILTON CLARKE, solicitor, 81-83 Nunn Street, Benalla

Creditors, next of kin and others having claims in respect of the estate of William Anthony Fitzsimons, late of 104 Faithful Street, Benalla, Victoria, retired dairy farmer, who died on 30 August 1994, are requested to send particulars of their claims in writing to the undermentioned solicitor for the executors Mark William Fitzsimons and Kim Michelle Fitzsimons by 1 March 1995, after which date the executors will distribute the assets having regard only to the claims of which they then have notice.

HAMILTON CLARKE, solicitor, 81-83 Nunn Street, Benalla

LESLIE JAMES PIANITA, late of 4 Pryors Road, Horsham in Victoria, disability pensioner, deceased

Creditors, next of kin and other persons having claims in respect of the estate of the abovenamed deceased, who died on 4 February 1994, are required by the executrix Nita Varley, care of Power & Bennett, solicitors, 12 Pynsent Street, Horsham, to send particulars of such claims to her on or before 26 February 1995, after which date she may convey or distribute the assets having regard only to the claims of which she then has notice.

Dated 14 December 1994

POWER & BENNETT, solicitors, 12 Pynsent Street, Horsham

Creditors, next of kin and others having claims in respect of the estate of Thomas Harold Vale, late of 4 Burnley Street, Frankston, clerk, deceased, who died on 20 August 1994, are required by the executor nominated in the deceased's last will and testament dated 10 December 1973, namely Dulcie Vale of 4 Burnley Street, Frankston, widow, who is applying to the Supreme Court for a grant of probate of the said last will and testament to send particulars of such claims to the solicitors acting for the said executor namely N. D. Kelly & Associates, 437 Centre Road, Bentleigh by 2 March 1995, after which date the said executor may convey or distribute the assets of the deceased having regard only to claims of which she or her solicitors then have notice.

Dated 22 December 1994

N.D. KELLY & ASSOCIATES, solicitors, 437 Centre Road, Bentleigh

Creditors, next of kin and others having claims in respect of the estate of Malgorzata Alwer, late of 116/332 Park Street, South Melbourne, pensioner, deceased, who died on 23 April 1994, are to send particulars of their claims care of undermentioned solicitors by 17 February 1995, after which date the estate will be distributed having regard only to the claims of which it then has notice.

TUCKER PIETRZAK, solicitors, 222 Latrobe Street, Melbourne

Creditors, next of kin and others having claims in respect of the estate of Alfred Joseph Crouch, late of 14 Lindsay Avenue, Murrumbidgee, Victoria, gentleman, who died

on 21 April 1994, are to send particulars of their claim to the executor Leslie Charles Hubbard, care of the undermentioned solicitors by 23 February 1995, after which date he will distribute the assets having regard only to the claims of which he then has notice.

YOUNG HUBBARD & CO., solicitors, 825 Burke Road, Camberwell

Creditors, next of kin and others having claims in respect of the estate of Graeme Russell Cunningham, late of 1/17 Connelly Street, Echuca, invalid pensioner, deceased, who died on 28 September 1994, are required to send particulars of their claims to the executors National Mutual Trustees Limited of 46 Queen Street, Bendigo by 28 February 1995, after which date they will distribute the assets having regard only to the claims of which they have notice.

NATIONAL MUTUAL TRUSTEES LIMITED, 46 Queen Street, Bendigo

Creditors, next of kin and others having claims in respect of the estate of Charles Robert Morley, late of 4 Greenwood Grove, Traralgon, retired, gentleman, deceased, who died on 30 November 1994, are to send particulars of their claims to the executrices Julie Maree Whitehead of 18 Armitage Road, Kelmscott, Western Australia, married woman and Karen Dale Ingleman of George Street, Tintenbar, New South Wales, married woman, care of the below mentioned solicitors by 3 March 1995, after which date they will distribute the assets of the deceased having regard only to the claims of which they then have notice.

LITTLETON HACKFORD, solicitors, "Law Chambers", 115-119 Hotham Street, Traralgon

Creditors, next of kin and others having claims in respect of the estate of Evelyn Mary Waite, late of Traralgon and District Private Nursing Home, Campbell Street, Traralgon, home duties, deceased, who died on 11 November 1994, are to send particulars of their claims to the executors Philip Charles Waite, farmer and William Waite, farmer, both of Lower Cairnbrook Road, Glengarry, Victoria, care of the below mentioned solicitors by 3 March 1995, after which date they will distribute the assets of the deceased having regard only to the claims of which they then have notice.

LITTLETON HACKFORD, solicitors, "Law Chambers", 115-119 Hotham Street, Traralgon

Creditors, next of kin and others having claims in respect of the estate of Eric Francis Moy, late of 406 Eureka Street, Ballarat, Victoria, retired builder, deceased, who died on 7 August 1994, are requested by the executor of the will of the said deceased, the Trust Company of Australia Limited of 151 Rathdowne Street, Carlton South, Victoria to send particulars of their claims to the said company care of the undermentioned solicitors by 28 February 1995, after which date the executor will distribute the assets having regard only to the claims of which it then has notice.

CUTHBERTS, solicitors, 101 Lydiard Street North, Ballarat

Creditors, next of kin and others having claims in respect of the estate of Joseph Mercieca, late of 8/78 Riversdale Road, Hawthorn East, storeman, who died on 19 January 1992, are required to send particulars of their claims to the applicant for the grant of administration George Aquilina of 3 Willey Street, Sunshine, machine operator, care of the undermentioned solicitors by 28 February 1995, after which date the administrator may convey or distribute the assets having regard only to the claims of which he then has notice.

VICTOR BORG & CO., solicitors, 414 Lonsdale Street, Melbourne

Creditors, next of kin and others having claims in respect of the estate of Shirley Earle, late of Unit 3, 156 Spring Street, Reservoir in the State of Victoria, pensioner, deceased, who died on 5 August 1994, are required to send particulars of such claims to the executor National Mutual Trustees Ltd at its registered office at 65 Southbank Boulevard, South Melbourne by 25 February 1995, after which date the executor will distribute the estate having regard only to the claims of which it then has notice.

CLIFFORD ROSS JENKINS, late 8 Aberdeen Crescent, Essendon, retired engineer, deceased

Creditors, next of kin and others having claims in respect of the estate of the abovenamed deceased, who died on 26 October 1994, are required by Ian Fraser Bult of 469 LaTrobe Street, Melbourne, solicitor and John Patrick Patchell of 371 The Boulevard, East Ivanhoe, public accountant, the executors of the will of the deceased to send particulars of their claims to the executors in the care of the

undermentioned solicitors by 24 February 1995, after which date the executors will convey or distribute the assets having regard only to the claims of which they then have notice.

RUSSELL KENNEDY, solicitors, 469 LaTrobe Street, Melbourne

Creditors, next of kin and others having claims in respect of the estate of Annie Macafee, late of Latrobe Valley Nursing Home, Ollerton Avenue, Moe, Victoria, widow, deceased, who died on 13 September 1994, are to send particulars of their claims to The Equity Trustees Executors and Agency Company Limited of 472 Bourke Street, Melbourne by 23 February 1995, after which date it will distribute the assets having regard only to the claims of which it then has notice.

DOROTHY BOYD WALKER, late of Unit 16, 399 Toorak Road, South Yarra, Victoria, home duties, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased, who died on 20 September 1994, are required by William Howard Walker of Unit 16, 399 Toorak Road, South Yarra, Victoria, retired, gentleman and Perpetual Trustees Victoria Limited of 50 Queen Street, Melbourne, Victoria to send particulars of their claims to William Howard Walker and Perpetual Trustees Victoria Limited care of the said Company by 27 February 1995, after which date they will convey or distribute the assets, having regard only to the claims of which they then have notice.

CORRS CHAMBERS WESTGARTH, solicitors, Bourke Place, 600 Bourke Street, Melbourne

Creditors, next of kin and others having claims against the estate of Thomas Edward Keating Fisher, late of 65 Wells Street, Brighton, Victoria, retired chemist, deceased, who died on 24 August 1994, are requested to send particulars of their claims to Alma Claridge Fisher of 65 Wells Street, Brighton, Victoria and The Equity Trustees Executors and Agency Company Limited of 472 Bourke Street, Melbourne, Victoria the executors appointed by the will by 25 February 1995, after which date they will distribute the assets having regard only to the claims at which date they then have notice.

PURVES CLARKE RICHARDS, solicitors, 121 William Street, Melbourne

ZOE DUNN, late of Duretta Nursing Home, 60 The Avenue, Windsor, Victoria, gentlewoman, deceased

Creditors, next of kin and others having claim in respect of the estate of the deceased, who died on 5 September 1994, are required by The Equity Trustees Executors and Agency Company Limited of 472 Bourke Street, Melbourne, Victoria to send particulars of their claims to the said company by 27 February 1995, after which date it will convey or distribute the assets having regard only to the claims of which the company then has notice.

EGGLETON, CLIFTON-JONES & CO., solicitors, 7th Floor, 83-89 William Street, Melbourne

Creditors, next of kin and others having claims in respect of the estate of Phyllis Smith, late of Olivet Nursing Home, Rupert Street, Ringwood, Victoria, deceased, who died on 7 October 1994, are required by the executor of the will of the abovenamed deceased to send particulars of their claims to the executor care of Collins, solicitors of 50 Main Street, Croydon by 24 February 1995, after which date she will convey or distribute the assets having regard only to the claims of which she then has notice.

COLLINS, solicitors, 50 Main Street, Croydon

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

On 2 February 1995, at 11.00 a.m. at the Sheriff's Office, Old Court House Annex, Camp Street, Ballarat (unless process be stayed or satisfied).

All the estate and interest (if any) of Alexander Douglas of 128 Beverin Street, Sebastopol, proprietor of an estate in fee simple in all that piece of land being that part of Crown Portion D Parish of Buninyong and being the whole of the land more particularly described on Certificate of Title Volume 10041 Folio 691 which is a triangular shaped vacant block of land being adjacent to Lot 22 Government Road, Yarrowee via Buninyong. The Township of Buninyong is located approximately 12 kilometres South of Ballarat. The property is

located by travelling from Sebastopol to Buninyong via Midland Highway for approximately 10 kilometres.

Turn right into Buninyong Napoleons Road, travel a distance of approximately 2.8 kilometres, turn left on to a gravel road at a letter box marked RMB R 993. (This roadway has the appearance of being a driveway to a white weatherboard dwelling). The gravel road takes a sweeping right hand bend. The land is situated on the left hand side just around the corner and known as part of Crown Portion D being approximately 832 m² (metre square) in area.

Terms—Cash Only

R. MARTIN
Sheriff's Officer

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

On 2 February 1995, at 2.30 p.m. at the Sheriff's Office, 8-20 King Street, Oakleigh (unless process be stayed or satisfied).

All the estate and interest (if any) of Daryl Ian Rose of 11 Ethel Street, Oak Park, joint proprietor with Carol Ann Rose of an estate in fee simple in the land described on Certificate of Title Volume 7884 Folio 076, upon which is erected a house known as 11 Ethel Street, Oak Park.

Registered Mortgage No. M856608R, Caveat No. R774652W and the Covenant contained in Instrument No. 2229881 affect said estate and interest.

Terms—Cash Only

R. MARTIN
Sheriff's Officer

Unclaimed Moneys Act 1962

Register of Unclaimed Moneys held by the—

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
<hr/>			
\$			
FLEXIBLE DRIVE AGENCIES PTY. LTD.			
Findlay, Frank T, 24/24 Newcastle Rd, Newport	192.00	Wages	28.5.87
Tong, Hung P, 158/130 Racecourse Rd, Flemington 94194	434.06	"	6.10.88

PROCLAMATIONS

Land Titles Validation Act 1994

I, Richard E. McGarvie, Governor of Victoria, acting with the advice of the Executive Council and under section 2 (2) of the Land Titles Validation Act 1994, fix Saturday, 31 December 1994, as the day on which Parts 2, 3 and 4 of the Land Titles Validation Act 1994 come into operation.

Given under my hand and the seal of
Victoria on 20 December 1994

(L.S.) R. E. McGARVIE
By His Excellency's Command

JEFF KENNETT
Premier

Land Act 1958

PROCLAMATION OF ROAD

I, Richard E. McGarvie, Governor of Victoria acting with the advice of the Executive Council and under section 25 (3) (c) of the Land Act 1958 proclaim as road the following land:

MUNICIPAL DISTRICT OF THE SHIRE OF BAIRNSDALE

GOON NURE—Crown Allotment 24, Section A, Township of Goon Nure, Parish of Goon Nure as shown on Certified Plan No. 114555 lodged in the Central Plan Office—(L9-4244).

Given under my hand and the seal of
Victoria on 20 December 1994

(L.S.) R. E. McGARVIE
By His Excellency's Command

M. A. BIRRELL
Minister for Conservation and Environment

ACTS OF PARLIAMENT PROCLAMATION

I, Richard E. McGarvie, Governor of Victoria declare that I have today assented in Her Majesty's name to the following Bills:

No. 107/1994 Classification of Films and Publications (Amendment) Act 1994;

No. 108/1994 Constitution (Amendment) Act 1994;

No. 109/1994 Constitution (Court of Appeal) Act 1994;

No. 110/1994 Electricity Industry (Further Amendment) Act 1994;

No. 111/1994 Environment Effects (Amendment) Act 1994;

No. 112/1994 Gas Industry Act 1994;

No. 113/1994 Land Tax (Amendment) Act 1994;

No. 114/1994 Land Titles Validation Act 1994;

No. 115/1994 Livestock Disease Control Act 1994;

No. 116/1994 Melbourne City Link Authority Act 1994;

No. 117/1994 Melbourne Sports and Aquatic Centre Act 1994;

No. 118/1994 Planning Authorities Repeal Act 1994;

No. 119/1994 State Taxation (Amendment) Act 1994;

No. 120/1994 Superannuation Acts (Further Amendment) Act 1994;

No. 121/1994 Water Industry Act 1994.

Given under my hand and the seal of
Victoria at Melbourne on 20 December 1994.

(L.S.) R. E. McGARVIE
By His Excellency's Command

JEFF KENNETT
Premier

No. 107/1994 (1) This Act (except section 5 (2)) comes into operation on the day on which it receives the Royal Assent.

(2) Section 5 (2) is deemed to have come into operation on 19 June 1990.

No. 108/1994 (1) Subject to sub-section (2), this Act comes into operation on the day on which it receives the Royal Assent.

(2) Section 11 is deemed to have come into operation immediately after the commencement of the Australia Act 1986 of the Commonwealth.

No. 109/1994 (1) Part 1 comes into operation on the day on which this Act receives the Royal Assent.

(2) Subject to sub-section (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.

(3) If a provision referred to in sub-section (2) does not come into operation within the period of 9 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 110/1994 (1) Part 1 and section 42 come into operation on the day on which this Act receives the Royal Assent.

(2) Subject to sub-section (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.

(3) If a provision referred to in sub-section (2) does not come into operation within the period of 12 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 111/1994 This Act comes into operation on the day on which it receives the Royal Assent.

No. 112/1994 (1) Part 1 and section 111 come into operation on the day on which this Act receives the Royal Assent.

(2) Subject to sub-section (3), the remaining provisions of this Act, except Part 13, come into operation on a day or days to be proclaimed.

(3) If a provision referred to in sub-section (2) does not come into operation within the period of 12 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

(4) Part 13 comes into operation on a day to be proclaimed.

No. 113/1994 (1) Sections 1, 3, 4, 5, 6 and this section come into operation on the day on which this Act receives the Royal Assent.

(2) Section 8 is deemed to have come into operation on 1 January 1994.

(3) Section 7 comes into operation on 21 December 1994.

(4) Section 9 comes into operation on 1 January 1995.

No. 114/1994 (1) Part 1 comes into operation on the day on which this Act receives the Royal Assent.

(2) The remaining provisions of this Act come into operation on a day or days to be proclaimed.

No. 115/1994 (1) Section 1 and this section come into operation on the day on which this Act receives the Royal Assent.

(2) Subject to sub-section (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.

(3) If a provision referred to in sub-section (2), other than sections 92 (2), 93 (2) and (4) and 95 (2) and (6), does not come into operation within the period of 12 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 116/1994 (1) Part 1 comes into operation on the day on which this Act receives the Royal Assent.

(2) Subject to sub-section (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.

(3) If a provision referred to in sub-section (2) does not come into operation within the period of 3 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 117/1994 (1) Section 1 and this section come into operation on the day on which this Act receives the Royal Assent.

(2) Subject to sub-section (3) the remainder of this Act comes into operation on a day or days to be proclaimed.

(3) If a provision referred to in sub-section (2) does not come into operation within the period of 12 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 118/1994 (1) This Act (except 7, 12 and 13) comes into operation on the day on which it receives the Royal Assent.

(2) Section 7 comes into operation on a day to be proclaimed.

(3) Sections 12 and 13 come into operation on a day to be proclaimed.

No. 119/1994 (1) Subject to this section, this Act comes into operation on the day on which it receives the Royal Assent.

(2) Section 34 is deemed to have come into operation on 23 November 1993.

(3) Section 10 is deemed to have come into operation on 10 November 1994.

(4) Sections 9, 12, 14, 15 and 16 come into operation on 1 January 1995.

(5) Sections 17, 18 and 37 come into operation on 1 July 1995.

(6) Section 7 comes into operation on a day to be proclaimed.

(7) If section 7 does not come into operation within the period of 6 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 120/1994 (1) Subject to this section, this Act comes into operation on the day on which it receives the Royal Assent.

(2) Section 12 is deemed to have come into operation on 13 June 1990.

(3) Section 79 (1) is deemed to have come into operation on 30 June 1992.

(4) Sections 33 and 35 are deemed to have come into operation on 1 December 1993.

(5) Sections 32 and 34 are deemed to have come into operation on 31 December 1993.

(6) Sections 23 (1), 24, 30, 46, 60, 61, 64, 69 and 78 are deemed to have come into operation on 1 January 1994.

(7) Sections 3, 4 and 6 are deemed to have come into operation on 1 July 1994.

(8) Section 26 is deemed to have come into operation on 3 October 1994.

(9) Sections 42 and 55 come into operation on 1 February 1995.

No. 121/1994 (1) Section 1 and this section come into operation on the day on which this Act receives the Royal Assent.

(2) Subject to sub-section (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.

(3) If a provision referred to in sub-section (2) does not come into operation within the period of 6 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

Animal Preparations Act 1987 PROCLAMATION

Amendment to proclamation prohibiting the sale or use of certain Animal Preparations

I, Richard E. McGarvie, Governor of Victoria, acting with the advice of the Executive Council and under sections 3 (5) and 16 of the Animal Preparations Act 1987

amend with effect from 1 January 1995 the proclamation made on 28 June 1988 (published in the Government Gazette on 29 June 1988) prohibiting the sale or use of certain animal preparations or classes of animal preparations as amended by proclamations made on 20 December 1988 (published in the Government Gazette on 21 December 1988), 4 May 1993 (published in the Government Gazette on 6 May 1993) and 29 June 1993 (published in the Government Gazette on 1 July 1993) as follows:

In Schedule 1 "Prohibited Constituents in Animal Preparations", after item 37 insert the following new items:

<i>Column 1 Product</i>	<i>Column 2 Prohibited Constituent</i>
38. Any stock medicine or stock food	Gentian Violet
39. Any stock medicine or stock food	Bromsalans

Given under my hand and the seal of
Victoria on 20 December 1994

(L.S.) R. E. McGARVIE
By His Excellency's Command

BILL McGRATH
Minister for Agriculture

University Acts (Amendment) Act 1994 PROCLAMATION OF COMMENCEMENT

I, Richard E. McGarvie, Governor of Victoria, acting with the advice of the Executive Council and under section 2 (4) of the University Acts (Amendment) Act 1994 fix 1 January 1995, as the day on which all provisions of that Act (other than sections 1, 2, 19, 25, 26, 29, 31, 37 and 38) come into operation.

Given under my hand and the seal of
Victoria on 20 December 1994

(L.S.) R. E. McGARVIE
By His Excellency's Command

HADDON STOREY
Minister for Tertiary Education and Training

**Melbourne City Link Authority Act 1994
PROCLAMATION OF COMMENCEMENT**

I, Richard E. McGarvie, Governor of Victoria, acting with the advice of the Executive Council and under section 2 of the Melbourne City Link Authority Act 1994 fix 22 December 1994 as the day on which the remaining provisions of the Act come into operation.

Given under my hand and the seal of
Victoria on 20 December 1994

(L.S.) R. E. MCGARVIE
By His Excellency's Command

BILL BAXTER
Minister for Roads and Ports

**Bees Act 1971
PROCLAMATION**

Importation etc. of Bees, Honey, Honeycomb
or Appliances into Victoria

I, Richard E. McGarvie, Governor of Victoria, acting with the advice of the Executive Council and under section 4 of the Bees Act 1971 revoke the Proclamation made on 2 March 1994 and published in the Government Gazette on 3 March 1994 and prohibit the importation, introduction or bringing into the State of Victoria any bees, honey, honeycomb or appliances unless the conditions set out in the First, Second and Third Schedules attached hereto are complied with.

Given under my hand and the Seal of
Victoria on 20 December 1994

(L.S.) R. E. MCGARVIE
By His Excellency's Command

BILL McGRATH
Minister for Agriculture

**First Schedule
Bees Act 1971**

**CONDITIONS OF IMPORTATION ETC.
OF BEES, HONEY, HONEYCOMB OR
APPLIANCES INTO VICTORIA**

The conditions under which bees, honey, honeycomb or appliances may be imported, introduced or brought into the State of Victoria from any other State of the Commonwealth of Australia or from a Territory are:

The owner, agent or person in charge of bees, honey, honeycomb or appliances shall—

- (a) make a declaration, in triplicate in the form or to the effect of the form set out in the Second Schedule hereto;
- (b) obtain a certificate, in duplicate, on the same form from a Government Apiary Inspector or from a person authorised in that capacity, in the State or Territory of origin that, after due inquiry, he has no reason to doubt the correctness of the declaration made; and
- (c) (i) forward the original of the declaration and certificate with the consignment; and
(ii) forward the duplicate thereof to the Government Apiary Inspector for the point of entry into the State of Victoria not less than twenty-four hours before the introduction of the consignment into the said State;

Provided that in cases where extracted honey is to be introduced by an owner, agent or person who is unable to complete the declaration to the effect of the form set out in the Second Schedule solely on account of the disease American Foul Brood that such owner, agent or person in charge of the extracted honey shall—

- (d) make a declaration in duplicate in the form or to the effect of the form set out in the Third Schedule hereto stating—
 - (i) the processing plant in Victoria that the extracted honey is to be forwarded to; and
 - (ii) the proposed date of consignment of the honey to the said processing plant; and
 - (iii) the method of transport of the honey;
- (e) obtain a certificate, in duplicate, on the same form from a Government Apiary Inspector or from a person authorised in that capacity in the State or Territory of origin that, after due inquiry—
 - (i) the processing plant in Victoria is approved by the Chief Veterinary Officer of Victoria for the receipt of such honey; and
 - (ii) forward the original and duplicate in accordance with paragraph (c) of this Schedule;

Provided that in cases where bees, honey, honeycomb or appliances are all the property of a beekeeper registered in the State of Victoria in accordance with the provisions of section 5 of the Act and are taken to another State of the Commonwealth of Australia or to a Territory for a period not exceeding three months and have not been within a radius of five kilometres of an area where American Foul Brood disease has occurred within the previous six months the bees, honey, honeycomb or appliances may be returned to the State of Victoria if the owner agent or person in charge—

- (f) makes a declaration in accordance with paragraph (a) of this Schedule; and
- (g) forwards the declaration in accordance with paragraph (c) of this Schedule.

**Second Schedule
Bees Act 1971**

**DECLARATION BY OWNER, AGENT OR
PERSON IN CHARGE OF APIARY
PRODUCTS, BEE COLONIES, USED
APPLIANCES, QUEEN BEES, ESCORTS,
QUEEN CELLS AND PACKAGE BEES TO
BE IMPORTED, INTRODUCED OR
BROUGHT INTO THE STATE OF
VICTORIA FROM ANY OTHER STATE OF
THE COMMONWEALTH OF AUSTRALIA
OR TERRITORY**

I,
(Full name of owner/agent/person in charge*)
of State/Territory*
(postal address)
hereby declare that:

1. I propose to introduce (kg/number) of
honey/ honeycomb /beeswax /pollen /bee
colonies/used hive equipment, branded/used
appliances/queen bees/queen cells/packages/or
other
apiary products (please specify)*
into Victoria on (date)

Addressed to: (Name)
(Address)

Postcode

*2. The honey/honeycomb/beeswax/pollen/
bee colonies/used hive equipment/used
appliances/queen bees/queen cells/packages/or
other apiary products* described herein
were
derived from apiaries which are free of
American Foul Brood (*Bacillus larvae*) and are
from colonised (hives) not showing field
symptoms of any other disease of bees.

*3. The bee colonies are not in quarantine
and are not from a declared quarantine area or
declared prohibited zone.

*4. Pollen used for feedback to bees has been
sufficiently irradiated (15 kilo Gray) prior to
distribution to beekeepers.

*5. For movement out of Tasmania, the
bees/honeycomb/used hive equipment/used
appliances* are accompanied by written
approval under Quarantine proclamation No.
114A from the Director of Quarantine or other
authorised delegate*.

Signed

Date

* Delete sections or parts, that do NOT apply.

**CERTIFICATE BY GOVERNMENT APIARY
INSPECTOR OR OTHER AUTHORISED
PERSON**

I being an Apiary Inspector/person
authorised in that capacity* in (State/Territory*)
hereby certify that:

Either:

*After due inquiry I have no reason to doubt the
correctness of the above declaration;

OR:

*I have inspected the queen rearing/cell
production/package bee apiaries* described in
the above declaration within the past four
months.

Signed

Date

Address

Postcode

This certificate is valid for one month for apiary
products/bee colonies/used appliances or four
months for queen bees/escorts/queen
cells/package bees, from the date of signing.

* Delete sections or parts, that do NOT apply.

**Third Schedule
Bees Act 1971**

**DECLARATION BY OWNER, AGENT OR
PERSON IN CHARGE OF EXTRACTED
HONEY FROM AN APIARY AFFECTED
WITH AMERICAN FOUL BROOD WHERE
SUCH HONEY IS TO BE IMPORTED,
INTRODUCED OR BROUGHT INTO THE
STATE OF VICTORIA FROM ANY OTHER
STATE OF THE COMMONWEALTH OF
AUSTRALIA OR FROM A TERRITORY**

I, (Full Name of Owner,
Agent or Person in Charge)

of

(Postal Address)

State

Territory

**Patriotic Funds Act 1958
PROCLAMATION**

being the ^{* owner}
agent
person in charge
of the honey affected with American Foul
Brood described below to be imported,
introduced or brought into the State of Victoria
from any other State of the Commonwealth of
Australia or from a Territory hereby declare
that—

- (i) the quantity of extracted honey
specified below is to be forwarded
direct to the honey processing plant
located at _____ in Victoria.
 - (ii) the proposed date of consignment of
the honey to the above named
processing plant is _____
 - (iii) the method of transport will be _____
- Quantity of honey to be introduced _____
Present location of honey _____
Owner of apiary of origin _____

Signed

(* Owner/Agent/Person in Charge)

Date

* Strike out alternative not applicable

**CERTIFICATE BY GOVERNMENT APIARY
INSPECTOR OR OTHER AUTHORISED
PERSON**

I,

(Full name of Apiary Inspector or
other Authorised person)
being an Apiary Inspector, or a person
authorised in that capacity, of the Department of
_____ in _____ hereby
certify after due inquiry _____ (Name
of State or Territory)
that—

- (i) the processing plant in Victoria is
approved by the Chief Veterinary
Officer of Victoria for the receipt of
such honey.
- (ii) I have no reason to doubt the
correctness of the above declaration

Signed

Address

Date

To be completed in duplicate. Original to
accompany shipment and duplicate to be
forwarded to Apiary Inspector for point of entry
into Victoria not less than 24 hours before
introduction.

By His Excellency the Governor of the State
of Victoria in the Commonwealth of Australia:

Whereas:

- (i) The Governor in Council is
empowered by section 3 of the
Patriotic Funds Act 1958 to specify
certain classes of war, hostilities or
special assignments for the purposes of
the Act by proclamation published in
the Government Gazette, and in like
manner to revoke, amend or vary any
proclamation for that purpose; and
- (ii) By proclamation made on 13 April
1954 and published in the Government
Gazette on 23 April 1954, the
Governor in Council specified certain
wars and hostilities for the purposes of
the Act; and
- (iii) By proclamation made on 9 November
1965 and published in the Government
Gazette on 10 November 1965, the
Governor in Council revoked the
proclamation made on 13 April 1954,
and specified for the purposes of the
Act certain wars, hostilities and special
assignments; and
- (iv) By proclamation made on 26 October
1993 and published in the Government
Gazette on 28 October 1993, the
Governor in Council varied the
proclamation made on 9 November
1965 and specified for the purposes of
the Act certain wars, hostilities and
special assignments:

Now therefore, I, Richard E. McGarvie,
Governor of the State of Victoria in the
Commonwealth of Australia, acting by and with
the advice of the Executive Council, do by this
proclamation amend and vary the proclamations
made by the Governor in Council on 9
November 1965 and 26 October 1993 in
accordance with the Schedule below:

SCHEDULE

A. Amend the dates of the following wars,
hostilities or special assignments by deleting the
dates as underlined:

"The First World War 1914–1918

The Second World War 1939–1945."

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And by substituting the dates as underlined:

"The First World War 4 August 1914—1 September 1921.

The Second World War 3 September 1939—28 April 1952."

B. Delete the following wars, hostilities or special assignments:

"The United Nations operations in Korea from 26 June 1950 to 20 April 1956.

The operations in Malaya and/or Malaysia and Singapore from 28 June 1950 to 12 June 1965.

The operations in Brunei from 8 December 1962 to 23 December 1962.

The operations in Vietnam (Southern Zone) from 31 July 1962 to 11 January 1973.

The operations in Kuwait from 2 August 1990 to 9 June 1991.

The operations in Somalia from 10 January 1993."

C. By now specifying that for the purposes of the Act "any proclaimed war" and "the war" shall be deemed and taken to refer to any war or hostilities or special assignment as listed and described in Schedule 2, as amended from time to time, of the Veterans' Entitlements Act 1986 (Commonwealth) or, in the case of Peacekeeping Forces, as listed and described in Schedule 3, as amended from time to time, of the Veterans' Entitlements Act 1986 or as designated by the appropriate Commonwealth Minister, by notice published in the Commonwealth of Australia Gazette, as a Peacekeeping Force for the purposes of Part IV of the Veterans' Entitlements Act 1986.

Given under my hand and the seal of
Victoria on 20 December 1994

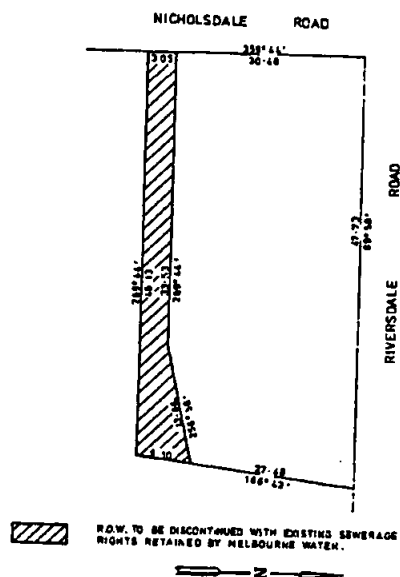
(L.S.) R. E. McGARVIE
By His Excellency's Command

JAN WADE
Minister for Fair Trading

GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES NOTICES

CITY OF BOROONDARA Discontinuance of Road

Under section 206 and Schedule 10 Clause 3 of the Local Government Act 1989 the Boroondara City Council at its Ordinary Meeting held on 24 October 1994, formed the opinion that the road shown hatched on the plan below is not reasonably required as a road for public use and resolved to discontinue the road and to sell it by private treaty subject to any right, power or interest held by Melbourne Water and Council in the road in connection with any sewers, drains or pipes under the control of those authorities in or near the road.

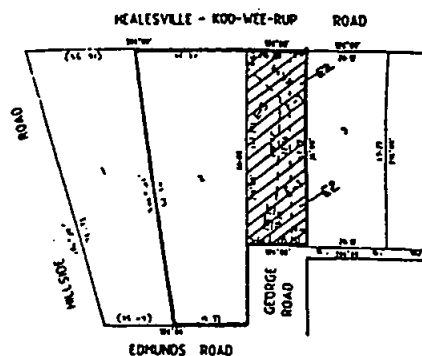


KEVIN WOODS
Chief Executive Officer

SHIRE OF PAKENHAM Road Discontinuance George Road [Part], Cockatoo

That the Shire of Pakenham having advertised and served Notices regarding the proposed discontinuance of part of George Road (which is not Crown Land), Cockatoo, shown hatched on the Plan hereunder and submissions

having been considered under section 223 of the Local Government Act 1989, Orders that the said part of George Road, Cockatoo (containing 721 square metres) be discontinued pursuant to Schedule 10, Clause 3 (a) of the said Act, and the land of the discontinued road vest in the Council pursuant to section 207B of the said Act [but notwithstanding such discontinuance State Electricity Victoria, Melbourne Water and the Shire of Pakenham are confirmed to possess the same right title power authority or interest in and in relation to those parts of the said land indicated as proposed easements E1 and E2 in the Plan below] to be sold by Private Treaty in conjunction with the abutting land Lot 2, L.P. 8039, on the open market to be consolidated by the purchasers with Lot 2 pursuant to the Amended Restructure Plan under the Pakenham Planning Scheme.



Published with the Authority of the Shire of Pakenham.

Dated 14 December 1994

DAVID ROFF
Acting Chief Executive

CITY OF ESSENDON Road Discontinuance

That the City of Essendon at its Ordinary Meeting held on 28 November 1994, formed the opinion that the road shown on the plan below is not reasonably required as a road for public use and resolved to discontinue the road, and having advertised and served notices regarding the

CITY OF FOOTSCRAY
Discontinuance of Road (Right of Way)
Adjacent to 1 Benbow Street and rear of
388-390 Williamstown Road, Yarraville
(File Ref: 25/78/361)

STEPHEN WRIGHT
City Manager/Chief Executive Officer

Pursuant to section 224A (2) of the Local Government Act 1989 (as amended), the Mornington Peninsula Shire Council herewith authorises any police officer to enforce the provisions of its Local Laws in respect of the consumption or control of liquor or alcohol.

Map showing a portion of the Benbow Street area, including lots 5, 3, 1, 57, and 392. The map includes a north arrow and dimensions for the lots and surrounding streets (Benbow Street, Williamstown Road).

Lot Number	Dimensions (Feet/Inches)	Adjacent Lot/Feature
5	57	Adjacent to Benbow Street
3	57	Adjacent to Benbow Street
1	57	Adjacent to Benbow Street
57	57	Adjacent to Benbow Street
392	57	Adjacent to Williamstown Road

Planning and Environment Act 1987
KILMORE PLANNING SCHEME
Notice of Amendment
Amendment L83

The amendment propose to insert a new Clause 8A—Special Residential Zone, to the Planning Scheme.

Notice is hereby given that the Alpine Shire Council, acting pursuant to the Local Government (Amendment) Act 1994 has resolved that any member of the Victoria Police Force is authorised to enforce Clauses 7.1 and 7.2 of the former Shire of Brights Local Law 15 which regulates the Consumption of Liquor in Municipal Places.

MARK HENDERSON
Interim Chief Executive Officer

centre, retirement village and residential subdivision in accordance with the Concept Plan accompanying the amendment documentation. This Concept Plan will also be incorporated into the Planning Scheme.

The land contains approximately 258 hectares and is described as Lot 2 LP 138561, Lot 2 LP 126831 and Lot 2 LP 46379. The land is west of the Hume Freeway with Camerons Lane forming the northern boundary.

The amendment is available for public inspection free of charge during office hours at the Shire of Kilmore, Civic Centre, Sydney Street, Kilmore or at the Department of Planning and Development, Ground Floor, Olderfleet Buildings, 477 Collins Street, Melbourne.

Submissions about the amendment must be sent to the Acting Chief Executive Officer, Shire of Kilmore, PO Box 187, Kilmore 3764 by Friday, 24 February 1994.

NEIL McGAFFIN
Acting Chief Executive Officer

EAST GIPPSLAND SHIRE
Proposal to Make a Local Law
Process of Municipal Government
(Procedures for Meetings)
Local Law No. 1

Notice is given that at a meeting of the East Gippsland Shire Council held on 5 December 1994, the Council resolved to make a Local Law titled "Processes of Municipal Government (Procedures for Meetings) Local Law" pursuant to Part 5 and Schedule 1 of the Local Government Act 1989. The Local Law is proposed to:

- Provide for the peace, order and good Government of the municipal district of the East Gippsland Shire Council;
- Provide for the orderly proceedings of Council meetings and special committees of the Council.

A copy of the proposed Local Law can be obtained from the Shire Offices, at either Main Street, Bairnsdale or 55 Palmers Road, Lakes Entrance, free of charge during office hours (i.e. 8.30 a.m. to 4.45 p.m. daily Monday to Friday).

Any person affected by the proposed Local Law may make a submission relating to the proposed Local Law under section 223 of the Local Government Act 1989. Only written submissions received within fourteen (14) days of publication of this notice will be considered.

Persons making written submissions should clearly state whether they wish to be heard in support of their submission or not.

Submissions should be addressed to the Chief Executive Officer, 55 Palmers Road, Lakes Entrance and be lodged no later than fourteen (14) days from the date of this notice.

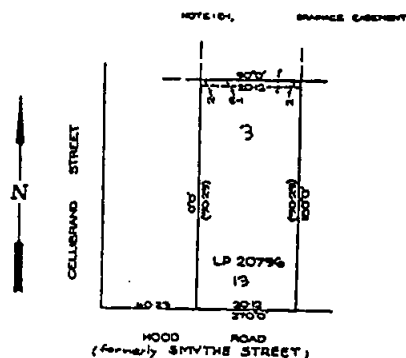
Persons making submissions will be notified in writing of the Council's decision following consideration of the submissions.

GRAEME PEARCE
Acting Chief Executive

**LAND ACQUISITION AND
COMPENSATION ACT**
Notice of Acquisition
Form 7

Section 21, Regulation 16
Compulsory Acquisition of Interest in Land

Greater Geelong City Council declares that by this notice it acquires an easement for drainage purposes over the land shown E-1 on the plan hereon being part of the land comprised in Certificate of Title Volume 7627 Folio 008, known as lot 13 Hood Street, Portarlington.



Published with the authority of Greater Geelong City Council.

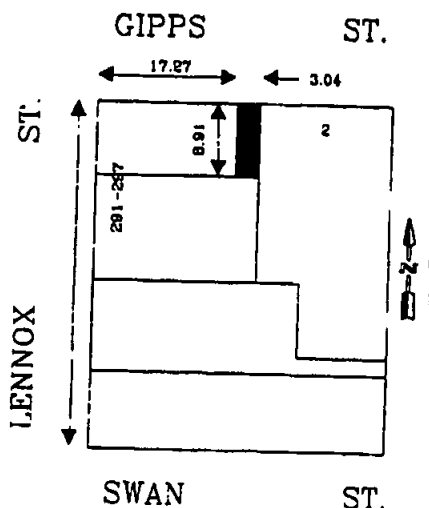
I. N. COUPER
Director of Integrated Planning
City of Greater Geelong

CITY OF YARRA
Road Discontinuance

Under section 208 and Schedule 10 Clause 3 of the Local Government Act 1989 the City of Yarra at its General Purposes Special Committee meeting held on Monday, 3 October

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1994, formed the opinion that the road shown on the plan below is not reasonably required as a road for public use and resolved to discontinue the map and to sell the land from the map to abutting owners.



BARRY FERGUSON
Acting Chief Executive Officer

CITY OF CROYDON
Local Law No. 5B
Public Area Local Law

Notice is given that the Council of the City of Croydon at its Ordinary Meeting held on 12 December 1994, having considered submissions received pursuant to section 223 of the *Local Government Act 1989*, resolved pursuant to section 119 of the Act to pass the Local Law known as the City of Croydon Public Area Local Law.

The Local Law is made for the purposes of controlling or regulating in a fair and equitable manner activities on Council Land which may be dangerous or unsafe or detrimental to the quality of life of residents in the Municipal district.

A copy of the Local Law No. 5B of the City of Croydon is available for inspection during office hours at the Civic Centre, Civic Square Croydon 3136.

T. L. MAHER
Chief Executive Officer

Victoria Government Gazette

INDIGO SHIRE COUNCIL
Enforcement of Local Law No. 6—
Consumption of Liquor
in Public Places

In accordance with section 224A of the *Local Government Act 1989* the Indigo Shire Council hereby gives notice that any police officer may enforce the following provisions of the Shire of Rutherglen Local Law No. 6—Consumption of Liquor in Public Places:

Clause 8: Consumption and Possession of Liquor on Roads.

Clause 9: Consumption and Possession of Liquor on Public Reserves.

GRAEME EMONSON
Acting Chief Executive Officer

CITY OF MARYBOROUGH
Local Law Enforcement

This notice is given under the provision of section 224A of the *Local Government Act 1989*.

Under the Council's Municipal Places Local Law No. 4 Part 8 Clauses L8.1 and L8.2 provision is made to prohibit or restrict the possession and consumption of alcohol in municipal places (as defined).

The Council resolved to state that any police officer may enforce Clauses L8.1 and L8.2 of Local Law No. 4.

RICHARD J. PEKIN
Corporate Services Manager
Town Clerk

Planning and Environment Act 1987
OMEOPOLITAN SCHEME
Notice of Amendment to Planning Scheme
Amendment L14

The East Gippsland Shire Council has prepared Amendment L14 to the Omeo Planning Scheme.

The amendment proposes the reservation of land for the use of Mitchell Water Board as follows:

1. Part of Crown Allotment 145, Parish of Cobungra at the intersection of McNamara's Road and Branders Stock Route, to be reserved for Waste Water Treatment.

2. Part of Crown Allotment 83, Parish of Cobungra fronting Hallet's Road and an unnamed Government Road, to be reserved for Water Supply Storage and Treatment.

The amendment affects land to the north and south of the Omeo Township.

The amendment may be inspected at the East Gippsland Shire Council, Omeo Branch, Day Avenue, Omeo; Mitchell Water Board, 133 McLeod Street, Bairnsdale or at the Department of Planning and Development, Olderfleet Building, 477 Collins Street, Melbourne.

Submissions in regard to the amendment must be forwarded to the East Gippsland Shire Council, Omeo Branch, P.O. Box 80, Lakes Entrance 3909 no later than 22 January 1995.

R. G. McCOMB
Acting District Manager

**Planning and Environment Act 1987
KERANG (BOROUGH) PLANNING
SCHEME**

**Notice of Amendment to a Planning Scheme
Amendment L4**

The Borough of Kerang has prepared an Amendment to the Kerang (Borough) Planning Scheme, Local Section.

The amendment is in 2 parts:

Part 1 rezones portion of privately owned land off Weir Street (north of Ninth Street) from Rural Zone to Proposed Public Purposes—Borough of Kerang (PPP1) and provides that no permit is required to construct a levy within the land to be reserved or within the Council depot and the adjoining reserve provided it is in accordance with plans exhibited with the amendment.

The amendment proposes to reserve the land to enable the Borough of Kerang and Rural Water Corporation to construct a section of levy bank as part of ongoing flood mitigation works.

The reservation will enable the Council to acquire those portions of the land necessary to install the levy and to provide access for ongoing maintenance.

Part 2 rezones land on the north-east corner of Nolan and Vaughan Streets, Kerang from Special Use (Place of Worship and Assembly) [Su8] to Residential. The reason for the rezoning is to facilitate the sale of an existing Church Manse.

The amendment can be inspected during office hours at the Borough of Kerang, 71 Wellington Street, Kerang; Department of Planning and Development, Loddon-Campaspe/Mallee Region, 426 Hargreaves Street, Bendigo or at the Department of Planning and Development, Olderfleet Buildings, 477 Collins Street, Melbourne.

All submissions about the amendment must be in writing and sent to the Borough Engineer, Borough of Kerang, PO Box 285, Kerang, Victoria 3579 by 27 January 1995.

Dated 19 December 1994

COLIN CAMPBELL
Borough Engineer

CITY OF HORSHAM

Local Law No. 3

Consumption of Liquor in Public Places

In accordance with section 224A of the Local Government Act 1989, (as amended) the City of Horsham hereby authorises any member of the Victorian Police Force to enforce the following provisions of Local Law No. 3 as "Authorised Officer":

Consumption and Possession on Roads

7. A person must not at any time on a road or in a car park within the Municipal District of the City of Horsham:

- (a) consume any liquor; or
- (b) have in his or her possession or control any liquor other than liquor in a sealed container.

**Consumption and Possession on Public
Reserves**

9. Between the hours of 11.00 p.m. and 6.00 a.m. a person must not in any public reserve or in any motor vehicle on any public reserve:

- (a) consume any liquor; or
- (b) have in his or her possession or control any liquor other than liquor in a sealed container.

R. A. MARSHALL
Acting Chief Executive Officer

**Planning and Environment Act 1987
NOTICE OF AMENDMENT TO A
PLANNING SCHEME**

The Shire of Warracknabeal has prepared Amendment L7 to the Warracknabeal Planning Scheme.

The amendment applies to approximately 5.3 hectares of land fronting the east side of the Henty Highway in the Warracknabeal township, being parts of Lots 1 and 3, Plan of Subdivision No. 334843J.

The amendment proposes to change the Planning Scheme Map No. 3 by re-zoning the subject land from Rural Zone to Industrial Zone.

The amendment can be inspected at the Shire Office, Shire of Warracknabeal, Lyle Street, Warracknabeal; the Department of Planning and Development, Olderfleet Buildings, 477 Collins Street, Melbourne and at the Department of Planning and Development, Level 2, Corner Mair and Doveton Streets, Ballarat.

Submissions about the amendment must be sent to the Shire Secretary, Shire of Warracknabeal, PO Box 243, Warracknabeal 3393 by 27 January 1995.

Dated 22 December 1994

I. R. MANLEY
Shire Engineer

Planning and Environment Act 1987
NUNAWADING PLANNING SCHEME
Notice of Amendment
Amendment L77

The City of Whitehorse has prepared Amendment L77 to the Nunawading Planning Scheme.

The amendment affects the land located at:

- (i) 7 Main Street, Blackburn
7 Gardenia Street, Blackburn
9 Gardenia Street, Blackburn
10 Gardenia Street, Blackburn
11 Gardenia Street, Blackburn
12 Gardenia Street, Blackburn
13 Gardenia Street, Blackburn
14 Gardenia Street, Blackburn
15 Gardenia Street, Blackburn
16 Gardenia Street, Blackburn
18 Gardenia Street, Blackburn
26 Blackburn Road, Blackburn
28 Blackburn Road, Blackburn
30 Blackburn Road, Blackburn
- (ii) Gardenia Street between the northern-most boundaries of numbers 7 and 10 Gardenia Street, Blackburn and the southern-most boundaries of numbers 15 and 18 Gardenia Street, Blackburn;
- (iii) The right of way adjoining the western-most boundaries of numbers 6, 8, 10 and 12 Gardenia Street, Blackburn;
- (iv) The right of way adjoining the eastern-most boundaries of; part of number 1 to a point opposite the southern-most

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boundary of number 20C Blackburn Road, numbers 3, 5, 7, 9, 11, 13, and part of number 15 Gardenia Street to a point opposite the southern-most boundary of number 30 Blackburn Road, Blackburn.

The amendment proposes to change the Nunawading Planning Scheme by:

1. Rezoning the land from part Restricted Business Zone and part Road Closed to Residential C Zone.
2. In the table to Clause 106-6, deleting the reference to land described as "land generally to the south of the Blackburn Station shopping centre fronting South Parade, in the City of Nunawading" (more specifically described in the table to Clause 106-6) and deleting the conditions opposite.

The amendment can be inspected at the City of Whitehorse, Nunawading, 379-397 Whitehorse Road, Nunawading; City of Whitehorse, Box Hill, 1022 Whitehorse Road, Box Hill or at the Department of Planning and Development, Olderfleet Buildings, 477 Collins Street, Melbourne.

Submissions regarding the amendment must be sent to the Manager, Strategic Planning, City of Whitehorse, Nunawading, PO Box 15, Nunawading 3131 by 31 January 1995.

P. L. CHAFFEY
Manager, Strategic Planning

Planning and Environment Act 1987
CRANBOURNE PLANNING SCHEME
CITY OF CASEY
Notice of an Amendment
Amendment L120

The City of Casey has prepared Amendment L120 to the Local Section of the Cranbourne Planning Scheme. The amendment affects land within the Cranbourne Town Centre and it gives statutory effect to the "Cranbourne Town Centre Development Plan". The Plan forms part of the amendment and will be incorporated into the Planning Scheme.

The amendment proposes to:

- * rezone land on the west side of the South Gippsland Highway from Residential (Urban) to a Commercial Town Centre D zone.

- * rezone land bounded by South Gippsland Highway, Stawell Street, Codrington Street and Brunt Street to a Commercial Town Centre zone.
- * rezone land on the east and west side of Codrington Street to a Commercial Town Centre B zone.
- * rezone former railway land west of the South Gippsland Highway to either a Commercial Town Centre D zone or a Service Industrial zone.
- * rezone land on the south side of Sladen Street between Cooper Street and Codrington Street to a Commercial Town Centre D zone.
- * Incorporate the Cranbourne Town Centre Development Contribution Policy.
- * Incorporate the Cranbourne Town Centre Development Plan.
- * Introduce infrastructure funding as a requirement for any development within the amendment area.
- * Introduce development and design controls for Brunt Street and Codrington Street to encourage its development as a commercial boulevard.
- * Introduce road widening and splay corner treatment for Brunt Street and Codrington Street.
- * Introduce a specific control for the Residential (Urban) zone to prohibit a number of allowable uses on land designated for car parking and access on the Cranbourne Town Centre Development Plan.

The amendment can be inspected free of charge during office hours at Cranbourne Office, City of Casey, Civic Centre, Sladen Street, Cranbourne; Berwick Office, City of Casey, Civic Centre, Princes Highway, Narre Warren or at the Department of Planning and Development, Ground Floor, Olderfleet Building, 477 Collins Street, Melbourne.

Any submissions about the amendment must be sent to the Town Department, Cranbourne Office, City of Casey, P.O. Box 4, Cranbourne, Victoria 3977 by 27 February 1995.

J. SCOTT TAYLOR
Town Planner
Cranbourne Office
City of Casey

MELBOURNE CITY COUNCIL
Public Activities Local Law 1994
(No. 7 of 1994)

On 20 December 1994, the Melbourne City Council made a local law called the "Public Activities Local Law 1994 (No. 7 of 1994)".

A copy of the local law can be inspected at the Corporate Resources Division, 3rd Floor, Town Hall, Swanston Street, Melbourne, free of charge, between 8 a.m. and 5 p.m. Monday to Friday.

The purposes of the proposed local law are to:

- (a) prevent, control and abate various nuisances and other conditions likely to cause detriment or affect amenity;
- (b) control, protect and conserve aspects of the environment;
- (c) prohibit, regulate or control activities, events, practices and behaviour which could give rise to detriment to persons or to the amenity of a neighbourhood or cause a nuisance or interfere with the use or enjoyment of premises by or the personal comfort of a person;
- (d) facilitate the giving of permits and consents for activities in or on, public places or Council buildings;
- (e) protect the use of public places and Council buildings and control activities in or near them;
- (f) control noise, behaviour, liquor, animals, camping, processions, advertising and other activities;
- (g) provide for safety in public places;
- (h) control various matters which may adversely affect the amenity of the municipal district and the quality of life of persons within it;
- (i) provide for, control and manage the use of premises and vehicles in particular circumstances;
- (j) generally maintain the peace, order and good government of the municipal district; and
- (k) amend and revoke other Local Laws of the Council.

The general purport of the local law is that it:

- * replaces the Public Activities Local Law 1992 (as amended);
- * amends the Permits, Services and Fees Local Law to improve the inter-relationship between that local law and the proposed local law;

- * has staggered commencement dates;
- * applies throughout the municipal district but the extent of operation of its provisions are limited in varying ways in the case of the existence of a permit or consent, if legislation allows or if the person is involved in a specified group e.g. persons representing the Council, government, public bodies etc;
- * allows the Council to exempt specified premises;
- * has definitions and interpretative devices many of which expand or alter the normal meaning of words e.g. "public place";
- * delegates various matters and enables things to be prescribed so as to bring them within the scope of various provisions;
- * enables permits to be issued for matters which would otherwise be contrary to the local law and for fees and conditions to apply to permits;
- * in relation to either or both of public places or Council buildings:
 - * prohibits specified nuisance-type or anti-social activities;
 - * controls activities which interfere with specified items of property;
 - * has requirements as to entry to and leaving various areas;
 - * prohibits dealing in liquor except where allowed under the Liquor Control Act 1987;
 - * regulates animals;
 - * controls the keeping of bees;
 - * generally (with some exceptions) does not allow people or dogs in bodies of water;
 - * controls gambling;
 - * prohibits soliciting gifts, selling raffle tickets and playing ball and other games except with a permit;
 - * prohibits (except in some instances) the operation of real and model aircraft and related things;
 - * controls camping-activities and barbeques;
 - * controls entertainment-type events e.g. sports, carnivals etc;

- * regulates the circumstances in which a procession or parade can take place;
- * prohibits the discharge of dust or water except in specified circumstances;
- * deals with obeying directions given by Council representatives;
- * controls the placing of items on the outside of premises and the placement of things like planters etc; and
- * restricts the placing of decorative things on and between buildings and other structures;
- * requires the wheels of vehicles leaving premises on which there have been construction-type activities to be clean;
- * restricts vehicles in certain types of public places;
- * controls noises in public places and adjacent premises by reference to interfering with people or exceeding decibel levels. An exemption applies to the Markets;
- * prohibits soliciting, touting and spruiking-type activities in a public place absolutely and also in adjacent premises if they affect the public place. An exemption applies for the Markets;
- * controls busking-type activities and pavement artists;
- * controls plants in the context of interference with vehicular and pedestrian traffic;
- * controls various things which are likely to interfere with traffic or cause an obstruction because of people assembling;
- * requires all portable advertising signs in public places to have a permit or be allowed by town planning controls, enables such signs to be prohibited in prescribed areas unless there is a town planning permit and has requirements as to the placement of such signs;
- * controls advertisements on vehicles in public places;
- * has enforcement provisions which create offences and enable the use of infringement notices and notices to comply and directions; and

- * lists a schedule of places which are included in the scope of "public places".

ELIZABETH PROUST
Chief Executive Officer

COLAC-OTWAY PLANNING SCHEME Amendment No. L1

The Council of Colac-Otway Shire at its Planning Committee Meeting 19 October 1994, resolved to place Amendment L1 to the Colac-Otway Planning Scheme on Public Exhibition.

Location

The land is situated at the eastern end of Giffens Road, at its intersection with Roland Road, East of the Township of Barwon Downs, described in the following Certificates of Title.

Volume 9402 Folio 174 Volume 2146 Folio 022
Volume 8170 Folio 754 Volume 9402 Folio 175
Volume 8967 Folio 275 Volume 9596 Folio 919
Volume 5822 Folio 299 Volume 9506 Folio 746

Purpose

The purpose of the amendment to Chapter 7 of the Colac-Otway Planning Scheme is to Reserve the above mentioned freehold land for Water Supply Purposes.

The amendment may be inspected at the Department of Planning and Development, Oldfleet Buildings, 477 Collins Street, Melbourne; Colac-Otway Shire, Department of Planning and Development, 2-6 Rae Street, Colac or at the Department of Planning and Development, Barwon/South West Region, corner Little Malop and Fenwick Streets, Geelong.

Submissions will be received up until Monday, 30 January 1995, and should be addressed to the Director of Planning and Development, Colac-Otway Shire, PO Box 285, Colac 3250.

M. G. FEREY
Director of Planning and Development
Colac-Otway Shire

Planning and Environment Act 1987 NOTICE OF AMENDMENT TO A PLANNING SCHEME

The Shire of Mornington has prepared Amendment L57 to the Mornington Planning Scheme.

The amendment affects land at 200 Craigie Road, Mt Martha.

The amendment proposed to change the Planning Scheme by reserving part of the land for Parks and Gardens Recreational Purposes.

The amendment can be inspected at the Shire of Mornington, Queen Street, Mornington and at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne.

Submissions about the amendment must be sent to the Chief Executive Officer, Shire of Mornington, Private Bag No. 3, Mornington 3931 by 30 January 1995.

Dated 15 December 1994

ARTHUR L. COOKSLEY
Strategic Planning Manager

Physiotherapists Act 1978

INQUIRY HELD UNDER SECTION 17A

Notice is hereby given that the Physiotherapists Registration Board of Victoria held an inquiry into the activities of a registered physiotherapist, namely Mr Paul Kron, registration number 3685, and as a result of the inquiry the Board found Mr Kron guilty of unprofessional conduct due to over-servicing. Mr Kron's unprofessional conduct is also reflected in his inadequate patient records.

The Board agreed not to suspend or cancel Mr Kron's registration but to issue a severe reprimand and to impose a fine of \$5000.

The Board imposed, in relation to Mr Kron's practice, the following conditions:

- He is to undertake the process of having his practice accredited by the Australian Physiotherapy Association, and
- He is to undertake a minimum of 40 hours of Continuing Professional Education in areas approved of by the Board.

The fine of \$5000 is to be paid to the Board by 15 January 1995 and Mr Kron is to report to the Board by 15 December 1995 with evidence that he has complied with the above conditions.

Dated 16 December 1994

C. GRAEME ROBERTS
Registrar

Associations Incorporation Act 1981

Notice is hereby given that in pursuance of sub-section 10 (4) of the Associations Incorporation Act 1981 a Certificate of Incorporation was granted to Village School Inc. on 13 December 1994.

O. PAUL

Deputy Registrar of Incorporated Associations

**County Court Act 1958
ADDITIONAL COUNTY COURT
SITTING 1994**

Notice is given that an additional sitting of the County Court of Victoria will be held at Morwell to commence on Monday, 16 January 1995.

G. R. D. WALDRON

Chief Judge of the County Court of Victoria

**Subordinate Legislation Act 1994
GUIDELINES UNDER SECTION 26*
Effective 1 January 1995**

Responsible Minister:

J. G. KENNETT

Premier

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INTRODUCTION

These guidelines are designed to accompany and complement the operation of the new Subordinate Legislation Act 1994 which operates from 1 January 1995.

The Subordinate Legislation Act 1994 ("the Act") governs the preparation and making of statutory rules in Victoria. Section 26 of that Act allows guidelines to be made concerning:

- (a) the preparation, content, publication and availability of statutory rules; and
- (b) the procedures to be implemented and the steps to be undertaken for the purpose of ensuring consultation, co-ordination and uniformity in the preparation of statutory rules.

Sub-section (2) of section 26 requires guidelines to be made dealing with the matters set out in Schedule One to the Act.

These guidelines deal primarily with matters required to be included in guidelines by reason of section 26 and Schedule One of the Act and, for ease of use, they follow the order of the matters set out in Schedule One. A number of

other matters are dealt with in the guidelines and these are set out in Parts Ten, Eleven and Twelve.

These guidelines are intended to advise and assist officers responsible for the preparation of statutory rules and regulatory impact statements to comply with the Act. Whilst they should be complied with according to their terms, they cannot be seen as a substitute for reading and understanding the Act itself. In exercising responsibilities and making judgements under the Act, officers should also draw on other relevant material such as reports of the former Legal and Constitutional Committee which deal with subordinate legislation, reports of the Scrutiny of Acts and Regulations Committee and the Notes for the Guidance of Legislation Officers (1 January 1995 version) issued by the Office of the Chief Parliamentary Counsel.

Failure to comply with the Act and the guidelines may result in an adverse report from the Scrutiny of Acts and Regulations Committee. Ultimate responsibility for all decisions concerning statutory rules and regulatory impact statements lies with the relevant Minister.

DEFINITIONS

The definitions set out in section 3 of the Act apply to terms used in these guidelines. For example "statutory rule" is defined in section 3 of the Act. In particular the distinction between "the Minister", meaning the Minister administering the Act, currently the Premier, and "the responsible Minister" being the Minister administering the authorising Act under which a statutory rule is proposed to be made, should be borne in mind when reading both the Act and these guidelines to ensure that the relevant Minister complies with the requirements of both.

The term "agency" had been adopted in these guidelines in preference to the term "department". Although in the majority of cases it will be officers within Government departments who are concerned with making statutory rules, there are a number of statutory bodies responsible for the formulation of instruments which are statutory rules for the purposes of the Act. The term "agency" has, therefore, been chosen to cover all such bodies as well as government departments.

It should be noted that those instruments which had been included in the Subordinate

Legislation Act 1962 as statutory rules pursuant to section 2 (1) (d) of that Act have been deemed, by virtue of the consequential amendments made in Schedule 2 to the new Act, to be statutory rules and are subject to the requirements imposed under the new Act.

PART ONE

GUIDELINES AS TO THE TYPES OF MATTERS APPROPRIATE FOR INCLUSION IN STATUTORY RULES RATHER THAN IN ACTS OR IN INSTRUMENTS WHICH ARE NOT OF A LEGISLATIVE CHARACTER.

Regulation can be an effective policy tool. It can be used by government to achieve a range of policy objectives. Some of the rationales for regulating activity include:

- to control the way in which government agencies exercise power;
- to prevent or reduce activity which is harmful to business, the environment or to other people;
- to control the activities of companies or individuals that are in a position to exercise market power, (but not so as to protect groups from competition);
- to ensure that people engaged in some occupations possess a requisite level of knowledge and competence;
- to protect consumers against harmful products;
- to define rights, entitlements or obligations.

The impetus for a regulation may come from the agency responsible for a particular area as a solution to a perceived problem. Suggestions may also come from business and community groups. Regulations may not be new initiatives but rather suggestions for alteration to existing regimes either on the basis of over regulation or remedying a deficiency in the regulatory regime.

However, it is essential that agencies realise that to merely establish that a problem exists is not sufficient to justify the introduction of a regulation to deal with it. An objective view must be taken of the ability of any proposal to solve the problem without generating costs which are of similar, or greater, magnitude than those caused by the "problem" itself.

There are a number of different methods of regulating activities. These are:

- primary legislation (Acts)
- subordinate legislation (eg statutory rules, regulations)

- voluntary codes of conduct or self regulation
- administrative practices

There are a number of different levels of regulation, for example regulation may:

one—impose a total prohibition on an activity;

two—restrict the carrying out of an activity by regulating who may engage in the activity or by imposing conditions and limitations on the activity;

three—create an obligation to do something;

four—aim to encourage organisations and individuals to consider the impact of their activities on the community and the environment;

five—prescribe a code of practice for the conduct of an activity.

It is important to use the appropriate method so that the appropriate level of regulation is implemented to deal with the particular problem to be remedied or the objective to be achieved. The level of regulation should always be the minimum necessary to achieve a given aim at the least cost.

Primary legislation is usually drafted in general rather than specific terms with a view to avoiding the need to make frequent changes. Matters of detail liable to frequent change should, where possible, be dealt with by regulations rather than primary legislation. However, the general rule is that matters of policy, general principle and the like should be reserved to primary legislation.

Significant matters should not be included in subordinate legislation although that subordinate legislation may deal with the same issue in terms of enforcement or related matters of administration or implementation. Regulations must be consistent with the general objectives of the authorising Act. They can complete the details of a legislative scheme but cannot add new aims or ideas unless expressly authorised to do so. Regulations cannot alter anything in the Act under which they are made unless the Act expressly authorises regulations to do so but this is a power seldom conferred and not desirable.

The following are all matters which should be in primary rather than subordinate legislation:

- Matters of substance or important procedural matters (particularly where they also affect individual rights and

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liberties, eg. provisions that reverse the onus of proof, or certify evidentiary matters);

- Matters relating to a significant question of policy in that they introduce new policy or fundamentally change existing policy;
- Matters which have a significant impact on individual rights and liberties, (eg. powers of entry and search, arrest warrants, seizure and forfeiture) or which deal with property rights or traditional liberties and freedoms;
- Matters imposing significant criminal penalties (such as fines exceeding 20 penalty units or imprisonment);
- provisions imposing taxes.

By contrast, the following are more appropriately dealt with by regulation:

- matters of administrative detail that require frequent amendment or adjustment;
- matters relating to detailed implementation of policy, general principles and standards (rather than the policy, principle or standard itself);
- prescribing fees to be paid for various services;
- prescribing forms (if it is necessary that they be prescribed) for use in connection with legislation;
- addresses where applications should be lodged;
- times within which certain steps should be taken.

In understanding the difference between matters properly the subject of primary or subordinate legislation, officers may find it useful to examine a number of instances that have been found to have crossed the line in the view of the former Legal and Constitutional Committee and its successor the Scrutiny of Acts and Regulation Committee. These examples can be found in the Legal and Constitutional Committee's 24th Report on Subordinate Legislation (November 1991) pages 14–16 and the 3rd Report of the Scrutiny of Acts and Regulations Committee on Subordinate Legislation (October 1993).

In considering the most appropriate vehicle for a particular regulatory objective, agencies should consider not only primary or secondary

legislation but whether a legislative instrument is appropriate at all.

Legislative instruments differ from other forms of executive instrument in that they:

- determine the content of the law rather than simply apply the law;
- make new law or change existing law rather than simply applying criteria to a set of facts;
- contain binding rules rather than guidelines;
- usually have general application rather than applying solely to a particular case.

The following criteria can be used to assist in determining whether an instrument is legislative in character:

- whether the instrument can be traced back to a delegation of legislative power;
- whether the instrument is of general application rather than applying in a particular case;
- whether the instrument creates legally enforceable rights and obligations;
- whether the instrument contains a binding rule rather than being a guideline for decision making or conduct.

Primary legislation is obviously legislative in character. Regulations made under an Act are also legislative in character.

Alternative means of achieving a policy objective, whether primary or subordinate legislation, or a form of legislative instrument, self-regulation, voluntary codes of conduct or otherwise, must be considered and an evaluation made of the benefits and advantages expected to arise from each such alternative as compared with the costs and disadvantages both direct and indirect, tangible and intangible, in arriving at the most appropriate option.

In determining the most appropriate alternative, agencies should remember that one of the main aims of the Act is to ensure that outdated and unnecessary regulation is automatically repealed and to ensure that all new regulation is properly evaluated before being introduced.

PART TWO
GUIDELINES AS TO ALTERNATIVE
MEANS OF ACHIEVING THE OBJECTIVES
SOUGHT TO BE ACHIEVED BY A
PROPOSED STATUTORY RULE SUCH AS
SELF REGULATION OR VOLUNTARY
CODES OF CONDUCT.

The first question an agency must ask is why regulate. In many cases this will be a decision made for it by the Parliament in the structure of the enabling legislation. Agencies should give consideration to this in drafting instructions for primary legislation and discuss options with Parliamentary Counsel.

However, it should always be remembered that although almost every piece of primary legislation allows subordinate legislation to be made it is rare for an Act to actually require or dictate the precise detail of the statutory rules that may be permitted by its terms.

Most primary legislation includes a power to make subordinate legislation. The next question agencies must ask is whether the primary legislation requires that the matter be dealt with in subordinate legislation or whether it is necessary to enable the effective operation of the primary legislation that the matter be dealt with. If the answer is no, alternatives should be considered.

Even if subordinate legislation is required, the nature of that subordinate legislation is almost always a matter within the discretion and judgement of the relevant agency of the Executive Government acting under the authority delegated by the Parliament.

There are numerous forms or levels of regulation as outlined in Part One of these guidelines.

There are also numerous alternatives to subordinate legislation as a means of dealing with a particular problem. These include:

- providing better information to affected groups to make them more aware of their rights;
- introducing voluntary codes of practice;
- expanding the coverage of existing law;
- aiming to encourage organisations and individuals to consider the impact of their activities on the community and the environment;

- prescribing a code of practice for the conduct of an activity.
- taking action to develop efficient markets where these would deal with the issue.

As a means of regulation, statutory rules have a number of advantages and disadvantages. They are usually quicker to implement than primary legislation. On the other hand, they are more inflexible than codes of conduct or administrative controls. They often involve substantial administrative and compliance costs. These costs often have their greatest impact on business. At a time when Victorian business is striving to improve its overall performance and particularly its export performance, it cannot afford to be harmed by unnecessary regulation.

The first three levels of regulation outlined in Part One of these guidelines could be implemented by either primary or subordinate legislation. The fourth and fifth levels of regulation could be implemented by a voluntary code of practice or performance standards where appropriate.

Each alternative should receive consideration by a agency before a final decision is made on how to deal with a particular problem.

In determining the most appropriate option, agencies should bear in mind the Government's commitment to the development of fair trading in an efficient, competitive and informed market place.

The use of codes of practice has become increasingly widespread in Victorian regulation. Codes are usually employed to incorporate large bodies of technical specifications or to provide guidance in ensuring compliance with generally worded "performance based" regulation.

Codes may be voluntary or compulsory in nature. A voluntary Code of Conduct may be the most appropriate form of "regulation" in some circumstances, for example, the Code of Conduct recently endorsed by the Office of Fair Trading in respect of the Furniture Removers' Associations. That code is an illustration of the substantial benefits that self regulation can have for both consumers and ethical traders. A code of this nature does not need to be included in any form of subordinate legislation.

Whilst the community can benefit from responsible consumer legislation, regulation can add to business costs which can also disadvantage the consumer. Effective self

regulatory codes have the potential to educate and provide information to both consumers and traders about their rights and responsibilities while retaining service standards and consumer confidence.

In assessing the appropriateness of a voluntary code, agencies should consider the benefits or disadvantages to business if not all firms choose to implement the code. The consequences of non-compliance should be one of the factors considered in designing a regulatory system which makes use of codes.

In all cases, the option chosen should be, demonstrably, the alternative involving the least net cost or the greatest benefit.

PART THREE GUIDELINES AS TO THE APPROPRIATE CASES IN WHICH A PROPOSED STATUTORY RULE SHOULD SET PERFORMANCE STANDARDS RATHER THAT PRESCRIBING DETAILED REQUIREMENTS.

The range of regulatory options has been discussed in Parts One and Two of these guidelines. The option chosen will vary with the nature of the policy objective and should be consistent with and appropriate to the achievement of that objective, with it being neither more nor less regulatory than is necessary.

In order to ensure that the most appropriated policy option is adopted, it is important that the policy objective sought to be achieved by the proposed rule is developed early. If an objective is poorly defined, it may lead to the wrong option being chosen.

For example, the objective of a proposal to regulate to forbid certain conduct, perhaps prompted by environmental or consumer concerns, could be stated in a number of ways. It may be to make those responsible for the conduct liable for the costs incurred by third parties. Regulation may be the best tool to achieve an objective stated in this way.

However, another description of the objective may be to protect consumers from the conduct in question or to reduce their vulnerability. It is less obvious in this case what action would best achieve this objective. Several alternatives could be considered in addition to regulation, including a public awareness advertising campaign, a voluntary code of practice that could be observed by companies or quality

standards to be observed by particular business operations. An accurate statement of objectives ensures that all alternatives are properly considered. The statement of objectives has, therefore, an important bearing on the decision whether to proceed with regulation and the form of that regulation.

An agency should have clearly defined the objective sought to be achieved and whether prescriptive regulation is the most cost effective method to achieve that objective in each case. If the enabling Act permits, a proposed statutory rule should aim to set performance standards rather than prescribe detailed rules in relation to technical matters.

As stated in Part Two of these guidelines, among alternative approaches to any given regulatory objective, the alternative involving the least net cost or the greatest benefit to the community should normally be chosen.

In considering the type or level of regulation which may be appropriate, a realistic consideration of the relationship between the cost of different regulatory structures and their effectiveness in achieving the identified objective should be paramount.

PART FOUR A. GUIDELINES AS TO PROCEDURES TO BE ADOPTED TO ENSURE THAT THE NEED FOR THE STATUTORY RULE CAN BE JUSTIFIED.

The need to properly define the policy objective, as discussed in Part Three of these guidelines, is equally important in ensuring that a decision to proceed with a statutory rule can be justified.

The initial stage of the regulation making process should commence with an assessment of whether the "problem" identified is of sufficient magnitude to require action. If so, then consideration of the action required should include consideration of a wide range of alternative measures and the likely impact of each so as to establish that the regulatory proposal is the most effective means of dealing with the "problem" or achieving the objective. This is the aim of any Regulatory Impact Statement ("RIS") but efficiency requires that that process is only undertaken in respect of the regulatory alternative that emerges after there has been real consideration to the objective to be achieved and the alternatives by which it could be achieved.

Resources should not be wasted in the detailed development of a policy which is later shown not to have been a realistic option. There is little benefit in attempting to justify a means of policy implementation if the policy itself is not the best alternative available.

Judgment is required in the identification of the objective of the proposed statutory rule. It should be sufficiently broadly specified to allow consideration of all the relevant alternative measures, while being sufficiently precise to produce a manageable range of options for consideration.

It must always be remembered that a statutory rule can only cover matters which are permitted by its enabling Act. Such matters are those which are either—

- (1) authorised by the enabling Act, for instance by use of the word "prescribed"; or
- (2) referred to in the regulation-making powers set out in the enabling Act; or
- (3) within the scope of a general regulation-making or prescription power of the enabling Act and necessary to enable the effective operation of that Act; or
- (4) consistent with the purpose and objective of the enabling Act.

In deciding whether to proceed with a statutory rule the responsible Minister should have regard to the following principles:

- Regulatory action should not normally be undertaken unless the potential benefits from the proposed statutory rule outweigh the potential costs to business and the wider community;
- Regulatory objectives should be chosen to maximise the net benefits; and
- Regulatory priorities should be set with the aim of maximising the aggregate net benefits, taking into account the prospective effects of each proposal upon the economy and upon every section of industry or commerce, the environment, or of consumers or members of the public or of the State, which may be affected.

There are several different types of costs that should be considered in deciding whether to proceed with a particular rule. The first is the financial costs. These include the costs of

administration of the regulation, the burden of compliance on the regulated group and the flow-on costs to the consumer who may face higher prices for goods and services as a result of regulation. However, social and environmental costs must also be considered along with financial costs.

There can be difficulties in measuring costs and benefits and it is not always clear which alternatives impose the least cost. This is because it is difficult to accurately measure intangibles such as quality of life or other social benefits.

However, agencies should consider all practicable alternatives and seek to ensure that the best possible attempt is made to measure costs and benefits and the choice made is based on the best possible information.

Where a proposed statutory rule is of a type which requires completion of a RIS, that process should ensure the economic, social and environmental costs are properly assessed. However, even for proposed rules which do not require a RIS, agencies should still be conscious of the need to ensure that the regulatory option can be justified.

B. GUIDELINES AS TO PROCEDURES TO BE ADOPTED TO ENSURE THAT THE OBJECTIVES OF A PROPOSED STATUTORY RULE ARE FORMULATED AND INCLUDED IN ANY PROPOSED STATUTORY RULE.

Before a statutory rule is proposed to be made the objectives sought to be achieved and the reasons for them should be clearly formulated and defined. Those objectives must be checked to ensure that

- they are reasonable and appropriate;
- they are capable of being clearly and succinctly set out;
- they accord with the objectives, principles, spirit and intent of the enabling Act;
- they are not inconsistent with the objectives of other legislation, statutory rules and stated government policies;
- their achievement would not involve costs or disadvantages which are greater than the benefits or advantages sought to be achieved.

In formulating the objective of a proposed rule, a agency should ask itself what is the purpose of the rule?

Section 10 (1) (a) of the Act requires that a statement of the objective of a proposed rule must be set out in a RIS. However, this does not mean that a proposed rule which does not require a RIS does not also require a statement of its intent and objectives. All new and amending statutory rules should include a statement of their purpose. A clear statement of the effect of a proposed rule must also be included in the Explanatory Memorandum which must accompany any proposed rule which is to be submitted to the Governor in Council, the form of which is discussed in Part Eight of these guidelines.

Proper identification of the objectives is of critical importance because this will assist in identifying the best alternative deal with the problem to be addressed or the objective to be achieved.

PART FIVE

A. GUIDELINES AS TO THE PROCEDURES TO BE ADOPTED TO ENSURE THAT AN AGENCY PREPARING OR CONSIDERING A PROPOSED STATUTORY RULE IDENTIFIES AND CONSULTS ANY OTHER AGENCY RELEVANT TO THE SUBJECT MATTER OF THE PROPOSED STATUTORY RULE.

Under section 6 (a) of the Act, the responsible Minister must ensure that there is consultation in accordance with these guidelines with any other Minister whose area of responsibility may be affected by a proposed statutory rule. The aim of the consultation is to avoid any overlap or conflict with any other existing or proposed statutory rule or legislation.

Agencies considering a new regulatory initiative or a change to an existing regulatory regime should seek the views of any other agency that may be affected by the proposal or the policy position it represents.

If a proposed statutory rule may impinge upon or affect the area of responsibility of another agency or statutory body, consultation should take place with a view to ensuring that any differences are reconciled and that there is no overlapping or duplication of, or conflict with, legislation, statutory rules or stated government policies administered by that agency or statutory body.

This consultation should occur early in the development of policy options and, in any event, must take place before external consultation is undertaken and before notice of a RIS is given under section 11 of the Act.

Any areas of significant disagreement between agencies should be referred to Ministers for resolution or brought to Cabinet, or the appropriate committee of the Cabinet, for consideration.

In all cases where the regulatory proposal has the potential to impact on business or any significant sector of economic activity, the proposing agency should seek the views of the Office of Regulation Reform within the Department of Business and Employment.

B. GUIDELINES AS TO THE PROCEDURES TO BE ADOPTED TO ENSURE THAT WHERE APPROPRIATE, INDEPENDENT ADVICE IS OBTAINED AS TO THE NATURE AND CONTENT OF THE PROPOSED STATUTORY RULE.

The Act and these guidelines set out certain requirements in relation to consultation on the nature and content of a proposed statutory rule. There will also be circumstances where a responsible Minister should obtain independent expert advice concerning a proposed rule. Where the nature of the rule is such that the Regulatory Impact Statement process is required to be completed, section 10 (3) of the Act requires the responsible Minister to ensure that independent advice on the adequacy of the RIS, and of the assessment included in the RIS is obtained and considered. In seeking that advice the key elements of the RIS need to be remembered. Those elements are—

- assessment of the nature and extent of the problem to be addressed;
- statement of the objective to be achieved;
- assessment of the expected benefits of the proposed rule, being economic, environmental and social benefits, both tangible and intangible;
- assessment of the anticipated economic, environmental and social costs, including likely administration and compliance costs, of the proposed rule, including resource allocation costs;
- identification and quantification of the benefits and costs of each of the practicable alternatives to the proposed rule.

The RIS, as required by the Act, is designed to be the principal or final rather than the initial consultation document. This is because it is designed to address a range of policy options which may not be identified or developed until there has been at least initial consultation with persons and bodies potentially affected by the proposed rule.

The RIS should not be released for public comment until the Minister has received independent advice that the statement adequately addresses the matters required to be included in the Statement by reason of section 10 of the Act.

In seeking the services of a person to provide advice as to the adequacy of a RIS, agencies and Ministers need to remember that the Act requires that the advice be independent. Independent in this sense does not necessarily mean independent of government but independent of those developing the policy and the proposed statutory rule. If a unit within the same agency as that developing the policy is used to provide independent advice as to the adequacy of a particular RIS, care should be taken to ensure that the advice provided is, and can be seen to be, independent.

The Office of Regulation Reform in the Department of Business and Employment is available to provide an assessment service to other agencies. It is also open to the responsible Minister to engage the services of qualified individuals or firms external to government.

Ministers and agencies should take care to ensure that those engaged to provide the requisite advice under section 10 (3) have the skills to provide advice as to the scope of the issues to be considered in the RIS and have the cost assessment techniques required for the evaluation of the costs and benefits, being economic, environmental, and social, as well as the various means of achieving the stated policy objective and the costs and benefits of those alternatives.

It is for the Minister to determine at what stage he or she seeks expert advice on the development of a regulatory proposal. In some circumstances where there is a major regulatory initiative it may be appropriate that the services of a suitably qualified consultant be engaged early in the policy development process. However, in choosing a person to provide advice as to the adequacy of the RIS as required under section 10 (3) of the Act, care should be taken to

ensure that advice is not open to the criticism that it is not truly independent.

In all cases it needs to be remembered that it is the responsible Minister proposing the making of the proposed rule who must certify to the Governor in Council and to the Parliament under 10 (4) of the Act that the RIS complies with the requirements of the Act.

If engaging consultants external to government, agencies should also consult the Guidelines for the Engagement and Management of Consultants issued by the Office of Public Sector Management, Department of Premier and Cabinet.

**C. GUIDELINES AS TO THE
PROCEDURES TO BE ADOPTED TO
ENSURE THAT PROPER CONSULTATION
TAKES PLACE WITH ANY SECTOR OF
BUSINESS OR OF THE PUBLIC WHICH
MAY BE AFFECTED BY THE PROPOSED
STATUTORY RULE.**

This Part sets out consultation requirements in relation to a number of types of statutory rule. However, in considering in any case the appropriate level of consultation, agencies should remember that the emphasis of the Act is on the responsibility of Ministers to the Parliament in exercising the legislative powers delegated to them by the Parliament.

The Government recognises that appropriate consultation is important in deciding whether a statutory rule should be made and, if so, in formulating that rule. That consultation may be within Government, as between different agencies, and with sectors of the business and the wider community potentially affected by the rule or in whose interests the proposed rule is directed. The nature and degree of consultation that is appropriate for any particular rule will vary with the nature of that rule.

Section 6 (b)

Under section 6 (b) of the Act the responsible Minister must ensure that there is consultation in accordance with these guidelines with any sector of the public on which an appreciable economic or social burden may be imposed by a proposed statutory rule. The aim of the consultation is to ensure that the need for and the scope of the proposed statutory rule is considered.

If the proposed statutory rule is likely to impose any appreciable burden, cost or disadvantage on any sector of the public, consultation should take place with that sector,

eg business groups, community groups, special interest groups. The consultation should include discussion of the need for and method of, the proposed regulation.

In formulating a proposed statutory rule it is important that all relevant costs and benefits are identified. This is particularly the case with indirect benefits which may not be readily apparent. To assist in ensuring that all effects are identified it is helpful to consider in turn the impact of the proposed regulation on—

- individuals directly affected by the regulation;
- particular industries directly affected;
- the economy and the community at large.

It is only possible to state that the proposed rule will yield the maximum net benefit if all the relevant effects have been identified.

Rules excepted for the RIS process under section 8

Section 8 of the Act excepts certain classes of statutory rule from the RIS process.

Section 8 (1) (a) excepts proposed statutory rules which increase fees in respect of a financial year by an annual rate that does not exceed the annual rate approved by the Treasurer in relation to the State Budget for the purposes of that section.

Where a proposed rule does no more than effect an increase in accordance with that annual rate, then no particular consultation is required under section 6 (b) other than that which may be undertaken by the Treasurer and the Department of the Treasury in the normal process of overall budget development. The Budget strategy sets out the financial plan for the State for a twelve month period. The integrated nature of that strategy should not be disturbed except by subsequent Government decision. Any specific consultation about an individual regulation which implements part of that strategy would be of little benefit. However, increases in fees outside the percentage allowed for in the Budget are subject to the RIS and consultation processes

Section 8 (1) (b) excepts a proposed statutory rule which relates only to a court or tribunal or the procedure, practice or costs of a court or tribunal. Where such rules are made by a court then the level and nature of consultation is a matter for that court in formulating the rule. In all other cases falling under this sub-section sufficient consultation should take place with

the courts, representative bodies of the legal profession and other relevant interest groups to ensure that the rule is the most effective alternative available.

Section 8 (1) (c) excepts a proposed statutory rule which only prescribes an equalisation factor for the purposes of the Land Tax Act 1958. If a proposed rule does no more than set such a factor, no consultation is required under s8 (1) (b).

Section 8 (1) (d) (i) and (ii) except proposed rules to be made under section 4 (1) (a) or (b) which relate to the declaration of instruments as falling within or without the definition of statutory rule. In the case of such rules no consultation is required save for consultation with the relevant responsible Minister or the body responsible for the rule and that required under section 4 with the Scrutiny of Acts and Regulations Committee.

Section 8 (1) (d) (iii) except a proposed statutory rule which extends the life of a sunset regulation under section 5 (4) of the Act. In such a case the proposed rule can only continue an existing regulatory regime. Given that the purpose of the extension is to allow time for the RIS process to be completed no consultation is required under section 6 (1) (b). Rules exempted from the RIS process under section 9

Section 9 (1) (a) allows the relevant responsible Minister to exempt a particular statutory rule from the RIS process if in his or her opinion the rule would not impose an appreciable economic or social burden on a sector of the public.

In the case of such a rule, consultation is only required under section 6 (b) if it is necessary to determine whether an appreciable burden would be imposed by the rule and the sector of the public on which that burden would fall. The level and nature of the consultation required in each case will be a matter for the relevant responsible Minister. In this context it is important to remember that the Minister not only has to provide the Scrutiny Committee with a certificate of consultation under section 6 (c), but is required to give reasons as to why he or she is of the opinion that the proposed rule does not impose an appreciable economic or social burden on a sector of the public under section 9 (2).

Section 9 (1) (b) allows the relevant responsible Minister to exempt a proposed statutory rule from the RIS process if he or she

is of the opinion that the proposed rule is required under a national uniform legislation scheme and an assessment of costs and benefits has been undertaken under that scheme.

In the case of such a rule, the Minister should take care to ensure that the impact of the scheme, particularly of Victorian business, has been properly assessed and be satisfied that there has been adequate consultation with the business community. This consultation may take place during the development of the national scheme and the decision as to Victoria's entry into that scheme. If this is the case, then the requirement for consultation under section 6 (b) is satisfied. However, the responsible Minister is still required to provide a certificate of consultation to the Scrutiny Committee under section 6 (c).

Section 9 (1) (c) allows the relevant responsible Minister to exempt a proposed statutory rule from the RIS process if he or she is of the opinion that the proposed rule is fundamentally machinery or declaratory in nature. In the case of such a rule no consultation is required under section 6 (b) as consultation on instruments of a minor machinery nature would be of little benefit or value in light of the limited nature of the matters allowed under this exemption.

Section 9 (1) (d) allows the relevant responsible Minister to exempt a proposed statutory rule from the RIS process if he or she is of the opinion that the proposed rule deals with the administration or procedures within or as between departments or declared authorities within the meaning of the Public Sector Management Act 1992. In the case of such a rule, consultation is required under section 6 (b) with the Public Service Commissioner but otherwise the level and nature of the consultation required is a matter for the responsible Minister.

Section 9 (1) (e) allows the relevant responsible Minister to exempt a proposed statutory rule from the RIS process if he or she is of the opinion that notice of the proposed rule would render the rule ineffective or would unfairly advantage or disadvantage any person likely to be affected by the proposed rule. This exemption relates to situations such as the requirement for urgent environmental or species protection regulation where notice would allow a scarce resource to be exploited pending operation of the proposed statutory rule. In such cases there is no requirement for consultation

under section 6 (b) if the Minister does not believe that it is appropriate.

Consultation with Business

Agencies should take particular care to ensure that regulatory proposals do not unduly impact on business and the net benefit justifies any impact on business.

Those affected by a proposed statutory rule, particularly the business community, have an important role in identifying and considering alternative methods of achieving the stated objectives. For example the people involved in a particular industry build up a wealth of knowledge about its historical development, current operation and future direction and the interrelationships with other industries and economic activities. These people can greatly assist in the identification of innovative techniques for dealing with the particular community concerns about the industry. Submissions that provide further relevant information on alternatives to a regulatory proposal should always be considered carefully.

Business has extensive knowledge about the costs of regulatory proposals. For example a firm may be able to estimate the impact of a new regulation on the cost of its operations. This kind of information greatly assists in evaluating the alternatives.

The RIS process gives the business and wider community an opportunity to communicate to Government any concerns it may have about regulations affecting its activities. One of the aims of the RIS and the consultation process is to provide a mechanism where by it is possible to draw on information and comment from the widest possible sources thereby exposing any subjectivity or faulty reasoning in the regulatory proposal and ensuring that competing interests are recognised and considered.

If the RIS and the consultation process is properly undertaken any resulting regulation should represent the most balanced, cost effective and least intrusive solution to an actual problem.

Consideration of Submissions

It should be remembered that Ministers can only have a duty to consult in appropriate cases at the initial stages and at the RIS stage. Under section 11 (3) of the Act the responsible Minister is required to consider all submissions and comments received on a draft statutory rule where a RIS has been prepared. If the agency

does not adequately address valid criticisms and suggestions made this omission may be highlighted later by the Scrutiny of Acts and Regulations Committee.

PART SIX GUIDELINES AS TO CIRCUMSTANCES IN WHICH A STATUTORY RULE IMPOSES AN APPRECIABLE COST OR BURDEN ON A SECTOR OF THE PUBLIC.

An understanding of when a statutory rule imposes an appreciable economic or social burden on a sector of the public is important for consultation processes under section 6 (b) and exemption for the RIS process under section 9 (1) (a).

In considering whether a proposed rule imposes an appreciable cost or burden on a sector of the public, an agency must consider two aspects:

- (i) whether the proposed rule has the requisite impact on a "sector of the public"; and
- (ii) whether the proposed rule imposes "an appreciable, cost or burden" on that sector of the public.

In considering the first aspect, whether a sector of the public is involved the rule must have an impact on a sector. The question of how many people constitute a sector of the public is a matter of judgement and degree in each case depending on the nature of the proposed regulations.

Burden is variously defined as:

- a load, weight; that which is grievous, oppressive, or difficult to bear; an obligation: any restriction, limitation or encumbrance affecting person or property (Chambers 20th Century Dictionary—New Edition, 1983)
- that which is carried; a load; that which is borne with difficulty; the duty to discharge an obligation or responsibility; that part of the cost of manufacture which is not directly productive oncost; to load heavily; to load oppressively; oppress (Macquarie Dictionary, 1981)
- that which is borne, a load; an obligatory expense; a load as a measure of quantity (The New Shorter Oxford English Dictionary, 1993)

"Appreciable" is variously defined as:

- capable of being estimated; perceptible; considerable (The Australian Concise Oxford Dictionary—7th edition)
- capable of being appreciated, valued, or recognised by the mind; perceptible, sensible (The Shorter Oxford English Dictionary—2nd edition)
- capable of being perceived or estimated, noticeable (Macquarie Dictionary, 1981)
- worth esteeming; able to be estimated or judged; perceptible, considerable (The New Shorter Oxford English Dictionary, 1993)
- capable of being estimated, perceptible (Chambers 20th Century Dictionary—New Edition, 1983)

Although the definitions suggest that relatively small burden would be sufficient to be termed "appreciable" it is also clear from those definitions that the burden needs to be something real and more than just theoretical. There must be an actual impact.

In considering whether a particular proposed statutory rule imposes an appreciable burden, agencies should consider factors such as:-

- does it impose significant penalties for non-compliance;
- does it impact on individual rights and liberties;
- will it impact on business.

Generally, statutory rules which impose fees or charges will impose an appreciable burden within the meaning of the Act. However, there may be cases where a very minor fee, such as a photocopying charge is imposed, or only a small group is involved. In assessing whether a proposed rule does in fact impose an appreciable burden agencies should consider the level of the fee, the impact it may have on an individual and the overall size of the particular revenue base involved in relation to the particular fee imposed.

Statutory rules which reduce existing fees or charges payable do not impose an appreciable burden so as to require the preparation of a RIS if they do nothing else which would warrant the preparation of a RIS. Rules being remade, but re-imposing an existing fee or charge at level, do impose a burden and require a RIS to ensure review of the continuing appropriateness of the fee and the level of that fee.

PART SEVEN

GUIDELINES AS TO THE APPLICATION, ADOPTION OR INCORPORATION OF MATTER IN A STATUTORY RULE.

Regulations often refer to and apply documents which are widely used but are not themselves of a legislative character, such as Australian Standards published by the Standards Association of Australia. This is a drafting practice known as "incorporation by reference".

Without it the substance of the documents to be adopted would have to be repeated in full in subordinate legislation. This would often be cumbersome as the documents referred to may be thousands of pages in length. Properly used, incorporation by reference can be a sound drafting technique which is consistent with plain english drafting. It can be particularly important as a means of ensuring national uniformity of regulations where that is an important and desirable consideration.

Section 32 of the Interpretation of Legislation Act prescribes the procedural requirements which must be fulfilled whenever a statutory rule applies, adopts or incorporates material by reference. Agencies should ensure compliance with the requirements of that section as amended by the Subordinate Legislation Act 1994.

When considering whether to incorporate a particular document in a statutory rule it should be remembered:

1. that the provisions of the rule will only refer to the incorporated material and members of the public affected by the rule must see the incorporated document before they can understand the contents and effect of the rule.
2. that the incorporated material may not be readily available at a reasonable cost.
3. that the procedures set out in s.32 are designed to facilitate the Parliamentary overseeing the incorporation of material and to ensure that such material is publicly available so that members of the public affected by the rule can have access to the rules with which they must comply.

It needs also to be remembered that the incorporated material may not be a single document. The problem is exacerbated by the drafting style adopted by the Standards Association of Australia as these standards are

frequently not self contained but adopt the provisions of other standards. This can create a chain of material incorporated by reference leading to the possibility that the need to table a particular document will be overlooked.

The aim of the procedures set out in section 32 of the Interpretation of Legislation Act is to guarantee the availability of any material which is incorporated into a statutory rule by reference to ensure that citizens may have access to the laws with which they must comply.

In deciding whether to incorporate material by reference, agencies need to take care to balance the drafting convenience with ease of access to the incorporated material and understanding of it by those affected by it or required to comply with it. Agencies should reserve the use of incorporated detailed and extensive technical material to regulations concerning industries familiar with and using the material. The use of the material then has the benefit of removing duplication. In such cases agencies should also consider whether performance standards are the more appropriate means of regulation.

Agencies need to remember that in order to ensure that the incorporated materials are available for consultation by the public, section 32 requires that the material must be kept available for inspection during normal office hours by member of the public without charge at the department of the Minister administering the Act under which the rule is made or some other appropriate public office specified by the Minister in a notice published in the Government Gazette. A person may not be convicted of a contravention of a subordinate instrument or be made subject to liability imposed by a subordinate instrument if, at the time the alleged offence was committed or the liability imposed, the material was not available for inspections as required by the Act.

In order to ensure that both the Parliament and the public are informed as to the obligations imposed by regulations when incorporated material is amended the material as amended must be tabled and kept available for public inspection.

Where it is proposed that a statutory rule incorporates material, all material necessary to ensure compliance should be tabled. This includes not only primary references but references to documents at a secondary or tertiary level unless such references are

irrelevant to the substance of the regulation, are unnecessary or merely comprise a reference back to the primary reference material. Unless all relevant material is tabled the regulation does not effectively apply, adopt or incorporate the material.

PART EIGHT GUIDELINES AS TO THE STYLE AND LANGUAGE TO BE USED IN DRAFTING STATUTORY RULES.

Agencies should consult the Office of Chief Parliamentary Counsel in drafting statutory rules.

The Office of Chief Parliamentary Counsel plays two roles in the regulation making process. First, it provides general assistance to agencies in setting the form and content of statutory rules.

Second, under section 13 of the Act, a proposed statutory rule that is to be made by, or with the consent or approval of the Governor in Council must be submitted to the Chief Parliamentary Counsel for the issue of a certificate by Chief Parliamentary Counsel concerning the criteria set out in that section, that is whether the proposed rule:

- (a) appears to be within the powers conferred by the authorising Act;
- (b) appears without clear and express authority being conferred by the authorising Act:
 - (i) to have a retrospective effect; or
 - (ii) to impose a tax, fee, fine, imprisonment or other penalty; or
 - (iii) to shift the onus of proof to a person accused of an offence; or
 - (iv) to sub-delegate powers delegated by the authorising Act;
- (c) appears to be consistent with the general objectives of the authorising Act;
- (d) appears to be consistent with and to achieve the objectives set out in the proposed statutory rule or, if the proposed statutory rule is to amend an existing statutory rule, the objectives set out in the existing statutory rule;
- (e) appears to be consistent with principles of justice and fairness;
- (f) appears significantly or substantially to overlap or conflict with any other statutory rule or legislation;

(g) is expressed as clearly and unambiguously as is reasonably possible.

In drafting a statutory rule, agencies should consult and comply with Notes for the Guidance of Legislation Officers (1 January 1995 version) issued by the Office of the Chief Parliamentary Counsel.

Agencies have an interest in ensuring statutory rules are accurately and clearly drafted as, apart from making the rules more accessible to the public, this will reduce their vulnerability to adverse review in a court of law as being in excess of the power set out in the authorising Act.

If the statutory rule refers to any other statutory rule, the rule must contain a foot note or endnote identifying the rule referred to and all other rules which amend the rule referred to. If a statutory rule identified in a footnote or endnote has been reprinted in accordance with section 18 of the Act, the footnote or endnote may refer to that reprint, the last statutory rule incorporated in the reprint and any statutory rule which has amended the reprinted statutory rule after it was reprinted.

All statutory rules must be expressed:

- in language that is clear and unambiguous;
- in a way which ensures that their meaning is certain and there are no inconsistencies between provisions;
- in language that gives effect to its stated purpose;
- consistently with the language of the empowering Act; and
- in accordance with plain English drafting standards.

A statutory rule should:

- not duplicate, overlap or conflict with other statutory rules or legislation;
- always reflect the intention and promote the purpose of the authorising statute.

A statutory rule must—

- not conflict with the letter and intent of the enabling Act;
- clearly set out as part of its text—
 - the objectives of the rule; and
 - the precise provision authorising the rule;
- not deal with matters outside the scope of its objectives.

An Explanatory Memorandum must be prepared to accompany any statutory rule it is proposed to put to the Governor in Council. This Memorandum should set out the nature and extent of any changes effected by the new statutory rule and the reason for the changes particularly in cases where no RIS has been prepared. The Explanatory Memorandum is particularly important where the proposed rule contains complex or detailed technical information.

The explanatory memorandum should take the following form:

- a brief outline of each provision;
- an explanation of the changes effected by each provision;
- a statement of the reasons for making the rule;
- where applicable, the reasons why no regulatory impact statement was prepared.

PART NINE

GUIDELINES AS TO THE PRINTING AND SUBMISSION OF STATUTORY RULES TO THE GOVERNOR IN COUNCIL AND THE PROVISION OF STATUTORY RULES TO THE SCRUTINY OF ACTS AND REGULATION COMMITTEE.

Where a statutory rule is made by the Governor in Council, the Clerk of the Executive Council must send a copy of the rule signed by the Clerk to the Government Printer and to the Chief Parliamentary Counsel.

If a statutory rule has been made otherwise than by the Governor in Council, the authority making the rule must send a copy to the Government Printer and to the Chief Parliamentary Counsel with—

- a certificate by the authority stating that the copy is a true copy of the rule; and
- if the rule is made subject to the consent or approval of the Governor in Council, a minute of that consent or approval signed by the Clerk of the Executive Council.

The Government Printer must, as far as possible, number consecutively all statutory rules in the order in which they are received, beginning each year with the number "1".

A statutory rule must be printed with the following matter at the head of the first or only page—

- (a) the number given to the rule;
- (b) the title of the Act under the authority of which the rule is made;
- (c) the title or subject matter of the rule;
- (d) the date on which the rule is made;
- (e) any footnotes or endnotes included in the rule in accordance with Part Eight of these guidelines.

When the Government Printer has printed a statutory rule, the Printer must send—

- (a) one copy to the Clerk of the Legislative Council;
- (b) one copy to the Clerk of the Legislative Assembly;
- (c) one copy to each member of the Legislative Council and the Legislative Assembly which has requested a copy of the particular rule in accordance with section 15 (3) of the Act;
- (d) seven copies to the Scrutiny of Acts and Regulations Committee;
- (e) one copy to the Attorney-General;
- (f) one copy to each of the librarians of the Supreme Court Library, the Library of the Department of Justice and the libraries of the Law Schools of all Universities in Victoria.

The notice of making and availability of statutory rules printed under section 17 of the Act should specify—

- (a) the title of the Act under the authority of which the rules were made;
- (b) the number given to the rules;
- (c) the title or subject matter of the rules;
- (d) the purchase price of a copy of the rules or a reference to the method of calculating the purchase price.

PART TEN EXEMPTION FROM THE RIS PROCESS

Section 9 of the Act allows the relevant responsible Minister to exempt a particular proposed statutory rule from the RIS process if her or she is of the opinion that the proposed rule falls within one of the five grounds of exemption set out in section 9 (1).

If the Minister is of the opinion that the particular rule is exempt then in making the written certification of his or her opinion, the

Minister must also specify the reasons for that opinion.

The Act does not set out any form for an exemption certificate under section 9 but Ministers and agencies should take care to ensure that the certificate covers the following—

One—the name of the proposed statutory rule;

Two—the subsection of section 9 (1) under which the exemption is made;

Three—an outline of the nature and effect of the proposed rule including the proposed operative date and the reason for that date;

Four—the reason why the proposed rule falls within the relevant exemption, i.e. what is it about the nature and effect of the rule, including the operative date of the rule which corresponds with the matters covered by the exemption.

Agencies should note the requirement under section 9 (5) and (6) that a copy of the exemption certificate be given to the Scrutiny of Acts and Regulations Committee as soon as practicable after the rule is made and that a copy of the exemption certificate must be laid before each House of the Parliament at the same time as the statutory rule is so laid under section 15 of the Act.

Agencies should remember that section 9 does not require a Minister to exempt any given proposed statutory rule from the RIS process but only enables a Minister to do so. The RIS process may still be undertaken if the Minister believes that is appropriate or desirable.

PART ELEVEN PREMIER'S CERTIFICATES

Section 9 (3) of the Act retains the power of the Premier to exempt a proposed statutory rule from the RIS process where the Premier is of the opinion that in the special circumstances of the particular case the public interest requires that the proposed statutory rule be made without complying with the RIS process under section 7 of the Act. This power is for use in cases of emergency or overriding public interest. Moreover such an exemption can only be given if the proposed rule is to sunset within 12 months.

Agencies should not seek the Premier's views as to the granting of an exemption certificate rules unless there are overwhelming grounds on which the Premier could reach the opinion that in the special circumstances of the particular case the public interest requires that the proposed rule be made without complying with the RIS process.

A request for a Premier's certificate will not be considered unless the request is made in writing by the responsible Minister at least 14 days before the date on which it is sought to have the proposed rule made.

The Premier is required to form an opinion that at the time the statutory rule is proposed to be made that the special circumstances of the particular case require that the rule be made without completing the RIS process. Certificates can only be granted for statutory rules that have been finalised and not for draft or potential rules. A copy of the settled rule should be provided with the request for the certificate together with a copy of the advice provided by Chief Parliamentary Counsel under section 13 of the Act. The application for a certificate must set out evidence of the public interest so as to enable the Premier to form the requisite opinion. There are no set criteria for determining the public interest and each case must be argued on its merits.

Agencies should be aware that, subject to section 5 (2) of the Act, statutory rules will sunset on the tenth anniversary of their making. Agencies should therefore maintain accurate records of the sunset dates for all statutory rules administered by the Ministers to whom the agency reports and allow sufficient time for the review of the continuing appropriateness of the regulations and for the completion of the RIS process if they are to be made in whole, part or in a modified form.

Should a situation arise where insufficient time has been allowed for the completion of the RIS process in relation to a sunset regulation, section 5 (4) of the Act allows the responsible Minister to extend the life of a sunset regulation for a further period of up to twelve months during which time the regulatory impact statement will be completed. This will avoid the need to make interim regulations as occurs currently. Agencies should note that only one such extension can be made and that a request for a Premier's certificate will not be considered in such cases.

Agencies should not make requests for Premier's certificates lightly. It must be remembered that the Premier's power to grant exemptions is not intended to operate as an alternative means of making statutory rules. The purpose of the exemption is to ensure that matters of genuine public interest can be made without delay. There is a need in each case to balance the public interest in the consultation

and cost assessment involved in the RIS process and the need to make regulations without delay in emergency situations.

Agencies should also note that section 9 (4) of the Act provides that the Premier cannot grant a certificate unless the proposed statutory rule is to expire on or before 12 months after its commencement date. In considering whether to make a request for a Premier's certificate in any case, agencies should not expect that the twelve month period will automatically be the period allowed. In all cases the aim will be to allow only the shortest possible period necessary to enable the RIS process to be undertaken unless exceptional circumstances are involved.

PART TWELVE GENERAL NOTES ON REGULATORY IMPACT STATEMENTS

The RIS must properly assess the cost and benefits but it need not be an elaborate economic thesis. What agencies should seek to produce is a commonsense document which provides an honest assessment of the foreseeable impact of the proposed regulation. This assessment should be supported by the available facts, including costs estimates.

The RIS should allow a reader to understand the costs and benefits of the proposed rule and of the practicable alternatives identified. The aim of the RIS is not to "sell" the particular proposal, rather it should be a real attempt to recognise and consider the views of affected persons where competing interests are involved. The RIS should contain sufficient information to allow a reader to formulate an opinion as to whether the making of the proposed regulation is justified and should adequately explain the reasons for the regulatory change. The RIS should consider alternatives. However, if a non regulatory is in fact the best solution this should have been identified in early stages of the development of the regulatory objective.

Agencies should remember that the purpose of a RIS is to explain the need for the regulation and to set out the costs and benefits which would follow from its adoption. It must also explain the practicable alternatives which have been considered and the reasons for their rejection. The RIS should be intelligible to the general public and should allow those with an interest in the proposed rule to comment on that rule.

In preparing any RIS agencies should remember that it is the relevant responsible

Minister who is required to certify to the adequacy of that RIS and that a poorly prepared RIS will be the subject of adverse comment by the Scrutiny of Acts and Regulations Committee.

* Because the Act replaces the Subordinate Legislation Act 1962 and makes a number of changes to the processes involved in making subordinate legislation in Victoria, it is intended that these guidelines be reviewed after five months of operation with a view to having a revised set of guidelines in place by 1 July 1995. It is hoped that there will then be little need for further revision. However, revised guidelines will be prepared and issued from time to time as the need arises and will be published in the Government Gazette in accordance with section 26 (3) of the Act.

Transport Act 1983

ROADS CORPORATION

Commercial Passenger Vehicle Applications

Notice is hereby given that the following applications will be considered by the Roads Corporation after 25 January 1995.

Notice of any objection to the granting of an application should be forwarded to reach the Manager, Registration and Licensing Office, Fyans Street, South Geelong, 3220 or any District Office of the Roads Corporation not later than 19 January 1995.

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

Q. Hasa, Bell Park. Application to license one commercial passenger vehicle in respect of a 1990 Toyota bus with seating capacity for 11 passengers to operate a service for the carriage of farm workers between Melbourne and farms in the Werribee area and between Geelong and farms in the Werribee area.

J. and J. M. Vlahovic, St Leonards. Application for variation of the conditions of licence SV 1553 which authorise the licensed vehicle to operate as a special purpose vehicle as follows:

- (i) for the carriage of passengers on tours to points of interest throughout the State of Victoria other than within that part of the City of Melbourne bounded by Spencer Street, Flinders Street, Spring Street and Latrobe Street; and

Victoria Government Gazette

- (ii) tours are to commence from:
 - (a) Melbourne Airport, Tullamarine;
 - (b) within a 10 km radius of the Geelong Post Office;
 - (c) within a 5 km radius of the Portland Post Office; or
 - (d) places situated on the Bellarine Peninsula;

to include the ability:

- (i) to carry passengers on tours to points of interest within that part of the City of Melbourne bounded by Spencer Street, Flinders Street, Spring Street and Latrobe Street; and
- (ii) to commence tours from anywhere within the State of Victoria.

Dated 22 December 1994

COLIN KOSKY

Regional Manager—South Western Region

Transport Act 1983

ROAD DECLARATIONS AND DEDICATIONS

The Roads Corporation pursuant to the Transport Act 1983, upon publication of this notice declares, or varies the declaration of, the roads as described below and on the plans attached, and further declares that such roads are fit to be used as a public highway and are now absolutely dedicated to the public for use as public highways within the meaning of any law now or hereafter in force.

State Highway

80/94 Midland Highway in the Shire of Campaspe and the City of Greater Shepparton shown hatched on plan numbered GP 17401.

81/94 Dandenong Valley Highway in the City of Dandenong shown hatched and cross hatched on plans numbered GP 18563, GP 18564, GP 18566 and GP 18567.

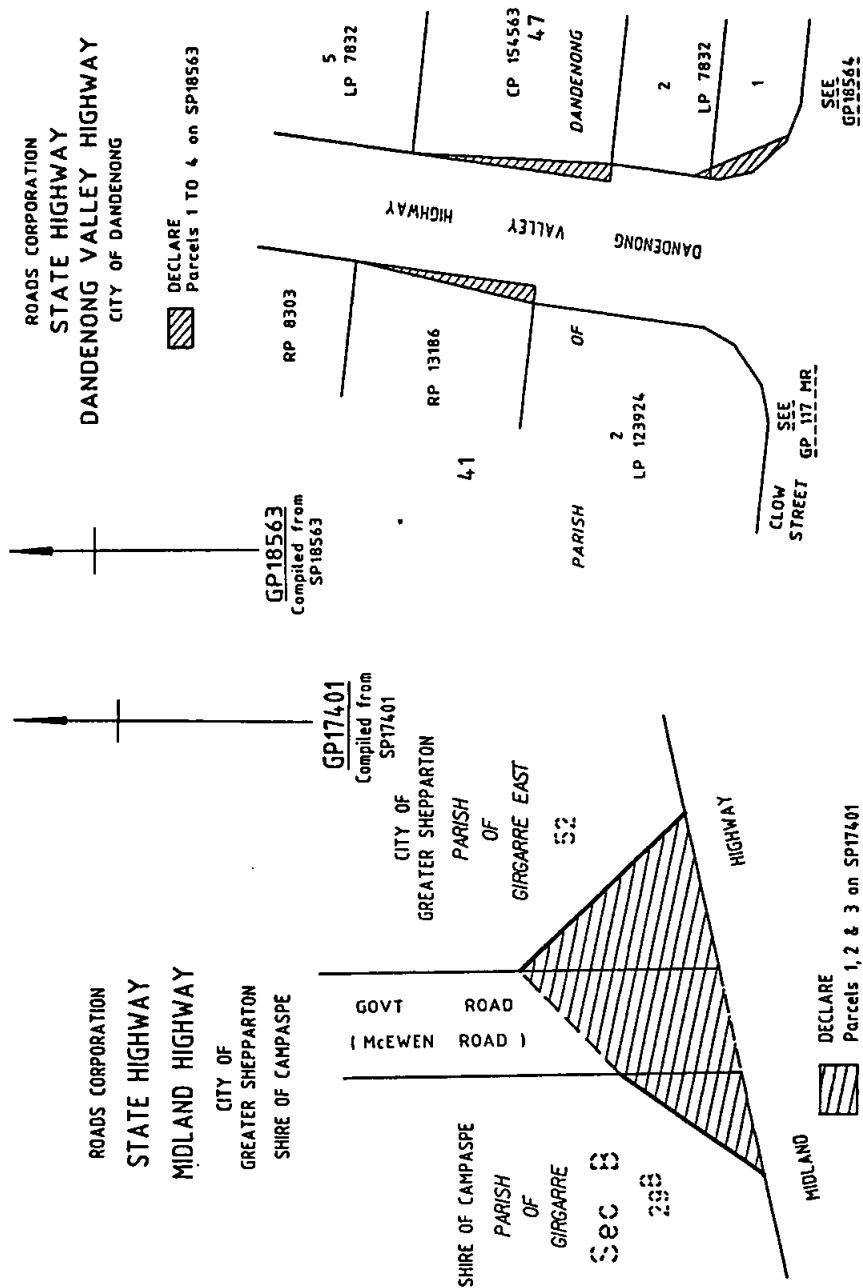
Main Road

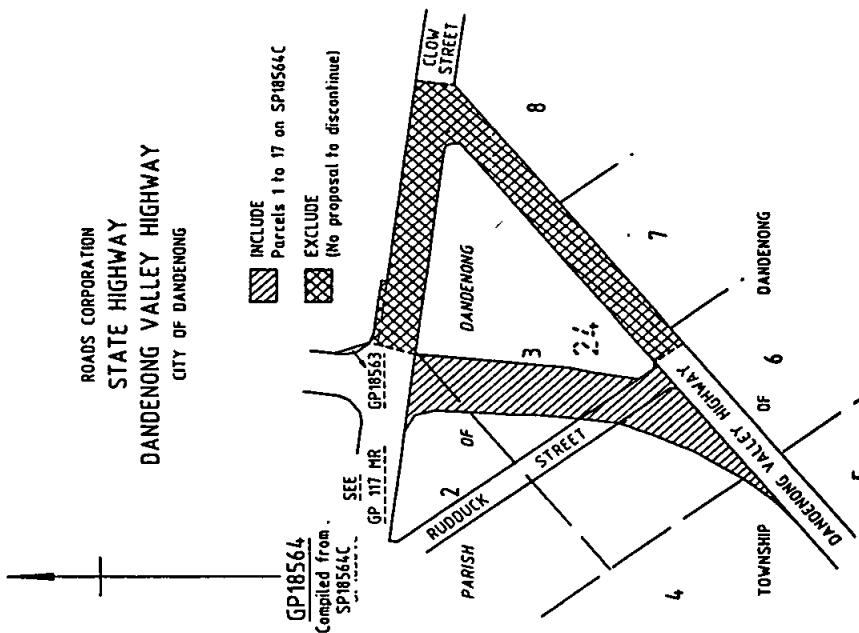
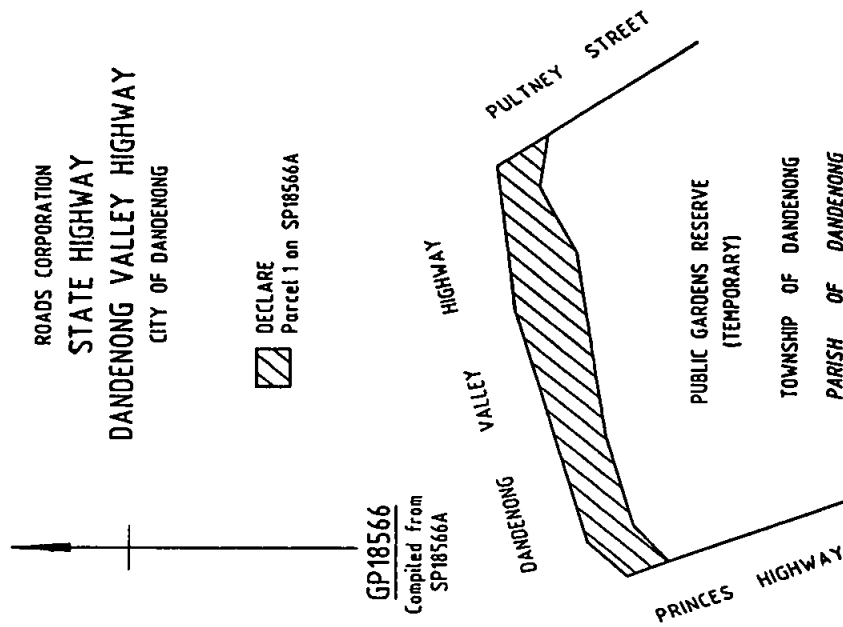
82/94 Walker Street in the City of Dandenong depicted by a heavy line on plan numbered GP 117—MR.

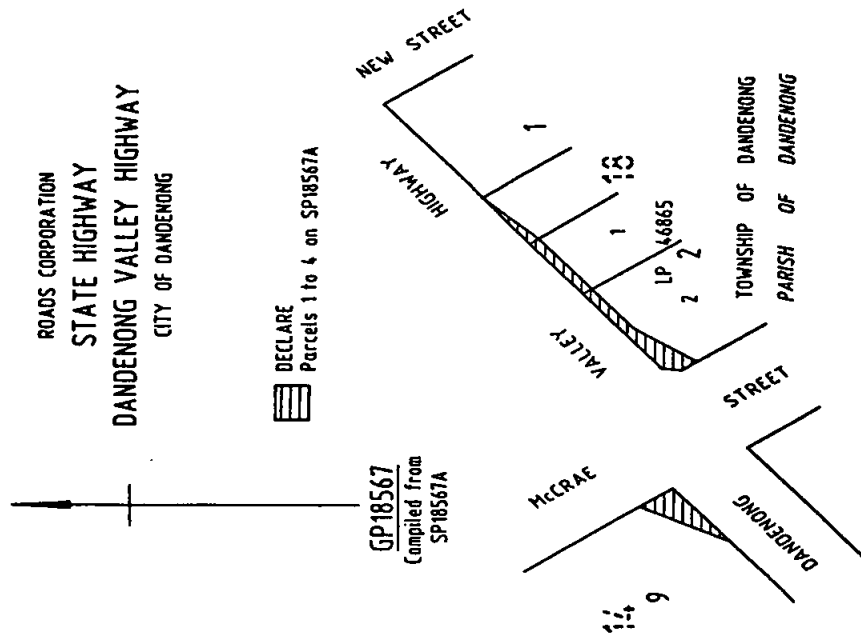
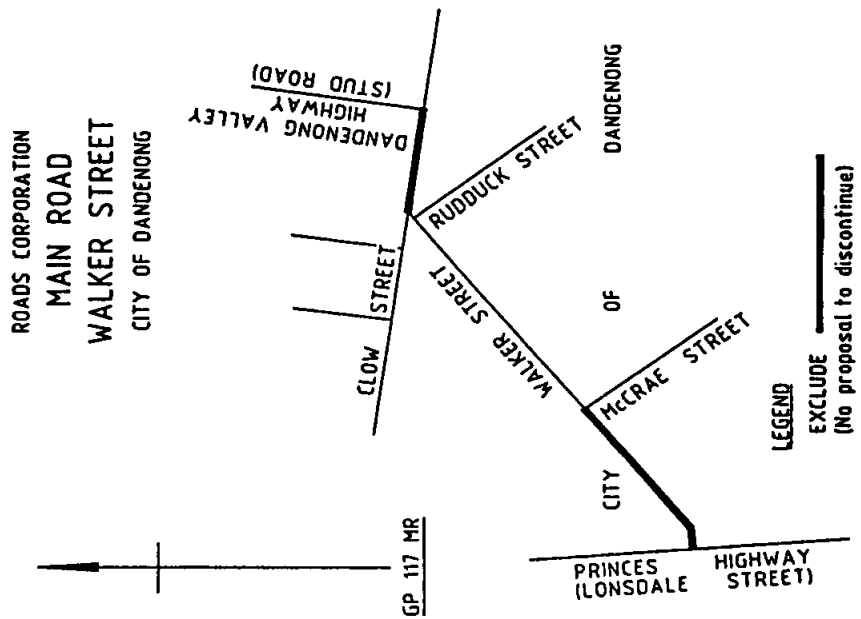
83/94 Wy Yung Road in the Shire of East Gippsland shown hatched and cross hatched on plan numbered GP 124—MR.

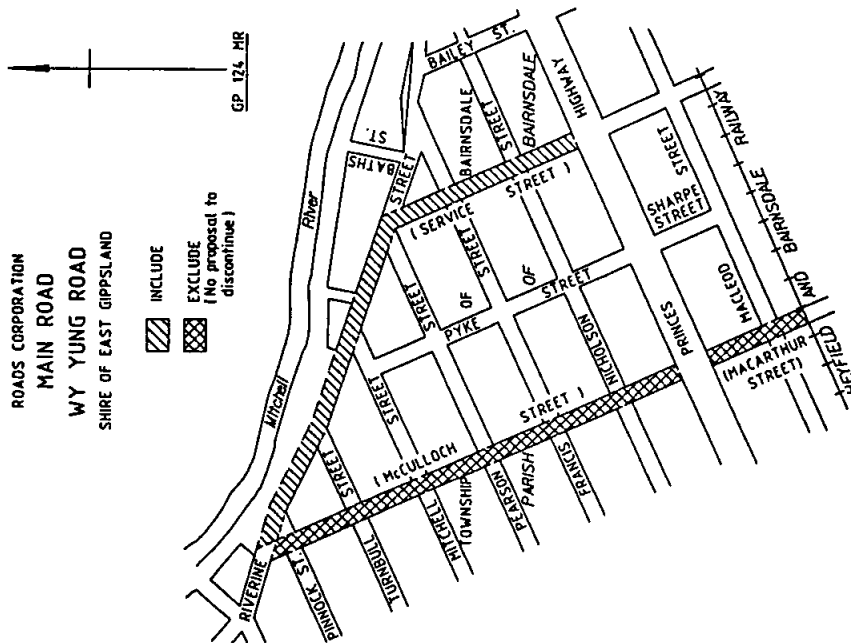
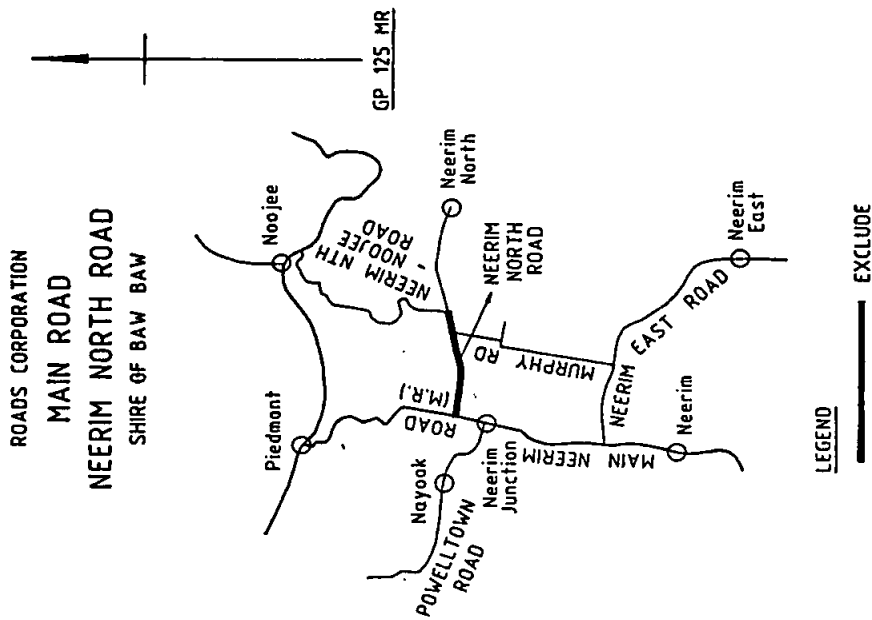
84/94 Neerim North Road in the Shire of Baw Baw depicted by a heavy line on plan numbered GP 125—MR.

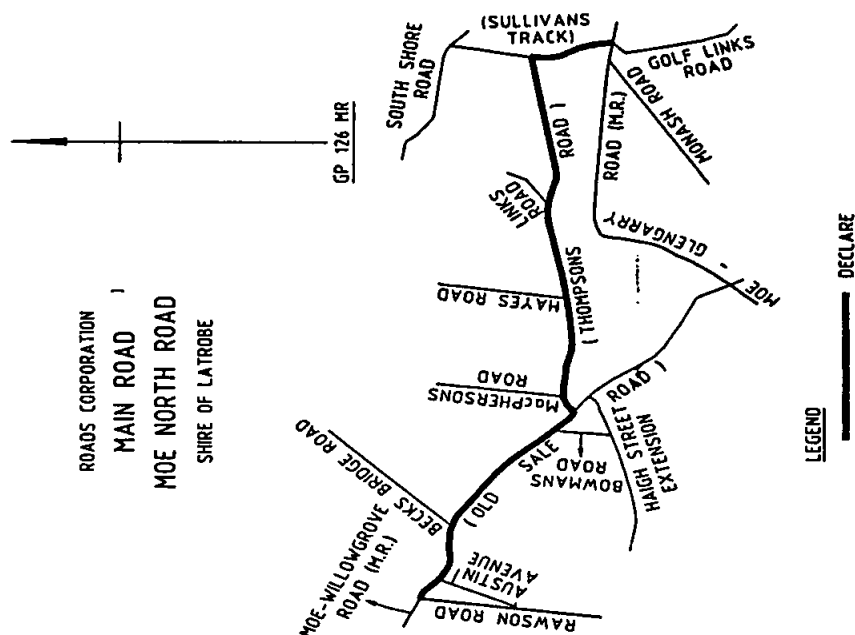
85/94 Moe North Road in the Shire of Latrobe depicted by a heavy line on plan numbered GP 126—MR.











Dated 14 December 1994

COLIN JORDAN
Chief Executive
Roads Corporation

Transport Act 1983 ROADS CORPORATION

Commercial Passenger Vehicle and Tow Truck Applications

Notice is hereby given that the following applications will be considered by the Roads Corporation after 25 January 1995.

Notice of any objection to the granting of an application should be forwarded to reach the Section Leader, Vehicle Licensing or any District Office of the Roads Corporation not later than 19 January 1995.

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

A. P. Mizza, Thornbury. Application to license one commercial passenger vehicle in respect of a 1985 or later model Ferrari coupe or similar vehicle with seating capacity for 4 passengers to operate as a special purpose vehicle from 11 Alexandra Street, Thornbury for the carriage of

passengers for wedding parties, social events and tourist activities.

Walwa Pty Ltd, Elwood. Application for variation of the conditions of tow truck licence numbers 590, 675 and 920 which authorises the licensed vehicles to be controlled and operated from a depot situated at 103-109 Union Street, Windsor to change the depot address to 131 Ormond Road, Elwood.

Dated 22 December 1994

JEFF DALMAN
Section Leader—Vehicle Licensing

Health Services Act 1988

I declare that the Gippsland Southern Health Service Patient and Community Services Committee, as outlined in their Quality Assurance Plan, is an approved Quality Assurance Body in accordance with section 139 of the Health Services Act 1988.

Statutory Immunity will be provided to the Patient and Community Services Committee to consider confidential information about specific aspects of clinical practice or the clinical competence of those persons providing the services.

Statutory Immunity is provided for a period of three years from 14 December 1994. At the conclusion of this period, the Quality Assurance Plan will be reviewed and if necessary amended prior to seeking approval for a further period of time.

MARIE TEHAN
Minister for Health

CORRIGENDUM
Health Services Act 1988

Declaration of Community Health Centres

The notice that appeared in Gazette No. 50 dated 15 December 1994 Page 3355 (bottom right hand corner).

The notice should read:

.....Latrobe Community Health Service Incorporated.....not.....Latrobe Community Health Board Incorporated.....

Cattle Compensation Act 1967 (No. 7615)
APPROVED AGENT
Notice under Section 14

I hereby declare Eileen Heather Osborne, trading as Tinamba Calf Scales (No. C.S.223 in the Register) to be an "Approved Agent" for the purposes of Part II of the Cattle Compensation Act 1967 with effect from 1 October 1994.

B. R. WILKES
Delegate of Commissioner of State Revenue

MELBOURNE WATER
Water Supply Notice
544/295/0001

Water mains have been laid to supply water to each property in the streets referred to below. This notice is given under the Melbourne and Metropolitan Board of Works Act 1958 to require the owner of each property to lay connection pipes for water supply. In this case, the connection pipes have been laid and water is now available.

City of Boroondara
Cremin Close, the whole close.
Ferguson Street, the whole street.

Victoria Government Gazette

Grace Court, the whole court.
Greeg Place, the whole place.
Hope Court, the whole court.
Hutchinson Drive, from the south-eastern corner of lot 1 generally westwards for 357 metres.
O'Brien Close, the whole close.
Stevens Close, the whole close.
Vaughan Crescent, from Ferguson Street north-eastwards for 100 metres then south-eastwards for 170 metres.

City of Darebin
Eyre Street, the whole street.
Hughes Parade, from Eyre Street north-eastwards for 118 metres.
Leichardt Crescent, the whole crescent.

City of Broadmeadows
Devereaux Street, from the south-eastern corner of lot 4 on Plan of Subdivision 327235 north-westwards for 209 metres.

Shire of Eltham
Leane Drive, from 185 metres south-west of Parsons Road south-westwards for 150 metres.
Victoria Close, the whole close.
Yarra Hill Close, from Rosehill Road south-westwards for 206 metres.

City of Whittlesea
Cawley Court, the whole court.
Dunlop Crescent, from Manning Clark Road southwards for 151 metres.
Manning Clark Road, from Border Drive/Farnham Crescent westwards for 121 metres then southwards for 65 metres.

Sturrock Court, the whole court.
Honeyeater Terrace, from Stanley Jones Drive southwards for 81 metres.
Kingfisher Place, the whole place.
Stanley Jones Drive, from the north-eastern boundary of lot 347 westwards for 49 metres then northwards for 97 metres.

City of Nunawading
Betts Way, the whole way.
Hoadley Crescent, from Robinson Drive westwards for 83 metres.
Robinson Drive, from Highbury Road northwards for 186 metres.
Trainor Place, the whole place.

City of Waverley

Blanton Drive, from the south-eastern boundary of lot 54 northwards for 113 metres then eastwards for 70 metres then south-eastwards for 119 metres.

Lim Court, the whole court.

City of Doncaster and Templestowe

Kendall Road, from Hall Road westwards for 224 metres.

Batskos Drive, from the north-western corner of lot 20 eastwards for 130 metres.

Beaufort Rise, the whole rise.

Crouch Court, the whole court and an additional spur from the south-western corner of lot 10 westwards for 43 metres.

Shire of Bulla

Chelmsford Court, the whole court.

Exmouth Road, from the north-eastern corner of lot 67 southwards for 164 metres.

Taunton Place, the whole place.

Shire of Diamond Valley

Matilda Court, the whole court.

City of Croydon

Galtymore Close, the whole close.

O'Neil Way, from Galtymore Close westwards for 37 metres.

Daniel Court, from the south-eastern corner of lot 1 south-westwards for 207 metres.

Latrobe Court, the whole court.

Shire of Lillydale

Reserve Road, from the north-eastern boundary of lot 10 southwards for 125 metres.

Billanook Way, from Yarraridge Drive south-westwards for 84 metres.

Commerford Place, the whole place.

Old Melbourne Road, from the north-eastern corner of lot 102 north-eastwards for 145 metres.

Eucalypt Drive, from the south-western corner of lot 500 southwards for 150 metres then westwards for 220 metres.

Waratah Court, the whole court.

By order of

GRANT GREEN
Regional Manager, Yarra Region

MELBOURNE WATER

Sewerage Notice

360/295/0001

Sewerage pipes have been laid in each Sewerage Area referred to below. From 19 January 1995 each property or part of a property within each Sewerage Area will be a sewered property under the Melbourne and Metropolitan Board of Works Act 1958.

City of Broadmeadows

Sewerage Area 6555: lots 5 to 8 Somerton Road and contain 3 lots.

Sewerage Area 6563: lots 1 to 17 Devereaux Street and contains 17 lots.

Shire of Eltham

Sewerage Area 6569: Victoria Close, lots 3 to 1 and Street No. 56 Leanne Drive and contains 4 lots.

Sewerage Area 6570: lots 1 to 17 Falkiner Street, lots 18 to 21 Ely Street on PS 334605 and contains 21 lots.

Shire of Bulla

Sewerage Area 6567: Taunton Place, Chelmsford Court, lots 80 to 82 Heytesbury Crescent, lots 37, 38, 50 to 53, 66, 67 and an SEC Reserve Exmouth Road, a Municipal Reserve abutting Exmouth Road and Pembroke Crescent and contains 36 lots.

City of Doncaster

Sewerage Area 6559: Johns Grove and Jenine Court and contains 32 lots.

Sewerage Area 6557: Birrarrung Court, lots 32 to 34, 75 to 78 and 146 to 147 Yarra Valley Boulevard and contains 24 lots.

Sewerage Area 6558: Beaufort Rise, lot 1 Batskos Drive, lot 20 and lot D St. Muir Drive and contains 21 lots.

City of Whittlesea

Sewerage Area 6565: lot 2 on LP 91294 Mahoneys Road and contains 1 lot.

Sewerage Area 6566: Cananga Court, lots 164 to 167, 181 to 184 and 191 to 197 Blossom Park Drive and contains 21 lots.

Sewerage Area 6564: lots 57 to 63 Woolnough Drive and lots 51 to 56 Ester Drive and contains 13 lots.

Sewerage Area 6554: Street No. 2424, 2430 and 2436 Plenty Road and contains 3 lots.

3422 G 51 22 December 1994

City of Croydon

Sewerage Area 6562: Perry Close, Clyde Court, Manifold Court, lot 6 Apollo Court, lots 1 to 7 Pandora Crescent and a Reserve abutting Perry Close and contains 6 lots.

City of Ringwood

Sewerage Area 6553: lots 1 to 4 Quamby Road and contains 4 lots.

Shire of Lillydale

Sewerage Area 6560: Buvelot Court, Yerring Place, Nelle Court, lots 68 to 80 and 81A Billanook Way, lots 82A to 85A, 82B to 85B Sunnyridge Court, lots 1 to 6 Blacksprings Road and a Reserve abutting Yarraridge Drive, lots 7, 8, 9A, 9B, 29A, 29B, 30, 31, 47 to 50, 63 to 67 Yarraridge Drive and contains 86 lots.

Sewerage Area 6561: Commerford Place, lots 86 to 92, 113 and 114 Billanook Way, lots 101 and 102 Old Melbourne Road and contains 29 lots.

Shire of Diamond Valley

Sewerage Area 6556: Wallowa Road Reserve, lots 1 to 3 Cherelle Court, lot 4 Nimary Court and contains 5 lots.

Sewerage Area 6568: Jasmine Court, lots 15 to 23 Melissa Court, Reserve abutting Melissa Court and Ryans Road, lots 28 to 31, 37, 38, 45 to 49, Reserve, 50 to 52 Liddesdale Grove, lots 39 to 43, a Reserve abutting Ryans Road, Public Open Space Reserve Caledonia Drive and contains 37 lots.

Further details may be obtained from Melbourne Water's Declarations Officer, Konrad Gill, telephone 872-1550, Mitcham Office, Yarra Region.

By order of

GRANT GREEN
Regional Manager, Yarra Region

MELBOURNE WATER
Sewerage Notice

Sewerage pipes have been laid in each Sewerage Area referred to below. From 22 December 1994, each property or part of a property within each Sewerage Area will be a sewered property under the Melbourne and Metropolitan Board of Works Act 1958.

Victoria Government Gazette

City of Berwick

Sewerage Area 8243 Mittagong Court lots 1158 to 1170, 1215 to 1219, Tally Court lots 1254 to 1263, Tambo Access lots 1249 to 1253, 1253A, Euroa Avenue lots 1197 to 1199, 1199A, 1201, 1220 to 1248, 1264 to 1268, 1297 to 1300, Allunga Parade lots 1171 to 1196, 1200, 1202 to 1214, Jerilderie Drive lots 1301 to 1309.

Sewerage Area 8248 Armadale Drive lots 109 to 129, 137 to 144 and 154 to 155, Kew Court lots 145 to 146 and 151 to 153.

Sewerage Area 8250 Brent Close lots 13 to 29, Jay Rise lots 5 to 10, Jarryd Crescent lots 1 to 4, 11 and 12, 30 to 47, 86 to 93, 116 to 125.

Sewerage Area 8256 Highland Crescent lots 171 to 174, 178 to 179 and 181 to 184, Cobblestone Avenue lots 175 to 177, 56, Wood Road lots 168 to 170, Elfindale Place lots 166 to 167.

Sewerage Area 8262 Maureen Court lots 1 to 14, Justin Court lots 15 to 31.

City of Cranbourne

Sewerage Area 7812 Warana Drive lots 3 and 4, Strong Drive lots 1 and 2.

Sewerage Area 8220 Cambridge Street lots 191 to 196, Station Street lots 224 to 230 and 254 to 260, Tankerton Street lots 288 to 293.

Sewerage Area 8247 Tracey Drive lots 423 to 426, Curnow Court all of Court, Linda Drive lots 402 to 415 and Comte Court lots 379 to 401.

Sewerage Area 8254 Herbert Road lots 69 to 75 and 84 to 86, Oberon Drive lots 1 to 5 and 52 to 53, Capella Place all of Place, Viking Court lots 45 to 50.

Sewerage Area 8257 Andonov Drive lots 13 to 29, Monohans Road lots 1 to 12.

Shire of Flinders

Sewerage Area 8260 Sixth Avenue lots 84, 86, 88, 90, 92.

City of Frankston

Sewerage Area 8259 Winona Road St Nos 19, 21 and 23.

Shire of Hastings

Sewerage Area 8261 Manna Gum Place all of Place, Woodlands Drive lots 14, 15, 31 to 33 and 44, Snow Gum Place all of Place, Peppermint Place all of Place, Black Wattle Place lots 45 to 49.

City of Knox

Sewerage Area 8244 Claremont Avenue lots 611, 613 to 630, Inverness Avenue lots 518, 520 to 524, 524a, 525 to 533, 535 to 539, 565 to 580, 582 to 600 and 602 to 605, Fern Street lots 500, 515 to 517.

Sewerage Area 8246 Rathgar Road St No. 34.

Sewerage Area 8251 Affleck Way lots 681 to 683, Wetherby Court lots 953 to 959, Finsbury Close lots 936 to 945.

Sewerage Area 8252 Beverford Crescent lots 667 to 672 and 710 to 714, Moama Place lots 695 to 696 and 700 to 701, Tetoora Close all of Close, Kilcunda Drive lots 705 to 709.

City of Moorabbin

Sewerage Area 8249 Bevis Street lots 1 and 2, Filbert Street lots 3 to 7, The Oval lots 8 to 14.

Shire of Mornington

Sewerage Area 8255 Capri Drive lots 1 to 3, 7 to 9, 16 to 17, Carool Court lot 112.

Sewerage Area 8258 Layton Crescent lots 59 to 69, Hyperno Way lots 58, 70 and 71, 108 to 112, Veda Avenue lots 46 to 50.

Shire of Pakenham

Sewerage Area 8253 Dunbarton Drive lots 109 to 118.

City of St Kilda

Sewerage Area 8245 Canterbury Road lots 1 to 53 (PS 329924).

Further particulars may be obtained from Wes Dunkley on 784 8954.

By order of

STEPHEN THEK
Regional Manager
South East Region

PROCLAMATION OF WATER MAINS BY
MELBOURNE WATER CORPORATION

Water mains have been laid to supply water to each property in the streets referred to below. This notice is given under the Melbourne and Metropolitan Board of Works Act 1958 to require the owner of each property to lay connection pipes for water supply. However, in this case, the connection pipes have been laid and water is now available.

City of Berwick

Armada Drive, from northern boundary lot 136, 291 m south, east then north.

Kew Court, from Armada Drive, 94 m north.

Maize Place, all of Place.

Pallidus Way, all of Way.

Sandalwood Drive, all of Drive.

Splendens Walk, all of Walk.

Callistemon Crescent, from Ryelands Drive, 220 m south-east, then 109 m north-west.

Ryelands Drive, from northern boundary of lot 477, 243 m south-east.

Shire of Flinders

First Settlement Drive, from western boundary Street No. 28, 39 m east.

Lanoma Place, all of Place.

City of Moorabbin

Agnes Street, from Filbert Street, 21 m east.

Filbert Street, from Bevis Street, 113 m south.

The Oval, all of Street.

Shire of Pakenham

Dunbarton Drive, from southern boundary of lot 118, 96 m north.

Further particulars may be obtained from Melbourne Water's, Wes Dunkley, telephone 784 8954, Frankston Office, South East Region.

By order of

STEPHEN THEK
Regional Manager
South East Region

MELBOURNE WATER

General Notice

Melbourne Water having made provision for carrying off the sewerage of each and every property which or any part of which is situate in the Sewerage Areas hereinafter described doth hereby declare that on and after 19 January 1995 each and every property so situated shall be deemed to be a seweraged property within the meaning of the Melbourne and Metropolitan Board of Works Act 1958.

The Sewerage Area hereinbefore referred to is:

Sewerage Area No. 7290

City of Keilor—This area comprises lots 438 to 435 Pintail Crescent and contains 4 lots.

Sewerage Area No. 7291

City of Keilor—This area comprises lots 1548 to 1557 and 1530 to 1543 Pintail Crescent, lots 1544, 1545, 1546 and 1547 Cardigan Crescent, lots 1558, 1559, 1560 and 1561 Wellesley Drive, lots 1562, 1563, 1564, 1528 and 1529 Verona Drive and contains 37 lots.

Sewerage Area No. 7292

City of Keilor—This area comprises lots 1731 to 1729, 1701 and 1700 Wentworth Drive, lots 1728 to 1724, 1723, 1722 and 1706 to 1702 Tasman Crescent, lots 1707 to 1721 Kings Road and contains 32 lots.

Sewerage Area No. 7293

City of Keilor—This area comprises all lots in Oarsome Drive, Robinson Court, Perkins Close and contains 53 lots.

Sewerage Area No. 7294

City of Keilor—This area comprises lots 42 to 51, 28 and 53 to 65 Webber Parade and contains 24 lots.

Sewerage Area No. 7295

Shire of Melton—This area comprises lots 197 to 216, a reserve, 217, 218, and 221 to 237 Bedingham Drive, lots 219, 220, 242 to 238 and 252 to 243 Longhurst Crescent and contains 56 lots.

Sewerage Area No. 7296

City of Werribee—This area comprises all lots in Parkview Close, Bankview Way, Waterside Close, lots 1346 to 1343 and 1348 to 1352 Kingston Boulevard and contains 36 lots.

Sewerage Area No. 7297

City of Werribee—This area comprises all lots in Carshalton Court, Golconda Close, lots 165 to 159, 70 to 72, 105 to 108 and 113 Ironbark Drive, lots 109 to 111 and 112 Stafford Street and contains 51 lots.

Sewerage Area No. 7298

City of Sunshine—This area comprises all lots in Acacia Place and contains 27 lots.

MICHAEL ARBON
Regional Manager
Maribyrnong Region

MELBOURNE WATER

Proclamation of Water Mains

Notice to the owners of tenements in the streets and the private streets, lanes, courts and alleys opening thereto. The main pipe in the said streets being laid down, the owner of each tenement to which such notice applies shall forthwith cause a proper pipe and stop-cock to be laid so as to convey a supply of water within such tenement.

SCHEDULE OF STREETS

Keilor

Oarsome Drive, the entire drive.

Robinsons Court, the entire court.

Perkins Close, the entire close.

Wentworth Drive, from lot 1700 westerly to lot 1731.

Tasman Crescent, from lot 1702 northerly to lot 1723.

Kings Road, from Wentworth Drive northerly to lot 1721.

Slater Parade, from lot 51 northerly to lot 42.

Werribee

Parkview Close, the entire close.

Bankview Way, the entire way.

Waterside Close, the entire close.

Kingston Boulevard from Grevillea Crescent northerly to lot 1346.

Allington Place, the entire place.

Point Cook Road from Stanton Court southerly to Allington Place.

MICHAEL ARBON
Regional Manager
Maribyrnong Region

Creditor, 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 A.C.N. 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000 the personal representative, on or before 22 February 1995, 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.

Anderson, Francis Arnold, also known as Francis Anderson, late of 36 Ferrers Street, Lismore, pensioner, died on 1 August 1994.

Barnes, Douglas, late of Richmond Grove Private Nursing Home, 33 Bendigo Street, Richmond, pensioner, died on 9 August 1994.

Bird, Harold Kevin, late of Majestic Lodge, 5 Errard Street North, Ballarat, pensioner, died on 13 July 1994.

Brack, Melvin Merle, late of Unit 7, 58 Bondi Road, Bonbeach, school teacher, died on 28 May 1994.

Brewster, Doris Jennie, late of Unit 9, 420 Church Road, Templestowe, pensioner, died on 17 September 1994.

Broglio, Mary June, late of Unit 13, 678 Lygon Street, Carlton, retired, died on 21 September 1994.

Cole, Thomas Eric, late of 72 McPherson Street, Horsham, retired warehouse manager, died on 13 September 1994.

Fraser, Austin Edward, late of 28 Deakin Street, Mitcham, pensioner, died on 10 June 1994.

Hampson, Flora Eileen Elizabeth, late of 223 Maribyrnong Road, Ascot Vale, home duties, died on 16 October 1994.

Hayes, Gwendoline, late of Unit 1, 706 Anzac Parade, Kingsford, N.S.W., home duties, died on 23 July 1994.

Hibberd, Matilda, late of Berwick Nursing Home, Hessel Road, Berwick, pensioner, died on 8 October 1994.

Illman, Hannah Davina Sydney Victoria, late of 8/425 Toorak Road, Toorak, pensioner, died on 23 August 1994.

McDonell, Gladys May, late of 99 Raleigh Street, Thornbury, retired, died on 25 July 1994.

Newbound, Jean, late of Traralgon and District Private Nursing Home, 7 Campbell Street, Traralgon, widow, died on 9 September 1994.

O'Connell, Kathleen Veronica, late of 16 Walsal Avenue, Reservoir, widow, died on 21 June 1994.

Pascoe, Catherine, late of 6 Amelia Street, McKinnon, retired process worker, died on 17 May 1994.

Preston, Rose Ann, late of 18 South Road, Airport West, retired, died on 8 September 1994.

Meermann, Ernest Harold, late of Caulfield Hospital, Caulfield, pensioner, died on 3 March 1994.

Pook, John Francis, late of Westbury Nursing Home, Balwyn, pensioner, died on 14 September 1994.

Skelly, Thomas Robert, late of 4 Mena Street, Moe, pensioner, died on 20 August 1994.

Symes, Violet May, late of Windsor Court, 33 Maori Street, Rye, pensioner, died on 2 September 1994.

Dated at Melbourne on 14 December 1994

B. F. CARMODY
Managing Director

DEPARTMENT OF ENERGY AND MINERALS

All titles are located on the 1:100,000 mapsheet listed with each title.

EXPLORATION LICENCE GRANTED

No. 3680; Longreach Gold Oil Ltd & Southern Cross Exploration Ltd; 255 grats, Albury, Bogong, Buffalo, Tallangatta.

EXPLORATION LICENCE RENEWED

No. 3029; Flitegold P/L; 30 grats, Ballarat.

No. 3147; CRA Exploration Ltd; 142 grats, Ararat.

No. 3163; Normandy Exploration Ltd; 41 grats, Benambra and Bogong.

No. 3183; CRA Exploration Ltd; 50 grats, Ararat and Horsham.

No. 3221; CRA Exploration Ltd; 151 grats, Ararat.

No. 3328; Triad Minerals NL & Phoenix Resources NL; 61 grats, Ballarat.

No. 3497; Triad Minerals NL & Phoenix Resources NL; 44 grats, Ballarat.

EXPLORATION LICENCE VARIED

No. 3541; Tivmoss Investments P/L; 366 grats, Wedderburn.

EXPLORATION LICENCE TRANSFERRED

No. 3029; Flitegold Pty Ltd to Metex Resources NL; 30 grats, Ballarat.

No. 3237; Rosscraft Minerals P/L to New Holland Mining NL & Perserverence Exploration P/L; 13.1 hectares, Heathcote.

No. 3328; Triad Minerals NL to Phoenix Resources NL; 61 grats, Ballarat.

No. 3391; Triad Minerals NL to Phoenix Resources NL; 44 grats, Ballarat.

No. 3469; Perserverence Exploration Pty Ltd to Perserverence Mining Pty Ltd; 500 grats, Alexandra, Euroa and Yea.

No. 3497; Triad Minerals NL to Phoenix Resources NL; 44 grats, Ballarat.

**EXPLORATION LICENCE
AMALGAMATED/CANCELLED**
Nos 3147, 3183 and 3221; CRA Exploration P/L; 343 grats, Ararat and Horsham. Upon amalgamation into No. 3147, No. 3183 and No. 3221 will be cancelled.

MINING LICENCE GRANTED
No. 4806; Colin Trahair; 1 hectare, Dunolly.
No. 4836; Four Prospect P/L; 4.5 hectares, Dunolly.
No. 4856; Neville G. Perry; 1.03 hectares, Creswick.
No. 4871; R. Sebek and N. Zurkic; 2.04 hectares, Matlock

MINING LICENCE RENEWED
No. 4149; Rosscraft Minerals Pty Ltd; 6.32 hectares, Heathcote.

MINING LICENCE TRANSFERRED
No. 4149; Rosscraft Minerals Pty Ltd to New Holland Mining NL & Perseverance Exploration P/L; 6.32 hectares, Heathcote.

MINING LEASE VARIED
No. 1657; ACI Operations Pty Ltd; 195.4 hectares, Albury.

MINERS RIGHT CLAIM EXPIRED
No. 2943; W. P. Gibbs; 0.5 hectares, Dunolly.
No. 799-1; Claire Parker; 1 hectare, Dunolly.

**EXTRACTIVE INDUSTRY LICENCE
RENEWED**
No. 668; The Readymix Group Limited; 66.48 hectares, Ringwood.
No. 780; The Readymix Group Limited; 3.97 hectares, Ringwood.

DEVELOPMENT LEASE EXPIRED
No. 812; J. R. Wilcox, R. F. Wright and J. H. Balfour; 9.2 hectares, Stanley.

**ADDENDUM
EXTRACTIVE INDUSTRY LICENCE
ASSIGNED**

Extractive Industry Licence Assigned No. 1088 gazetted on 1 December 1994 should have shown that the licence was assigned from Scotch Bond Pty Ltd to Birmartchell Pty Ltd.

Extractive Industry Lease Assigned No. 54 gazetted on 1 December 1994 should have shown that the lease was assigned from C. W. Winkler to Oupan Resources P/L.

Extractive Industry Lease Assigned No. 80 gazetted on 1 December 1994 should have shown that the lease was assigned from W. C. Larcombe to W. C. Larcombe, G. W. Larcombe, L. J. Larcombe and T. P. Larcombe.

Position No. 056672, Conservation and Natural Resources Officer, Class CNR-3, Human Resources Management Officer, South West Area, Department of Conservation and Natural Resources.

Reason for Exemption

A similar vacancy was previously advertised with identical duties and qualifications to the above position. The person was an applicant for the advertised vacancy and was assessed as clearly meeting all the requirements of the position.

ALAN THOMPSON
Secretary to the Department of
Conservation and Natural Resources

Position No. 14741, Conservation and Natural Resources Officer, Class CNR-3, Legal Operations Officer, South West Area, Department of Conservation and Natural Resources.

Reason for Exemption

The position has been reclassified in a specialised area of work and the officer is recognised as satisfactorily discharging all the requirements of the position and the Department Head considers that it is unlikely that advertising the position would attract a more suitable candidate.

ALAN THOMPSON
Secretary to the Department of
Conservation and Natural Resources

Position No. 55396, Conservation and Natural Resources Officer, Class CNR-2, Fisheries and Wildlife Officer, South West Area, Department of Conservation and Natural Resources.

Reason for Exemption

The position has been reclassified to enable the automatic progression of an officer in an occupational category, subject to the attainment of approved qualifications and experience and satisfactory service.

ALAN THOMPSON
Secretary to the Department of
Conservation and Natural Resources

GASCOR trading as Gas and Fuel
Gas Tariffs and Term and Condition
VICTORIA

Gas customers are hereby notified in accordance with section 32 of the Gas Industry Act 1994, that the following tariffs and term and condition will apply to all customers on and after 22 December 1994. These are the same tariffs applied by Gas and Fuel Corporation up to and including 21 December 1994.

Gas Tariffs
DOMESTIC

(Two-monthly, unless shown otherwise)

TARIFF 01

Domestic Multiple Residential Small
(Meter/regulator capacity up to 50 m³/h)

Supply Charge: \$24.92

Commodity Charge:

All Gas @ 0.8419 c/MJ

Minimum Bill: \$24.92

TARIFF 02

Domestic Multiple Residential Large
(Meter/regulator capacity over 50 m³/h)

Supply Charge: \$84.56

Commodity Charge:

All Gas @ 0.8419 c/MJ

Minimum Bill: \$84.56

TARIFF 03

Domestic General

Supply Charge: \$12.26

Commodity Charge:

First 4000 MJ @ 0.6710 c/MJ

Over 4000 MJ @ 0.8555 c/MJ

Minimum Bill: \$12.26

TARIFF 04

Residential Bulk Hot Water Master Meter Small
(Meter/regulator capacity up to 50 m³/h)

Supply Charge: \$24.92

Commodity Charge:

All Gas @ 0.8419 c/MJ

Minimum Bill: \$24.92

TARIFF 05

Residential Bulk Hot Water Master Meter Large
(Meter/regulator capacity over 50 m³/h)

Supply Charge: \$84.56

Commodity Charge:

All Gas @ 0.8419 c/MJ

Minimum Bill: \$84.56

TARIFF 09

Gas Light—Optional (Unmetered)**

Standard 2 mantle light \$26.60

Additional mantle @ \$13.30

Minimum Bill: Total Charge

TARIFF 10

Domestic Bulk Water Heating Small**

(Meter/regulator capacity up to 50 m³/h)

Supply Charge: \$24.92

Commodity Charge:

All Gas @ 0.9128 c/MJ

Minimum Bill: \$24.92

TARIFF 11

Domestic Bulk Water Heating Large**

(Meter/regulator capacity over 50 m³/h)

Supply Charge: \$84.56

Commodity Charge:

All Gas @ 0.9128 c/MJ

Minimum Bill: \$84.56

HOT WATER LITRE RATE

Customers on tariffs 10 and 11 are billed on the basis of volume of hot water used

All Hot Water @ 0.454 c/litre

**These tariffs are not available to new customers

COMMERCIAL

(Two-monthly, unless shown otherwise)

TARIFF 13

Commercial General Small

(Meter/regulator capacity up to 100 m³/h)

Supply Charge: \$18.54

Commodity Charge:

First 100 000 MJ @ 0.9329 c/MJ

Next 450 000 MJ @ 0.7347 c/MJ

Over 550 000 MJ @ 0.4273 c/MJ

Minimum Bill: \$18.54

TARIFF 14

Commercial General Large

(Meter/regulator capacity 100.1 m³/h to 850 m³/h)

Supply Charge: \$169.76

Commodity Charge:

First 100 000 MJ @ 0.8451 c/MJ

Next 450 000 MJ @ 0.7347 c/MJ

Over 550 000 MJ @ 0.4273 c/MJ

Minimum Bill: \$169.76

INDUSTRIAL

(Two-monthly, unless shown otherwise)

TARIFF 21

Industrial General Small

(Meter/regulator capacity up to 100 m³/h)

Supply Charge: \$18.54

Commodity Charge:

First 100 000 MJ @ 0.9329 ¢/MJ

Next 450 000 MJ @ 0.7347 ¢/MJ

Over 550 000 MJ @ 0.4273 ¢/MJ

Minimum Bill: \$18.54

TARIFF 22

Industrial General Large

(Meter/regulator capacity 100.1 m³/h to 850 m³/h)

Supply Charge: \$169.76

Commodity Charge:

First 100 000 MJ @ 0.8451 ¢/MJ

Next 450 000 MJ @ 0.7347 ¢/MJ

Over 550 000 MJ @ 0.4273 ¢/MJ

Minimum Bill: \$169.76

TARIFF 08

Standby Power Generation

36.716 ¢/MJ

of input rating of gas engine

[This rate is additional to the rate on the appropriate tariff]

SUB-METER RENTAL

(Two-monthly, unless shown otherwise)

TARIFF 30Ordinary—Meter capacity not exceeding 6 m³/h

Supply Charge: \$9.70

Minimum Bill: \$9.70

TARIFF 31Ordinary—Meter capacity 6.1 to 12 m³/h

Supply Charge: \$18.00

Minimum Bill: \$18.00

TARIFF 32Ordinary—Meter capacity 12.1 to 25 m³/h

Supply Charge: \$26.76

Minimum Bill: \$26.76

TARIFF 33Ordinary—Meter capacity 25.1 to 35 m³/h

Supply Charge: \$43.10

Minimum Bill: \$43.10

TARIFF 34Ordinary—Meter capacity 35.1 to 50 m³/h

Supply Charge: \$51.00

Minimum Bill: \$51.00

TARIFF 35Ordinary—Meter capacity 50.1 to 85 m³/h

Supply Charge: \$70.60

Minimum Bill: \$70.60

TARIFF 36Ordinary—Meter capacity 85.1 to 175 m³/h

Supply Charge: \$129.80

Minimum Bill: \$129.80

TARIFF 37Ordinary—Meter capacity 175.1 to 285 m³/h

Supply Charge: \$191.30

Minimum Bill: \$191.30

TARIFF 38Ordinary—Meter capacity 285.1 to 850 m³/h

Supply Charge: \$264.80

Minimum Bill: \$264.80

TARIFF 39Prepayment—Meter capacity not exceeding 6 m³/h

Supply Charge: \$9.70

Minimum Bill: \$9.70

Term and Condition of Supply of Gas in Victoria to all Customers

It is a term and condition of the supply of gas by GASCOR to all customers that GASCOR shall not be liable for any penalty or damages for failing to transport or supply gas if the failure to transport or supply the gas arises out of any accident or cause beyond the control of GASCOR.

Important Information for Customers

1. Domestic consumers on Tariff 03 are eligible for a 17.5% concession on three winter gas bills dated from 20 May to 11 November 1994 inclusive if they are holders of Commonwealth Health Benefit Cards.

2. The Easy-Way Payment Plan for instalment payment of domestic gas accounts is also available to all domestic consumers.

3. Further information concerning all natural gas tariffs and the above items is available from the Customer Relations Department, Head Office (telephone (03) 652 5122), or any GASCOR Region/branch office.

GASCOR trading as Gas and Fuel, 171 Flinders Street, Melbourne 3000

EXEMPTION

Application No. 14 of 1994

The Equal Opportunity Board has considered an application pursuant to section 40 (1) of the Equal Opportunity Act 1984 ("the Act") by the Heidelberg Golf Club, a company limited by guarantee, in respect of the division of that club known as the Heidelberg Golf Club Ladies

Bowls for the purpose of permitting of a lower entrance fee to be charged for members of that division.

Upon reading the material tendered in support of the application, and on hearing oral submissions from Mr K. R. Eacott Secretary/Manager of the Heidelberg Golf Club, and Mrs B. Gillberg, Lady Bowls President, the Board is satisfied that it is appropriate to grant the exemption in the terms sought from section 29 of the Act.

In granting this exemption the Board noted the following:

- * Over recent years the Ladies Bowls Club has experienced diminishing membership and the decline is such that the club is now in danger of folding. It is considered that the reason for this situation is that the entrance fee is too high to attract new lady members.
- * If the membership of the Ladies Bowls Club falls below its current level the club will not be eligible to play in pennant competition.
- * The applicant advertised this application in its club magazine and invited submissions. It received none.
- * The proposal to lower the entrance fee for members of the Ladies Bowls Club was unanimously adopted at a general meeting of the Heidelberg Golf Club attended by approximately 110 members.

The Board hereby grants an exemption to the applicant in the terms sought from section 29 of the Equal Opportunity Act 1984, such an exemption to remain in force until 22 December 1997.

CATE McKENZIE, President
J. MURPHY, Member
C. GEORGE, Member

EXEMPTION

Application No. 22 of 1994

The Equal Opportunity Board has considered application pursuant to section 40 (1) of the Equal Opportunity Act 1984 ("The Act") by Fernwood Fitness Centre Pty Ltd for exemption from sections 21, 29 and 59 of that Act. The application for exemption is to provide health and fitness centres catering for women only and to permit those centres to be staffed by women only.

Upon reading the material submitted in support of the application and upon hearing submissions from Ms Diana Williams, Managing Director of the applicant company, the Board is satisfied that it is appropriate to grant an exemption from sections 21, 29 and 59 of the Act.

In granting this exemption the Board noted:

- * The Fitness Centres provide a friendly non-threatening environment for women who are able to attend the centres without feeling self-conscious or embarrassed.
- * The majority of women who attend the centres have not attended a mixed fitness centre and find it intimidating to do so.
- * Services offered by the centres include:
 - * personalised programs relating to women's health education;
 - * A health education seminar;
 - * Supervised fitness exercise classes;
 - * Programs directed to increasing self-confidence and self-esteem;
 - * The fact that other mixed fitness centres exist in each area where a womens fitness centre operated by the applicant is located.

The Board hereby grants an exemption to Fernwood Fitness Centre Pty Ltd from the operations of sections 21, 29 and 59 of the Equal Opportunity Act 1984, this exemption to remain in force until 22 December 1997.

CATE McKENZIE, President
J. MURPHY, Member
C. GEORGE, Member

Education Act 1958 CONSTITUTION OF A SCHOOL COUNCIL FOR THE WESTGROVE PRIMARY SCHOOL

Pursuant to section 13 (1) of the Education Act 1958, I give notice that an Order of the Governor in Council was made on 13 December 1994 to constitute a school council for the Westgrove Primary School.

DON HAYWARD
Minister for Education

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Education Act 1958
CONSTITUTION OF A SCHOOL COUNCIL
FOR THE WILLMOTT PARK PRIMARY
SCHOOL

Pursuant to section 13 (1) of the Education Act 1958, I give notice that an Order of the Governor in Council was made on 13 December 1994 to constitute a school council for the Willmott Park Primary School.

DON HAYWARD
Minister for Education

Education Act 1958
BOORHAMAN PRIMARY SCHOOL
Amendment to School Council Constituting
Order

Pursuant to section 13 (4) of the Education Act 1958, I give notice that an Order of the Governor in Council was made on 13 December 1994 to amend the Constituting Order of the School Council of Boorhaman Primary School in respect of the membership of that school council.

DON HAYWARD
Minister for Education

Education Act 1958
ROWVILLE PRIMARY SCHOOL
Amendment to School Council Constituting
Order

Pursuant to section 13 (4) of the Education Act 1958, I give notice that an Order of the Governor in Council was made on 13 December 1994 to amend the Constituting Order of the School Council of Rowville Primary School in respect of the membership of that school council.

DON HAYWARD
Minister for Education

Education Act 1958
TRAFALGAR EAST PRIMARY SCHOOL
Amendment to School Council Constituting
Order

Pursuant to section 13 (4) of the Education Act 1958, I give notice that an Order of the Governor in Council was made on 13 December 1994 to amend the Constituting Order of the School Council of Trafalgar East Primary School in respect of the membership of that school council.

DON HAYWARD
Minister for Education

Victoria Government Gazette

Education Act 1958
REGISTERED SCHOOLS BOARD
Cancellation of School Registration

In accordance with the provisions of section 43 (4) of the Education Act 1958, the Registered Schools Board gives notice that the registration of Canaan College, Thoona, is to be cancelled on 31 December 1994.

ROB WITCHELL
Registrar

Department of Finance
SALE OF CROWN LAND BY PUBLIC
TENDER

Reference P041436

Tenders close 2.00. p.m., Wednesday, 15 February 1995.

Property Address: Elm Avenue, Merbein South.

Crown Description: Allotment 3, Section 75 Block E, Parish of Mildura.

Area: 4.042 hectares.

Term of Sale: 10% deposit—balance 60 days.

Tenders: addressed to—Crown Land Sales, Tender Box, ref: 95/1, Department of Conservation and Natural Resources, First Floor, 253 Eleventh Street, Mildura 3500.

Tender Deposit: 10% of tendered amount to be lodged with tender.

Application Form: Available on request.

Co-ordinating Officer: Les Trollope, Land Sales Officer, Department of Conservation and Natural Resources, Mildura. Telephone (050) 22 3014.

IAN SMITH
Minister for Finance

Department of Finance
SALE OF CROWN LAND BY PUBLIC
TENDER

Tenders closing Thursday, 23 February 1995 at 2.00 p.m.

Lot 1:

Property Address: Corner Burke and Heales Streets, Smythesdale.

Crown Description: Allotment 1C Section 12 Township of Smythesdale.

Victoria Government Gazette

Area: 9602 square metres.

Ref: P106150.

Lot 2:

Property Address: Mount Lonarch Road, Mount Lonarch (former Mount Lonarch School).

Crown Description: Allotment 11A Section Z Parish of Amphitheatre.

Area: 8094 square metres.

Ref: 93-1123.

Lot 3:

Property Address: Wilsons Road, Haddon.

Crown Description: Allotment 5D Section 10 Parish of Haddon.

Area: 1-204 hectares.

Ref: L3-1440.

Lot 4:

Property Address: Hall Road, Corindhap.

Crown Description: Allotment 14A Section 5A Township of Corindhap.

Area: 1-463 hectares.

Ref: 91-1057.

Lot 5:

Property Address: School Road, Corindhap.

Crown Description: Allotment 12 Section 6 Township of Corindhap.

Area: 3-510 hectares.

Ref: 92-1155.

Lot 6:

Property Address: Adair Street, Linton (former DCNR Depot).

Crown Description: Allotment 5 Section 14 Township of Linton.

Area: 890 square metres.

Ref: 05/5360.

Lot 7:

Property Address: Linton Road, Snake Valley.

Crown Description: Allotment 5P Section 31 Parish of Carngham.

Area: 1-089 hectares.

Ref: 91-1050.

Term of Sale: 10% deposit—balance 60 days.

Co-ordinating Officer: Lisa Smith, Sales Officer, Crown Land and Assets, Department of Conservation and Natural Resources, Ballarat. Telephone (053) 33 6851.

IAN SMITH
Minister for Finance

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Planning and Environment Act 1987
WILLIAMSTOWN PLANNING SCHEME
Notice of Approval of Amendment
Amendment L34

The Minister for Planning has approved Amendment L34 to the Local Section of the Williamstown Planning Scheme.

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

The amendment changes a site specific clause that affects land in Walter Street, Williamstown to allow residential uses other than flats and the future subdivision of land and buildings.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, 477 Collins Street, Melbourne and at the town planning offices of the City of Hobsons Bay (Williamstown Office), 208 Hall Street, Spotswood.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
WERRIBEE PLANNING SCHEME
Notice of Approval of Amendment
Amendment L78

The Minister for Planning has approved Amendment L78 to the Local Section of the Werribee Planning Scheme.

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

The amendment rezones 2-64 hectare of land described as Lot 16, PS No. 44564, Princes Highway, Werribee from Public Purposes Reservation to a Residential C zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and the office of the City of Werribee, 45 Princes Highway, Werribee.

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Manager

Planning Co-ordination Branch
Department of Planning and Development

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**Planning and Environment Act 1987
MELTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment L51**

The Minister for Planning has approved Amendment L51 to the Local Section of the Melton Planning Scheme.

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

The amendment rezones the former Sydenham West Primary School site in Melton Highway, Melton from the existing Public Purposes Reservation to a Melton Rural zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and the office of the Shire of Melton, Civic Office, 232 High Street, Melton.

**GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development**

**Planning and Environment Act 1987
COLLINGWOOD PLANNING SCHEME
Notice of Approval of Amendment
Amendment L21**

The Minister for Planning has approved Amendment L21 to the Local Section of the Collingwood Planning Scheme.

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

The amendment rezones land on the south-east corner of Yambla and Ramsden Streets, Clifton Hill from Light Industrial to Residential C to facilitate residential development.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Yarra, Town Hall, 140 Hoddle Street, Abbotsford.

**GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development**

Victoria Government Gazette

**Planning and Environment Act 1987
FRANKSTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment L64**

The Minister for Planning has approved Amendment L64 to the Frankston Planning Scheme.

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

The amendment rezones land at 241-251 Heatherhill Road, Frankston, from Frankston Business 1 Zone to Frankston Residential 2 Zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and the City of Frankston, Civic Centre, Davey Street, Frankston.

**GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development**

**Planning and Environment Act 1987
NORTHCOTE PLANNING SCHEME
Notice of Approval of Amendment
Amendment L34**

The Minister for Planning has approved Amendment L34 to the Local Section of the Northcote Planning Scheme.

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

The amendment rezones 2-8 Clarendon Street, Thornbury from Residential C and Light Industrial to Neighbourhood Business and includes a site specific clause allowing a shop in accordance with a development plan.

A copy of the amendment can be inspected free of charge during office hours, at the Department of Planning and Development, 477 Collins Street, Melbourne and at the offices of the City of Darebin (Northcote District Office) 189 High Street, Northcote.

**GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development**

**Planning and Environment Act 1987
ST KILDA PLANNING SCHEME
Notice of Approval of Amendment
Amendment L32**

The Minister for Planning has approved Amendment L32 to the Local Section of the St Kilda Planning Scheme.

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

The amendment allows the construction of a fence higher than 0.3 metre for land at 625 St Kilda Road, Windsor to provide appropriate fencing for the proposed Wesley Pre-Preparatory and Preparatory School. The fence will have a maximum height of 2 metres.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the St Kilda office of the City of Port Phillip, 1-5 Martin Street, St Kilda.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
CRANBOURNE PLANNING SCHEME
Notice of Approval of Amendment
Amendment L115**

The Minister for Planning has approved Amendment L115 to the Cranbourne Planning Scheme.

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

The amendment allows the sale of arts and craft, tourist related goods and the establishment of a cafe at Lots 4-8 (inclusive) LP8292 Koo-Wee-Rup-Longwarry Road, Bayles.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and the City of Cranbourne, 140-160 Sladen Street, Cranbourne.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
DANDENONG PLANNING SCHEME
Notice of Approval of Amendment
Amendment L34**

The Minister for Planning has approved Amendment L34 to the Local Section of the Dandenong Planning Scheme.

The amendment places the Dandenong East State School No. 1403 in Foster Street, Dandenong under heritage controls by adding the property to the Conservation Table to Clause 120A.

The amendment identifies the site as having special heritage value to the City of Dandenong, and makes any proposal to alter externally or demolish the nominated property or to construct new buildings or carry out works, subject to a permit, giving Council the opportunity to effectively consider it on its merits and in the context of the property's heritage value.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the municipal offices of the City of Dandenong, 39 Clow Street, Dandenong.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
BERWICK PLANNING SCHEME
Notice of Approval of Amendment
Amendment L71**

The Minister for Planning has approved Amendment L71 to the Local Section of the Berwick Planning Scheme.

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

The amendment:

1. Changes the advertising controls for all Local Business Zones within the City of Berwick from Category 2 (local business control) to Category 3 (Berwick business control), to provide greater consistency between advertising controls for commercial areas in the City.

2. Rezones Lot 1, LP 116213, Wedgewood Road, Hallam from Extractive Industrial to Restricted General Industrial, to allow the vacant 11.96 ha land, no longer required for clay

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extraction in association with the currently operating clay quarry abutting to the north, to be used for industrial purposes. It will also facilitate a road link between Wedgewood Road and Star Crescent to the east.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Berwick, Civic Centre, Princes Highway, Fountain Gate.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
WHITTLESEA PLANNING SCHEME
Notice of Approval of Amendment
Amendment L91

The Minister for Planning has approved Amendment L91 to the Local Section of the Whittlesea Planning Scheme.

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

The amendment proposes to:

1. Rezone land generally bounded by Thomastown East Reserve, Darebin Creek and the Melbourne Water pipe track from a part Reserved Light Industrial Zone and part Proposed Public Open Space Reservation, to a Residential C Zone, and surplus Vic Roads land west of the Melbourne Water pipe track from a proposed Main Road Reservation to a Reserved Living Zone.

2. Introduce a site specific control that allows subdivision and development to occur on the land to be rezoned to a Residential C Zone without requiring a planning permit subject to a Section 173 Agreement.

A copy of the amendment can be inspected free of charge during office hours at the offices of the City of Whittlesea, Ferres Boulevard, South Morang and at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne.

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Manager

Planning Co-ordination Branch
Department of Planning and Development

Victoria Government Gazette

Planning and Environment Act 1987
FOOTSCRAY PLANNING SCHEME
Notice of Lapsing of Amendment
Amendment L40

The City of Footscray has abandoned Amendment L40 to the Footscray Planning Scheme.

The amendment proposed to include new provisions into the Scheme to provide greater opportunity for the home-based clothing trade.

The amendment lapsed on 25 October 1993.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
NUNAWADING PLANNING SCHEME
Notice of Approval of Amendment
Amendment L70

The Minister for Planning has approved Amendment L70 to the Local Section of the Nunawading Planning Scheme.

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

The amendment affects properties on the north side of Jeffrey Street which have a creek running through the property.

The amendment proposes to change the Nunawading Planning Scheme by inserting a new provision (Clause 131) to prohibit buildings other than an out building not exceeding 10 sqm, on the north side of the creek on the lots specified above in accordance with the incorporated plan—"Restricted Buildings and Works".

It also inserts a reference clause in the Special Residential (Nunawading) zone No. 5 (Clause 117-5) to provide adequate notice of the new Clause 131.

A copy of the amendment can be inspected free of charge during office hours at the offices of the City of Nunawading, Civic Centre, 379 Whitehorse Road, Nunawading and at the Department of Planning and Development, 477 Collins Street, Melbourne.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
NUNAWADING PLANNING SCHEME
Notice of Approval of Amendment
Amendment L31**

The Minister for Planning has approved Amendment L31 to the Local Section of the Nunawading Planning Scheme.

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

The amendment rezones 12.51 hectares of land bounded by Canterbury Road, Mahoneys Road, Flora Grove and Bennett Street; 1-63, 69 and 71 Mahoneys Road and part of Barter Crescent occupied by the Forest Hill Shopping Centre, from Restricted Business to a Forest Hill Regional Retail Centre Zone. The new zone will facilitate the expansion of the centre from 43,900 square metres of gross leasable floor area to 64,000 square metres of gross leasable floor area.

A copy of the amendment can be inspected free of charge during office hours at the offices of the City of Nunawading, 379 Whitehorse Road, Nunawading and at the Department of Planning and Development, 477 Collins Street, Melbourne.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
KEILOR PLANNING SCHEME
Notice of Approval of Amendment
Amendment L86**

The Minister for Planning has approved Amendment L86 to the Keilor Planning Scheme.

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

The amendment will extend the period of operation of the interim planning controls affecting the Melbourne Airport Environs Area 1 until 30 June 1995 to enable further consideration of proposed controls for use and development in the vicinity of Melbourne Airport which were exhibited in Amendment L45 in May 1992.

The amendment will allow control of use and development to ensure the effective operation of Melbourne Airport. Uses which, due to their

aircraft noise sensitivity, may limit airport operations will not be permitted, in particular, residential development of conventional urban densities, hospitals, hotels etc.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, 477 Collins Street, Melbourne and at the offices of the City of Keilor, Municipal Offices, Old Calder Highway, Keilor.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
BULLA PLANNING SCHEME
Notice of Approval of Amendment
Amendment L106**

The Minister for Planning has approved Amendment L106 to the Bulla Planning Scheme.

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

The amendment will extend the period of operation of the interim planning controls affecting the Melbourne Airport Environs Area 1 until 30 June 1995 to enable further consideration of proposed controls for use and development in the vicinity of Melbourne Airport which were exhibited in Amendment L60 in May 1992.

The amendment will allow control of use and development to ensure the effective operation of Melbourne Airport. Uses which, due to their aircraft noise sensitivity, may limit airport operations will not be permitted, in particular, residential development of conventional urban densities, hospitals, hotels etc.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, 477 Collins Street, Melbourne and at the offices of the Shire of Bulla, Macedon Street, Sunbury.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

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**Planning and Environment Act 1987
MELTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment L52**

The Minister for Planning has approved Amendment L52 to the Melton Planning Scheme.

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

The amendment will extend the period of operation of the interim planning controls affecting the Melbourne Airport Environs Area 1 until 30 June 1995 to enable further consideration of proposed controls for use and development in the vicinity of Melbourne Airport which were exhibited in Amendment L18 in May 1992.

The amendment will allow control of use and development to ensure the effective operation of Melbourne Airport. Uses which, due to their aircraft noise sensitivity, may limit airport operations will not be permitted, in particular, residential development of conventional urban densities, hospitals, hotels etc.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, 477 Collins Street, Melbourne and at the offices of the Shire of Melton, 232 High Street, Melton.

**GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development**

**Planning and Environment Act 1987
BROADMEADOWS PLANNING SCHEME
Notice of Approval of Amendment
Amendment L64**

The Minister for Planning has approved Amendment L64 to the Broadmeadows Planning Scheme.

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

The amendment will extend the period of operation of the interim planning controls affecting the Melbourne Airport Environs Area 1 until 30 June 1995 to enable further consideration of proposed controls for use and development in the vicinity of Melbourne Airport which were exhibited in Amendment L31 in May 1992.

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The amendment will allow control of use and development to ensure the effective operation of Melbourne Airport. Uses which, due to their aircraft noise sensitivity, may limit airport operations will not be permitted, in particular, residential development of conventional urban densities, hospitals, hotels etc.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, 477 Collins Street, Melbourne and at the offices of the City of Broadmeadows, Pascoe Vale Road, Broadmeadows.

**GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development**

**Planning and Environment Act 1987
WARRNAMBOOL CITY PLANNING
SCHEME**

**Notice of Approval of Amendment
Amendment L27**

The Minister for Planning has approved Amendment L27 to the Warrnambool City Planning Scheme

The amendment comes into operation on the day this notice is published in the Government Gazette.

The amendment rezones:

No. 54 Raglan Parade, Warrnambool, from Special Investigation zone to Special Use 20 (Gateway Plaza Shopping Centre) to reflect the current use and development of the land. The amendment also introduces a new clause, Special Use No. 20 and incorporated documents into the scheme;

Land described as Part Crown Allotments 7 and 8, Section 1, Parish of Wangoom, being land located on the south west corner of Mahoneys Road and Raglan Parade (Princes Highway), Warrnambool, from Rural 2 (Future Urban) zone to Commercial 2 zone to allow appropriate commercial development of the land;

Land described as Part Crown Allotments 3, 4, 5 and 6, Section 1, Parish of Wangoom, being land north and south of the Melbourne to Warrnambool railway line, commencing 200 metres east of Fergusson Street and

west of Gillin Park Estate, Warrnambool, from Rural 2 (Future Urban) zone and Special Investigation zone to Residential 3 zone to allow residential development of the land;

Nos 33-45 Lava Street, Warrnambool, from Special Investigation zone to Residential 1 zone in accordance with surrounding zoning and to give certain direction to the future use and development of the land; and

Nos 1 and 3 Hider Street, Warrnambool, from Residential 1 zone to Public Purpose 7 (Hospital) reservation to reflect the ownership and future use of the land.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Planning Division, Ground Floor, Olderfleet Buildings, 477 Collins Street, Melbourne and at the City of Warrnambool Offices, Liebig Street, Warrnambool.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
BULN BULN PLANNING SCHEME
Notice of Approval of Amendment
Amendment L39**

The Minister for Planning has approved Amendment L39 to the Buln Buln Planning Scheme.

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

The amendment allows the construction of a house, subject to permit, on Lot 2, Part Crown Allotment 27, Buln Buln Road, Drouin East.

A copy of the amendment can be inspected free of charge during office hours at the offices of the Shire of Buln Buln, 33 Young Street, Drouin and at the Department of Planning and Development, 477 Collins Street, Melbourne,

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
STAWELL (SHIRE) PLANNING SCHEME
Notice of Approval of Amendment
Amendment L19**

The Minister for Planning has approved Amendment L19 to the Stawell (Shire) Planning Scheme Chapter One—Bellfield.

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

The amendment permits the subdivision of Parkgate Holiday Resort on part CA 5F, Parish of Boroka (CP 153258) into 24 lots.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne; its regional office, State Government Offices, Ballarat and the Shire of Stawell, Longfield Street, Stawell.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
GREATER BENDIGO PLANNING SCHEME
Notice of Approval of Amendment
Amendment L3**

The Minister for Planning has approved Amendment L3 to the Greater Bendigo Planning Scheme.

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

The amendment rezones approximately 1.9 hectares of land at 153-177 Woodward Road, Golden Square from a Rural Residential Zone to a Low Density Residential Zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne, and at the offices of the City of Greater Bendigo, Bendigo Branch Office, Lyttleton Terrace, Bendigo.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

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**Planning and Environment Act 1987
GREATER GEELONG PLANNING SCHEME
Notice of Approval of Amendment
Amendment R55**

The Minister for Planning has approved Amendment R55 to the Greater Geelong Planning Scheme.

The amendment comes into operation on the day this notice is published in the Government Gazette.

The amendment rezones No. 1 Julian Street and No. 72 Russell Street, Newtown, from Residential A zone to Public Purposes (Existing)—6—Car Park reservation.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Planning Division, Ground Floor, Olderfleet Buildings, 477 Collins Street Melbourne and at the Offices of the City of Greater Geelong, Osborne House, Swinburne Street, North Geelong.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
ECHUCA PLANNING SCHEME
Notice of Approval of Amendment
Amendment L23**

The Minister for Planning has approved Amendment L23 to the Echuca Planning Scheme.

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

The amendment replaces the existing Local Section of the scheme, introducing a plain English format for the ordinance and making certain map and ordinance changes to zones, reserves and overlays.

A copy of the amendment can be inspected free of charge during office hours at the offices of the Shire of Campaspe, Heygarth Street, Echuca and the Department of Planning and Development, the Olderfleet Buildings, 477 Collins Street, Melbourne and 426 Hargreaves Street, Bendigo.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

Victoria Government Gazette

**Planning and Environment Act 1987
SUNSHINE PLANNING SCHEME
Notice of Approval of Amendment
Amendment L81**

The Minister for Planning has approved Amendment L81 to the Local Section of the Sunshine Planning Scheme.

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

The amendment inserts a clause into the Dangerous Industrial Zone, the Extractive Industrial Zone, the General Industrial Zone, the Light Industrial Zone, the Reserved General Industrial Zone, the Reserved Light Industrial Zone, the Restricted Light Industrial Zone, the Restricted General Industrial Zone and the Transportation Zone to exempt any buildings or works required to be modified in conformity with licence conditions under the Dangerous Goods (Storage and Handling) Regulations 1989, the Dangerous Goods (Explosives) Regulations 1988 or an Environment Protection Authority Licence, Works Approval or Pollution Abatement Notice, under the Environment Protection Act 1970 from planning permission.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, 477 Collins Street, Melbourne and at the offices of the City of Brimbank (Sunshine Office), Alexandra Avenue, Sunshine.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
GREATER GEELONG PLANNING SCHEME
Notice of Approval of Amendment
Amendment R99**

The Minister for Planning has approved Amendment R99 to the Greater Geelong Planning Scheme.

The Greater Geelong Council prepared and adopted the amendment and will be responsible for administering the scheme.

The amendment changes the Planning Scheme by inserting land on the south side of Taits Road, being part of Allotment J, Section 15, Parish of Connewarre, at Barwon Heads, into the Table to Schedule 2, Exempt Below

Minimum Lots—Non Urban Zones, as Reference Number 51. The erection of a detached house on the land is subject to the issue of a permit by the responsible authority.

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

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Office of Planning and Heritage, Ground Floor, Olderfleet Buildings, 477 Collins Street, Melbourne the City of Greater Geelong, Osborne House, Swinburne Street, North Geelong.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

**Planning and Environment Act 1987
ST KILDA PLANNING SCHEME
Notice of Approval of Amendment
Amendment L34**

The Minister for Planning has approved this amendment to the Local Section of the St Kilda Planning Scheme.

The amendment clarifies the wording of the time limit condition for completion of the redevelopment of the Sea Baths site, Jacka Boulevard, St Kilda, for the purpose of a health and fitness centre incorporating hot sea baths, swimming pool and other related activities.

The amendment and the consent notice can be inspected at the offices of the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and the City of Port Phillip, corner Brighton Road and Carlisle Street, St Kilda.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

NOTICE OF COVENANT

The Shire of Eltham owner of approximately 43 ha off Graham Road, Kangaroo Ground being CA 4A Section 19, part CA 4 Section 20, part Lot 17 and 18 PS 7260, and Lot 8 PS 84164, Parish of Nillumbik, Shire of Eltham proposes to enter into four Covenants with the Victorian Conservation Trust to protect native flora and

fauna by controlling the introduction of exotic flora, stock, pets, buildings, subdivision, and other changes which may adversely affect its conservation values.

Submissions concerning the proposed Covenants may be made within one month of the publication of this notice to the Minister for Conservation and Environment (att. Mr N. Wale), PO Box 41, East Melbourne 3002. Enquiries: (03) 651 4040.

NOTICE OF COVENANT

The Shire of Melton owner of approximately 25 ha off Butlers Road, Melton South being Crown Section 10, Parish of Pywheittjorrk, Shire of Melton, proposes to enter into a Covenant with the Victorian Conservation Trust to protect native flora and fauna by controlling the introduction of exotic flora, stock, pets, buildings, subdivision and other changes which may adversely affect its conservation values.

Submissions concerning the proposed Covenant may be made within one month of the publication of this notice to the Minister for Conservation and Environment (att. Mr N. Wale), PO Box 41, East Melbourne 3002. Enquiries: (03) 651 4040.

Fisheries Act 1968

FISHERIES NOTICE No. 31/1994

Fisheries (Shark Fishing) Notice No. 31/1994

I, Charles Geoffrey Coleman, Minister for Natural Resources, after consultation with the Victorian Fishing Industry Federation, make the following Fisheries Notice:

Dated 16 December 1994

C. G. COLEMAN

Minister for Natural Resources

Objective

1. The objective of this Notice is to prohibit the commercial targeting of shark in all Victorian waters other than Port Phillip Bay, Western Port and Corner Inlet as a consequence of State and Commonwealth management arrangements.

Commencement

2. This Notice commences on 26 December 1994.

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Authorising provision

3. This Notice is made under section 80 of the Fisheries Act 1968.

Certain shark gillnets and longlines not to be used

4. (1) A person must not in any Victorian waters during the period commencing on 26 December 1994 and ending on 25 March 1995—

- (a) use any mesh net containing any meshes measuring greater than 150 millimetres; or
- (b) use any one line or combination of lines with more than 200 hooks attached where the mainline is of a sinking rope with a diameter of 6 millimetres or more.

(2) Sub-clause (1) does not apply to a person who uses mesh nets and lines in the waters of Port Phillip Bay, Western Port and Corner Inlet.

By-catch

5. (1) A person must not during the period commencing on 26 December 1994 and ending on 25 March 1995—

- (a) take or retain on board any vessel gummy shark (*Mustelus antarcticus*) or school (snapper) shark (*Galeorhinus galeus*) with a total combined weight of more than 50 kilograms in or adjacent to Victorian waters; or
- (b) be in possession of gummy shark (*Mustelus antarcticus*) or school (snapper) shark (*Galeorhinus galeus*) with a total combined weight of more than 50 kilograms in or adjacent to Victorian waters.

(2) A person must not land gummy shark (*Mustelus antarcticus*) or school (snapper) shark (*Galeorhinus galeus*) otherwise than in the form of a carcass.

(3) Sub-clauses (1) and (2) do not apply to a person who takes gummy shark (*Mustelus antarcticus*) or school (snapper) shark (*Galeorhinus galeus*) from the waters of Port Phillip Bay, Western Port or Corner Inlet.

(4) Sub-clause (1) (b) does not apply to a person who:

- (a) holds a Commonwealth Fishing Boat Licence issued pursuant to Paragraph 9 (2) (a) of the Commonwealth Fisheries Act 1952 which is endorsed to exempt

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the licence holder from the prohibitions contained in Commonwealth Fisheries Notice 163A; or

- (b) holds a Commonwealth Fishing Boat Licence issued pursuant to Paragraph 9 (2) (b) of the Commonwealth Fisheries Act 1952 which authorises use of the boat in the southern shark gillnet fishery; or
- (c) holds a Fishing permit issued pursuant to section 32 (1) of the Commonwealth Fisheries Management Act 1991.

(5) For the purpose of this clause "carcass" means the body of a shark which is not cut or mutilated in any manner whatsoever other than to remove the gut and head forward and clear of the posterior (fifth) gill slit.

Penalty

6. Any person who contravenes this Notice is liable to a penalty of 20 penalty units.

Country Fire Authority Act 1958

DECLARATION OF FIRE DANGER PERIOD

In pursuance of the powers conferred by section 4 of the Country Fire Authority Act 1958, I, Leonard Raymond Foster, Chairman of the Country Fire Authority, after consultation with the Secretary of Conservation and Natural Resources, hereby declare the following periods to be the Fire Danger Period in the areas that, at the time of declaration, comprise or comprised the municipal districts of the municipalities listed below, or where part of a municipality is listed below, the area that, at the time of declaration, comprised part of that municipality, the Fire Danger Period commencing on the relevant dates shown below and ending on 0100 hours on Friday, 1 May 1995, unless varied by subsequent declaration.

The Fire Danger Period in all areas specified below commences at 0100 hours on Friday, 23 December 1994.

Bass Coast Shire Council

Casey City Council

Frankston City Council

Greater Dandenong City Council

Mornington Peninsula Shire Council

Cardinia Shire Council

French Island

Kingston City Council (That portion outside the Metropolitan Fire District)

Banyule City Council (Excluding that portion already declared as part of the former Shire of Diamond Valley) (That portion outside the Metropolitan Fire District)

Nillumbik Shire Council (Excluding that portion already declared as part of the former Shire of Diamond Valley and former City of Whittlesea) (That portion outside the Metropolitan Fire District)

Knox City Council (That is the New City of Knox)

Yarra Ranges Shire Council

Manningham City Council (That portion outside the Metropolitan Fire District)

Maroondah City Council (That portion outside the Metropolitan Fire District)

The Fire Danger Period in all areas specified below commences at 0100 hours on Monday, 2 January 1995.

Yallourn Works Area

La Trobe Shire Council

Baw Baw Shire Council

South Gippsland Shire Council

L. R. FOSTER
Chairman

**Subordinate Legislation Act 1962
Melbourne and Metropolitan Board of
Works Act 1958**

**PROPOSED SPECIAL BY-LAW NO. 41:
WATER SUPPLY AND SEWERAGE
SERVICES TO NON-RATEABLE
PROPERTY**

I, Geoff Coleman, hereby give notice pursuant to the Subordinate Legislation Act 1962 as follows:

Melbourne Water's proposed Special By-law No. 41: Water Supply and Sewerage Services to Non-rateable Property has been the subject of a Regulatory Impact Statement.

Public comment and submissions have been invited pursuant to section 12 of the Subordinate Legislation Act 1962.

I have decided that the proposed Special By-law No. 41: Water Supply and Sewerage Services to Non-rateable Property, should be made.

GEOFF COLEMAN
Minister for Natural Resources

Valuation of Land Act 1960

DEPARTMENT OF FINANCE

Fees for the Provision of Information

I, James Alan D'Arcy, Valuer-General, pursuant to section 5 (2) of the Valuation of Land Act 1960, set the following fees to be paid for the provision of information in my possession as to the details of any sale or transfer of land or of an interest in land:

- (a) For the supply of details of all transactions of land in the whole of any municipality—
 - (i) as a regular service—15 cents per transaction; or
 - (ii) as a request—\$15.00 plus 15 cents transaction; and
- (b) For the supply of details of specific transactions of land for part of any municipality—
 - (i) as a regular service—30 cents per transaction; or
 - (ii) as a request—\$20.00 plus 30 cents per transaction.

In accordance with the policy directions of the Hon. Ian Winton Smith, Minister for Finance, the following persons are entitled to be supplied with the above information:

- (a) A Municipal Council or its agent;
- (b) A person practising as a land valuer or his or her agent;
- (c) A person being a licensed real estate agent as defined in section 4 of the Estate Agents Act 1980 or his or her agent;
- (d) A person or his or her agent whose land is being compulsorily acquired under the provisions of any Act or who is claiming compensation for loss or damage resulting from the exercise of powers under any Act relating to land whether for the acquisition of the land or any other purposes; and
- (e) A person or his or her agent who has lodged an objection to the assessment of the value of any land in accordance with the provisions of Part III of the Valuation of Land Act 1960.

JAMES ALAN D'ARCY
Valuer-General

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Valuation of Land Act 1960
DEPARTMENT OF FINANCE
Qualifications or Experience Specified by the
Minister for Persons Making Council Rating
Valuations

I, the Hon. Ian Winton Smith, Minister for Finance, pursuant to section 13DA (1A) of the Valuation of Land Act 1960, specify the following qualifications and experience for persons to be appointed by a council to make valuations for the purposes of the Local Government Act 1989:

- (a) A valuer member of the Australian Institute of Valuers and Land Economists; or
- (b) A person registered with the Valuers' Qualification Board in Victoria on 31 December 1994; or
- (c) A person who is registered or licensed as a valuer in any other State in Australia; or
- (d) A person who holds a Bachelor of Business (Property) majoring in the valuation stream from the Royal Melbourne Institute of Technology, and who has had a minimum of two years full-time supervised valuation practical experience.

IAN SMITH
Minister for Finance

APPOINTMENTS

**Children and Young Persons Act 1989
REVOCATION OF HONORARY
PROBATION OFFICERS**

I, Brian Joyce, Regional Director of Southern Metropolitan Region of Health and Community Services, under section 34 (4) of the Children and Young Persons Act 1989 revoke the undermentioned Honorary Probation Officers for the Children's Court in the State of Victoria for a period ending 31 December 1995.

Baird, Tracy
Binding, Jill
Martin, Jillian
McLeish, Alistair
Ophof, Patricia
Schirmer, Margaret
Tompson, Jane

Dated 13 December 1994

BRIAN JOYCE
Regional Director

**Children and Young Persons Act 1989
APPOINTMENT OF HONORARY
PROBATION OFFICERS**

I, Brian Joyce, Regional Director of Southern Metropolitan Region of Health and Community Services, under section 34 (4) of the Children and Young Persons Act 1989 appoint the undermentioned Honorary Probation Officers for the Children's Court in the State of Victoria for a period ending 31 December 1995:

Chandler, Patricia Yvonne

Dated 13 December 1994

BRIAN JOYCE
Regional Director

ORDERS IN COUNCIL

**Victorian Prison Industries Commission
Act 1983****APPOINTMENT**

The Governor in Council under section 8 (2) (d) (iii) of the Victorian Prison Industries Commission Act 1983 appoints Jim Beggs as a part-time member of the Victorian Prison Industries Commission from 20 December 1994 to 19 December 1997 both dates inclusive at a remuneration of \$8,458 per annum.

Dated 20 December 1994

Responsible Minister:

PATRICK McNAMARA

Deputy Premier

Minister for Corrections

KATHY WILSON

Acting Clerk of the Executive Council

Transport Act 1983**DEREGULATION OF ROAD TRANSPORT
OF BULK PETROLEUM AND BULK GRAIN**

The Governor in Council under section 196 of the Transport Act 1983 by this Order amends Schedule 8 of the Act by:

- (a) omitting from Column One of Part A of that Schedule the words "Bulk petroleum products" and by omitting from Column Two of that Part the radius specified in relation to bulk petroleum; and
- (b) omitting from Column One of Part A of that Schedule the words "Bulk barley", "Bulk oats" and "Bulk wheat" and by omitting from Column Two of that Part the radius specified in relation to bulk barley, bulk oats and bulk wheat.

The part of this Order relating to the transport of bulk petroleum shall take effect on 30 June 1995 and the part of this Order relating to the transport of bulk barley, bulk oats and bulk wheat shall take effect on 31 December 1995.

Dated 20 December 1994

Responsible Minister:

ALAN BROWN

Minister for Public Transport

KATHY WILSON

Acting Clerk of the Executive Council

Land Act 1958**VESTING OF LAND UNDER SECTION 22A**

The Governor in Council under section 22A of the Land Act 1958 hereby vests in the Grain Elevators Board the land described in Schedule 1 subject to and in accordance with the agreement dated 4 October 1994, between the Public Transport Corporation and the Grain Elevators Board a copy of which agreement is set out in Schedule 2 and for the appropriate purposes of the Grain Elevators Board.

Dated 20 December 1994

Responsible Minister:

IAN SMITH

Minister for Finance

KATHY WILSON

Acting Clerk of the Executive Council

Land Act 1958—Section 22A**SCHEDULE 1**

The estate in fee simple down to the depth of 15 metres below the surface in the following parcels of land:

1. Crown Allotment 6^B Parish of Gredgwin (CP 113291).
2. Crown Allotment 28^B Parish of Perrit Perrit (CP 114412).
3. Crown Allotment 18^A Section 1 Township of Berriwillock (CP 114413).
4. Crown Allotment 9^A Section 7 Township of Cope Cope (CP 113321).
5. Crown Allotment 16^B of 4 Parish of Cooroopajerrup (CP 113394).
6. Crown Allotment 10 Section 3 Township of Gerang Gerang (CP 113313).
7. Crown Allotment 1^B Section 1 Parish of Witchipool (CP 113302).
8. Crown Allotment 5^A of 5 Township of Mittyack (CP 114476).
9. Crown Allotment 12^B Parish of Bourka (CP 113362).
10. Crown Allotment 37^D Section 3 Parish of Quambatook (CP 113327).
11. Crown Allotment 9^D Parish of Kiata (CP 113339).
12. Crown Allotment 10^C Section C Parish of Woosang (CP 113238).
13. Crown Allotment 3^A Parish of Lillimur (CP 113381).

Land Act 1958—Section 22A
SCHEDULE 2
PUBLIC TRANSPORT CORPORATION
GRAIN ELEVATORS BOARD
Agreement

This Agreement is made on 4 October 1994

Between Public Transport Corporation

Level 10

Transport House

589 Collins Street

Melbourne, Victoria

("PTC")

And

Grain Elevators Board

43 Lonsdale Street

Melbourne Victoria

("GEB")

Recitals

A. PTC desires to surrender Land occupied or leased by GEB to the Crown so that Crown Grants may issue to GEB.

B. Notwithstanding the surrender and Crown Grants, PTC wishes to preserve, protect and where necessary create various Rights and Interests and may impose Special Conditions that PTC requires over the Land.

C. GEB is willing to protect and preserve and, where necessary, create various Rights and Interests and Special Conditions in favour of PTC in respect of the Land.

Operative Provisions

1. Interpretation

1.1 Definitions

In this document:

"Agreement" means this agreement.

"Business Days" means any day excluding:

(i) a Saturday or Sunday; or

(ii) a day gazetted by the Government as a holiday;

"Crown" means the Crown in the right of the State of Victoria;

"Encumbrance" means a mortgage, pledge, lien, charge, assignment, hypothecation, security interest, title retention, preferential right or trust arrangement or any other security agreement or arrangement;

"Expert" means the person to whom a dispute is referred in clause 8 of this Agreement;

"GEB" means the Grain Elevators Board established under the Grain Elevators Act and its successors in title;

"Governor-in-Council" means Governor-in-Council for the time being of the State of Victoria;

"Grain Elevators Act" means the Grain Elevators Act 1958 (Vic);

"Land" means each parcel of land listed in schedule 1 and the attached plans;

"Land Act" means the Land Act 1958 (Vic.);

"Minister for Public Transport" means the Minister for Public Transport (or other portfolio having a different name, but similar function) for the time being of the State of Victoria;

"Planning and Environment Act" means the Planning and Environment Act 1987 (Vic);

"Property Law Act" means the Property Law Act 1958 (Vic.);

"PTC" means Public Transport Corporation established under the Transport Act and includes its successors and assigns;

"PTC Land" means those parcels of land retained by PTC and not leased to GEB;

"Rights and Interests" means the rights and interests described in schedule 3 of this Agreement;

"Signing Date" means the signing date of this Agreement;

"Special Condition" means a special condition imposed under clause 5;

"Surplus Land" means surplus land as defined in section 47 (1) of the Transport Act;

"Transfer of Land Act" means the Transfer of Land Act 1958 (Vic.); and

"Transport Act" means the Transport Act 1983 (Vic.).

1.2 Construction

Unless expressed to the contrary:

- (a) words importing:
 - (i) the singular include the plural and vice versa; and
 - (ii) any gender includes the other genders;
- (b) if a word or phrase is defined cognate words and phrases have corresponding definitions;
- (c) a reference to:
 - (i) a person includes a firm, unincorporated association, corporation and a government or statutory body or authority;
 - (ii) a person includes the legal personal representatives, successors and assigns of that person;
 - (iii) a statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
 - (iv) a right includes a benefit, remedy, discretion, authority or power;
 - (v) time is to local time in Melbourne
 - (vi) "\$" or "dollars" is a reference to the lawful currency of Australia;
 - (vii) writing includes any mode of representing or reproducing words in tangible and permanently visible form, and includes facsimile transmission.

1.3 Headings

Headings do not affect the interpretation of this document.

2. Surplus Land Declaration

PTC shall seek declarations from the Minister for Public Transport that the Land is Surplus Land pursuant to section 47 (1) of the Transport Act. PTC may seek one declaration in respect of the whole of the Land, or declarations for two or more parcels of Land and at a time or times as PTC considers appropriate or convenient.

3. Surrender of Land

3.1 Consent

Upon obtaining a declaration in respect of a parcel of the Land described in clause 2, PTC shall request the Minister for Public Transport to seek the consent of the Governor-in-Council to surrender the Land pursuant to section 22A (1) (a) of the Land Act.

3.2 Surrender and Vesting

3.2.1 Subject to clause 3.1 PTC shall surrender the Land to the Crown and notify the Governor-in-Council that PTC seeks an order pursuant to section 22A (2) of the Land Act vesting the Land in GEB in accordance with this Agreement on the condition that GEB must not use the Land which lies within 8m of the centreline of a rail track for any purpose other than for the purpose of carrying out GEB's operations of receiving, storing, outloading and handling bulk grain and other commodities.

3.2.2 The order shall include a direction to the Minister for Finance to include in any Crown Grant issued a reservation in favour of PTC in respect of PTC's Rights and Interests and any Special Conditions PTC may impose in respect of the Land in accordance with clause 5.

3.3 Order

Subject to clause 3.2 PTC shall request the Minister for Public Transport to seek to have the Governor-in-Council, by order published in the Government Gazette, vest Land surrendered in accordance with this Agreement in GEB. A copy of this Agreement shall be included in the order.

4. Protection and Preservation

4.1 Restrictions and Encumbrances

The Land shall be vested in GEB subject to and will not extinguish, destroy, remove or alienate any existing rights, easements, covenants, leases, licenses, Encumbrances and restrictions PTC then has over the Land and shall accept each Crown Grant of the Land subject to any discrepancies

between the actual area, boundaries, measurements or position of the Land as occupied and those as described in their present titles or in the Crown Grants.

4.2 Planning

GEB shall accept each Crown Grant of the Land subject to all existing and proposed restrictions affecting the use, development or enjoyment of the Land under any Act, environment planning instrument or deemed environment planning instrument or resolution of any responsible authority made or which may later be made under the Local Government Act 1989, the Planning and Environment Act 1987, the Environment Protection Act 1970, the conditions of any planning permit or other Act, planning approval or instrument applicable to the Land.

4.3 No Requisitions or Objections

GEB shall accept each Crown Grant of the Land subject to all the restrictions and conditions described in clauses 4.1 and 4.2 and shall not make any requisition or objection or claim from PTC on that ground any compensation with respect thereto or in respect of any proposed amendment to any planning control now or later applicable to the Land.

4.4 Not Fetter PTC Ability to Create Additional Rights and Interests

The vesting of the Land in GEB will not fetter PTC's ability to create additional Rights and Interests or impose additional Special Conditions in accordance with clause 5 over the Land as and when reasonably required.

4.5 At Grade Crossings

For any new development over 1.2m high, where, for the safety of the public, an at grade crossing needs unobstructed lines of sight GEB shall obtain PTC's prior approval in writing before commencing to obstruct or impede the lines of sight such approval shall be at PTC's absolute discretion. Lines of sight will be as specified in the attached plans in schedule 1.

4.6 Use of PTC Land by GEB

GEB shall not require a licence to enter any PTC Land in order to carry out its normal operations of receiving, storing, outloading and handling bulk grain and other commodities or in cases of emergency in accordance with clause 4.8.11.

4.7 Granting of Licence

Except as provided in clause 4.6, GEB must seek a licence from PTC prior to entering any PTC Land. PTC shall not unreasonably refuse to grant a licence.

4.8 Terms and Conditions

The following terms and conditions shall apply to any licence granted under clause 4.7:

4.8.1 GEB shall indemnify and keep PTC, its employees, customers, agents and others for whom PTC is or may be responsible against any loss of or damage to persons or property arising directly or indirectly from any entry, use or enjoyment of PTC Land under clause 4.7;

4.8.2 GEB must not enter any PTC Land without the written consent of PTC;

4.8.3 with respect to clauses 4.7.1 GEB has the right to retain, improve and maintain its facilities subject to its continued use for receiving, storing, outloading and handling bulk grain and other commodities. GEB must ensure any rights in clause 1 of schedule 3 are not breached;

4.8.4 A request to enter any PTC Land shall be submitted in writing by GEB to PTC at least 7 days (or a lesser time if PTC approves) in advance of the anticipated date of entry. The request must include a programme of work detailing exactly and comprehensively why access is required, what work is to be done, the duration of the access and the name and function of any subordinate who will undertake work according to the programme of work for which access is required;

4.8.5 PTC may impose reasonable conditions at any time to access to any PTC Land and GEB must strictly comply with those conditions. Reasonable notice will be given to GEB of PTC conditions imposed;

4.8.6 PTC may reasonably designate access locations and routes to those portions of PTC Land required for undertaking the programme of work;

4.8.7 GEB shall carry out all work necessary to allow accessibility along the designated access routes specified in accordance with clause 4.8.6;

4.8.8 Only approved GEB subordinates specified in clause 4.8.4 shall be granted access to any PTC Land;

4.8.9 PTC may specify as a condition to the licence that prior to entering and departing from any PTC Land, representatives of GEB or its subordinates must report to the supervisor of that PTC Land and advise that they are on PTC Land or leaving PTC Land (as the case may be);

4.8.10 GEB or its subordinates shall not have exclusive possession of any PTC Land;

4.8.11 GEB and its subordinates must comply with PTC's safeworking instructions as described in the PTC Book of Rules and Operating Procedures (1994) and as varied from time to time, a copy of which is provided with this Agreement.

4.9 Rail Closures

4.9.1 On the closure of a rail line on any Land PTC shall recommend to the Crown that any additional land GEB may reasonably require to carry out its normal operation of receiving, storing, outloading and handling bulk grain and other commodities and which may be Surplus Land because of the rail line closure be offered for sale to GEB on terms and conditions determined by PTC.

4.9.2 If PTC's recommendation in clause 4.9.1 is not accepted, PTC shall recommend to the Crown that unfettered access be granted to GEB over that part of the additional land GEB may reasonably require to carry out its normal operation of receiving, storing, outloading and handling bulk grain and other commodities or in cases of emergency.

5. Special Conditions

5.1 Schedule 2

GEB must strictly comply with the Special Conditions specified in schedule 2 in relation to parts of the Land.

5.2 Land Between 2.4m and 8m

PTC may at its discretion, such discretion to be exercised reasonably by notice in writing to GEB impose any additional Special Conditions on GEB's use of Land between 2.4m and 8m from the centreline of a rail track. By PTC giving that notice, GEB and the Land concerned shall become bound by, PTC shall have the benefit of, and the provisions of this Agreement (including clause 6) shall apply to the Special Conditions.

6. Registration of Rights and Interests

6.1 Equitable Easement

If a Crown Grant of any parcel of Land in favour of GEB does not create or reserve any Rights and Interests or Special Condition in favour of PTC:

6.1.1 PTC shall be entitled to require (but will not be bound to require) GEB to create and register an appropriate instrument or instruments against the title or titles to the Land under the Transfer of Land Act in favour of PTC in consideration of the payment of \$1.00 by PTC to GEB and otherwise at GEB's expense protecting the Rights and Interests or Special Condition (as the case may be) in the Land; and

6.1.2 where PTC requires the Rights and Interests or Special Conditions (as the case may be) specified in clause 6.1.1 to be registered against the title or titles to the Land, PTC shall have and shall continue to have in equity the Rights and Interests or Special Conditions (as the case may be) to the extent possible over that part of the Land which is required and GEB shall do and shall continue to do all acts matters and things necessary to give effect thereto. In addition, PTC shall be entitled to lodge a caveat against the title to the Land and GEB must not object or take any action to remove or obstruct PTC's caveat.

6.2 Costs

GEB shall be liable for all reasonable costs and expenses relating directly or indirectly to the registration of any instrument under clauses 6.1.

6.3 Assistance

PTC shall use its best endeavours to assist GEB in the registration of any instrument under clause 6.

7. No public announcement, press statement etc.

GEB must not make a public announcement, press statement or release concerning this Agreement without the prior consent of PTC until the expiration of 7 days after the Signing Date.

8. Covenants by GEB

GEB shall:

8.1 not use the Land within 8m of the centreline of a rail track other than for the purpose of receiving, storing, outloading and handling bulk grain and other commodities;

8.2 not allow anything to happen to the Land in breach of PTC's Rights or Interests or any Special Condition or to the annoyance or nuisance relating to any PTC's Land adjacent to or in the vicinity of the Land;

8.3 not make any improvement, alteration or addition:

(a) to any Land between 2.4m and 8m from the centreline of a rail track;

(b) which will interfere with the operation of PTC's solar panels;

(c) that may obstruct or impede lines of sight at an at grade crossing in accordance with clause 4.5; or

(d) where Special Conditions apply

other than as permitted by this Agreement without the prior written consent of PTC; and

8.4 use its best endeavours to ensure that all existing services to and from any parcel of Land continue to apply.

9. Dispute Resolution

9.1 Dispute

Where any dispute arises under this Agreement, PTC and GEB may agree to resolve that dispute in accordance with the procedures described in this clause 9.

9.2 Notice of Dispute

9.2.1 Where any dispute arises under this Agreement and PTC and GEB have agreed to resolve the dispute in accordance with this clause 9, PTC and GEB shall notify the other in writing of the dispute and advise that the dispute is to be dealt with under this clause 9.

9.2.2 If after either party receives a notice under clause 9.2.1 the dispute is not resolved within 28 days or any further time the parties agree the dispute must be dealt with in accordance with the balance of this clause 9.

9.3 Conciliation

Any dispute not resolved in accordance with clause 9.2 must first be referred to the Chief Executive Officer of PTC and GEB who shall use their best endeavours to negotiate with a view to resolving the dispute. If the dispute cannot be resolved within 7 days after the date of referral to the Chief Executive Officer the dispute shall be referred to resolution in accordance with clause 9.4.

9.4 Referral of Dispute

Unless the parties otherwise agree a dispute referred in accordance with this clause 9.4 must be referred to a person agreed between the parties, or failing agreement within five Business Days to a professional with qualifications appropriate to the matter under dispute appointed by the President of the Institute of Arbitrators Australia (or its succeeding body) or his nominee.

9.5 Expert's Decision Final and Binding

The person to whom the dispute is referred ("Expert") shall act as an expert and not as an arbitrator. In the absence of manifest error the Expert's decision shall be final and binding on the parties.

9.6 Conduct of Investigation

9.6.1 The Expert may investigate, call witnesses and take the advice of any person the Expert deems appropriate including property consultants, valuers, lawyers, architects, engineers and property managers.

9.6.2 At any hearing conducted by the Expert each party may appear personally, or if mutually agreed by the parties, be represented by a qualified legal practitioner.

9.6.3 The Expert may make investigations and conduct the proceedings in any way the Expert thinks fit. The parties must give the Expert all assistance and provide documents and make submissions as required by the Expert.

9.7 Costs

The Expert's costs must be shared equally by PTC and GEB. Each party must otherwise pay its own costs in relation to determining a dispute under this clause 9 unless the Expert orders to the contrary.

10. Assignment

10.1 Licence not Assignable by GEB

This Agreement, PTC's Rights and Interests, any Special Conditions and any other rights, interests or benefits created by this Agreement shall not be assignable by GEB without the written consent of PTC which shall not be unreasonably withheld in the case of an assignment in favour of another occupier of a parcel of Land who requires their use and benefit.

10.2 Procure from a Third Party

If:

- (a) GEB sells or disposes of any Land to any person; or
- (b) PTC sells or disposes of any PTC Land to any person which enjoys or in respect of which PTC enjoys the benefit of any Rights or Interests or any Special Conditions or any other rights, interests or benefits created by this Agreement,

the party selling or disposing of its land must procure that person to enter into a deed with PTC or GEB (depending on who sells or disposes of the land) that has the same effect as this Agreement and the other party must enter into the deed with that person.

10.3 Services Affecting GEB Land

Where PTC Land is being declared surplus and available for sale by the Crown and there is a service on the PTC Land that services adjoining or nearby GEB Land, PTC shall recommend to the Minister that the PTC Land be declared surplus subject to a condition that the purchaser be liable to maintain or re-locate the service at the purchaser's sole expense.

11. Default

If GEB or PTC commits a breach of or fails to observe or perform any provision of this Agreement, without limiting any of its other rights and remedies, the aggrieved party may serve notice in writing on the defaulting party requiring the defaulting party to remedy the default or failure and the defaulting party shall remedy the default or failure within the period specified in the notice or any longer period as is reasonable in the circumstances.

12. Entire Understanding

12.1 This Agreement embodies the entire understanding and agreement between PTC and GEB as to the subject matter of this Agreement.

12.2 All previous negotiations, understandings, representations, warranties, memoranda or commitments in relation to, or in any way affecting, the subject matter of this Agreement are merged in and superseded by this Agreement and are of no force or effect whatever and no party is liable to any other party in respect of those matters.

12.3 No oral explanation or information provided by any party to another shall:

- 12.3.1 affect the meaning or interpretation of this Agreement, or
- 12.3.2 constitute any collateral agreement, warranty or understanding between any of the parties.

13. Effect, perfect or complete the provisions

PTC and GEB shall promptly execute all agreements and do all things that any other party from time to time reasonably requires of it to effect, perfect or complete the provisions of this Agreement and any transaction contemplated by it.

14. Notices

14.1 A notice, demand, certification, process or other communication relating to this Agreement must be written in English and may be given by a duly authorised agent of the sender.

14.2 Method of service

In addition to any lawful means, a communication may be given by:

- 14.2.1 being personally served on PTC and GEB;
- 14.2.2 being left at the party's current address for service;

14.2.3 being sent to the party's current address for service by pre-paid ordinary mail; or

14.2.4 facsimile to the party's current number for service.

14.3 Particulars of service

14.3.1 The particulars for service are:

Public Transport Corporation:

address: Chief Executive Officer

Transport House,

589 Collins Street, Melbourne

Grain Elevators Board:

address: Senior Manager Corporate Services

Board Secretary

43 Lonsdale Street, Melbourne

facsimile: (03) 662 2620

14.3.2 PTC or GEB may from time to time change their particulars of service by notice to each other.

14.4 Service

If a communication is given by:

14.4.1 post it is taken to be received if posted within Australia to an Australian address 3 Business Days after posting and in any other case 7 Business days after posting;

14.4.2 facsimile and the sender's facsimile machine produces a transmission confirmation report indicating that the facsimile was sent to the addressee's facsimile, the report is prima facie evidence that the facsimile was received by the addressee at the time indicated on that report.

15. Miscellaneous

15.1 Stamp duty

GEB will be liable for and shall duly pay all stamp duty if applicable (including any fine or penalty) on or relating to this Agreement and any document executed under it.

15.2 Legal costs

GEB shall pay or reimburse PTC all legal costs and disbursements relating directly or indirectly to the preparation of this Agreement up to an upper limit of eight thousand dollars (\$8,000.00).

15.3 Amendment

This Agreement may only be varied or replaced by an agreement in writing duly executed by PTC and GEB.

15.4 Waiver and exercise of rights

15.4.1 A single or partial exercise or waiver of a right relating to this Agreement does not prevent any other exercise of that right or the exercise of any other right.

15.4.2 PTC is not liable for any loss, cost or expense of GEB caused or contributed to by the waiver, exercise, attempted exercise, failure to exercise or delay in the exercise of a right.

15.5 Rights cumulative

Subject to any express provision in this Agreement to the contrary, the rights of PTC and GEB under this agreement are cumulative and are in addition to any other entitlements or obligations of that party.

15.6 Governing law and jurisdiction

15.6.1 This Agreement is governed by and is to be construed in accordance with the laws in force in Victoria.

15.6.2 PTC and GEB irrevocably and unconditionally submit to the non-exclusive jurisdiction of the courts of Victoria and any courts which have jurisdiction to hear appeals from any of those courts and waives any right to object to any proceedings being brought in those courts for any reason.

Executed as an Agreement by the parties:

The Official Seal of Public Transport Corporation was affixed in the presence of:

G. SHARMAN, Authorised Officer

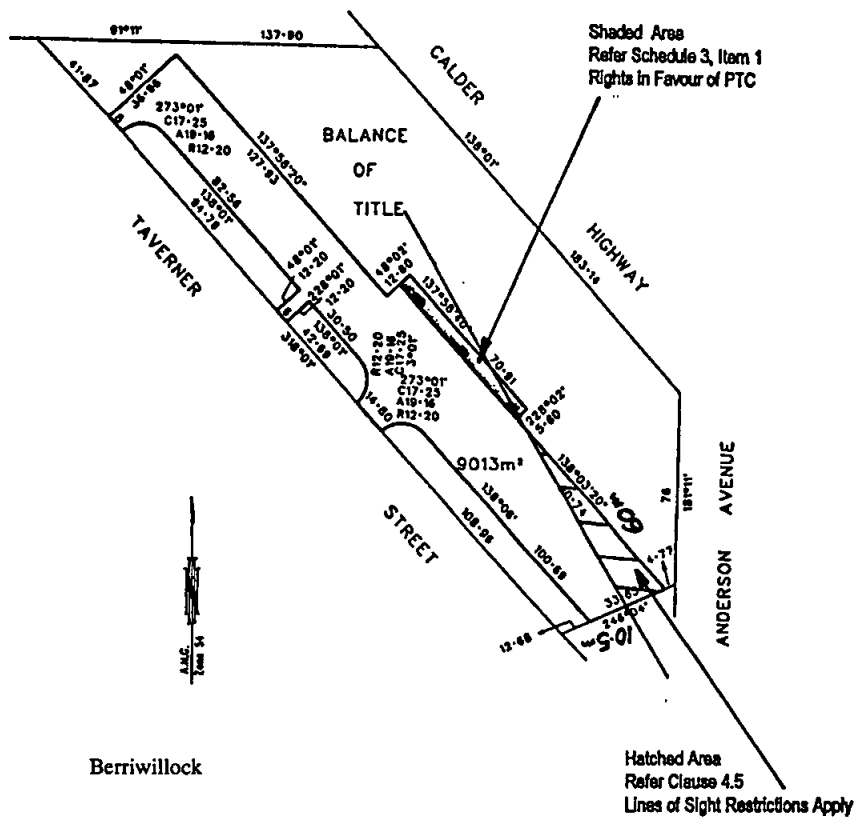
A. SABATINO, Authorised Officer

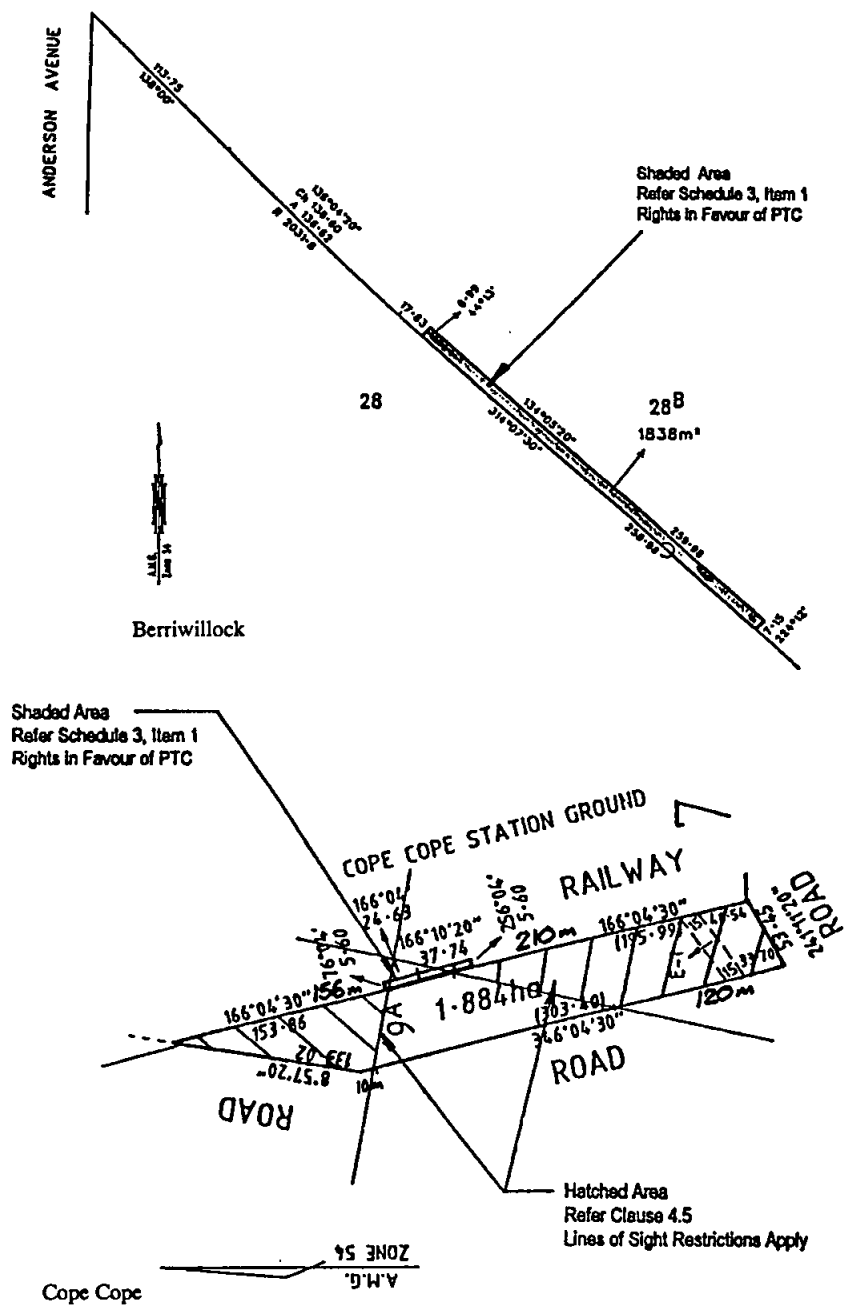
IAN HAIG, Authorised Officer

PETER J. MICHEM, Authorised Officer

Schedule 1

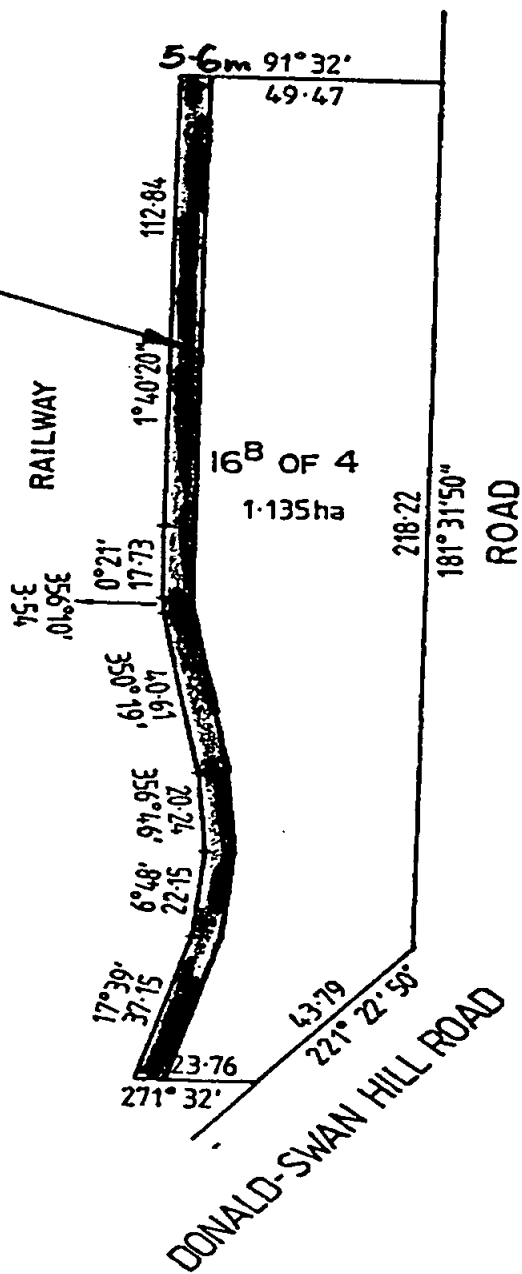
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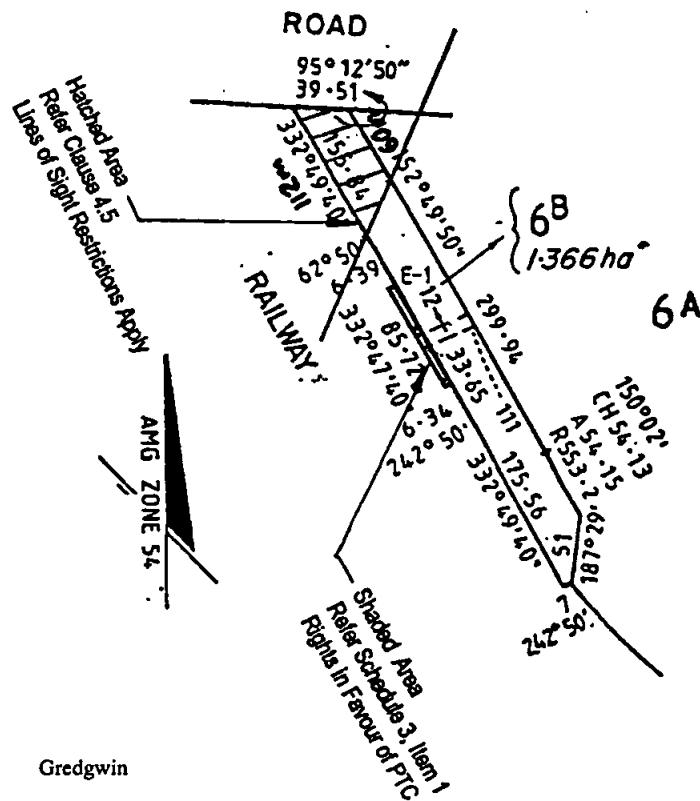


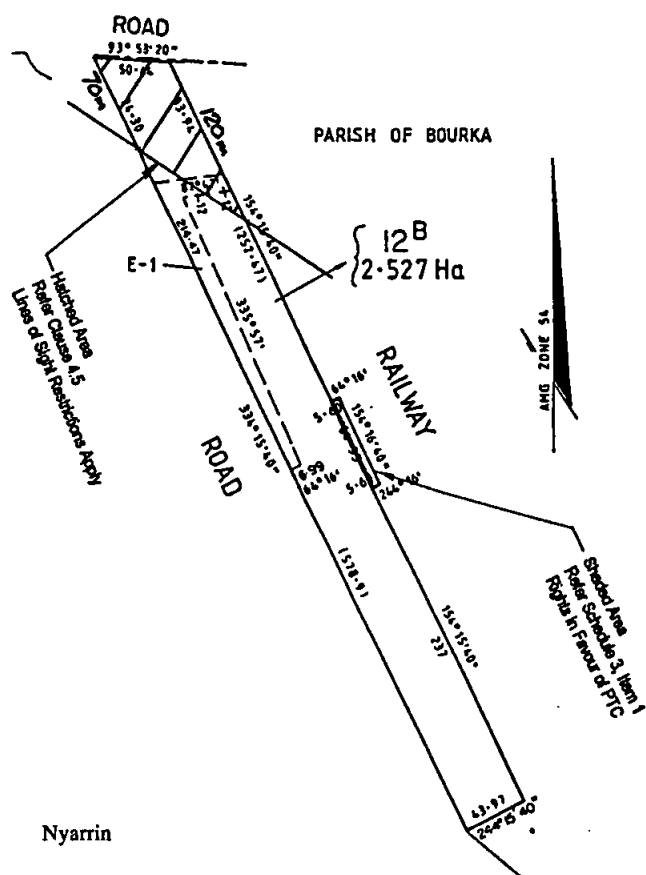


Shaded Area
Refer Schedule 3, Item 1
Rights in Favour of PTC

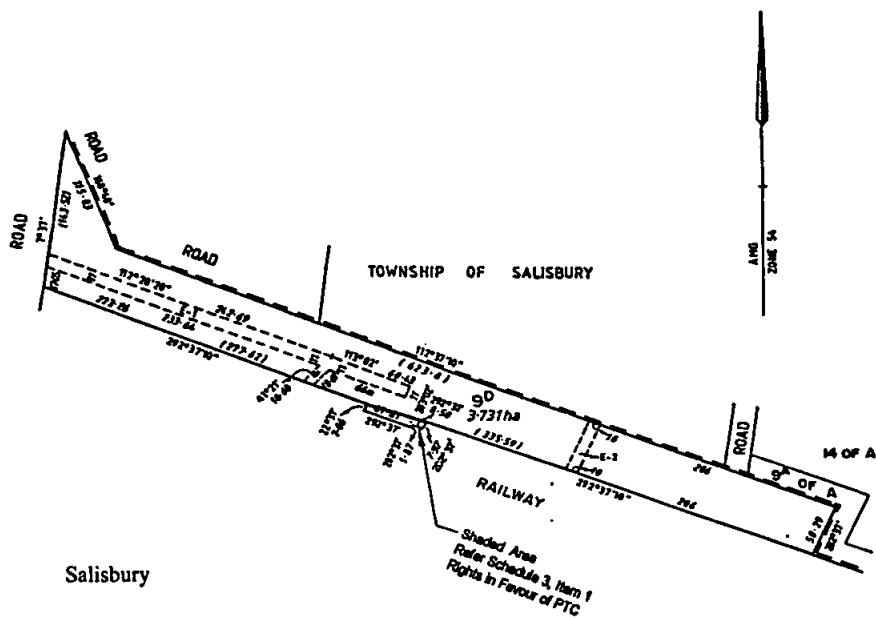
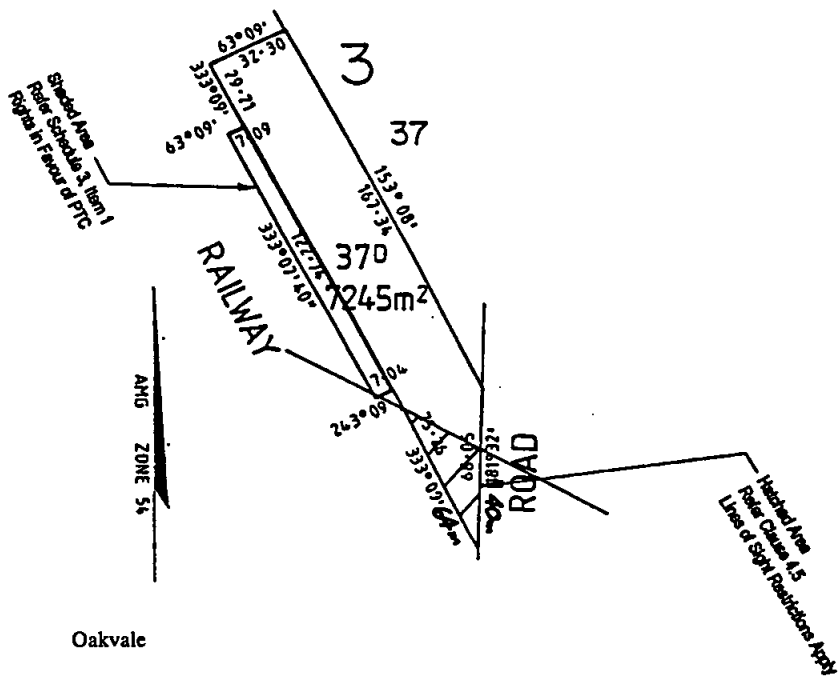
A.M.G.
ZONE 54

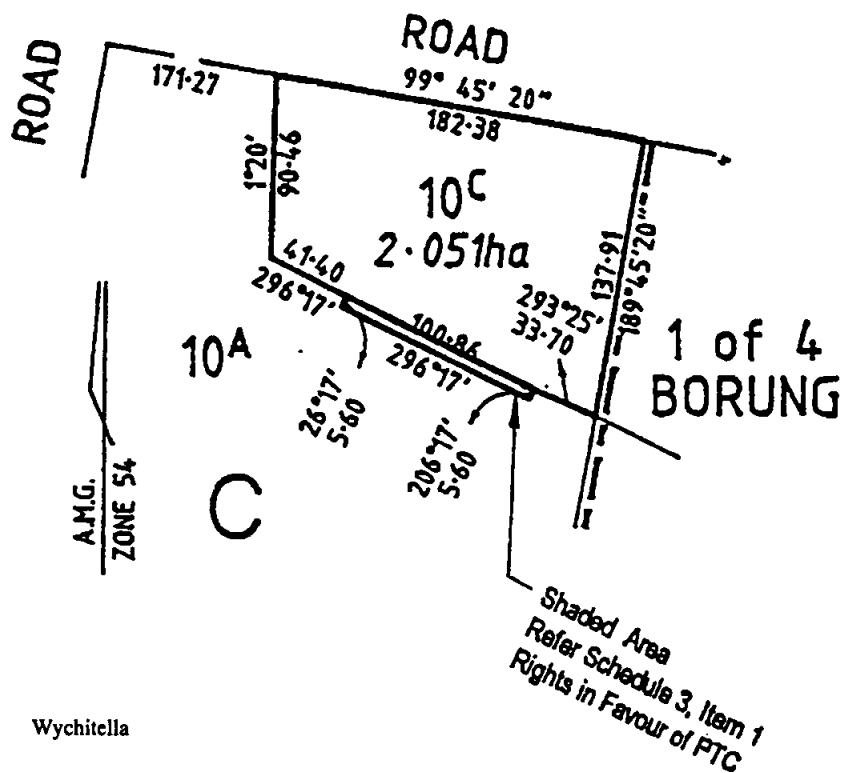






Nyarrin





Schedule 2
SPECIAL CONDITIONS

Note: 1. Conditions 1 to 8 of Schedule 3 shall apply to the lands listed below if applicable.

2. Line of sight conditions as set out in Clause 4 of this Agreement apply where indicated on the plans attached to Schedule 1.

11. Berriwillock:

- (a) Easement to be provided for Telecom cables.
- (b) Easement to be provided for water service.
- (c) Rights of access are to be preserved to the Goods Shed for possible future tenants.
- (d) GEB to notify water authority of its new owner liability.

(e) The rights specified in condition 1 of Schedule 3 to apply to any land, if closer than 8 m. from the track centreline, in Certificate of Title Volume 8847 Folio 991, Vol. 9505 Fol. 861, Vol. 8421 Fol. 590 and Vol. 9818 Fol. 152.

31. Cope Cope:

- (a) Easement to be provided for SECV cables.

46. Dumosa:

54. Gerang Gerung:

- (a) GEB to note that the site is encumbered by lease known as Lot 11.

62. Gredgwin:

- (a) Easements to be provided for SECV services.
- (b) GEB to ensure protection of Radio equipment and allow unrestricted access at all times.
- (c) GEB to note that site is encumbered by lease known as Lot 9.

82. Lillimur:

- (a) Easements to be provided for ATC cables.
- (b) PTC to retain power to its Signals building together with 24 hr. access.
- (c) GEB to note that the site is encumbered by lease known as Lot 4.

84. Litchfield:

97. Mittyack:

- (a) Easements to be provided for ATC cables.
- (b) Easement to be provided for water service.
- (c) GEB to note that site is encumbered by lease known as Lot 12.
- (d) PTC to permit the continued use of the signed crossing during bulk handling operations. At other times the gate is to remain locked.

112. Nyarrin:

- (a) Easements to be provided for SECV services (2).

113. Oakvale:

131. Salisbury:

- (a) Easements to be provided for ATC cables.
- (b) Easements to be provided for SECV services.

171. Wychitella:

Schedule 3

RIGHTS AND INTEREST TO BE RETAINED IN FAVOUR OF PTC

1. Where PTC surrenders Land between 2.4m and 8m from the centreline of a rail track and facilities of GEB are on it, PTC reserves the right of access for any operational purpose as though the Land was encumbered with an easement under section 72 of the Transfer of Land Act for carriageway, drainage, sewerage, communications, power, water, and transport purposes as though an easement existed and to retain a power of veto over any improvement that is not directly related to the receiving, storing, outloading and handling of bulk grain and other commodities being constructed on the site as though a covenant existed between the parties and was registered on title.

2. Where there is a water service to PTC facilities in existence or deemed necessary on the Land the service must be protected as if an easement of appropriate width was created under section 72 of the Transfer of Land Act.

3. Where there is an electricity service to PTC facilities in existence or deemed necessary on the Land the service must be protected as if an easement of appropriate width required by PTC was created under section 72 of the Transfer of Land Act.

4. Where there is a drain servicing PTC facilities in existence or deemed necessary on the Land the service must be protected as if an easement of appropriate width was created under section 72 of the Transfer of Land Act 1958.

5. Where there is a signals or communications service in existence or deemed necessary on the Land the services must be protected as if an easement of appropriate width was created under section 72 of the Transfer of Land Act.

6. Where any person, corporation, body, municipality or other statutory authority other than PTC has an enforceable right to use, cross or maintain any service over the Land those rights shall be retained as though there were easements for that purpose created under section 72 of the Transfer of Land Act.

7. Where PTC services are on PTC Land that abuts or is adjacent to GEB Land and, for reasons of maintenance or development of its infrastructure or emergency PTC requires access or easement rights over Land, this shall be granted as though there were easements for that purpose created under section 72 of the Transfer of Land Act.

8. Where there is a solar panel in existence or deemed necessary on the Land the service must be protected as if an easement of appropriate width was created under section 72 of the Transfer of Land Act. More particularly, GEB must ensure that the solar panels receive uninterrupted passage of light by not erecting on the Land any new structure which is likely to interfere with the service, and PTC must act reasonably when determining locations for its solar panels.

Cemeteries Act 1958 SCALE OF FEES

Under section 17 of the Cemeteries Act 1958, and on the recommendation of the Minister for Health, the Governor in Council consents to the making of the attached Scales of Fees in respect of the following Public Cemeteries:

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Williamstown Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

Heritage graves in the following Section

	<i>Right of Burial</i>	
	<i>At Need</i>	<i>Pre Need</i>
Church of England	\$1,100	\$1,250
Sections A-N		
Roman Catholic		
Sections A-I		
Presbyterian		
Sections A-I		
Interment Fee	\$720	\$770

H. B. WHITTAKER, Trustee
J. A. YACONO, Trustee
D. W. HANLON, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Mirboo North Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said

trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

	\$
<i>Public Graves</i>	
Interment in grave without exclusive right—stillborn child	47.00
Interment in grave without exclusive right—others	78.00
Number peg or label	26.00
<i>Monumental section—private graves</i>	
Land, 2.44 m x 1.22 m	126.00
Own selection of land (extra)	73.00
<i>Sinking charges for private graves</i>	
Sinking grave 1.83 m deep	174.00
Sinking grave 2.44 m deep	240.00
Sinking oversize grave (extra)	74.00
Cancellation of order to sink (if commenced)	53.00
<i>Reopening charges</i>	
Reopening grave (no cover)	174.00
Reopening grave (with cover)	210.00
<i>Extra charges</i>	
Interment outside prescribed hours or on Saturdays, Sundays or Public Holidays	74.00
Interment in a private grave without due notice	74.00
<i>Miscellaneous charges</i>	
Administrative fee per interment	68.00
Permission to erect a headstone or monument—10% of cost with a minimum of \$50.00	
Permission to construct a brick grave or to erect any stone kerb, brick tilework or concrete—10% of cost with a minimum of \$50.00	
Exhuming the remains of a body (when authorised)	546.00
Interment of ashes in a private grave	68.00
Annual maintenance (single grave) if required by holder of right of burial (optional)	74.00
<i>Lawn Cemetery (undenominational)</i>	
Lawn grave 2.44 m x 1.22 m	265.00
For each interment therein (includes bronze plaque 38.1 cm x 27.94 cm and flower container)	395.00

	\$
Interment fee (reopening)	95.00
Sinking grave 1.83 m deep	174.00
Sinking grave 2.44 m deep	240.00
Sinking oversize grave (extra)	74.00
Cancellation of order to sink (if commenced)	53.00
Interment outside prescribed hours, or on Saturdays, Sundays or Public Holidays	74.00
Interment without due notice	74.00
Exhuming the remains of a body (when authorised)	546.00
Interment of ashes	74.00
<i>Memorial section</i>	
Land	84.00
Interment fee (includes bronze plaque and flower container)	210.00
R. J. GRADY, Trustee	
R. A. WHEELER, Trustee	
G. S. ROBERTS, Trustee	

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Longwood Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

	\$
Land, 2.44 m x 1.22 m	100.00
Land, 2.44 m x 2.44 m	200.00
Re-opening a grave	40.00
Permission to erect a monument on a 2.44 m x 1.22 m grave	40.00
Permission to erect a monument on a 2.44 m x 2.44 m grave	60.00

LINDSAY G. GRANT, Trustee
M. G. COX, Trustee
T. J. BRODIE, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Glenlyon Public Cemetery hereby make the following scale of fees, which shall come into

operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale.

	\$
<i>Private Graves</i>	
Land 2.44 m x 1.22 m, at need	200.00
Land, 2.44 m x 1.22 m, pre-need	220.00
Sinking of grave 1.83 m, 2.13 m and 2.44 m deep—Actual cost plus 10%	
Extra cost for working inside kerb	50.00
Reopening to 1.83 m or 2.13 m — Actual cost plus 10%	
Removal of slab	60.00
Permission to erect headstone or monument—7.5% of cost minimum \$50	
Exhumation (when authorised)	600.00
Interment of ashes	50.00
Administrative fee per interment	50.00

G. COFFEY, Trustee
W. TRIMBLE, Trustee
R. SEWELL, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Drouin Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

	\$
<i>Lawn section</i>	
Land 2.44 x 1.22, new grave or reservation	350.00
Sinking grave to 1.85 m	215.00
Sinking grave for each 0.3 m extra	55.00
Sinking grave oversize	72.00
Sinking grave on weekend or public holiday (extra)	110.00
Sinking grave for child (across head of grave)	108.00
Temporary name plate (until plaque is supplied)	20.00

<i>Memorial wall</i>	
Purchase wall niche	115.00
To seal ashes in memorial wall	55.00

Monumental section

All prices as for lawn section	
To remove and replace ledger	217.00
To erect headstone, owner's permission required—10% of cost	

Reopen charges

To reopen grave in lawn section	215.00
To reopen in monumental section	215.00
To reopen in monumental section with ledger	432.00
To reopen monumental beam section	360.00

Monumental beam section

Land	425.00
Digging of grave to 1.85 m	215.00

Interment fee

Lawn, monumental or beam sections	145.00
Interment fee for weekends or holidays	220.00
Memorial wall	55.00
Interment of child	No fee

Reservations of grave sites

Lawn section	350.00
Monumental beam section	425.00
Memorial wall plus cost of reservation plaque	170.00
Monumental section closed, no land available	

Plaques

Lawn section	260.00
Monumental section (includes research fee)	270.00
Wall niche	115.00
Reservation plaque	55.00

To research for family tree information

Research fee	20.00
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Exhumation charge

To exhume the remains of a body at official request	900.00
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I. GAFFNEY, Trustee
D. TANNER, Trustee
A. PEDERSON, Trustee

\$ every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

\$

Lawn section

First burial (including site, interment, standard plaque and vase)	1100.00
Second burial	750.00

Monumental section

First burial (including site and interment)	750.00
Second burial	600.00

Niche walls

Interment of ashes (including standard plaque)	
Large niche (205 x 160)	325.00
Small niche (137 x 102)	275.00
Reservation deposit—single niche	200.00
Reservation plaque	35.00

Memorial garden

Supply and fixing of standard plaque, and interment of ashes (if required)	325.00
Reservation deposit	200.00
Reservation plaque	35.00

General

Reservation deposit on grave site	425.00
Interment of ashes in private grave	110.00
Grave dug to extra depth (where permissible)	175.00
Interment with less than 24 hours notice—surcharge	175.00
Interment on Saturday or Public Holiday—surcharge	175.00
Supply and installation of concrete-lined grave (including site), to allow for 2 interments	2900.00
Opening and re-sealing of concrete-lined grave (each interment)	475.00
Exhumation fee (when authorized)	800.00
Removal of ashes	60.00

W. D. McDONALD, Trustee
H. L. VENABLES, Trustee
B. CAPOBIANCO, Trustee

Cemeteries Act 1958
SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Bairnsdale Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication

Cemeteries Act 1958
SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Elmore Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government

Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

	\$
New grave	190.00
Re-open grave	170.00
Re-open grave (with cover)	180.00
Saturdays—extra	\$10.00

ROY F. BURKE, Trustee
J. HOLMBERG, Trustee
D. N. LINFORD, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Chiltern (New) Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

	\$
<i>Public graves</i>	
Interment in grave without exclusive right—stillborn child	80.00
Interment in grave without exclusive right—others	120.00
Number peg or label	25.00
<i>Private graves</i>	
Land 2.44 m x 1.22 m	200.00
Own selection of land (extra)	100.00
<i>Sinking charges for private graves</i>	
Sinking grave—Contract price +10%	
Sinking oversize grave (additional)	70.00
Cancellation of order to sink (if commenced)	60.00
Re-opening grave (no cover)—contract price +10%	
Re-opening grave (with cover) (extra)	20.00
<i>Miscellaneous charges</i>	
Interment fee	80.00
Interment outside prescribed hours, or on Saturdays, Sundays or Public Holidays or without due notice	40.00

Permission to erect a headstone or monument—5% of cost with minimum of \$20	\$
Permission to construct a brick grave or to erect any stone kerb, brick tile-work or concrete—5% of cost with minimum of \$20	
Exhuming the remains of a body (when authorised)	600.00
Interment of ashes in a private grave	100.00
Memorial wall niche and plaque	150.00
Search fee per request	15.00
Reservation of niche	30.00

Lawn section

Land 2.44 m x 1.22 m including first interment, headstone supplied by the trust with up to 5 lines of inscription, and digging, plus 2 flower containers	1200.00
2nd interment (including re-opening)	505.00

P. MARENGO, Trustee
L. BOULD, Trustee
J. SIMPKINS, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Werribee Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

	\$
<i>Lawn cemetery (undenominational)</i>	
Lawn grave 2.44 m x 1.22 m	690.00
Sinking of grave	410.00
Bronze plaque for each interment 380 x 280 mm (single) (15"x11")	270.00
Bronze plaque for each interment 380 x 280 mm (double) (15"x11")	320.00
Flower container	95.00
Interment fee	150.00
Detachable plate, second interment	95.00
<i>Under 12 Years</i>	
Land	550.00
Sinking of grave	275.00

<i>Private grave (denominational)</i>		\$
Land 2.44 m x 1.22 m	600.00	
Own selection of site (extra)	80.00	
Sinking grave any depth	410.00	
Cancellation of order to sink (if commenced)	180.00	
Vaults	2750.00	
Sealing vault	255.00	
<i>Re-opening charges</i>		
Re-opening grave	410.00	
Interment fee	150.00	
<i>Memorials</i>		
Niche wall	255.00	
Niche plate 136 mm x 102 mm	95.00	
Rose garden	340.00	
Bronze plaque 203 mm x 152 mm	150.00	
<i>Extra charges</i>		
Interment not in the prescribed hours or on Saturdays, Sundays or Public Holidays	245.00	
Interment in private grave without due notice	180.00	
After 4.00 p.m.—Monday to Friday	180.00	
<i>Miscellaneous charges</i>		
Certificate of right of burial	15.00	
Inspection of plan or register	15.00	
Annual maintenance (single grave) if required by holder of right of burial	150.00	
Permission to erect headstone monument—10% cost with a minimum of \$85.00		
Permission to construct a brick grave or to erect any stone kerb, brick tile-work or concrete	65.00	
Grave renovations or additional inscription	65.00	
Exhuming the remains of a body when authorised	850.00	
Interment of ashes in a private grave	215.00	

COUNCILLORS FOR THE CITY
OF WERRIBEE, Trustees

Cemeteries Act 1958
SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Truganina Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication

every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

<i>Private graves</i>		\$
Land 2.44 m x 1.22 m	600.00	
Own selection of land	80.00	
<i>Sinking charges for private graves</i>		
Sinking grave (any depth)	410.00	
Cancellation of order to sink (if commenced)	180.00	
<i>Re-opening charges</i>		
Re-opening grave	410.00	
<i>Extra charges</i>		
Interment not in the prescribed hours or on Saturdays, Sundays or Public Holidays	245.00	
Interment in private grave without due notice	180.00	
<i>Miscellaneous charges</i>		
Interment fee	150.00	
Certificate of right of burial	15.00	
Permission to erect headstone monument—10% cost with a minimum of \$85.00		
Permission to construct a brick grave or to erect any stone kerb, brick tile-work or concrete	65.00	
Exhuming the remains of a body when authorised	850.00	
Interment of ashes in a private grave	215.00	

COUNCILLORS FOR THE CITY
OF WERRIBEE, Trustees

Cemeteries Act 1958
SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Rye Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

<i>Fees for right of burial</i>		\$
Lawn area—non denominational (monumental headstone)	500.00	
Lawn area—non denominational (bronze plaque only)	500.00	

	\$		\$
Lawn area—Roman Catholic area (monumental headstone)	500.00	<i>Monumental permit fees</i>	
Lawn area—childrens section (headstone or plaque)	200.00	New monumental work—All areas except lawn/bronze plaque only sections	70.00
Note: The interment fee, and any Bronze plaque are additional to the fee for right of burial. Monumental headstones must be arranged with a monumental mason of your choice		Additional inscription on existing headstone	30.00
		Renovation of existing monumental work	30.00
<i>Interment fees</i>		<i>Memorials at which cremated remains can be interred</i>	
Week days	300.00	Wall niche (one interment only per niche)—including bronze plaque	350.00
Saturdays or Public Holidays	700.00	Standard 5 line inscription on plaque and includes small bud vase.	
Childrens area—stillborn to under 5 years of age (one interment per grave)	100.00	Individual standard rose in rose garden—including first bronze plaque with up to five lines of inscription, interment of the cremated remains in the rose garden.	
Casket or oversize coffin fee—additional fee \$100.00		The cremated remains and up to 5 lines of inscription	550.00
Interment under 24 hours notice—additional fee \$100.00		Additional cremated remains at a previously arranged individual standard rose, including interment of the cremated remains, bronze plaque and up to 5 lines of inscription	300.00
Cancellation of order to inter (if commenced)	120.00	Note: a maximum of three (3) plaques only can be placed at each standard rose.	
Interment of cremated remains into a previously purchased right of burial	200.00	Reservation of an individual standard rose for future use including bronze plaque	550.00
The removal and replacement of a ledger or other monumental work on a grave required for burial is to be arranged by the Funeral Director or family with a Monumental Mason		Flower container (optional) for use at standard rose memorials	25.00
<i>Cemetery bronze plaques—Lawn Area</i>			
Standard cemetery bronze plaque size 380 x 280 mm with up to eight lines inscription	200.00		
Optional cemetery bronze plaque, size 380 x 280 mm with provision for two small detachable plaques. Cost includes the first small detachable plaque of 5 lines only	280.00		
Additional small detachable plaque when added at a future date, 5 lines only	120.00		
<i>Exhumation fee</i>			
When authorised as required by the Cemeteries Act 1958	900.00		
<i>Miscellaneous charges</i>			
Fee for cancellation of previously reserved right of burial or memorial	50.00		
Reservation of right of burial—All areas except childrens section	500.00		
<i>Late arrival charge</i>			
Charge for late arrival of a funeral between 3.30 p.m. and 4.00 p.m.	150.00		
Charge for late arrival of a funeral after 4.00 p.m.	200.00		

ROSS A. BLAIN, Trustee
 GEORGE R. JACKSON, Trustee
 GLADYS JARMAN, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Bridgewater (Old) Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby

rescinded to the extent to which it conflicts with this scale—

trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

	\$
<i>Public graves</i>	
Interment in grave without exclusive right (stillborn child)	25.00
Interment in grave without exclusive right (others)	50.00
Number peg or label	12.00
<i>Private graves</i>	
Land 2.44 m x 1.22 m	75.00
Own selection of land (extra)	10.00
<i>Sinking charges for private graves</i>	
Sinking grave 1.83 m deep (6 feet)	180.00
Each additional 0.3 m (1 foot)	25.00
Sinking oversize grave (extra)	50.00
Cancellation of order to sink grave if commenced	50.00
<i>Re-opening charges</i>	
Re-opening grave (no cover)	150.00
Re-opening grave (with cover)	155.00
<i>Extra charges</i>	
Interment outside prescribed hours, or on Saturdays, Sundays or Public Holidays	50.00
Interment in a private grave without due notice	50.00
<i>Miscellaneous charges</i>	
Interment fee	50.00
Certificate of right of burial	10.00
Number plate or brick	12.00
Permission to erect headstone or monument, flat rate	35.00
Permission to construct a brick grave or to erect any stone kerb, brick tile work or concrete	20.00
Exhuming the remains of a body (when authorised)	150.00
Interment of ashes in a private grave	25.00

LESLIE F. KNOBLOCK, Trustee
S. V. STEPHENSON, Trustee
KEVIN J. POYSER, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Lake Boga Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said

	\$
<i>Monumental section</i>	
Sinking grave	150.00
Re-opening grave (no cover)	150.00
Re-opening grave (with cover)	180.00
<i>Lawn section</i>	
Lawn grave	400.00
Interment fee (bronze plaque supplied and affixed by trust)	500.00
<i>Memorials</i>	
All memorials sold shall be subject to a tenure period of 30 years from the date of purchase.	
All memorials shall be supplied by and affixed at the direction of the Trust.	

E. DOBELI, Trustee
J. SCHOCOMB, Trustee
LEON GRAY, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Bungaree Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

	\$
<i>Public graves</i>	
Interment in grave without exclusive right—stillborn child	80.00
Interment in grave without exclusive right—others	120.00
Number peg or label	25.00
<i>Private graves</i>	
Land 2.44 m x 1.22 m	100.00
Own selection of land	130.00
<i>Sinking charges</i>	
Sinking grave 1.83 m deep contract price	
Re-opening grave with cover—contract price + \$20.00	
<i>Miscellaneous charges</i>	
Administrative fee for interment	60.00
Permission to erect a headstone or monument	50.00
Exhuming the remains of a body	600.00

Interment of ashes in a private grave	\$ 100.00
Search fee per request	15.00

W. RUMLER, Trustee
A. G. KING, Trustee
P. C. LANCASHIRE, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Warringal Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

Fee for right of burial	\$ 1100.00
<i>Interment fees</i>	
(a) (i) Weekdays	750.00
(ii) Child under five years	400.00
(iii) Saturday morning or public holidays (adult and child)	900.00
(iv) Provision for third interment (additional)	140.00
(v) Additional for oversized grave	200.00
(vi) Preparation of vault (additional)	4950.00
(b) Interment of cremated remains in private grave	130.00
Exhumation fee (when authorised)	750.00
Monumental fee on all monuments erected: 10% of the total cost of job with minimum charge of \$25.00	
<i>Grave plaques</i>	
(a) Lawn grave plaque 381 mm x 279 mm	
(i) Single interment	300.00
(ii) Dual interment—includes first name plate	375.00
(iii) Additional name plate	120.00
Note: Other miscellaneous charges applicable where cost of request is not specified	
<i>Memorials</i>	
(a) Border position in rose bed	490.00
(b) Border position in garden feature setting	490.00
(c) Wall niche	290.00

<i>Memorial plaques</i>	
(a) Memorial plaque for border position	120.00
(b) Niche plaque with Omega vase	200.00
Note: Plaque fee includes cost of fixing. Other miscellaneous charges applicable where cost of request is not specified	

<i>Miscellaneous charges</i>	
(a) Cancellation of order	110.00
(b) Search of records—\$15 minimum or \$30 per hour	
All memorials for cremated remains are for a tenure period of 25 years from the date of purchase	

COUNCILLORS FOR THE CITY
OF HEIDELBERG, Trustees

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Lakes Entrance Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

<i>Public graves</i>	
Interment (without exclusive right)	\$ 500.00
<i>Private graves</i>	
Lawn/monumental (charges all inclusive)	
First interment	815.00
Second and third interment	750.00
Interment of ashes (including plaque)	575.00
<i>Additional charges</i>	
Extra depth and oversize grave	85.00
Interment Saturdays, Sundays or Public Holidays or without due notice—extra	120.00
Predig reserved site (if required)	150.00
Re-opening grave with monument	120.00
(The Lakes Entrance Garden Cemetery Trust will take all care but no responsibility for possible damages sustained in the removal/replacement of any such monument)	

<i>Miscellaneous</i>	
Cancellation of order to sink if commenced	65.00
Reservation to secure an allotment	180.00
Surcharge for specified site if permissible	120.00
Permission to erect a monument/headstone—10% of cost minimum of \$55.00	
Exhumation fee (when authorised)	1000.00
Certificate of right of burial by request	25.00
<i>Memorial niche wall</i>	
Niche with standard plaque and vase	345.00
Niche with standard plaque	320.00
Reservation of niche with reservation plate	130.00

B. SECOMB, Trustee
R. BASSETT, Trustee
J. ROCHE, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Willaura Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

<i>Monumental section</i>	
Land	60.00
Administrative fee per interment	40.00
Re-opening fee	20.00
<i>Lawn section</i>	
Land	200.00
Administrative fee per interment	40.00

F. BYRON, Trustee
R. LARDNER, Trustee
I. HEARD, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Dookie Public Cemetery hereby make the

following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

Land, 2.44 m x 1.22 m	\$ 80.00
Land, including plaque	280.00
Exhumation charge (when authorized)	500.00

JAMES A. O'CONNOR, Trustee
MICHAEL RYAN, Trustee
T. J. RYAN, Trustee

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Ouyen Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

<i>Private graves</i>	
Grave site/reservation/niche—	
including site identification	100.00
Digging fee	150.00
Re-opening fee	190.00
Monument fee—5% of the cost thereof and/or minimum fee of \$20.00	

Dated 18 November 1994

R. C. VINE, Trustee
D. M. TORPEY, Trustee
M. A. ROSS, Trustee
B. W. CROSS, Secretary

Cemeteries Act 1958 SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Creswick Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said

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trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

\$
Lawn grave including first opening
and granite headstone 750.00

STANLEY JOHNS, Trustee
G. J. SPITTLE, Trustee
JOHN R. CADDY, Trustee

**Cemeteries Act 1958
SCALE OF FEES**

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Coongulmerang and Paynesville Public Cemeteries hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

		\$
<i>Monumental section</i>		
Grave purchase	400.00	
Interment	350.00	
Reservation fee	150.00	
<i>Lawn section</i>		
Grave purchase	400.00	
Interment	350.00	
Plaque and flower vase	350.00	
Burial of ashes in lawn	50.00	
Reservation fee	150.00	
<i>Niche wall</i>		
Niche, plaque and flower vase	300.00	
Niche reservation	150.00	
<i>General</i>		
Grave to extra depth	100.00	
Public holidays/Saturday interment	160.00	
Permission to erect a memorial or headstone—10% of cost with a minimum of \$100		

Dated 9 November 1994

SHIRE SECRETARY AND COUNCILLORS
FOR THE SHIRE OF BAIRNSDALE, Trustees

**Cemeteries Act 1958
SCALE OF FEES**

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Keilor Public Cemetery hereby make the

following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

\$
Private graves (size 2.44 m x 1.22 m)
Land only—at need 850.00
Land only—chosen 1000.00
Land only—pre-need 1000.00

Private graves with constructed concrete common foundations

At need 1800.00
Pre-need 2000.00

Lawn graves (with bronze plaques)
At need (incl. bronze plaque and plastic vase) 1500.00
Pre-need (no plaque incl.) 1200.00

Lawn graves (with headstone and base)
At need (incl. headstone, base, 2 vases and inscription) 2000.00
Pre-need (incl. headstone and base only) 2100.00

Bronze plaques
Lawn graves (size 560 mm x 305 mm)
Full plaque (1st page) 480.00
Extra 5 line plate 100.00
Book of Life—extra page 250.00
Ashes areas (size 229 mm x 178 mm) 130.00

Vases for lawn graves
Bronze 70.00
Plastic 20.00

Concrete lined graves (vaults)
At need 6000.00
Pre-need 7000.00

Interments
Re-open 650.00
Sinker 650.00
Vault 650.00
Exhumation 1350.00
Extra charges (add to above)
Oversized coffin (in excess of 2100 x 680) or any casket 225.00
Interments out of normal hours 160.00
Cancellation of commenced order to sink grave 170.00
Late arrival of funeral (per 1/2 hour or part thereof after first 1/2 hour) 150.00
Interments on Saturday, Public Holiday, Cem. Employees' Picnic Day (Prior to 11.00 a.m.) 380.00

Ashes interments
Interred in memorial area 260.00

	\$
Interred in grave	115.00
Attend service fee	60.00

Stonemasons

Permission to construct/erect a monument, headstone, kerbing or repair same—10% of cost	
Additional inscriptions to a monument or headstone—10% of cost	

Miscellaneous charges

Inspection of any plan	20.00
Search of records	20.00
Certified extract from register	20.00
Certificate for right of burial (replacement)	20.00

COUNCILLORS FOR THE CITY
OF KEILOR, Trustees

Cemeteries Act 1958
SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Ferntree Gully Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

	\$
Re-openings	440.00
Rose garden (perpetual)	450.00
Niche wall of remembrance (perpetual)	183.00
Ashes in private grave	95.00
Oversize grave (extra)	132.00
Rectangular opening	255.00
Additional digging (3 interments)	107.00
Removal of chip top/ledger	107.00
Exhumation	1450.00

Monumental fees

Monuments (other than vaults)—10%	
Vault monuments—10%	
Additional inscriptions—5%	

COUNCILLORS FOR THE CITY
OF KNOX, Trustees

Cemeteries Act 1958
SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Maddingley General Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

	\$
"Sunset" lawn cemetery (non-denominational)	
Lawn grave (3.66 m x 1.22 m) purchase	1000.00
Sinking of grave—up to 2.13 m depth	350.00
Sinking of oversize grave (extra)	75.00
Interment fee—first or second	150.00
Sunset lawn cemetery approved headstone and or plaque—(not without headstone)—quotation plus 10% of fee	

A. HUTCHINSON, Trustee
M. BLACKIE, Trustee
G. STEWART, Trustee
W. R. SCOTT, Trustee
K. T. WERNER, Trustee
A. COMME, Trustee

Cemeteries Act 1958
SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Cheltenham Public Cemetery hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

	\$
<i>Lawn area</i>	
Land 2.44 m x 1.22 m, at need	830.00
Land 2.44 m x 1.22 m, pre-need	925.00
Land 2.44 m x 1.22 m, special position	925.00
On main drives, etc., at need	925.00
On main drives, etc., pre-need	980.00
Interment fee (standard)	540.00

	\$		\$
<i>Memorials for cremated remains</i>		Interment fee, Sunday or Public	
Wall niche (with standard plaque)		Holiday	410.00
(Ashes non-recoverable)	210.00	Exhumation fee (when authorised)	970.00
Wall niche (with standard plaque)		Maintenance upkeep of	
(Ashes recoverable)	275.00	monumental graves (optional)	
Ground niche	485.00	2.44 m x 1.22 (single grave) (per	
Memorial		annum)	75.00
Memorial shrubs and roses—\$590		2.44 m x 1.22 m (double grave)	105.00
to \$675		Sealing of vaults	160.00
Memorial boulders	505.00		
Lawn positions (on drives etc.)	390.00	<i>Monumental permit fees</i>	
Interment in grave or second		New monument	550.00
placement at existing memorial	160.00	Renovation of monument	80.00
		Additional inscription only	25.00
<i>Miscellaneous</i>			
Interment fee, child under 5 years		J. CAMPBELL, Trustee	
or stillborn	160.00	W. M. SODING, Trustee	
Interment fee, child 5–12 years	240.00	F. W. LePAGE, Trustee	
Interment fee, Saturday morning—			
extra	335.00		

Cemeteries Act 1958
SCALE OF FEES

In pursuance of the powers conferred upon them by the Cemeteries Act the trustees of the Bendigo Cemeteries Trust hereby make the following scale of fees, which shall come into operation upon publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale—

Item	Axedale Public Cemetery	Bendigo, Eaglehawk Kangaroo Flat and White Hills Public Cemetery
	\$	\$
Cost of plaque not included in fees as listed		
<i>Monumental section</i>		
Grave sites:		
Private ground	650.00	995.00
Private ground in special section—single only (when available)		690.00
Sinking and re-opening:		
Adult grave	430.00	650.00
<i>Lawn monumental section</i>		
First interment (incl. right to second interment)		995.00
Second interment		650.00
<i>Lawn section</i>		
First interment—adult		935.00
First interment—stillborn or child under 5 years (2.1 metre grave)		430.00
Second interment—adult		585.00
Single only (when available)		625.00

Item	Axedale Public Cemetery	Bendigo, Eaglehawk Kangaroo Flat and White Hills Public Cemetery
	\$	\$
Children's section		
Child grave (up to 5 years)	200.00	330.00
Second interment—child grave (up to 5 years)		70.00
Interment of stillborn babies (pre-20 weeks) Eaglehawk only		80.00 (inclusive of cost of plaque)
Memorial wall		
Niche wall		350.00
Memorial rose garden		
Rose in special bed with positions for two bronze plaques		395.00
Right of burial		
Transfer open grave to private grave		355.00
Additional charges (miscellaneous)		
Pre-purchase of any service—gazetted fee plus \$85 administration charge (excluding pre-purchase of 2nd interment)		
Interments and cremations on Saturdays and public holidays (if necessary staff resources are available)	95.00	220.00
Interment where order is given after 3.45 p.m. on day prior to funeral	110.00	220.00
Explosives for graves	325.00	325.00
Extra sinking charge per 0.348 m (1 ft)	170.00	170.00
Interment of cremated remains in grave	175.00	175.00
Exhumation	1050.00	1050.00
Exhumation—child under 5 years	275.00	275.00
Internal vault—lined grave		3350.00
Use of Chapel (Chapel service only)		125.00
Use of reception area		50.00
Search of records	15.00	15.00
	minimum or 30.00 p/hr.	minimum or 30.00 p/hr.
Bendigo Regional Crematorium		
Basic cremation (week days)		465.00
Child under 5		190.00
Child (stillborn)		80.00
Pre-paid cremation fee		550.00
Strewing of cremated remains		55.00
Niche walls		350.00
Ornamental lake (up to 2 positions)		375.00
Standard roses (up to 2 positions)		395.00
Native shrubs (up to 2 positions)		250.00
Memorial tree (on application, any tree over 3 m—up to 6 positions)		790.00
Rocks (up to 6 positions)		500.00
* A 5% discount for "delivery" only cremations will apply if the coffin is delivered prior to 10.00 a.m.		
Shrubs and roses have tenure periods of 25 years; trees, wall niches and ground niches have tenure period of 40 years, with the exception of:		
(i) memorials for ex-service personnel who have perpetual tenure; and		
(ii) in the case of more than one interment, the tenure period applies from the date of purchase of the most recent placement of remains		

Item	Axedale Public Cemetery	Bendigo, Eaglehawk Kangaroo Flat and White Hills Public Cemetery
	\$	\$
Postage of ashes within Australia		55.00
Book of Remembrance		
Entry of 2 lines		100.00
Each additional line		10.00
Emblem, flower or motif (only with 5 lines or more)		20.00
Personal copy of book entry in a protective folder		50.00

E. V. McNAMARA, Trustee
 ROD FYFFE, Trustee
 K. J. PATA, Trustee

Dated 20 December 1994

Responsible Minister:

MARIE TEHAN
 Minister for Health

KATHY WILSON
 Acting Clerk of the Executive Council

Crown Land (Reserves) Act 1978 NOTICE OF INTENTION

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

ALBERTON WEST—The temporary reservation by Order in Council of 27 May 1878 of an area of 2.023 hectares of land in the Parish of Alberton West as a site for Public Purposes (State School), revoked as to part by Order in Council of 14 June 1910, so far only as the portion containing 857 square metres shown as Crown Allotment 33F, Parish of Alberton West on Certified Plan No. 114540 lodged in the Central Plan Office—(Rs 6067).

BEETHANG—The temporary reservation by Order in Council of 25 November 1986 of 1932 square metres of land being Crown Allotment 7M, Section 11, Parish of Beethang as a site for Police Purposes—(Rs 13278).

BENALLA—The temporary reservation by Order in Council of 1 February 1989 of 1.587 hectares of land being Crown Allotment 2C, Section F, Parish of Benalla as a site for Public Purposes (Departmental Depot)—(Rs 14019).

DARTMOOR—The temporary reservation by Order in Council of 26 January 1874 of 2.12 hectares of land in the Township of Dartmoor (formerly Allotments 1, 2, 3, 4, 5, 6, 17, 18, 19, 20, 21 and 22, Section 9A) as a site for State

School purposes, so far only as the portion containing 1245 square metres shown as Crown Allotment 7B, Section 9A, Township of Dartmoor on Certified Plan No. 114518 lodged in the Central Plan Office—(Rs 7126).

DOOEN—The temporary reservation by Order in Council of 11 January 1949 of 2.428 hectares of land in the Parish of Dooen as a site for State School purposes, revoked as to part by Order in Council of 16 March 1994 so far as the balance remaining containing 2.333 hectares—(Rs 5897).

DOWLING FOREST—The temporary reservation by Order in Council of 2 May 1978 of 5058 square metres of land being Crown Allotment 18E, Section 4, Parish of Dowling Forest as a site for Public Purposes—(Rs 10503).

GEELONG—The temporary reservation by Order in Council of 5 June 1871 of 4047 square metres of land being part of Section 13, City of Geelong as a site for a Common School—(Rs 3560).

GEELONG—The temporary reservation by Order in Council of 4 August 1873 of 8094 square metres of land in Section 13, City of Geelong as a site for State School Purposes in addition to and adjoining the site temporarily reserved for Common School Purposes by Order in Council of 5 June 1871—(Rs 3560).

GEELONG—The temporary reservation by Order in Council of 25 October 1927 of an area of 1341 square metres of land in Section 13, City of Geelong as a site for a State School in addition to and adjoining the sites temporarily reserved for a Common School by Order in Council of 5 June 1871 and for a State School by Order in Council of 4 August 1873—(Rs 3560).

HEALESVILLE—The temporary reservation by Order in Council of 21 August 1865 of 5286 square metres of land in the Township of Healesville as a site for Police Purposes, revoked as to part by Order in Council of 17 October 1961, so far only as the portion containing 1033 square metres shown as Crown Allotment 12, Section A, Township of Healesville on Certified Plan No. 114553 lodged in the Central Plan Office—(Rs 109).

HEYWOOD—The temporary reservation by Order in Council of 19 January 1971 of 8802 square metres of land in the Township of Heywood, Parish of Heywood as a site for Public Purposes (Purposes of the Forests Act), so far only as the portion containing 1327 square metres shown as Crown Allotment 4B, Section 12 on Certified Plan No. 114552 lodged in the Central Plan Office—(Rs 4924).

KOOLOONONG—The temporary reservation by Order in Council of 22 March 1922 of 1.96 hectares of land in the Township of Kooloonong as a site for State School purposes—(Rs 2477).

MYRTLEFORD—The temporary reservation by Order in Council of 25 August 1981 of an area of 2454 square metres of land being Crown Allotment 3K, Section N, Parish of Myrtleford as a site for Department of Crown Lands and Survey Purposes—(Rs 11044).

OLANGOLAH—The temporary reservation by Order in Council of 11 December 1979 of 4620 square metres of land being Crown Allotment 13X4, Parish of Olangolah as a site for a Departmental Depot—(Rs 11081).

SEA LAKE—The temporary reservation by Order in Council of 18 June 1900 of 1.01 hectares of land being Crown Allotment 26, Section 1, Township of Sea Lake as a site for a State School—(Rs 3511).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON

Acting Clerk of the Executive Council

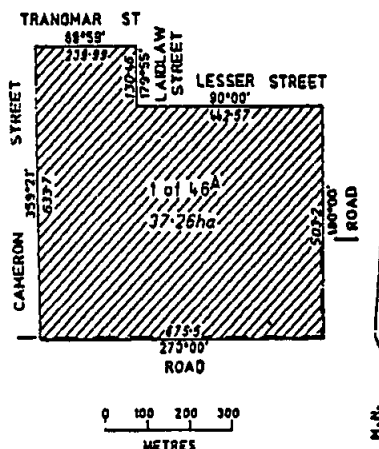
Crown Land (Reserves) Act 1978

CROWN LAND PERMANENTLY RESERVED

The Governor in Council under section 4 of the Crown Land (Reserves) Act 1978 permanently reserves the following Crown land for the purpose mentioned.

MUNICIPAL DISTRICT OF THE SHIRE OF SOUTHERN GRAMPIANS

COLERAINE—Native Plant Arboretum, 37.26 hectares of land being Crown Allotment 1, section 46A, Township of Coleraine Parish of Coleraine as indicated by hatching on plan hereunder—(C 301[3] (Rs 43007).



Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON

Acting Clerk of the Executive Council

Crown Land (Reserves) Act 1978

NOTICE OF INTENTION

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

BOORT—The temporary reservation by Order in Council of 29 July 1940 of an area of 4.04 hectares, more or less, of land in the Township of Boort, Parish of Boort as a site for Plantation Purposes revoked as to part by Order

in Council of 2 June 1987, so far only as the portion containing 4863 square metres shown as Crown Allotment 4A, Section 13, Township of Boort on Certified Plan No. 107857 lodged in the Central Plan Office—(Rs 5071).

DROUIN—The temporary reservation by Order in Council of 11 May 1976 of an area of 2586 square metres of land being Crown Allotment 31A, Section 1, Township of Drouin, Parish of Drouin West as a site for Public Purposes (Police Purposes) so far only as the portion containing 1184 square metres shown as Crown Allotment 31B, section 1, Township of Drouin on Certified Plan No. 114560 lodged in the Central Plan Office—(Rs 10188).

ECHUCA—The temporary reservation by Order in Council of 16 July 1873 of an area of 8094 square metres of land being Crown Allotments 5, 6, 7, 8, 13, 14, 15 and 16, Section 22, Township of Echuca as a site for State School purposes—(Rs 9440).

SPEED—The temporary reservation by Order in Council of 16 November 1971 of an area of 1265 square metres of land in Section 3, Township of Speed, Parish of Gorya as a site for Public Purposes (Departmental Residence)—(Rs 9561).

UNDERA—The temporary reservation by Order in Council of 10 September 1877 of an area of 2.023 hectares of land in the Parish of Undera as a site for Public Purposes (State School)—(P 162710).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON

Acting Clerk of the Executive Council

and 1N, Section 5, Township of Heathcote on Certified Plan No. 113280 lodged in the Central Plan Office—(Rs 8944).

JAMIESON—The temporary reservations by Orders in Council of 27 December 1865, 21 February 1870 and 24 September 1877 of a total area of 7057 square metres of land in the Township of Jamieson as sites for Common School and Public Purposes (State School) so far only as the portion containing 1645 square metres shown as Crown Allotment 5, Section 3, Township of Jamieson on Certified Plan No. 114463 lodged in the Central Plan Office—(Rs 12457).

MOYHU—The temporary reservation by Order in Council of 17 February 1976 of 4043 square metres of land being Crown Allotment 3C, Section 34 and Crown Allotment 1C, Section 38, Parish of Moyhu as a site for Public Purposes (Government Buildings) so far only as the portion containing 2022 square metres being Crown Allotment 3C, Section 34—(Rs 10107).

OUYEN—The temporary reservation by Order in Council of 1 August 1989 of 2046 square metres of land being Crown Allotment 1C, Section 7, Township of Ouyen as a site for Public Purposes (Departmental Residence)—(Rs 8642).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON

Acting Clerk of the Executive Council

Crown Land (Reserves) Act 1978 REVOCATION OF TEMPORARY RESERVATIONS

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

HEATHCOTE—The temporary reservation by Order in Council of 29 July 1980 of 4938 square metres of land in the Township of Heathcote as a site for Police Purposes, revoked as to part by Order in Council of 11 October 1994, so far only as the portion containing 1058 square metres shown as Crown Allotments 1M

Crown Land (Reserves) Act 1978 NOTICE OF INTENTION

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

LILLIMUR—The temporary reservation by Order in Council of 5 September 1887 of an area of 5.95 hectares of land in the Township of Lillimur (formerly Lillimur North) as a site for Public Recreation—(Rs 2115).

LILLIMUR—The temporary reservation by Order in Council of 22 May 1928 of an area of 1.70 hectares of land in the Township of

Lillimur (formerly Lillimur North) as a site for Public Recreation in addition to and adjoining the site temporarily reserved therefor by Order in Council of 5 September 1887—(Rs 2115).
Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON

Acting Clerk of the Executive Council

**Crown Land (Reserves) Act 1978
INCORPORATION OF COMMITTEE OF
MANAGEMENT OF YARRA RIVER
MARITIME RESERVE**

The Governor in Council under section 14A (1) of the Crown Land (Reserves) Act 1978, being satisfied that it is in the public interests to declare to be a corporation the Committee of Management appointed under section 14 (2) of the Act of the land described in the schedule hereunder:

- (a) declares that the Committee of Management shall be a corporation;
- (b) assigns the name "Yarra River Maritime Reserve Committee of Management Incorporated" to the corporation; and

under section 14B (3) of the Act, appoints John Weston to be Chairperson of the corporation.

SCHEDULE

Crown Allotment 77G, City of South Melbourne, Parish of Melbourne South temporarily reserved as a site for Public purposes by Order in Council of 7 June 1994—(Rs 37043).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON

Acting Clerk of the Executive Council

**Crown Land (Reserves) Act 1978
REVOCATION OF TEMPORARY
RESERVATIONS**

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

PORT MELBOURNE—The temporary reservation by Order in Council of 16 May 1979 of 9·893 hectares of land being Crown

Allotment 16, Section 67E, City of Port Melbourne, Parish of Melbourne South as a site for Public Buildings—(Rs 10838).

SALE—The temporary reservation by Order in Council of 5 February 1974 of an area of 1·06 hectares, more or less, of land being Crown Allotment 2, Section 6, Township of Sale, Parish of Sale as a site for State (High) School purposes, revoked as to part by Order in Council of 6 December 1977 so far only as the portion containing 800 square metres, more or less, as indicated by hatching on plan published in the Victoria Government Gazette on 8 December 1994—page 3283—(Rs 894).

SOUTH HAMILTON—The temporary reservation by Order in Council of 9 September 1969 of an area of 5·605 hectares, more or less, of land in the Parish of South Hamilton as a site for Public Purposes (Department of Agriculture purposes) revoked as to part by Order in Council of 25 February 1992, so far only as the portion containing 128 square metres as indicated by hatching on plan published in the Victoria Government Gazette on 8 December 1994—page 3283—(Rs 9215).

TERANG—The temporary reservation by Order in Council of 17 December 1991 of an area of 826 square metres of land being Crown Allotment 13, Section 1, Township of Terang as a site for Public Purposes (Historic Building)—(Rs 2972).

WHITTLESEA—The temporary reservation by Order in Council of 19 May 1959 of 1290 square metres of land in Section 16, Township of Whittlesea, Parish of Toorourrong as a site for a Court House—(Rs 7829).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON

Acting Clerk of the Executive Council

**Crown Land (Reserves) Act 1978
REVOCATION OF TEMPORARY
RESERVATIONS**

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

BOGA—The temporary reservation by Order in Council of 30 May 1961 of 1·143 hectares, more or less, of land adjoining Allotment A5, Parish of Boga as a site for water supply

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purposes, revoked as to part by Order in Council of 17 May 1994 so far as the balance remaining containing 8961 square metres, more or less—(Rs 8039).

CUT-PAW-PAW—The temporary reservation by Order in Council of 20 November 1952 of 1·619 hectares of land in Section 21, Parish of Cut-paw-paw as a site for State School Purposes—(Rs 7049).

DROMANA—The temporary reservation by Order in Council of 28 December 1864 of 1164 square metres of land in the Township of Dromana as a site for Police purposes, revoked as to part by Order in Council of 7 August 1973, so far only as the portion containing 534 square metres shown as Crown Allotment 3A, Section 19, Township of Dromana on Certified Plan No. 114462 lodged in the Central Plan Office—(Rs 9736).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
Acting Clerk of the Executive Council

**Crown Land (Reserves) Act 1978
REVOCATION OF PERMANENT
RESERVATION**

The Governor in Council under section 11 (2) of the Crown Land (Reserves) Act 1978 revokes the following permanent reservation:

POREPUNKAH—The permanent reservation by Order in Council of 26 May 1873 of an area of 6070 square metres of land being Crown Allotments 1, 2, 3, 18, 19 and 20, Section 4, Township of Porepunkah as a site for State School purposes so far only as the portion containing 1455 square metres shown as Crown Allotment 21, Section 4, Township of Porepunkah on Certified Plan No. 112982 lodged in the Central Plan Office—(L8-5640).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
Acting Clerk of the Executive Council

Victoria Government Gazette

Land Act 1958

UNUSED ROADS CLOSED

The Governor in Council under section 349 of the Land Act 1958 and with the consents in writing of the municipalities concerned and the adjoining owners closes the following unused roads:

**MUNICIPAL DISTRICT OF THE RURAL
CITY OF WODONGA**

BARNAWARTHA NORTH—The road in the Parish of Barnawartha North shown as Crown Allotment C1 on Certified Plan No. 113372 lodged in the Central Plan Office—(L8/5524).

**MUNICIPAL DISTRICT OF THE ALPINE
SHIRE**

POREPUNKAH—The road in the Township of Porepunkah, Parish of Porepunkah shown as Crown Allotments 8A and 8B, Section B on Certified Plan No. 114577 lodged in the Central Plan Office—(L8/4836).

**MUNICIPAL DISTRICT OF THE SHIRE
OF NARRACAN**

TRAFALGAR—The road in the Township of Trafalgar, Parish of Moe shown as Crown Allotment 4A, Section 9 and Crown Allotments 8A and 9A, Section 16 on Certified Plan No. 110747 lodged in the Central Plan Office—(L10-4435).

**MUNICIPAL DISTRICT OF THE SHIRE
OF ALBERTON**

YARRAM YARRAM—The road in the Parish of Yarram Yarram shown as Crown Allotments 55B and 56A on Certified Plan No. 112790 lodged in the Central Plan Office—(14/90/2114).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
Acting Clerk of the Executive Council

**Land Act 1958
UNUSED ROAD CLOSED**

The Governor in Council under section 349 of the Land Act 1958 and with the consent in writing of the municipality concerned closes the following unused road:

**MUNICIPAL DISTRICT OF THE SHIRE
OF KORONG**

GLENALBYN—The road in the Parish of Glenalbyn shown as Crown Allotment 6H, Section E on Certified Plan No. 114570 lodged in the Central Plan Office—(L6-8537).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
Acting Clerk of the Executive Council

**Crown Land (Reserves) Act 1978
ALEX AND JEMIMA McDONALD
COMMUNITY CENTRE RESERVE**

The Governor in Council under section 14A (7) of the Crown Land (Reserves) Act 1978 dissolves the "Alex and Jemima McDonald Community Centre Committee of Management Incorporated" constituted by Order in Council of 23 June 1992 published in the Victoria Government Gazette on 24 June 1992—pages 1577/8—(Rs 7755).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
Acting Clerk of the Executive Council

**Crown Land (Reserves) Act 1978
NOTICE OF INTENTION**

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

TARNEIT—The temporary reservation for Railway Purposes by Order in Council of 23 November 1865 of the land comprised within the line of railway from Melbourne to Ballarat, so far only as the portion containing 323 square metres shown as Crown Allotment 7B, Section B, Parish of Tarnait on Certified Plan No. 114497 lodged in the Central Plan Office—(GL 18620).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

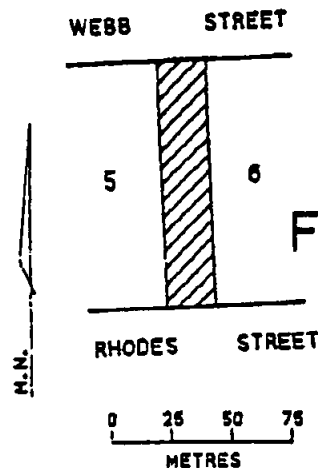
KATHY WILSON
Acting Clerk of the Executive Council

**Land Act 1958
UNUSED ROAD CLOSED**

The Governor in Council under section 349 of the Land Act 1958 and with the consent in writing of the municipality concerned closes the following unused road:

**MUNICIPAL DISTRICT OF THE SHIRE
OF TOWONG**

GRANYA—The road in the Township of Granya, Parish of Bungil as indicated by hatching on plan hereunder—(G 216[7]) (P 202948).



Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
Acting Clerk of the Executive Council

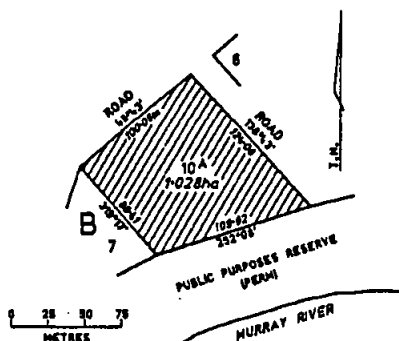
**Crown Land (Reserves) Act 1978
CROWN LAND TEMPORARILY
RESERVED**

The Governor in Council under section 4 of the Crown Land (Reserves) Act 1978 temporarily reserves the following Crown land for the purpose mentioned.

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**MUNICIPAL DISTRICT OF THE SHIRE
OF MILDURA**

COLIGNAN—Public recreation 1-028 hectares being Crown Allotment 10A Section B, Parish of Colignan as indicated by hatching on plan hereunder—(C 474 [D]) (Rs 5751).



Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON

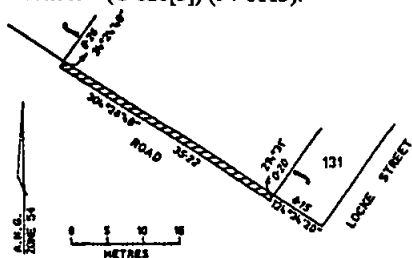
Acting Clerk of the Executive Council

**Land Act 1958
UNUSED ROADS CLOSED**

The Governor in Council under section 349 of the Land Act 1958 and with the consents in writing of the municipalities concerned and the adjoining owners closes the following unused roads:

**MUNICIPAL DISTRICT OF THE SHIRE
OF STAWELL**

GREAT WESTERN—The road in the Township of Great Western, Parish of Concongella as indicated by hatching on plan hereunder—(G 120[3]) (94-1115).



Victoria Government Gazette

**MUNICIPAL DISTRICT OF THE CITY
OF GREATER BENDIGO**

SHELBOURNE—The road in the Parish of Shelbourne shown as Crown Allotment 1A, Section 10 on Certified Plan No. 112287 lodged in the Central Plan Office—(L6-8074).

Dated 20 December 1994

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON

Acting Clerk of the Executive Council

Historic Buildings Act 1981 (No. 9667)

**AMENDMENT OF REGISTER OF
HISTORIC BUILDINGS**

Under section 14 of the Historic Buildings Act 1981 the Governor in Council amends the Register by adding Historic Building No. 1060:

Former Engine Shed, Railway Complex,
Sturt Street, Echuca

(To the extent of:

1. All of the building known as the former engine shed, Echuca marked B-1 Plan 601758 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. All of the land in Lot 1V of Crown Grant Volume 9943 Folio 724 marked L-1 on Plan 601738 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.)

Dated 20 December 1994

Responsible Minister:

ROBERT MACLELLAN

Minister for Planning

KATHY WILSON

Acting Clerk of the Executive Council

Farm Produce Wholesale Act 1990

The Governor in Council, acting under section 31 of the Farm Produce Wholesale Act 1990 authorises and requires wholesalers—

- (a) to deduct from a payment to a producer of Queensland produce marketed in Victoria an amount which is calculated at the rate specified in the Schedule below, such amount being the marketing levy which is payable by a producer to the Queensland Fruit and Vegetable Growers under the Fruit

Marketing Organisation Act 1923-1980 (Queensland). This Order amends, for the seven items specified, the Order published in the Victoria Government Gazette on 3 March 1994.

- (b) to remit any amount so deducted to the Queensland Fruit and Vegetable Growers.

SCHEDULE

<i>Produce</i>	<i>Unit</i>	<i>Rate of Marketing Levy</i>
Custard Apple	per package	2 cents
Cherry Tomato	per tray	9 cents
Lychee	per 4 or 5 kg carton	37 cents
Mango	per package	24 cents
Rockmelon,	per package	20 cents
Honeydew etc		
Tomato	per 10 kg carton	9 cents
Watermelon	per tonne	\$3.60

Dated 13 December 1994

Responsible Minister:

BILL McGRATH

Minister for Agriculture

KATHY WILSON

Acting Clerk of the Executive Council

**Shop Trading Act 1987
EXEMPTION FROM CLOSING HOURS
PROVISIONS FESTIVALS**

The Governor in Council under section 8 (3) of the Shop Trading Act 1987 exempts all shops located in Geelong Racecourse, Breakwater Road, in the City of Greater Geelong, and participating in the Geelong Summer Festival, from any part of the provisions of section 7 of the Shop Trading Act on the following day:

Sunday, 8 January 1995, between the hours of 10.00 a.m. and 5.00 p.m.

Dated 20 December 1994

Responsible Minister:

VIN HEFFERNAN

Minister for Small Business

KATHY WILSON

Acting Clerk of the Executive Council

**Shop Trading Act 1987
EXEMPTION FROM CLOSING HOURS
PROVISIONS FESTIVALS**

The Governor in Council under section 8 (3) of the Shop Trading Act 1987 exempts all shops located in the area bounded by Irving, Moore, Ryan and Nicholson Streets, and the Mall, in the City of Footscray, and participating in the Vietnamese/Chinese New Year Festival, from any part of the provisions of section 7 of the Shop Trading Act on the following day:

Sunday, 15 January 1995, between the hours of 10.00 a.m. and 5.00 p.m.

Dated 20 December 1994

Responsible Minister:

VIN HEFFERNAN

Minister for Small Business

KATHY WILSON

Acting Clerk of the Executive Council

**Shop Trading Act 1987
EXEMPTION FROM CLOSING HOURS
PROVISIONS FESTIVALS**

The Governor in Council under section 8 (3) of the Shop Trading Act 1987 exempts all shops located in Arndale Shopping Centre, Croydon Market and Croydon Central Business District, in the City of Croydon, and participating in the Croydon Festival, from any part of the provisions of section 7 of the Shop Trading Act on the following day:

Sunday, 19 February 1995, between the hours of 9.00 a.m. and 5.00 p.m.

Dated 20 December 1994

Responsible Minister:

VIN HEFFERNAN

Minister for Small Business

KATHY WILSON

Acting Clerk of the Executive Council

**Credit Act 1984
CREDIT (CREDIT UNION
ESTABLISHMENT FEES) (AMENDMENT)
ORDER**

The Governor in Council under section 19 of the Credit Act 1984 makes the following Order:

Citation

1. This Order may be cited as the Credit (Credit Union Establishment Fees) (Amendment) Order.

Commencement and Duration

2. This Order takes effect on and from 1 January 1995.

Order

3. The Credit (Credit Union Establishment Fees) Order No. 2 is amended by omitting from Clause 2 the words "1 January 1995" and by inserting instead "1 September 1995".

Dated 20 December 1994

Responsible Minister:

JAN WADE

Minister for Fair Trading

KATHY WILSON

Acting Clerk of the Executive Council

Credit Act 1984

CREDIT (CREDIT UNION LEGAL AND VALUATION FEES) (AMENDMENT) ORDER

The Governor in Council under section 19 of the Credit Act 1984 makes the following Order:

Citation

1. This Order may be cited as the Credit (Credit Union Legal and Valuation Fees) (Amendment) Order.

Commencement and Duration

2. This Order takes effect on and from 1 January 1995.

Order

3. The Credit (Credit Union Legal and Valuation Fees) Order No. 2 is amended by omitting from Clause 2 the words "1 January 1995" and by inserting instead "1 September 1995".

Dated 20 December 1994

Responsible Minister:

JAN WADE

Minister for Fair Trading

KATHY WILSON

Acting Clerk of the Executive Council

Retirement Villages Act 1986

SECTION 6

Declaration of Exemption

Under the powers found in section 6 of the Retirement Villages Act 1986 the Governor in Council on the recommendation of the Minister for Fair Trading declares:

Mitchell House Retirement Village managed by Mitchell House Incorporated ("the Manager") and situated at 127 Vary Street, Morwell to be an exempt village for the purposes of the following provisions of the Retirement Villages Act 1968 ("the Act")—

1. Section 13.

2. Sub-sections (1) (2) (3) and (4) of section 14 upon condition that:

(1) A contract which is entered into between a resident and the Manager and which creates or gives rise to a residence right binds the owners (as defined in the Act) and successors in title of the owners while the contract remains in force as if the owners and successors had also entered into the contract.

(2) In paragraph 3 (1) "successor in title" includes a person who acquires any interest or right affecting land or has a mortgage, charge or other encumbrance over land.

3. Section 16 upon the following conditions:

(1) If a resident is in breach of a provision of a residence contract the Manager may serve on the resident a notice specifying the breach and—

(a) requiring the breach to be remedied; or

(b) if the breach is not capable of being remedied, requiring the resident to cease committing the breach;

within 28 days after the date of service of the notice.

(2) If—

(a) the Manager has served on a resident a notice under paragraph 4 (1); and

(b) the resident has not complied with the notice at the end of 28 days after the date of service of notice; and

(c) the breach specified in the notice is substantial—

the Manager may serve on the resident a notice specifying the breach and requiring the resident to leave the retirement village on or before a date stated in the notice, which is not earlier than 60 days after the date of service of the notice.

(3) If a resident has a residence right by virtue of a contract which creates a periodic tenancy the Manager may serve on the resident

notice requiring the resident to leave the retirement village on a date which is not earlier than—

- (a) six months after the date of service of the notice; or
- (b) the end of the period of the tenancy—whichever last happens.

(4) The Manager may serve on a resident a notice requiring the resident to leave the retirement village within 14 days after the service of the notice if—

- (a) the residence contract authorises the giving of the notice and, if the contract includes conditions which must be complied with before the notice can be given, those conditions have been complied with; and
- (b) the notice includes a copy of a certificate signed by 2 legally qualified medical practitioners, one of whom is nominated or agreed to by the resident and stating to the effect that the resident needs care of a kind which is not available at the retirement village.

(5) A notice under these paragraphs may be served on a resident personally or by post addressed to the resident at the resident's address in the retirement village or at the resident's last known address.

4. Section 19 upon condition that no less than 21 days before a resident enters into any residence contract, the Manager or the Manager's agent gives to the resident all residence documents as defined in the Act relating to the village;

Sub-sections (2), (3), (4), (5), (6) and (7) of section 24 upon condition that:

(1) A resident who signs a residence contract may at any time before the end of the period of 3 business days after signing the contract give notice to the Manager that the resident wishes to rescind the contract and, where the resident has signed the notice and given it in accordance with this paragraph, the contract is rescinded.

(2) A notice under paragraph 4 (1) must be given to the Manager or Manager's agent or left at the address for service of the Manager specified in the residence contract or the address of the Manager's agent within 3 clear business days after the resident signs the contract.

(3) If a resident rescinds a contract under these paragraphs the resident is entitled to the return of all monies paid by the resident under

the contract, except for the sum of \$100 or 0.2 per centum of the ingoing contribution paid by the resident (whichever is the greater), which may be retained by the Manager.

(4) A contract to which these paragraphs apply must contain a conspicuous notice advising the resident that the resident may before the end of 3 clear business days after the resident signs the contract give notice that the resident wishes to terminate the contract.

(5) If a contract to which these paragraphs apply does not contain the notice required by paragraph 6 (4) a resident may rescind the contract.

(6) In these paragraphs "business day" means a day which is not a holiday within the meaning of section 44 (3) of the Interpretation of Legislation Act 1984.

5. Part 5 upon condition that any monies paid by a resident as ingoing contribution are held in trust for the benefit of the resident by a Trustee Company authorised under the Trustee Companies Act 1984 less any deductions allowed under the contract between the resident and the Manager.

6. Section 38 upon condition that no resident in the village is required to pay a maintenance charge which exceeds an amount calculated pursuant to any current agreement between the Manager and the Commonwealth in accordance with the Aged or Disabled Persons Care Act 1954 as amended from time to time.

7. And upon condition that:

- (a) That the Manager maintains an enforceable lease;
- (b) A copy of this exemption is given to each prospective resident at the time such resident is given the residents documents relating to the village and to current residents; and
- (c) That a copy of this agreement is given to the owner of the retirement village land.

Dated 20 December 1994

Responsible Minister:

JAN WADE

Minister for Fair Trading

KATHY WILSON

Acting Clerk of the Executive Council

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**Melbourne and Metropolitan Board of
Works Act 1958**
**SPECIAL BY-LAW No. 41: WATER SUPPLY
AND SEWERAGE SERVICES TO NON-
RATEABLE PROPERTY**

The Governor in Council under section 239A
(3) of the Melbourne and Metropolitan Board
of Works Act 1958 approves the attached
Special By-law No. 41.

Dated 20 December 1994

Responsible Minister:

GEOFF COLEMAN

Minister for Natural Resources

KATHY WILSON
Acting Clerk of the Executive Council

Cultural and Recreational Lands Act 1963
**CULTURAL AND RECREATIONAL LANDS
(WATER SUPPLY AND SEWERAGE
SERVICES) REGULATIONS 1994**

The Governor in Council under section 5 (2)
of the Cultural and Recreational Lands Act
1963 approves the attached Regulations.

Dated 20 December 1994

Responsible Minister:

ROGER HALLAM

Minister for Local Government

KATHY WILSON
Acting Clerk of the Executive Council

Vocational Education and Training Act 1990
**MERGER OF THE MELBOURNE COLLEGE
OF PRINTING AND GRAPHIC ARTS WITH
THE ROYAL MELBOURNE INSTITUTE OF
TECHNOLOGY**

Purpose

1. The purpose of this Order is to provide for
the merger of the Melbourne College of Printing
and Graphic Arts with the Royal Melbourne
Institute of Technology.

Authority

2. This Order is made under sections 23 and
24 of the Vocational Education and Training
Act 1990—

- (a) on the recommendation of the
Minister,
- (b) at the request of the Council of the
Melbourne College of Printing and
Graphic Arts,

Victoria Government Gazette

- (c) with the approval of the Council of the
Royal Melbourne Institute of
Technology, and
- (d) after the Minister has consulted with
the State Training Board of Victoria.

*University to be successor in law of College
and Council*

3. Subject to this Order, on and from 1
January 1995—

- (a) the College is abolished, the Council is
dissolved and the University is the
successor in law of the College and the
Council, and
- (b) the assets and rights of the Council vest
in the University, and
- (c) the liabilities and obligations of the
Council become liabilities or
obligations of the University, and
- (d) any scholarship, prize or bursary of a
continuing nature administered by the
Council and existing immediately
before that date shall be administered
by the University, but otherwise in
accordance with the terms and
conditions to which it was subject
immediately before that date, and
- (e) all contracts, deeds, bonds,
agreements, arrangements, guarantees
and other instruments (except
contracts, agreements or arrangements
relating to the members of staff of the
College) made or entered into by, on
behalf of, or in relation to the College
or the Council and in force
immediately before that date have
effect as if made or entered into by, on
behalf of, or in relation to, the
University, and
- (f) all actions, claims, arbitrations,
applications and other proceedings
(including proceedings on appeal or
review) pending or existing
immediately before the appointed day
by, against, or in relation to the College
or the Council have effect as if they
were actions, claims, arbitrations,
applications and proceedings by,
against, or in relation to the University
and may be continued and completed
accordingly, and
- (g) any permit, licence or authority of any
kind whatsoever issued or granted to
the College or the Council by or under

- any Act continues to operate (despite anything in this Order) in favour of the University in the same way and to the same extent as it operated in favour of the College or the Council, and
- (h) all records and documents of the Council become the property of the University.

Gifts, trusts etc

4. If—
- (a) before or after 1 January 1995—
- (i) a gift, disposition or trust of property is made or declared or is deemed to have been made or declared, or
- (ii) a trust fund is created—
- (whether by deed, will or otherwise) to, in favour of, for the use of, or for the purposes of the College or the Council, and
- (b) the gift, disposition, trust or trust fund takes effect, or may take effect, or the trust fund may be applied, on or after 1 January 1995—
- the gift, disposition trust or trust fund does not fail only because of the provisions of this Order, but, in relation to any matter occurring on or after that date;
- (c) in the case of a gift, disposition or trust of property, takes effect as if made or declared to or in favour of the University for a purpose of the University that corresponds with, or is similar to, those purposes of the Council, and
- (d) in the case of a trust fund, may be applied as if created in favour of the University for a purpose of the University that corresponds with, or is similar to, those purposes of the Council.

Staff of the College

5. (1) On 1 January 1995, the members of staff of the College cease to be such members and become members of the staff of the University.
- (2) A person who becomes a member of staff of the University under sub-clause (1)—
- (a) is entitled to a salary no less than the person was receiving or was entitled to receive immediately before the transfer, and on terms and conditions

no less favourable than those of the person's appointment in the College, and

- (b) continues to have the benefit of all entitlements accrued in respect of the person's appointment in the College before the transfer.

Students of the College

6. (1) On and after 1 January 1995, a person who is an enrolled student of the College is an enrolled student of the University.
- (2) A person who holds a degree, diploma, certificate or other award of the College is entitled on and from that date to the same benefits and privileges as are enjoyed by a person holding an award of the University, as if the award of the College were an award of the University.

Organisations related to the College

7. On and after 1 January 1995, a reference to the College or the Council (by whatever name) in the constitution or rules of a student representative council or student union, whether incorporate or unincorporate, related to the College or the Council, has effect as a reference to the University and, in so far as applicable continues to apply to that part of the University carried on on the campus of the College.

Savings of validity of actions of the abolished Council

8. This Order does not affect the validity or continuity of anything which has been validly done in accordance with the revoked Order before this Order takes effect.

Revocation of the Constitution of the Melbourne College of Printing and Graphic Arts Council Order 1991

9. The Order in Council called the Constitution of the Melbourne College of Printing and Graphic Arts Council Order 1991 made on 23 December 1991, notice of which was published in the Government Gazette on 8 January 1992, is revoked and members of the Council established by that Order go out of office.

Consequential amendment to Vocational Education and Training Act 1990

10. In Schedule 1 to the Vocational Education and Training Act 1990, omit "Melbourne College of Printing and Graphic Arts".

Meaning of Terms

11. In this Order unless inconsistent with context or subject matter—

“Act” means the Vocational Education and Training Act 1990;

“College” means the Melbourne College of Printing and Graphic Arts established under the Act;

“Council” means the Council of the Melbourne College of Printing and Graphic Arts established by the revoked Order;

“Revoked Order” means the Order in Council called the Constitution of the Melbourne College of Printing and Graphic Arts Council Order 1991 made on 23 December 1991; and

“University” means the Royal Melbourne Institute of Technology established by the Royal Melbourne Institute of Technology Act 1992.

Date of Effect

12. This Order takes effect on and from 1 January 1995.

Dated 20 December 1994

Responsible Minister:

HADDON STOREY

Minister for Tertiary Education and Training

KATHY WILSON

Acting Clerk of the Executive Council

**Health Services Act 1988
THE APOLLO BAY AND DISTRICT
MEMORIAL HOSPITAL AND APOLLO
BAY HOSTEL AND NURSING HOME
SOCIETY INCORPORATED TO BE KNOWN
AS THE OTWAY HEALTH AND
COMMUNITY SERVICES
Amalgamation**

The Governor in Council, on the recommendation of the Minister for Health made after receiving advice from the Secretary to the Department of Health and Community Services under section 64A (4) of the Health Services Act 1988 (“the Act”) that the governing bodies of The Apollo Bay and District Memorial Hospital and Apollo Bay Hostel and Nursing Society Incorporated.

1. Under section 65 (1) of the Act The Apollo Bay and District Memorial Hospital and Apollo Bay Hostel and Nursing Home Society Incorporated be amalgamated.

2. 1 January 1995 be specified as the date for the purposes section 65 (2) of the Act and in particular as the date on which:

(a) the incorporation of The Apollo Bay and District Memorial Hospital and Apollo Bay Hostel and Nursing Home Society Incorporated shall be cancelled; and

(b) a new registered funded agency entitled The Otway Health and Community Services shall come into existence as if incorporated under the Health Services Act 1988; and

(c) the initial Board of Management of the new The Otway Health and Community Services will be constituted of the following members with terms of appointment commencing 1 January 1995 and for the period of office as specified:

Mr Les Nosedá	until 31 October 1997
Mr Graeme Linton	until 31 October 1997
Mr Stan Hodgson	until 31 October 1997
Ms Beth Gardiner	until 31 October 1996
Mrs Judith Kennedy	until 31 October 1996
Mr Frank Shields	until 31 October 1996
Mrs Denise Hooke	until 31 October 1996
Sr Mary Assumpta	until 31 October 1995
Mrs Sonja Dohnt	until 31 October 1995
Mr Geoff Bolger	until 31 October 1995

3. Under section 65 (3) of the Act:

(a) the purposes of The Otway Health and Community Services are the purposes stated in the statement of purposes approved by the Regional Director of Barwon-South Western Region of the Department of Health and Community Services on 8 December 1994, and as altered by The Otway Health and Community Services from time to time in accordance with the Health Services Act 1988;

(b) the by-laws of The Otway Health and Community Services are the by-laws contained in the copy of the by-laws approved by the Regional Director of the Barwon-South Western Region of the Department of Health and Community Services on 8 December 1994 and as altered by The Otway Health and Community Services from time to time in accordance with the Health Services Act 1988.

4. Under section 65 (4) of the Act The Otway Health and Community Services is declared to be a public hospital under the Health Services Act 1988 with effect from 1 January 1995.

5. Pursuant to section 8 (1) (a) and (b) of the Act, and also with effect from 1 January 1995 the Governor in Council by this order amends Schedule 1 to the Act by:

- (a) adding the name The Otway Health and Community Services; and
- (b) removing the name of The Apollo Bay and District Memorial Hospital.

Dated 20 December 1994

Responsible Minister:

MARIE TEHAN

Minister for Health

KATHY WILSON

Acting Clerk of the Executive Council

**Health Services Act 1988
AMALGAMATION OF LISMORE AND
DISTRICT HOSPITAL, LISMORE
DERRINALLUM NURSING HOME
SOCIETY INCORPORATED AND THE
CAMPERDOWN DISTRICT HOSPITAL TO
BE KNOWN AS THE CORANGAMITE
REGIONAL HOSPITAL SERVICES**

The Governor in Council on the recommendation of the Minister for Health made after receiving advice from the Secretary to the Department of Health and Community Services under section 64A of the Health Services Act 1988, and acting under section 65 of that Act, by this Order—

1. Directs that under section 65 (1) of the Act The Camperdown District Hospital and Lismore and District Hospital and Lismore Derrinallum Nursing Home Society Incorporated be amalgamated.

2. Specifies 1 January 1995 as the date that—

- (a) the incorporation of each of the registered funded agencies to which the order relates shall be cancelled; and
- (b) a new registered funded agency to be known as The Corangamite Regional Hospital Services and having a board of management constituted as specified below comes into existence as if on that date it had been incorporated under the Health Services Act 1988; and

(c) the initial Board of Management of The Corangamite Regional Hospital Services will be constituted of the following members for the period of office as specified:

Peter John Skene	until 31 October 1997
Stanley Patrick Lee	until 31 October 1997
Stanley John Menzies	until 31 October 1997
Valerie Joan Lang	until 31 October 1997
Robyn Ann Gellie	until 31 October 1996
Richard Ian Robertson	until 31 October 1996
Eldon Gilbert Lyon	until 31 October 1996
Andrew James Miller	until 31 October 1996
Peter Robert Mason	until 31 October 1995
Helen Lorraine Wilson	until 31 October 1995
Graeme David	
McFeeters	until 31 October 1995
Michele Elizabeth	
Smith	until 31 October 1995

3. Declares The Corangamite Regional Hospital Services to be a public hospital whose by-laws are the proposed by-laws for The Corangamite Regional Hospital Services as approved by the Regional Director.

4. Amends schedule 1 of the Health Services Act 1988 pursuant to sections 8 (1) (a) and (b) with effect from 1 January 1995 by:

- (a) adding the name The Corangamite Regional Hospital Services; and
- (b) removing the names Lismore and District Hospital and The Camperdown District Hospital.

Dated 20 December 1994

Responsible Minister:

MARIE TEHAN

Minister for Health

KATHY WILSON

Acting Clerk of the Executive Council

**Health Services Act 1988
AMALGAMATION OF THE CRESWICK
DISTRICT HOSPITAL AND DAYLESFORD
DISTRICT HOSPITAL, TO BE KNOWN AS
WESTERN HIGHLANDS HEALTH
SERVICE**

The Governor in Council, on the recommendation of the Minister for Health made after receiving advice from the Secretary to the Department of Health and Community Services under section 64A (4) of the Health Services Act 1988 ("the Act") that the governing bodies of The Creswick District

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Hospital and Daylesford District Hospital have agreed to amalgamate.

1. Directs that under section 65 (1) of the Act The Creswick District Hospital and Daylesford District Hospital be amalgamated.

2. Specifies 1 January 1995 as the date for the purposes of section 65 (2) of the Act and in particular as the date on which—

- (a) the incorporation of The Creswick District Hospital and Daylesford District Hospital shall be cancelled; and
- (b) a new registered funded agency to be known as Western Highlands Health Service shall come into existence as if on that date it had been incorporated under the Health Services Act 1988; and
- (c) the initial Board of Management of the new Western Highlands Health Service will be constituted comprising the following members for the period of office as specified:

Maxwell O'Shea	until 31 October 1997
Neil Eric Chamberlain	until 31 October 1997
Stanley Alwynne Baker	until 31 October 1997
Gary Alan Chandler	until 31 October 1997
Margaret Frances Edgar	until 31 October 1996
Robert Gilmour Orr	until 31 October 1996
Thomas Kane	until 31 October 1996
Christopher Robert Murphy	until 31 October 1996
Peter William Anderson	until 31 October 1995
Noelle Frances Bohn	until 31 October 1995
Ernest John Robinson	until 31 October 1995
Colin Neville Wrigley	until 31 October 1995

3. Pursuant to section 65 (3) of the Act orders the By-laws of Western Highlands Health Service to be the By-laws contained in the copy of the By-laws approved by the Regional Director, Grampians Region of the Department of Health and Community Services on 5 December 1994 and as altered by Western Highlands Health Service from time to time in accordance with the Health Services Act 1988.

4. Declares that under section 65 (4) of the Act Western Highlands Health Service is a public hospital under the Health Services Act 1988 with effect from 1 January 1995; and

5. Pursuant to section 8 (1) (a) and (b) of the Act, amends Schedule 1 to the Act with effect from 1 January 1995 by:

- (a) adding the name Western Highlands Health Service; and

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- (b) removing the names of The Creswick District Hospital and Daylesford District Hospital.

Dated 20 December 1994

Responsible Minister:

MARIE TEHAN

Minister for Health

KATHY WILSON

Acting Clerk of the Executive Council

NOTICE OF MAKING OF STATUTORY RULES WHICH ARE NOT YET AVAILABLE

Notice is given of the making of the following
Statutory Rules:

**Melbourne and
Metropolitan Board
of Works Act 1958**
209/1994 Special By-law No. 41:
Water Supply and
Sewerage Services to
Non-Rateable Property

**Cultural and
Recreational Lands
Act 1963**
210/1994 Cultural and Recreational
Lands (Water Supply
and Sewerage Services)
Regulations 1994

NOTICE OF MAKING AND AVAILABILITY OF STATUTORY RULES

In pursuance of the provisions of the
Subordinate Legislation Act 1962 and the
Regulations made thereunder notice is given of the
making and availability of the following Statutory
Rules:

Note: The date specified after each Statutory
Rule is the date it was first obtainable from—

The Law Printer
28 Queensbridge Street, South Melbourne, 3205
Tel: 242 4600

Evidence Act 1958
202/1994 Evidence (Recorded
Evidence) Regulations
1994
19 December 1994 Code A

Health Act 1958
203/1994 Health (Use of Waste
Water) (Fees)
Regulations 1994
19 December 1994 Code A

Dentists Act 1972
204/1994 Dentists (Fees) Regulations
1994
19 December 1994 Code A

**Physiotherapists Act
1978**
205/1994 Physiotherapists
(Qualifications
Amendment)
Regulations 1994
19 December 1994 Code A

**Planning and
Environment Act
1987**
206/1994 Planning and Environment
(Amendment)
Regulations 1994
19 December 1994 Code B

**Transport Accident
Act 1986**
207/1994 Transport Accident
(Impairment)
(Amendment)
Regulations 1994
19 December 1994 Code A

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208/1994 Business Franchise
(Tobacco) Act 1974
(Tobacco and Petroleum
Products) (Further
Amendment)
Regulations 1994
19 December 1994

Code A

The retail prices and price codes below will apply from 2 August 1993 to the following products: Acts (New, Reissue and Reprint), Statutory Rules (New, Reissue and Reprint), Parliamentary Papers, Bills and Reports, Special and Periodical Gazettes, and Industrial Awards.

Price Code	No. of Pages (Including cover and blank pages)	Price
A	1-16	\$2.70
B	17-32	\$4.00
C	33-48	\$5.50
D	49-96	\$8.50
E	97-144	\$11.00
F	145-192	\$13.00
G	193-240	\$15.00
H	241-288	\$16.00
I	289-352	\$18.00
J	353-416	\$21.00
K	417-480	\$24.00
L	481-544	\$28.00

A set retail price per issue will apply from 2 August 1993 to:

Government Gazette (General) \$1.65 per issue
Hansard (Weekly) \$2.70 per issue

ADVERTISERS PLEASE NOTE

As from 22 December 1994

The last Special Gazette was No. 100
Dated 20 December 1994

The last Periodical Gazette was No. 12
Dated 21 November 1994

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