



Victoria Government Gazette

No. G 47 Thursday 30 November 1995

GENERAL

GENERAL AND PERIODICAL GAZETTE

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Government Gazette Officer
AGPS Victorian Operations
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60 Fallon Street, Brunswick 3056
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Fax (03) 9387 3404

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PRIVATE ADVERTISEMENTS

Take note that Geoffrey Leslie Trickey and Debra Joy Trickey of RMB 6454 Portland, have withdrawn from the partnership in Portland Demolition as from 14 November 1995 and Allan Robert Carey and Vicki Michelle Lee will continue as partners in the said firm.

HOWMAN & HARRIS, 23 Percy Street, Portland

Take notice that as from 16 November 1995 Evonne Joyce Basterfield retired from the partnership previously conducted by herself and Norman Trevor Rees which traded as "Iron Art". The firm will be continued by the said Norman Trevor Rees.

THOMPSON, FRANCIS & COMPANY, solicitors, 27-29 Roberts Avenue, Horsham

Notice is hereby given that the partnership heretofore subsisting between Arthur Partick Donnelly and Phillip Michael O'Grady carrying on business as Septic Service Contractors at Junction Road, Merricks North, Victoria, under the style or firm of O'Grady's Septic Service, have been dissolved as from 15 November 1995.

Dated 22 November 1995

ARTHUR P. DONNELLY
PHILLIP M. O'GRADY

Notice is hereby given that the partnership previously subsisting between Walter John Mabbott of Tarrawingee and Judith Maree Kelly of Callander Avenue, Wangaratta carrying on business as retailers of Giftware at 75 Reid Street, Wangaratta under the style or firm of "Cornerpoint" has been dissolved by mutual consent as from 30 June 1995 so far as concerns the said Walter John Mabbott who retires from the said firm. All debts due to and owing by the said firm will be received and paid respectively by Judith Maree Kelly and Barry Edward Kelly who will continue to carry on the said business in partnership under the style or firm of "Cornerpoint".

Dated at Wangaratta 17 November 1995

WALTER J. MABBOTT
JUDITH M. KELLY

DOROTHY MAY WALSH, deceased

Creditors, next of kin or others having claims in respect of the estate of Dorothy May Walsh late of 30 High Street, Swan Hill, Victoria, widow, deceased who died on 7 September 1995 are to send particulars of their claims to the executor, Dorothy Millicent Kelly care of the undermentioned solicitors by 17 January 1996, after which date the Executor will distribute the assets having regard only to the claims of which she then has notice.

GARDEN & GREEN, solicitors, 4 McCallum Street, Swan Hill

JUDYTH DEAN EDQUIST, late of 7 Rotherwood Street, Richmond, school science demonstrator, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 25 August 1995 are required by the personal representatives Nicholas John Gibson Edquist of 24 Summit Road, Box Hill South and Harriet Mary Dean Edquist of 27 Little Leveson Street, North Melbourne to send particulars to them care of the undermentioned solicitors by 7 February 1996, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

AITKEN WALKER & STRACHAN, solicitors, 114 William Street, Melbourne

AUDREY MAUD MCQUIE, late of 33 Wattle Road, Hawthorn, widow, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 22 August 1995 are required by the personal representatives Douglas Ian Alexander of 34 Molesworth Street, Kew, Elizabeth Madeline Sparkes of 146 Victoria Road, Hawthorn East and John Aylmer Leaver of 7 Moseley Avenue, Mount Eliza to send particulars to them care of the undermentioned solicitors by 7 February 1996, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

AITKEN WALKER & STRACHAN, solicitors, 114 William Street, Melbourne

ALEXANDER BRIAN SHOLL, late of Unit 53, 3 Alfred Square, St Kilda, Victoria, pensioner, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 1 October 1995 are required by the executor The Equity Trustees Executors and Agency Company Limited of 472 Bourke Street, Melbourne, Victoria to send particulars to it by 31 January 1996, after which date it may convey or distribute the assets having regard only to the claims of which it then has notice.

NICHOLAS O'DONOHUE & CO., solicitors, 180 Queen Street, Melbourne

Creditors, next of kin or others having claims in respect of the estate of Mollie Touzelle Moss late of 23 Fairbairn Road, Toorak, retired clerk, deceased who died on 30 September 1995 are to send particulars of their claims to the executors care of the undermentioned solicitors by 23 January 1996, after which date the executors will distribute the assets having regard only to the claims of which the executors then have notice.

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

MERCY IMOGENE GREAVES, deceased

Creditors, next of kin and others having claims in respect of the estate of Mercy Imogene Greaves formerly of Unit 7, 11 Wilson Street, Berwick, but late of Stephenson House Nursing Home, Gibb Street, Berwick, widow, deceased who died on 22 August 1995 are to send particulars of their claims to the executors care of the undermentioned solicitors by 7 February 1996, after which date the executors will distribute the assets having regard only to the claims of which the executors then have notice.

AITKEN, WALKER & STRACHAN, solicitors, 114 William Street, Melbourne

GLEN STEPHEN MILLER, deceased

Creditors, next of kin and others having claims in respect of the estate of Glen Stephen Miller late of Edi Road, Cheshunt, primary producer, deceased who died on 8 June 1995 are to send particulars of their claims to the executor care of the undermentioned solicitors by 31

January 1996, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

McSWINEYS, solicitors, 57 Reid Street, Wangaratta

MAVIS BERENICE LAING, deceased

Creditors, next of kin and others having claims in respect of the estate of Mavis Berenice Laing late of 32 Grange Road, Toorak, married woman, deceased who died on 26 July 1995 are to send particulars of their claims to the executors care of the undermentioned solicitors by 7 February 1996 after which date the executors will distribute the assets having regard only to the claims of which the executors then have notice.

AITKEN, WALKER & STRACHAN, solicitors, 114 William Street, Melbourne

EVELYN ANNIE CHENHALL, late of Warringal Private Hospital, Heidelberg, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 12 February 1994 are required by the personal representative State Trustees Ltd ACN 064 593 143 of 168 Exhibition Street, Melbourne to send particulars to it by 30 January 1996, after which date it may convey or distribute the assets having regard only to the claims of which it then has notice.

MIDDLETONS MOORE & BEVINS, solicitors, Level 29, 200 Queen Street, Melbourne

NORMA ROSE WINTER, late of Unit 2, 17 Martin Street, Preston, widow, deceased

Creditors, next of kin and others having claims against the estate of the deceased who died on 1 September 1995 are to send particulars of their claims to Lorraine Joyce Wallace care of Alan P. Burnes PO Box 138 Bundoora by 26 January 1996, after which date she will distribute the assets having regard only to the claims of which she then has notice.

ALLAN P. BURNES, solicitor 591 Grimshaw Street, Bundoora

Creditors, next of kin and others having claims in respect of the estate of John Vincent Spillane deceased, late of 34 Edward Street, Kew, company director who died on 28 August 1995 are requested to send particulars of their

claims to the executors, John Patrick Spillane of 161 Cotham Road, Kew, solicitor and Michael Aloysius Spillane of 29 Hopkins Avenue, Keilor, salesman, care of the undersigned solicitors by 10 February 1996, after which date they will convey or distribute the assets having regard only to the claims of which they then have notice.

SECOMBS, solicitors, 100 Paisley Street, Footscray

NORMA LORRAINE NELSON, late of Unit 2, 3 Guthrie Street, West Brunswick, retired, deceased

Creditors, next of kin and others having claims against the estate of the deceased who died on 16 August 1995 are to send particulars of their claims to Arthur William Charles Nelson care of Alan P. Burnes, PO Box 138 Bundoora by 26 January 1996, after which date he will distribute the assets having regard only to the claims of which he then has notice.

ALAN P. BURNES, solicitor, 591 Grimshaw Street, Bundoora

ALBERT RICHARD O'BRIEN, deceased, late of 81 Lyon Road, Viewbank, company director, deceased

Creditors, next of kin and others having claims against the estate of the deceased who died on 3 June 1995 are to send particulars of their claims to Alan P. Burnes, PO Box 138, Bundoora by 26 January 1996, after which date he will distribute the assets having regard only to the claims of which he then has notice.

ALAN P. BURNES, solicitor 591 Grimshaw Street, Bundoora

GLADYS WINIFRED BENNETT, late of 10 Robert Court, East Rosanna, widow, deceased

Creditors, next of kin and others having claims in against the estate of the deceased who died on 18 August 1995 are to send particulars of their claims to John Fidler care of Alan P. Burnes, PO Box 138, Bundoora by 26 January 1996, after which date he will distribute the assets of the state having regard only to the claims of which he then has notice.

ALAN P. BURNES, solicitor, 591 Grimshaw Street, Bundoora

GLADYS MAY GREEN, deceased late of Newcomb, Private Nursing Home, 117 Helms Road, Newcomb, Victoria, home duties, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 9 September 1995 are required by Ian Ferguson Apted of 63 Yarra Street, Geelong, Victoria, solicitor the applicant for Grant of Probate of the will dated 2 October 1984 and Codicil dated 16 June 1992 of the deceased to send particulars to him care of the undermentioned solicitors by 30 January 1996, after which date the said applicant may convey and distribute the assets having regard only to the claims of which he then has notice.

APTED & WILLIAMSON, solicitors, 63 Yarra Street, Geelong

PEARL MARIA MAY, late of 5 Barrack Street, Heathcote, Victoria, widow, deceased who died on 6 September 1995

All persons having claims against the estate of the abovenamed deceased person are required to forward written particulars thereof to the executor care of the undermentioned solicitors on or before 8 March 1996, after which date the executor will proceed to distribute the estate amongst the persons entitled thereto having regard only to the claims of which he then has notice.

E. M. MONOTTI & SON, solicitors, 19 Mackenzie Street, Bendigo and at Heathcote

Creditors, next of kin and others having claims in respect of the estate of John Clarendon Whittle late of 113 Mountain View Road, North Balwyn in the state of Victoria, retired public servant, deceased who died on 1 November 1995 are required to send particulars of such claims to the executor National Mutual Trustees Limited at its registered office at 65 Southbank Boulevard, Southbank by 2 February 1996, after which date the executor will distribute the estate having regard only to the claims of which it then has notice.

Creditors, next of kin and others having claims in respect to the estate of Nora Elizabeth Nash late of 8 Springfield Avenue, Toorak in the State of Victoria, widow, deceased who died on 13 July 1995 are required to send particulars of such claims to the executor National Mutual Trustees Limited at its registered office at 65

Southbank Boulevard, Southbank by 31 January 1996, after which date the executor will distribute the estate having regard only to the claims of which it then has notice.

ROSE JUNE HARDING, deceased

Creditors, next of kin and others having claims in respect of the estate of Rose June Harding late of 19 Tradewinds Avenue, Paradise Point, Queensland, married woman, deceased who died on 9 April 1995 are to send particulars of their claims to the IOOF Australia Trustees Limited, as Legal Personal Representative, care of the undermentioned solicitors by 30 January 1996, after which date the Executor will distribute the assets having regard only to the claims of which the executor then has notice.

MADDOCK LONIE & CHISHOLM, solicitors, 440 Collins Street, Melbourne

Creditors, next of kin and others having claims in respect of the estate of Mary Catherine Walshe, late of 9/322 Orrong Road, North Caulfield, widow, deceased who died on 31 May 1995 are required by the executor, IOOF Australia Trustees Limited fo 31 Alma Road, St Kilda to send particulars of their claims to the said company on or before 30 January 1996, after which date it will convey or distribute the assets having regard only to the claims of which it then has notice.

MOLOMBY & MOLOMBY, solicitors, 575 Bourke Street, Melbourne

JOHN DOMENIC PALAZZOLO, late of Unit 4, 18 Barry Street, Reservoir, unemployed, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased (who died on 1 May 1995) are required by the administratrix Lidia Palazzolo of 33 Brabham Drive, Mill Park to send particulars of their claims to her care of the undermentioned solicitors by 30 January 1996, after which date she will convey or distribute the assets having regard only to the claims of which she then has notice.

LAWSON HUGHES RESERVIOR, solicitors, 309-311 Spring Street, Reservoir

Creditors, next of kin and others having claims in respect of the estate of Amy Maud Hill late of 63 Walter Street, Ascot Vale who died on 29 August 1995 are to send particulars of their

claims to National Mutual Trustees Limited of 65 Southbank Boulevard, South Melbourne by 31 January 1996, after which date it will distribute the assets having regard only to the claims of which it then has notice.

HUNT & HUNT, solicitors, 459 Collins Street, Melbourne

Creditors, next of kin and others having claims in respect of the estate of Philip Tatnall Wharington, late of Unit 49/695 Hawthorn Road, East Brighton who died on 14 September 1995 are to send particulars of their claims to The Equity Trustees Executors and Agency Company Limited of 472 Bourke Street, Melbourne by 31 January 1996, after which date it will distribute the assets having regard only to the claims of which it then has notice.

HUNT & HUNT, solicitors, 459 Collins Street, Melbourne

Creditors, next of kin and others having claims in respect of the estate of the Madeline Montgomery Schultz, late of 46 Rosedale Road, Glen Iris, married woman, deceased who died on 19 August 1995, are to send particulars of their claims to The Equity Trustees Executors and Agency Company Limited ACN 004 031 298 of 472 Bourke Street, Melbourne by 31 January 1996, after which date it will distribute the assets having regard to the claims of which it then has notice.

DOROTHY ELIZABETH SMYTH, late of Kenilworth Private Nursing Home, 3 Kenilworth Parade, Ivanhoe, Victoria, widow, deceased

Creditors, next of kin and others having claims in respect of the estate of the abovenamed deceased (who died on 23 July 1995) are required by the executor The Equity Trustees Executors and Agency Company Limited of 472 Bourke Street, Melbourne, Victoria to send particulars to the executor care of the undermentioned solicitors by 30 January 1996, after which date the executor may convey or distribute the assets having regard only to the claims of which it then has notice.

M. V. FERN & ASSOCIATES, solicitors, 6/532 Hampton Street, Hampton

Creditors, next of kin and others having claims against the estate of Grace Gwendoline Coonerty, late of Lot 7, Lynslane Road, Longwood East, Victoria, widow, deceased who

died on 20 May 1995 are requested to send particulars of their claims to Beryl Thelma Andrews of 105-107 Badger Creek Road, Healesville, Victoria and Lynette Margaret Jamieson of 129 Badger Creek Road, Healesville, Victoria, the executrices appointed by the will care of the belowmentioned solicitors by 31 January 1996, after which date they will distribute the assets having regard only to the claims at which date they then have notice.

PURVES CLARK RICHARDS, solicitors,
121 William Street, Melbourne

JEAN ADELIN GERTRUDE PARLETT, late of Carnsworth Nursing Home, 10A A'Beckett Street, Kew, Victoria, widow, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 17 August 1995 are required by the personal representative Rita Victoria Milne of Unit 81, 37 View Mount Road, Glen Waverley, Victoria, retired person to send particulars to her care of the undermentioned solicitors by 1 February 1996, after which date the personal representative may convey or distribute the assets having regard only to the claims of which she then has notice.

McCRACKEN & McCRACKEN, solicitors,
501 La Trobe Street, Melbourne

Creditors, next of kin and others having claims in respect of the estate of Kevin Bassett, late of Lake Rowan, Victoria, grazier, who died on 29 May 1995 are requested to send particulars of their claims in writing to the undermentioned solicitor for the executrix Iris Jean Bassett by 7 February 1996, after which date the executrix will distribute the assets having regard only to the claims of which she then has notice.

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

PROCLAMATIONS

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. 78/1995 Dangerous Goods (Amendment Act 1995

No. 79/1995 Electricity Industry (Further Amendment) Act 1995

No. 80/1995 Gas Industry (Extension of Supply) Act 1995

No. 81/1995 Marcus Oldham College Act 1995

No. 82/1995 Port Services Act 1995

No. 83/1995 Racing (Amendment) Act 1995

No. 84/1995 Road Transport (Dangerous Goods) Act 1995

No. 85/1995 Vocational Education and Training (Amendment) Act 1995

No. 86/1995 Water (Further Amendment) Act 1995

Given under my hand and the seal of
Victoria at Melbourne on 28
November 1995

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

J. E. KENNETT
Premier

No. 78/1995 (1) This Act (other than section 3) comes into operation on the day which it receives the Royal Assent.

(2) Section 3 comes into operation on a day to be proclaimed.

(3) If section 3 does not come into operation before 15 April 1996, it comes into operation on that day.

No. 79/1995 (1) This Part and sections 7, 9, 11 and 12 come into operation on the day on which this Act receives the Royal Assent.

(2) Section 37 is deemed to have come into operation on 14 June 1995.

(3) Section 38 is deemed to have come into operation on 3 October 1994.

(4) Section 40 is deemed to have come into operation on 20 June 1995.

(5) Subject to sub-section (6), the remaining provisions of this Act come into operation on a day or days to be proclaimed.

(6) If a provision referred to in sub-section (5) 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. 80/1995 This Act comes into operation on the day on which it receives the Royal Assent.

No. 81/1995 (1) This Part comes into operation on the day on which this Act receives the Royal Assent.

(2) Subject to sub-section (3), Part 2 comes into operation on a day to be proclaimed.

(3) If Part 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.

No. 82/1995 (1) This Part and section 189 (7) and (8) 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. 83/1995 (1) This Part and sections 12, 13, 14 and 15 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. 84/1995 (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 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. 85/1995 This Act comes into operation on the day on which it receives the Royal Assent.

No. 86/1995 This Act comes into operation on the day on which it receives the Royal Assent.

**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 CITY OF
GREATER BENDIGO**

SANDHURST—The land at Bendigo, Parish of Sandhurst shown as Crown Allotment 408A, Section E on Certified Plan No. 116418 lodged in the Central Plan Office—(87/087).

Given under my hand and the seal of Victoria on 28 November 1995

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

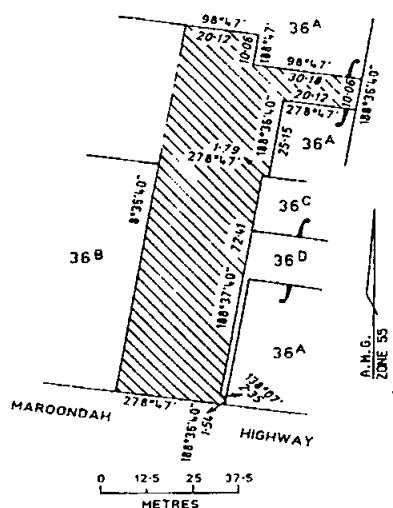
M. A. BIRRELL
Minister for Conservation and Environment

**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 DELATITE
SHIRE COUNCIL**

MANSFIELD—The land in the Parish of Mansfield as shown by hatching on plan hereunder—(M 3S[3]) (GL 16768)



Given under my hand and the seal of Victoria on 28 November 1995

M. A. BIRRELL
Minister for Conservation and Environment

**Planning and Environment (Development
Contributions) Act 1995
PROCLAMATION**

I, Richard E. McGarvie, Governor of Victoria, acting with the advice of the Executive Council and under section 2 (2) of the **Planning and Environment (Development Contributions) Act 1995**, fix Thursday, 30 November 1995 as the day on which sections 3 and 5 of the **Planning and Environment (Development Contributions) Act 1995** come into operation.

Given under my hand and the seal of Victoria on 28 November 1995

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

ROBERT MACLELLAN
Minister for Planning

**GOVERNMENT AND OUTER BUDGET SECTOR
AGENCIES NOTICES**

**CITY OF MONASH
Local Law No. 3**

Notice is hereby given that pursuant to the provisions of the **Local Government Act 1989** the Council of the City of Monash at its meeting on 21 November 1995 made Local Law No. 3.

The purpose of the Local Law is to provide for the peace, order and good government of the Municipal District; promote a physical and social environment free from hazards to health, in which the residents of the Municipal District can enjoy a quality of life that meets the general expectations of the community; prevent and suppress nuisances which may adversely affect the enjoyment of life within the Municipal District or the health, safety and welfare of persons within the Municipal District; and achieves these objectives by regulating and controlling activities of residents of the Municipal District which may be dangerous, unsafe or detrimental to the quality of life of other residents of the Municipal District and the environment of the Municipal District; regulating and controlling access to and behaviour in Municipal Places and other places in the Municipal District; regulating and controlling the use of Municipal Recreation Centres, Municipal Buildings, Municipal Libraries and Reserves.

Clauses 8 (1) and 57 of the Local Law regulate the use, possession or consumption of alcohol and any police officer may enforce these provisions.

A copy of the Local Law is available for inspection at the Council Offices at 293 Springvale Road, Glen Waverley.

DAVID CONRAN
Chief Executive Officer

**WANGARATTA RURAL CITY COUNCIL
Municipal Property
Environment, Roads and Council Land—Local
Law No. 1**

The Wangaratta Rural City Council proposes to make a local law to be called the "Municipal Property, Environment, Roads and Council Land"—Local Law No. 1.

A copy of the proposed local law can be obtained from the Municipal Offices 64-68 Ovens Street, Wangaratta during office hours (8.30 a.m. to 4.30 p.m. Monday to Friday) or by telephoning (057) 22 0888. Copies will also be available for inspection at Australia Post outlets within the municipality.

Any person affected by the proposed local law may make a submission relating to it under Section 223 of the **Local Government Act 1989**. Submissions are to be in writing addressed to the Chief Executive Officer, P.O. Box 238, Wangaratta and must be received by the Council within 14 days of the date of this notice. A person making a submission may request to be heard in support of their submission.

The purpose and general purport of the proposed local law is as follows:

1. to regulate the use of municipal buildings and Council land;
2. to regulate the use of municipal swimming pools,
3. to regulate the use of municipal reserves;
4. to protect the amenity of the municipal district;
5. to regulate the keeping of animals;
6. to manage drains vested in the Council;
7. to regulate open air burning and incinerators;
8. to regulate and control blasting operations;
9. to control the use of recreation vehicles;
10. to regulate and control the use of exterior floodlighting;
11. to control the issue of parking permits;
12. to control the sale of goods, street selling, collections and distributions;
13. to prohibit, regulate and control the depositing of soil, earth and clay on roads;
14. to prohibit, regulate and control traffic hazards and obstructions on roads;
15. to provide for the method of obtaining permits under the local law;
16. to provide for the method of enforcement of the local laws;
17. to provide for the method of issuing infringement notices under the local law.

Enquiries on Local Law No. 1 should be directed to Mr Wayne Wallis, General Manager, Corporate Support.
Dated 22 November 1995

A copy of the Local Law may be inspected at the Council's Customer Service Centres at Cliff Street, Portland; Edgar Street Heywood or Henty Street, Casterton.

The Local Law operates from 1 December 1995.

D. HALSTEAD
Chief Executive Officer

GLENELG SHIRE COUNCIL
Notice of Making of Local Law No. 2

The Council of the Glenelg Shire Council has made a Local Law entitled "Environment Local Law No. 2" to provide for the regulation of activities within the Municipal District.

The purposes of the Local Law are to control, manage and regulate activities which may be dangerous or unsafe or detrimental to the quality of life in the environment of the Municipal District in the following areas:

- (a) People and Property;
- (b) The Environment;
- (c) Keeping of Animals;
- (d) Disposal of Waste.

The general purport of the Local Law includes specification of what form of regulation exists with a view to achieving the stated objectives. The aim of the Local Law is for better regulation of activities within the municipal district with a view to consideration of the welfare of the whole community.

A copy of the Local Law may be inspected at the Council's Customer Service Centres at Cliff Street, Portland; Edgar Street, Heywood or Henty Street, Casterton.

The Local Law operates from 1 December 1995.

D. J. HALSTEAD
Chief Executive Officer

GLENELG SHIRE COUNCIL
Notice of Making of Local Law No. 5

The Council of the Glenelg Shire Council has made a Local Law entitled "Itinerant Traders Local Law No. 5" to provide for the regulation of activities within the Municipal District.

The purposes of the Local Law are to control, manage and regulate activities of itinerant traders within the municipal district.

The general purport of the Local Law includes specification of what form of regulation exists with a view to achieving the stated objectives. The aim of the Local Law is for better regulation of activities within the municipal district with a view to consideration of the welfare of the whole community.

GLENELG SHIRE COUNCIL
Proposed "Street and Roads Local Law No. 3"

The Council of the Glenelg Shire Council proposes to make a Local Law which provides for:

- (a) the control and management of traffic
- (b) the use of roads by persons vehicles and animals and to regulate the parking of vehicles for the safety and fair use by people in the Municipal District
- (c) the safety and convenience of travellers by management of physical features of the road and adjoining properties
- (d) the control of various types of vehicles and animals,
- (e) the protection of Council's assets from damage caused from extraordinary use of streets and roads
- (f) the control and regulation of secondary activities such as trading, advertising signs, flashing lights on buildings, repairs to vehicles, street parties festivals and processions
- (g) the safe and efficient control and management of parking and
- (h) the peace, order and well-being of people in the municipal district

The general purport of the proposed Local Law includes specification of the form of regulation with a view to achieving the stated objectives. Its aim is to clarify expected standards of conduct within the municipal district to address the welfare of the whole community. In attempting to achieve this aim, it prohibits the doing of acts which would be likely to be detrimental to the general community or to the municipal district and regulates other activities by making them subject to obtaining a permit or exemption from council and complying with any conditions.

A copy of the proposed Local Law is available for inspection at and can be obtained from the Glenelg Shire Council Offices, Cliff

Street, Portland; Henty Street, Casterton or Edgar Street, Heywood between 8.30 a.m. and 5.00 p.m. weekdays.

Any person affected by the proposed Local Law may make a submission to the Council. Submissions received by the Council by 4.00 p.m. on Friday, 8 December 1995 will be considered by Council in accordance with section 223 of the **Local Government Act 1989**.

Any person requesting to be heard in support of a written submission is entitled to appear before a meeting of the Committee and will be notified of the time and date of the hearing.

D. J. HALSTEAD
Chief Executive Officer

GLENELG SHIRE COUNCIL

Proposed "Municipal Places Local Law No. 4"

The Council of the Glenelg Shire Council proposes to make a Local Law which provides for:

- (a) the allowance and protection of the quiet enjoyment by people of municipal places;
- (b) the control and prevention of behaviour which is a nuisance, harmful, offensive, dangerous, threatening or intimidating, or which may be detrimental to health and safety or affect the enjoyment of recreational or other facilities;
- (c) the community and visitors and their families who use municipal places that are available to the public to be confident in their choice of those facilities and places;
- (d) the ability for council to regulate the times and places where alcohol may be consumed;
- (e) the ability for council to regulate the times and places where smoking may be prohibited;
- (f) the peace, order and good government of the municipal; and
- (g) the administration of council's powers and functions.

The general purport of the proposed Local Law includes specification of the form of regulation with a view to achieving the stated objectives. Its aim is to clarify expected standards of conduct within the municipal district to address the welfare of the whole

community. In attempting to achieve this aim, it prohibits the doing of acts which would be likely to be detrimental to the general community or to the municipal district and regulates other activities by making them subject to obtaining a permit or exemption from council and complying with any conditions.

A copy of the proposed Local Law is available for inspection at and can be obtained from the Glenelg Shire Council Offices, Cliff Street, Portland; Henty Street, Casterton or Edgar Street, Heywood between 8.30 a.m. and 5.00 p.m. weekdays.

Any person affected by the proposed Local Law may make a submission to the Council. Submissions received by the Council by 4.00 p.m. on Friday, 8 December 1995 will be considered by Council in accordance with section 223 of the **Local Government Act 1989**.

Any person requesting to be heard in support of a written submission is entitled to appear before a meeting of the Committee and will be notified of the time and date of the hearing.

D. J. HALSTEAD
Chief Executive Officer

WYNDHAM CITY COUNCIL

Notice under Section 224A (2) of the **Local Government Act 1989** ("the Act").

Local Law No. 9 regulates the control of consumption of liquor and possession of liquor in Public Places.

The Council now gives notice under Section 224 (2) of the Act that any Police Officer may enforce Local Law No. 9.

Copies of Local Law No. 9 are available for inspection at the Civic Centre 45 Princes Highway, Werribee during business hours.

IAN ROBINS
Chief Executive Officer

WYNDHAM CITY COUNCIL

Local Law No. 9—Consumption of Liquor in Public Places

Notice is hereby given in accordance with Section 119 of the **Local Government Act 1989**, that Wyndham City Council on 20 November 1995 resolved to make Local Law No. 9.

The purpose of Local Law No. 9 is to provide for the regulation and control of consumption of liquor and possession of liquor in Public Places.

The purport of Local Law No. 9 is to prevent behaviour which:

- * constitutes or may constitute a nuisance; or
- * may be detrimental to health or safety; or
- * affects the enjoyment of public and other places.

Local Law No. 9 commences on 15 December 1995 and operates throughout the municipal district of Council.

Copies of Local Law No. 9 are available for inspection at the Civic Centre, 45 Princes Highway, Werribee during business hours.

IAN ROBINS
Chief Executive Officer

BRIMBANK CITY COUNCIL
Notice of Intention to Make Local Law No. 2
(1995)
Fire, Incinerators and Fire Prevention Local
Law

Notice is hereby given that it is the intention of the Brimbank City Council to make Local Law No. 2—Fire, Incinerators and Fire Prevention Local Law.

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

- * restrict open air burning in the Municipality;
- * regulate the use of barbeques and smokehouses to ensure that they do not cause a nuisance, become injurious or prejudicial to human health or offensive;
- * ensure that all smoke houses are constructed to appropriate standards;
- * require a permit to burn specified materials within the Municipality; and
- * regulate the clearance of land which constitutes a fire hazard to any property.

The Local Law prescribes enforcement penalties for failure to comply with a directive issued by an authorised officer. One penalty unit is currently \$100.

Persons affected by the making of this Local Law are entitled to make a submission pursuant to the provisions of Section 223 of the Local

Government Act 1995. Written submissions must be received no later than 14 days of the date of this notice. All submissions received will be considered by Council at a Special Meeting on 19 December 1995. Any person wishing to be heard by Council in support of their submission should clearly state so in their written submission.

A copy of the proposed Local Law No. 2 is available at the Sunshine Office of the Brimbank City Council.

ROB SPENCE
Chief Executive Officer

BOROUGH OF QUEENSLIFFE
Ban on Dogs on Beaches

By Order of Queenscliffe Borough Council made pursuant to section 16 (3) (b) of the **Dog Act 1970** by resolution of the Council on 24 October 1995 specifies all beaches within its municipal district, other than the beach described in the schedule to this order, as those on which dogs are not permitted between the hours of 8.00 a.m. and 8.00 p.m. each day from and including the first day of December until and including the last day of February.

By this order all prior orders and notice relating to the banning of dogs on beaches in the municipal district are repealed.

Schedule

The beach between:

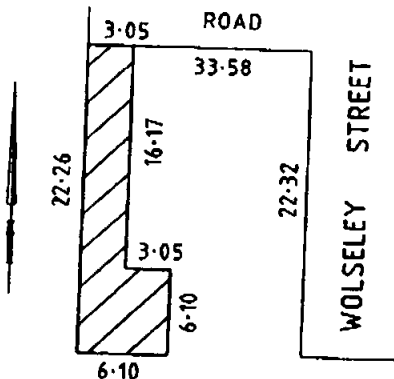
- (a) a line bearing due south from the western corner of Murray Road and Bellarine Highway; and
- (b) a line bearing 174°50' from the eastern corner of Flinders and Smith Streets being the prolongation of the eastern side of Smith Street.

S. JONES
C.E.O

MORELAND CITY COUNCIL
Road Discontinuance

That the Moreland City Council at its Ordinary Meeting held on 20 November 1995, 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 having advertised and served notices regarding the proposed discontinuance and there being no submissions made under

Section 223 of the **Local Government Act 1989**, orders that the said part of the road situated at the rear of Nos 32-34 Wolseley Street and Nos 22-24 Cameron Street, Coburg, be discontinued pursuant to Schedule 10, Clause 3 (a), at Section 206 of the said Act, and the land at the discontinued road vest in the Council pursuant to section 207B of the said Act and be sold by Private Treaty to the owners of the land abutting the road, subject to any right, power or interest held by Yarra Valley Water Limited in the road in connection with any sewers, drains and pipes under the control of that Authority in or near the road.



PETER JOHNSTONE
Chief Executive Officer

**SURVEYORS REGISTRATION
REGULATIONS 1992**

Examinations 1996

The Surveyors Board of Victoria gives notice that it will conduct examinations for the Certificate of Competency in Surveying and Certificate of Competency in Cadastral Surveying.

Prerequisites for Examination

Under Regulation fourteen candidates must, at the time of examination:

- (a) have completed the required course of training in surveying or cadastral surveying to the satisfaction of the Board;
- (b) have been credited with a pass or been exempted from the Practical Projects;

- (c) have Lodged an application for examination and paid the prescribed fee.

First Series—March—April 1996

Closing date for applications is for Examination of assessment projects Friday, 1 March 1996.

The examination in Field Practice and Practical Levelling will commence at 8.30 a.m. on Monday, 25 March 1996. All candidates must contact the Board's Secretary on Thursday, 21 March 1996, between 9.30 a.m. and 3.00 p.m. in order to be advised of the acceptance or otherwise of an application and of the arrangements for the examinations.

Examinations in Professional Practice will commence at 9.30 a.m. on Wednesday, 24 April 1996. All candidates must contact the Board's Secretary on Thursday, 28 March 1996, between 9.30 a.m. and 3.30 p.m. in order to be advised of the acceptance or otherwise of an application and on the arrangements for the examination.

Final results will be available on 1 May 1996, between 9.30 a.m. and 3.30 p.m.

Second Series—September—October 1996

Closing date for submission of Practical Projects Friday, 21 June 1996.

Closing date for Applications for Examination of assessment projects Monday, 2 September 1996.

The examination in Field Practice and Practical Levelling will commence at 8.30 a.m. on Monday, 23 September 1996. All candidates must contact the Board's Secretary on Thursday, 19 September 1996, between 9.30 a.m. and 3.00 p.m. in order to be advised of the acceptance or otherwise of an application and of the arrangements for the examinations.

Examinations in Professional Practice will commence at 9.30 p.m. on Friday, 25 October 1996. All candidates must contact the Board's Secretary on Thursday, 17 October 1996, between 9.30 a.m. and 3.30 p.m. in order to be advised of the acceptance or otherwise of an application and on the arrangements for the examination.

Final results will be available on 1 November 1996, between 9.30 a.m. and 3.30 p.m.

Note: First Series Examinations 1997.

The closing date for the submission of practical projects for the first series of examinations in 1997 will be Friday, 13 December 1996.

Enquiries—All enquiries regarding examinations may be directed to the Board's Secretary.

Surveyors Board of Victoria, 5th Floor, 436 Lonsdale Street, Melbourne, Victoria 3000, telephone (03) 9603 9007.

WEST WIMMERA SHIRE COUNCIL
Notice of Making of Local Law

Notice is hereby given that at a meeting of the West Wimmera Shire Council held on 21 November 1995, Council resolved pursuant to the provisions of the **Local Government Act 1989** to make Local Law No. 1, Council Administration—Meeting Procedure:

The purpose of this Local Law is to regulate the proceedings at meetings of the Council and Special Committees of the West Wimmera Shire Council.

A copy of the Local Law is available for inspection at the Shire Offices, 49 Elizabeth Street Edenhope and 25 Baker Street, Kaniva, during office hours.

PETER A. CLEVERLY
Chief Executive Officer

WEST WIMMERA SHIRE COUNCIL
Notice of Proposed Local Law

Notice is given that at a meeting of the West Wimmera Shire Council held on 21 November 1995, the Council resolved to propose to make the following Local Laws, pursuant to the provisions of the **Local Government Act 1989**.

The purpose and general purport of the respective local laws are:

Proposed Local Law No. 2—Droving of
Livestock Local Law

- (a) To regulate the droving of livestock within or through the Municipal district;
- (b) To regulate the droving of livestock to or from a location within the Municipal district along the most direct practicable route;
- (c) To regulate the droving of livestock along certain streets or roads within the Municipal district for the purposes of:
 - (i) preventing damage to roadside vegetation;

- (ii) preventing damage to properties adjoining certain streets or roads within the Municipal district;
 - (iii) preventing the spread of disease in the Municipal district;
 - (iv) preventing the spread of noxious weeds in the Municipal district; and
 - (v) preventing damage to road pavements, formations and drainage.
- (d) To regulate the grazing of livestock on certain roads within the Municipal district for fire reduction purposes;
 - (e) To control the manner in which livestock are driven to provide as far as possible, for safety of users of streets and roads within the Municipal district;
 - (f) To prescribe the fees to be paid for any permits issued under this Local Law; and
 - (g) To prescribe penalties to be imposed for contravention of certain provisions of the Local Law.

Proposed Local Law No. 3—Control of
Unightly, Untidy, Dangerous or Hazardous
Premises Local Law

- (a) To provide for the peace, order and good government of the Municipal district;
- (b) To provide for the administration of Council powers and functions.
- (c) To regulate the tidiness and cleanliness of any land;
- (d) To regulate the keeping or storage of any goods, materials or chattels on any land that may be unsightly, untidy, dangerous or hazardous to the community;
- (e) To protect against behaviour, conduct, action or inaction which causes detriment to the amenity and environment of the Municipal district;
- (f) To protect and enhance the amenity and environment of the Municipal district; and
- (g) To protect the community.

Copies of the proposed Local Laws may be inspected at or obtained from the Shire Offices at 49 Elizabeth Street, Edenhope and 25 Baker Street, Kaniva, during office hours.

Any person affected by the proposed Local Laws or any part of them may make a submission relating to them to the Council. Submissions received by the Council within 14 clear days of the publication of this notice will be considered in accordance with the Section 223 of the **Local Government Act 1989**.

Any person requesting that she or he be heard in support of a written submission is entitled to appear before a meeting of the Council or Council Committee either personally or by a person acting on his or her behalf and will be notified of the time and date of the hearing.

Persons wishing to be heard will be required to attend a meeting with Council on 18 December 1995, or at another time and date as agreed.

Submissions may be lodged at the Council Offices at the address detailed above or posted to the Chief Executive Officer, West Wimmera Shire Council, P.O. Box 201, Edenhope, Victoria 3318 so as to reach the council by 5.00 p.m., Friday, 15 December 1995.

PETER A. CLEVERLY
Chief Executive Officer

WESTERN REGION WATER AUTHORITY

Notice is given that, pursuant to Sections 160 and 161 of the **Water Act 1989**, the Western Region Water Authority adopted By-Law 95/1 and By-Law 95/2 at its meeting of 8 November 1995.

By-Law 95/1—Water Restrictions

This is a model By-Law about the regulations restricting or prohibiting the use of water for other than domestic purposes in Water Districts.

By-Law 95/2—Water Supply and Sewerage Plumbing Administrative By-Law

This is a model By-Law about water supply and sewerage plumbing administration including the procedures to be followed and the setting of fees and charges.

Copies of the above By-Laws are available for inspection free of charge at the Authority Offices, Macedon Street, Sunbury during business hours.

NEIL BRENNAN
Chief Executive Officer

GREATER BENDIGO PLANNING SCHEME
Local Section—Chapter 8
Notice of Amendment to a Planning Scheme
Amendment L45

The Greater Bendigo City Council has prepared amendment L45 to the Greater Bendigo Planning Scheme (Chapter 8).

The amendment proposes to rezone C.A.s 11, 12, 13, 14 and 15 Section 6, Part C.A. 2A, Section 4 and Part C.A. 10A, Section 5 in the Township of Strathfieldsaye being a parcel of land of approximately 2.7 ha. to the south of Wellington Street and bounded to the east by the Axe Creek from Restricted Business to Residential in line with the recommendations of the Strathfieldsaye Township Outline Development Plan.

The amendment can be inspected at The City of Greater Bendigo, Planning and Building Business Unit, 34 Mundy Street, Bendigo; Department of Planning and Development, 426 Hargreaves Street, Bendigo or Department of Planning and Development, Olderfleet Buildings, 477 Collins Street, Melbourne.

Submissions should be sent to Mr Phil Hanna, Manager—Planning, City of Greater Bendigo, PO Box 733, Bendigo 3550, by 5 January 1996. Dated 30 November 1995

PHIL HANNA
Manager—Planning

GREATER BENDIGO PLANNING SCHEME
Chapter 6
Notice of Amendment to a Planning Scheme
Amendment L46

The City of Greater Bendigo has prepared Amendment L46 to the Greater Bendigo Planning Scheme (Chapter 6).

The amendment proposes to modify the Greater Bendigo Planning Scheme by:

- * Rezoning land at the south western corner of Wallanjoe Road and Adelaide Hill Road, being Crown Allotment 5, 6 and 15 (part), Section 26, Parish of Huntly, from Public Purposes Reserve Sewerage to Industrial 1 Zone.
- * Introducing a saleyards overlay control which provides for the establishment of a public saleyards facility and associated activities on the land.

The amendment is accompanied by a detailed explanatory report which explains the proposal and assesses planning, social and economic effects.

The amendment can be inspected at the Greater Bendigo City of Council, Planning and Building Business Unit, 34 Mundy Street, Bendigo; Department of Planning and Development, 426 Hargreaves Street, Bendigo or Department of Planning and Development, Oldfleet Buildings, 477 Collins Street, Melbourne.

Submissions should be sent to Mr Phil Hanna, Manager—Planning, City of Greater Bendigo, PO Box 733, Bendigo 3550, by 5 January 1996. Dated 23 November 1995

PHIL HANNA
Manager—Planning

BASS COAST SHIRE COUNCIL

Notice of Proposed Local Law

Open Air Burning—Local Law No. 2

Bass Coast Shire Council proposes to make a new local law entitled—"Open Air Burning Local Law".

The purpose (objective) of the proposed local law is to:

- (a) prevent the outbreak of fire;
- (b) prevent and abate nuisances;
- (c) regulate the lighting of fires in the open air; and
- (d) provide for environmental control, protection and conservation.

The general purpose of the proposed local law is to regulate open air burning by restricting burning to two days per week ie. Friday and Saturday from 8.00 a.m. to 4.00 p.m. It also prohibits fires on certain days and prohibits the burning of certain substances. The proposed local law provides enforcement powers to authorised officers of Council to direct fires to be extinguished and to issue infringement notices. Permits may also be granted by Council for burning to occur at other times.

The proposed local law, if made, would apply to the whole of the municipal district.

Copies of the proposed local law may be inspected at or obtained from any of the following Council Customer Service Centres: 67-69 McBride Avenue, Wonthaggi; 91-97 Thompson Avenue, Cowes; The Esplanade (corner Ramsay Boulevard), Inverloch and Shop 3 Bass Highway, Grantville.

Any person affected by the proposed local law may make a submission to Council relating to the local law. Submissions received by the

Council within 14 days of the publication of this notice will be considered in accordance with Section 223 of the **Local Government Act 1989**. Any person requesting that he or she be heard in support of a written submission is entitled to appear before a meeting of the Council or Council Committee either personally or by a person acting on his or her behalf and will be notified of the time and date of the hearing.

Submissions may be lodged at Council's Municipal Offices at Baillieu Street, Wonthaggi or posted to the Bass Coast Shire Council, P.O. Box 118, Wonthaggi 3995.

ALLAN BAWDEN
Chief Executive Officer

BASS COAST SHIRE COUNCIL

Notice of Proposed Local Law

Restriction of Traffic—Local Law No. 3

Bass Coast Shire Council proposes to make a new local law entitled—"Restriction of Traffic Local Law".

The purpose (objective) of the proposed local law is to:

- (a) provide for the peace, order and good government of the Bass Coast Shire;
- (b) promote a physical and social environment free from hazards to health, in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community;
- (c) prevent and suppress nuisances which may adversely affect the enjoyment of life within the municipal district or the health, safety and welfare of persons within the municipal district;
- (d) prohibit, regulate and control activities which may be dangerous or unsafe or detrimental to the quality of life and the environment of the municipal district; and
- (e) restrict traffic on certain roads.

The general purpose of the proposed local law is to allow Council to prohibit or restrict the use of a road by any motor vehicle of, or over, a specified size or weight. It provides for the issue of permits by Council and provides for the issue of infringement notices.

The proposed local law, if made, would apply to the whole of the municipal district, however application to a specific road would be

determined by Council when required and following the carrying out of statutory procedures pursuant to the **Local Government Act 1989**.

Copies of the proposed local law may be inspected at or obtained from any of the following Council Customer Service Centres: 67-69 McBride Avenue, Wonthaggi; 91-97 Thompson Avenue, Cowes; The Esplanade (Cnr Ramsay Boulevard), Inverloch or Shop 3 Bass Highway, Grantville.

Any person affected by the proposed local law may make a submission to Council relating to the local law. Submissions received by the Council within 14 days of the publication of this notice will be considered in accordance with Section 223 of the **Local Government Act 1989**. Any person requesting that he or she be heard in support of a written submission is entitled to appear before a meeting of the Council or Council Committee either personally or by a person acting on his or her behalf and will be notified of the time and date of the hearing.

Submissions may be lodged at Council's Municipal Offices at Baillieu Street, Wonthaggi or posted to the Bass Coast Shire Council, P.O. Box 118, Wonthaggi, 3995.

ALLAN BAWDEN
Chief Executive Officer

KINGSTON CITY COUNCIL
Public Notice

Notice of Proposed Local Laws

Notice is hereby given that at a meeting of the Kingston City Council held on Monday, 30 October 1995 Council resolved to commence the statutory processes for the making of four (4) Local Laws entitled;

- * Public Health Local Law No. 1
- * Roads and Traffic Local Law No. 2
- * Management of Council Property Local Law No. 3
- * Foreshore Reserves Local Law No. 4

to provide for the regulation of activities within the municipal district of the City.

The objectives and general purport of the respective proposed local laws are:

Proposed Local Law No. 1—Public Health

The objectives of this local law are to:

- (a) provide for the peace, order and good government of the municipal district

- (b) provide for the administration of council powers and functions
- (c) promote a physical and social environment free of hazards to health
- (d) prevent and remedy nuisances or conditions liable to be dangerous to health or offensive to people
- (e) to repeal local laws of the former municipalities to the extent that any provisions contained in them are inconsistent with the provisions or this local law

The Local Law is divided into parts and the general purport of each part is summarised as follows:

Part 1 Preliminary Provisions, including title, objectives, definitions, applications and general information

Part 2 The regulation and control of refuse, recyclable material, use of land fill sites and dumping of ice chests and similar containers

Part 3 The regulation and control of septic tanks and temporary toilet facilities on building sites

Part 4 The regulation and control of drains on private property

Part 5 Permit fees and delegations

Part 6 The regulation and control of asbestos removal

Part 7 Enforcement

Proposed Local Law No. 2—Roads and Traffic

The objectives of this local law are to:

- (a) provide for the peace order and good government of the municipal district
- (b) provide for the administration of council powers and functions
- (c) provide for the protection and safety of council roads and land
- (d) regulate the use of roads, council land and other places
- (e) regulate the use of various types of vehicles and animals and behaviour relating to them for the safety and convenience of road users
- (f) regulate secondary activities on roads including trading, placing of goods and equipment, repairs to vehicles, parties, festivals and processions, advertising and collections
- (g) complement the Road Safety (Traffic) Regulations 1988 particularly relating to car parking

(h) prescribe procedures for the temporary or permanent closure of roads

(i) repeal local laws of the former municipalities to the extent that any provision contained in them are inconsistent with this local law.

The Local Law is divided into parts and the general purport of each part is summarised as follows:

Part 1 Preliminary Provisions, including title, objectives, definitions, applications and general information

Part 2 The regulation and control of road opening, reinstatement and works and vehicle crossing

Part 3 The regulation and control of street parties, festivals and processions

Part 4 The regulation and control of dog and animal litter, shopping trolleys, moveable advertising signs, display of goods, outdoor eating facilities, trading on roads and in public places, street appeals and stalls, trading sites, obstructions, repairing vehicles, grazing animals, unregistered or unroadworthy vehicles, impounding of vehicles, heavy vehicles, restrictions on road use and toy vehicles and bicycles

Part 5 The regulation and control of resident parking schemes

Part 6 The regulation and control of the disabled persons parking scheme

Part 7 The regulation and control of fee and time limit parking

Part 8 Permits, fees and delegations

Part 9 Enforcement

Proposed Local Law No. 3—Management of Council Property

The Objectives of this Local Law are to:

- (a) provide for the peace order and good government of the municipal district
- (b) provide for the administration of council powers and functions
- (c) provide for the protection of council property
- (d) provide for orderly and equitable access to and management of council property
- (e) regulate behaviour in or on municipal buildings and reserves
- (f) repeal local laws of the former municipalities to the extent that any

provisions contained in them are inconsistent with this local law.

The Local Law is divided into parts and the general purport of each part is summarised as follows:

Part 1 Preliminary provisions, including title, objectives, definitions, applications and general information

Part 2 The regulation and control of municipal buildings

Part 3 The regulation and control of public reserves and recreation lands including the control of dogs on such reserves and lands

Part 4 The regulation and control of lighting fires, interference with watercourses, drain tapping and damage caused by trees and plants

Part 5 Permit fees and delegations

Part 6 Enforcement

Proposed Local Law No. 4—Foreshore Reserves

The Objectives of this Local Law are to:

- (a) provide for the peace order and good government of the municipal district
- (b) allow and protect the quiet enjoyment by people of the foreshore reserves and the foreshore reserve extensions
- (c) provide for the administration of council powers and functions
- (d) control and prohibit behaviour in a reserve which is a nuisance, or which may be detrimental to health and safety or which affects the enjoyment of recreational and other facilities
- (e) provide for the protection of the foreshore reserves
- (f) provide for equitable access to and enjoyable use of the foreshore reserves in respect of the whole community and to regulate such access and use so that it does not in any case cause nuisance or unreasonable interference to others
- (g) regulate the use of the reserves by animals and vehicles.

The local Law is divided into parts and the general purport of each part is summarised as follows:

Part 1 Preliminary Provisions, including title, objectives, definitions, applications and general information

Part 2 the regulation and control of the use and protection of the foreshore reserves including behaviour, camping, animals, fires,

beach umbrellas, stranded vehicles, bathing boxes, boat houses and the control of dogs on such foreshore reserves

Part 3 Permit fees and delegations

Part 4 Enforcement

The proposed local laws include specification of what form of regulations are proposed with a view to achieving the stated objectives in each local law. It is proposed that certain activities may not be undertaken at all or without a permit (or exemption or licence), allowing for conditions and fees to apply to permits (or licences) and for conditions to apply to any exemptions. They allow for the issue of notices to comply in certain circumstances such as where conditions of a permit are not being met and provide for authorised officers to prosecute offences either by the issue of infringement notices or by Court procedure. The proposed local laws set standards to be followed in exercising discretions and repeal a number of redundant local laws of former Councils.

The proposed local laws if made would apply to the whole of the municipal district except in those circumstances where provisions apply to a localised area (such as the Foreshore Reserve) and allow for designation of further areas by resolution of Council. The aim is for better regulation of activities within the municipal district and on the Foreshore Reserve with a view to consideration of the welfare of the whole community.

Copies of the proposed Local Laws may be inspected at or obtained from the following Municipal Offices:

- * Moorobbin Office Corner Nepean Highway and South Road, Moorabbin, (8.30 a.m.—5.30 p.m.)
- * Mentone Office, Corner of Brindisi Street and Mentone Parade, Mentone, (8.30 a.m.—5.00 p.m.)
- * Chelsea Customer Services, Station Street, Chelsea, (9.00 a.m.—5.00 p.m.)

To obtain a copy(s) the following charges shall apply:

- * \$2.00 per Local Law or \$5.00 per set of four (4)

Any person affected by the proposed Local Laws or any part of them may make a submission relating to a proposed Local Law(s) to the Council. Submissions received by the Council no later than 10.00 a.m. on Thursday, 14 December will be considered in accordance with

Section 223 of the **Local Government Act 1989**. Any person requesting that she or he be heard in support of a written submission is entitled to appear before a meeting of the Executive and Advisory Special Committee to be held at 7.00 p.m. on Monday, 18 December at the Mentone Office, Corner of Brindisi Street and Mentone Parade, Mentone either personally or by a person acting on his or her behalf and will be notified of the time of the hearing. Persons wishing to appear before the meeting are requested to so indicate in their submission.

Submissions may be lodged at the Council Offices at the addresses detailed above or posted to the Council as follows:

Ms Zita Youens, Resident Needs, Kingston City Council, PO Box 21, Moorabbin, Victoria 3189 so as to reach the Council by 10.00 a.m. on Thursday, 14 December 1995.

R. SKINNER
Chief Executive Officer

SURF COAST SHIRE

Adoption of Local Law No. 9—Municipal Reserves and Public Places and Local Law No. 10—Consumption of Liquor in Public Places.

Notice is hereby given that the Council of the Surf Coast Shire at its 15 November 1995 Council meeting adopted Local Law No. 9 of 1995 Municipal Reserves and Public Places and Local Law No. 10 of 1995 Consumption of Liquor in Public Places amending Local Law No. 1 of 1994 Consumption of Liquor in Public Places and Local Law No. 2 of 1994 Municipal Reserves and Public Places.

A copy of the Local Laws are available for perusal at the Shire Offices.

PETER ANDERSON
Chief Executive Officer

HEPBURN SHIRE COUNCIL
Proposal to Make a Local Law
Process of Municipal Government
(Meetings and Common Seal)
Hepburn Shire Council
Local Law No. 1

Notice is given that at a meeting of the Hepburn Shire Council held on 21 November 1995, the Council resolved to make a local Law titled "Processes of Municipal Government

(Meetings and Common Seal) Local Law" pursuant to Part 5 and Schedule 1 of the **Local Government Act 1989**. The Local Law is proposed to:

- (a) Provide for the peace, order and good Government of the municipal district of the Hepburn Shire Council;
- (b) Provide for the orderly proceedings of Council Meetings and Special Committees of the Council.
- (c) Provide for the regulation and control of the use of the Council's seal:

A copy at the proposed Local Law can be obtained from the Shire Offices, at either the Daylesford Office, 76 Vincent Street Daylesford, or the Creswick Office, 68 Albert Street, Creswick, free of charge during office hours (i.e. 9.00 a.m. to 4.30 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, Hepburn Shire Council, P.O. Box 21, Daylesford, Victoria 3460, 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.

VICTOR SZWED
Chief Executive Officer

Planning and Environment Act 1987
DANDENONG PLANNING SCHEME
Notice of Amendment

The City of Greater Dandenong has prepared Amendment No. L43 to the Local Section of Dandenong Planning Scheme.

The amendment affects land at Greens Road, Keysborough known as Lot 8 on Plan of Subdivision No. PS 304516U generally located on the north-east corner of the intersection of Greens and Perry Roads (currently Walls Nursery).

The amendment proposes to change the Planning Scheme by inserting a site specific provision into Clause 117 of the Dandenong Planning Scheme (Special Use Zone No. 16) and will enable land to be used and developed as a neighbourhood commercial centre with ancillary carparking without the need for a further planning permit.

The amendment can be inspected at The City of Greater Dandenong, Dandenong Office, 39 Clow Street, Dandenong 3175; The City of Greater Dandenong, Springvale Office, 397 Springvale Road, Springvale or Department of Planning and Development, 477 Collins Street, Melbourne.

Submissions about the amendment must be sent to City of Greater Dandenong, PO Box 200, Springvale 3171, by Monday, 1 January 1996

WARWICK HEINE
Chief Executive Officer

Planning and Environment Act 1987
DANDENONG PLANNING SCHEME
Notice of Amendment

The City of Greater Dandenong has prepared Amendment No. L44 to the Local Section of Dandenong Planning Scheme.

The amendment affects land at Nos 219-321 Perry Road, Keysborough being land located on the east side of Perry Road, south of Greens Road and abutting the Scoresby By-pass and Dandenong Creek Drain to the west.

The amendment proposes to change the Local Section of the Dandenong Planning Scheme by rezoning the subject land from its' existing Special Use 16 Zone to an Industrial 3 Zone (being one of the new Industrial Zones introduced to the State Section of the Dandenong Planning Scheme).

The amendment will provide an avenue to determine the most appropriate form of land use and development between the Dandenong Offensive Industrial Zone (DOIZ) and residential or similarly occupied land on the west side of Perry Road.

The amendment can be inspected at The City of Greater Dandenong, Dandenong Office, 39 Clow Street, Dandenong 3175; The City of Greater Dandenong, Springvale Office, 397 Springvale Road, Springvale or Department of Planning and Development, 477 Collins Street, Melbourne.

Submissions about the amendment must be sent to City of Greater Dandenong, PO Box 200, Springvale 3171, by Monday, 1 January 1996

WARWICK HEINE
Chief Executive Officer

ERRATUM

Transport Act 1983

Road Declarations and Dedications

Notice appeared in Gazette No. 44 dated 9 November 1995 pages 3125, 3127 and 3128. Where appearing the numbers 11687 and 11688 should read 11867 and 11868 respectively.

W. S. KAY
Statutory Planning Manager

**DEPARTMENT OF AGRICULTURE,
ENERGY AND MINERALS**

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

EXPLORATION LICENCE GRANTED

No. 3785; Foboma P/L; 158 grats, Melbourne.

No. 3787; Ballarat Consolidated Gold Ltd; 6 grats, Ballarat.

No. 3788; Ballarat Consolidated Gold Ltd; 3 grats, Ballarat.

No. 3803; Ballarat Consolidated Gold Ltd; 45 grats, Ballarat.

No. 3809; Tivmoss Investments Pty Ltd; 2 grats, Dunolly.

No. 3810; Tivmoss Investments Pty Ltd; 2 grats, Dunolly.

No. 3824; Zephyr Minerals NL; 372 grats, Beaufort, Rupanyup, St Arnaud.

No. 3826; Ashton Mining Ltd; 482 grats, Cann Murrungowar.

No. 3827; Ashton Mining Ltd; 459 grats, Bendock Cann Craigie Murrungowar.

No. 3830; Alliance Gold Mines NL; 23 grats, Creswick.

EXPLORATION LICENCE REFUSED

No. 3665; William J. McNamara; 43 grats, Bendigo.

EXPLORATION LICENCE RENEWED

No. 3068; Kinex P/L; 24 grats, Wedderburn.

No. 3178; Minico P/L; 56 grats, Bacchus Marsh.

No. 3227; Perseverance Mining P/L; 133 grats, Euroa.

No. 3275/1; CRA Explonation P/L; 127 grats, Albury Wangaratta.

No. 3391; Phoenix Resources NL; 34 grats, Ballarat.

No. 3437/1; Alcaston Mining NL; 252 grats, Mansfield Matlock.

No. 3441/1; Gipps Auxx P/L; 168 grats, Bairnsdale.

No. 3497; Phoenix Resources NL; 44 grats, Ballarat.

EXPLORATION LICENCE VARIED

No. 3539; Perseverance Exploration P/L; 737 grats, Bendigo.

No. 3562; Exminco; 44 grats, Bendock & Murrungowar.

No. 3626; Highlake Resources NL; 100 grats, Creswick.

**EXPLORATION LICENCE
AMALGAMATED/CANCELLED**

No. 3227 and 3228; Perseverance Mining P/L; 224 grats, Euroa. Upon amalgamation of these two licences, EL 3228 will be cancelled, EL 3227 will be the continuing licence.

Nos 3383 and 3539; Perseverance Exploration P/L; 737 grats, Bendigo. Upon amalgamation of these two licences, EL 3383 will be cancelled, EL 3539 will be the continuing licence.

EXPLORATION LICENCE TRANSFERRED

No. 3457; Alcaston Mining NL & Bruce McLennan; 33 grats, Matlock.

No. 3615; Bruce McLennan; 103 grats, Matlock.

MINING LICENCE GRANTED

No. 4961; Wanbana Pty Ltd; 5 ha, Dunolly.

No. 5019; Leetech Corporation Pty Ltd; 1.5 ha, Beaufort.

**MINING LICENCE APPLICATION
REFUSED**

No. 5039; Daryl Harris; 5 ha, Bairnsdale.

MINING LICENCE RENEWED

No. 4203; CRA Exploration Pty Ltd; 224 ha, Ballarat.

No. 4254; CRA Explonation Pty Ltd; 113.1 ha, Ballarat.

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G 47 30 November 1995 3317

No. 5007-1; Stawell Gold Mines Pty Ltd; 13 ha, Arrat.

No. 5017 (MRC 3303); David Orson; 1ha, Albury.

No. 5033; David Orson; 1 ha, Albury.

MINING LICENCE RENEWAL REFUSED

No. 4524; Martin Gold Mines NL; 37.72 ha, Enoch Point.

No. 4684; Martin Gold Mines NL; 48.04 ha, Gaffneys Creek.

MINING LICENCE VARIED

No. 4149; Perseverance Exploration Pty Ltd & New Holland Mining NL; 6.32 ha Heathcote (Tooleen).

No. 4470; Duketon Goldfield NL; 375.22 ha, Castlemaine.

MINING LICENCE

AMALGAMATED/CANCELLED

No. 4182-1 & 4547-1; W. E. Brown & Son; 81.22 ha, Hopetoun. Upon amalgamation MIN 4547-1 will be cancelled, MIN 4182-1 will be the continuing title.

No. 4203 & 4254; CRA Exploration Pty Ltd; 373.1 ha, Ballarat. Upon amalgamation MIN 4254 will be cancelled, MIN 4203 will be the continuing title.

No. 5017 & 5033; David Orson; 2 ha, Albury. Upon amalgamation MIN 5017 will be cancelled, MIN 5033 will be the continuing title.

MINING LICENCE FORFEITURE OF SECURITY

No. 4728-2; Henry Doran; 0.98 ha, Dunolly.

MINING LEASE VARIED

No. 945; Mr I. Parker; 13.79 ha, Warragul.

MINERS RIGHT CLAIM EXPIRED

No. 3358; Ms Ann Bryce; 5 grats, Dunolly.

EXTRACTIVE INDUSTRY LICENCE RENEWAL APPLICATION WITHDRAWN

No. 212-1; Amatek Limited; 4.2410 ha, Mordialloc.

EXTRACTIVE INDUSTRY LICENCE ASSIGNED

No. 1117-1; Tusko Nominees Pty Ltd to Oupan Resources Pty Ltd; 14.4 ha, Merrimu.

EXTRACTIVE INDUSTRY LICENCE EXPIRED

No. 212-1; Amatek Limited; 4.2410 ha, Mordialloc.

Department of Treasury and Finance
SALE OF CROWN LAND BY PUBLIC
TENDER

Reference P043995

Tenders close 2.00 p.m., Thursday, 1 February 1996.

Property Address: Watton Street, Peshurst. Former Peshurst State School site.

Crown Description: Allotment 8, Section 6, Township of Peshurst.

Area: 6070 square metres.

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

Tenders: addressed to—Crown Land Sales Tender Box ref: P043995, Department of Conservation and Natural Resources, 17 Thompson Street, Hamilton 3300.

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

Application Form: Available on request.

Co-ordinating Officer: Stewart Beaton, Land Sales Officer, Department of Conservation and Natural Resources, Hamilton, telephone (055) 723 033.

ROGER M. HALLAM
Minister for Finance

Department of Treasury and Finance
SALE OF CROWN LAND BY PUBLIC
TENDER

Tenders close 2.00 p.m., Thursday, 8 February 1996.

Lot 1

Property Address: Bilton Street, Omeo.

Crown Description: Crown Allotment 86H, Township of Omeo.

Area: 5870 m².

Ref: P322409.

Lot 2

Property Address: Albany Street, Port Albert.

Crown Description: Crown Allotment 9, Section 2, Township of Port Albert.

Area: 3018 m².

Ref: P282077.

Lot 3

Property Address: Corner Streleski and Broughton Street, Alberton.

Crown Description: Crown Allotment 10, Section 8, Township of Alberton.

Area: 2023 m².

Ref: P282100.

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

Tenders: addressed to Crown Land Sales Tender Box, Department of Conservation and Natural Resources, 71 Hotham Street, Traralgon 3844.

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

Application Form: Available on request.

Co-ordinating Officer: Ninette Kattos, Land Sales Officer, Department of Conservation and Natural Resources, Traralgon, telephone (051) 722 150.

ROGER M. HALLAM
Minister for Finance

Legal Profession Practice Act 1958
SOLICITORS' (PROFESSIONAL CONDUCT
AND PRACTICE) (AMENDMENT NO. 1)
RULES 1995

In the pursuance of the powers conferred by the **Legal Profession Practice Act 1958** and all others powers thereunto enabling the Council of the Law Institute of Victoria hereby makes the following Rules:

1. These Rules may be cited as the solicitors' (Professional Conduct and Practice) (Amendment No. 1) Rules 1995 and shall come into operation on the date of their publication in the Victoria Government Gazette.

2. The Solicitors' (Professional Conduct and Practice) Rules 1984 are in these Rules referred to as the Principal Rules.

3. Rule 6 of the Principal Rules is repealed and the following substituted for it:

"Where any complaint is made to the Law Institute of Victoria or to the Council or to the Ethics Committee of the Council or to the Secretary concerning the conduct of a solicitor in the solicitor's professional capacity, such solicitor shall, within fourteen days after being called upon by the Council, or by the Ethics Committee of the Council or by the Secretary or by a delegate of the Secretary under section 38ZM of the **Legal**

Profession Practice Act 1958 so to do, furnish to the Secretary in writing a full and accurate account of the solicitor's conduct in relation to the subject matter of the complaint, unless the solicitor has a sufficient and satisfactory reason for not furnishing an account thereof."

Dated 4 October 1995

Signed for and on behalf of the Council of the Law Institute of Victoria.

MARK WOODS, president
ROBERT CORNALL, secretary

I approve the above Rules.

Dated 6 October 1995

JOHN HARBER PHILLIPS
Chief Justice

Co-operation Act 1981

CHANGE OF NAME OF A SOCIETY

Notice is hereby given that Sunraysia Fruit and Vegetable Growers Co-operative Limited which was incorporated as a Producer Society under the abovenamed Act on 13 November 1979 has registered a change of its name and is now incorporated under the same of Sunraysia Grower Co-operative Limited under the said Act.

Dated at Melbourne 20 November 1995

K. N. FLOWERS
Deputy Registrar of Co-operative Societies

Cattle Compensation Act 1967 (No. 7615)

APPROVED AGENT

Notice Under Section 14

I hereby revoke the declaration made in Government Gazette No. 20 of 19 March 1969 of Brian Unthank & Co., Pty Ltd (No. C.S.42 in the Register) for the purposes of Part II of the **Cattle Compensation Act 1967** with effect from 1 January 1995.

Pursuant to the provisions of Regulation of Regulation 85 (1) of the Stamps Regulations 1982, I hereby state that the revocation is being made at the request of the Approved Agent.

MICHAEL FISHER
Delegate of Commissioner of State Revenue

Creditors, next of kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited ACN 064 593 148, 168

Exhibition Street, Melbourne, Victoria 3000 the personal representative, on or before 31 January 1996, 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.

Bean, Arthur Liddle, late of 87 Radford Road, Reservoir, retired gentleman, died on 15 August 1995.

Rolls, Gladys May, late of 82 Point Cook Road, Laverton, widow, died on 2 August 1995.

Tymeczko, Julian, late of 5 Princess Road, Corio, pensioner, died on 23 September 1995.

Dated at Melbourne 23 Melbourne 1995

B. F. CARMODY
Managing Director
State Trustees Limited

Trustee Act 1958
SECTION 3AE

I hereby declare the class of mortgage-backed securities known as Securitised Australian Mortgage Trust 1995-1 (SAM Trust 1995-1) Class A notes issued by Permanent Custodians Limited, to be approved mortgage-backed securities for the purposes of Part 1C of the **Trustee Act 1958**.

Given under my hand and seal 22
November 1995

H. M. WALTER
Commissioner for Corporate Affairs

Trustee Act 1958
SECTION 3AE

I hereby declare the class of mortgage-backed securities known as Securitised Australian Mortgage Trust 1995-1 (SAM Trust 1995-1) Class B notes issued by Permanent Custodians Limited, to be approved mortgage-backed securities for the purposes of Part 1C of the **Trustee Act 1958**.

Given under my hand and seal 22
November 1995

H. M. WALTER
Commissioner for Corporate Affairs

Under the functions and powers assigned to me by the secretary to the Department of Health and Community Services under section 10 (2) of the **Community Services Act 1970** in relation to section 5 of the **Adoption Act 1984**, I, Bill Joyce revoke the following persons under

section 5 (1) and 5 (2) (b) of the Adoption Act as approved counsellors for the purposes of section 87 of the Adoption Act.

Ralph Sidoti

Mary Lisa

Dated 21 November 1995

BILL JOYCE
Manager, Accomodation and Support

Co-operation Act 1981
ACCOUNTANTS' DEBT RECOVERY CO-
OPERATIVE LIMITED
BUND BONG COMMUNITY CO-
OPERATIVE LIMITED
DESIGN INFORMATION CO-OPERATIVE
LIMITED
KENT PARK PRIMARY SCHOOL CO-
OPERATIVE LIMITED
WARNEET-RUTHERFORD INLET
YACHTING CO-OPERATIVE LIMITED
YALLAMBIE COMMUNITY HALL CO-
OPERATIVE LIMITED

Notice is hereby given in pursuance of Section 192 (8) of the **Co-operation Act 1981** and Section 572 (2) of the Corporations Act 1989 that, at the expiration of three months from the date hereof, the names of the the aforementioned societies will, unless cause is shown to the contrary, be struck off the register and the societies will be dissolved.

Dated at Melbourne 24 November 1995

K. N. FLOWERS
Deputy Registrar of Co-operative Societies

Public Sector Management Act 1992
EXEMPTION FROM NOTIFICATION OF
VACANCY UNDER SECTION 29 (2)

Position No. 96/05/0005/1,
Receptionist/Administrative Officer, VPS-2,
Executive Co-ordination Unit, Department of
Agriculture, Energy and Minerals.

Reasons for exemption

The vacancy has duties and qualifications identical to another vacancy that has recently been advertised and the person was an applicant for the other vacancy and was assessed as clearly meeting all of the requirements of the position.

MICHAEL TAYLOR
Acting Secretary, Department of Agriculture,
Energy and Minerals

Public Sector Management Act 1992
EXEMPTION FROM NOTIFICATION OF
VACANCY UNDER SECTION 29 (2)

Position No. AEM038127, Principal Policy Adviser, VPS-5, Energy Policy Division, Department of Agriculture, Energy and Minerals.

Reasons for exemption

The vacancy has duties and qualifications identical to another vacancy that has recently been advertised and the person was an applicant for the other vacancy and was assessed as clearly meeting all of the requirements of the position. The position was advertised within the last 3 months.

MICHAEL TAYLOR
Acting Secretary, Department of Agriculture,
Energy and Minerals

Drugs, Poisons and Controlled Substances Act 1981
NOTICE REGARDING THE AMENDMENT,
COMMENCEMENT AND AVAILABILITY
OF THE POISONS CODE
Sections 12G and 12K

I, Marie Tehan, Minister for Health, give notice that the Poisons Code, prepared under section 12 of the **Drugs, Poisons and Controlled Substances Act 1981**, will be amended by the incorporation by reference of an amendment to the Commonwealth standard as prescribed by the **Drugs, Poisons and Controlled Substances (Commonwealth Standard) Regulations 1995**.

The Poisons Code is a document that enables certain parts of the Commonwealth standard, particularly those parts relating to the uniform scheduling of drugs and poisons, to be incorporated by reference and then applied as uniform law in Victoria.

Part 1 of Chapter 1 and Parts 1 and 2 of Chapter 2 of the Poisons Code will be amended to the extent that earlier incorporated by reference material, being the Standard for the Uniform Scheduling of Drugs and Poisons No. 9, as amended by the Standard for the Uniform Scheduling of Drugs and Poisons No. 9, Amendment No. 1, Amendment No. 2, Amendment No. 3 and Amendment No. 4 will be amended, varied, remade or superseded to the extent necessary by the incorporation by reference of the Standard for the Uniform

Scheduling of Drugs and Poisons No. 10 as amended by the Standard for the Uniform Scheduling of Drugs and Poisons No. 10, Amendment No. 1.

The date fixed for the amending, varying, remaking or superseding material to take effect is 22 December 1995.

The Poisons Code may be inspected free of charge during normal business hours at the Department of Health and Community services, Public Health Branch offices situated at 115 Victoria Parade, Fitzroy 3056, contract—Duty Pharmacist, Drugs and Poisons Unit, phone (03) 9412 7557 and 555 Collins Street, Melbourne 3000, contact—Public Health Legislation Officer, phone (03) 9616 7167.

A copy of the Code may also be obtained from the above offices. A copy of the Commonwealth Standard for the Uniform Scheduling of Drugs and Poisons, including amendments, may be obtained from the Australian Government Bookshop situated at 190 Queen Street, Melbourne 3000, phone (03) 132447.

MARIE TEHAN
Minister for Health

Pipelines Act 1957 No. 7541
VARIATION TO THE ROUTE OF A
PIPELINE

I, Sidney James Plowman, Minister for Energy and Minerals for the State of Victoria, hereby give notice in accordance with the provisions of Section 12 of the **Pipelines Act 1967**, No. 7541, that the route of a pipeline for which Permit No. 40 to Own and Use, has been granted by me to Gas and Fuel Corporation of Victoria, is varied as follows:

ADD the expression—

“LINE 1” before “a steel pipeline with an external diameter of 18 inches 50.7 miles in length and to operate at a maximum of 400 p.s.i.g.”

ADD the expression—

“LINE 2—a steel pipeline approximately 265 metres in length with a nominal bore of 100 mm commencing at an offtake valve on LINE 1 at a point approximately 110 metres south of the intersection of Kelletts Road and Stud Road, Rowville, thence proceeding in a northerly direction within the Stud Road Reserve for a distance of approximately 48 metres to align with the Melbourne Water drainage and

sewerage reserve, thence turning to continue in a generally westerly direction to cross to the western side of Stud Road to enter and continue within the Melbourne Water Reserve for a distance of approximately 170 metres, thence turning to continue in a northerly direction to enter Lots 2 and 18 Kingsley Close, Rowville, owned by Solar Turbines Australia, and terminate at a metering station within such property adjacent to its southern boundary". after "Appendix A" and as more particularly shown on the marked Gas Transmission Corporation Plan No. N1-4277-5 Revision A, a copy of which is held in the Office of the Department of Agriculture Energy and Minerals.

Dated 24 November 1995

SIDNEY JAMES PLOWMAN
Minister for Energy and Minerals

Electricity Industry Act 1993
NOTICE UNDER SECTION 165

The Office of the Regulator-General gives notice that it has, pursuant to section 162 of the Act, issued to Boral Energy (Vic) Pty. Ltd. (ACN 071 752 287) a licence to sell electricity to non-franchise customers.

The licence has an unlimited term but may be revoked or varied as provided by the Act or by the terms of the relevant licence.

A copy of the licence may be inspected during business hours at the Office of the Regulator-General, 35 Spring Street, Melbourne 3000.

Dated 22 November 1995

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 municipal districts of the municipalities or parts of municipalities specified, commencing on the dates shown and, unless varied by subsequent declaration, ending at 0100 hours on Wednesday, 1 May 1996.

To commence from 0100 hours on Monday, 4 December 1995:

Buloke Shire Council (Northern Part) that part north of the Beulah-Birchip, Birchip-Wycheproof, Boort-Wycheproof arterial road, but excluding the road reserve, and excluding the township of Birchip and Wycheproof.

Gannawarra Shire Council (Northern Part) That part north west of the Boort-Kerang Road, Kerang-Murrabit Road, to the Murray River but excluding the road reserve and the urban areas of Kerang and Murrabit.

Yarriambiack Shire Council (Part) That part north of the wire netting fence.

Hindmarsh Shire Council (Part) That part north of the wire netting fence.

West Wimmera Shire Council (Part) That part north of the wire netting fence.

L. R. FOSTER
Chairman

Planning and Environment Act 1987
ALL PLANNING SCHEMES IN VICTORIA
Notice of Approval of Amendment
Amendment S52

The Minister for Planning has approved the above amendment.

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

Amendment S52 temporarily prohibits the use and development of land for paintball games.

The control will not apply after 30 November 1997.

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; the Alpine Resorts Commission, Level 4, AMEV House, 1013 Whitehorse Road, Box Hill; and at the office of each municipal Council in Victoria.

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

Planning and Environment Act 1987
ALBERTON PLANNING SCHEME
Notice of Lapsing of Amendment
Amendment L30

The Shire of Wellington has abandoned Amendment L30 to the Alberton Planning Scheme.

The amendment proposed to allow suitably located agriculturally zoned land to be subdivided into Rural Residential allotments (1.5 hectare average size).

The amendment lapsed on 3 November 1995.

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

This amendment does not change the planning provisions applying to land in the City of Ballarat. Its purpose is to provide a consolidated planning scheme required as a consequence of the restructure of municipal boundaries in the Ballarat sub-region.

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 State Government Offices, Cnr Mair & Doveton Streets, Ballarat, and at the offices of the City of Ballarat, "Watershed Building", Cnr Grenville and Lewis Streets, Ballarat.

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

Corrigendum
GANNAWARRA PLANNING SCHEME
Gannawarra Amalgamation Amendment
In Government Gazette G44 dated 9 November 1995 on pages 3146-7 in the fourth paragraph of the notice, line two, delete the following "Campaspe" and insert "Gannawarra".

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

Planning and Environment Act 1987
RINGWOOD PLANNING SCHEME
Notice of Approval of Amendment
Amendment L48

The Minister for Planning has approved Amendment L48 to the Local Section of the Ringwood Planning Scheme.

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

The amendment introduces a site specific control to allow land at Lot 1 Loughnan Road, Ringwood, to be used and developed temporarily for a dual occupancy provided that the existing dwelling on the site is demolished on completion of construction of any new dwelling on the site.

The final outcome of this control is that only one dwelling will exist on the site.

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 Maroondah, Braeside Avenue, Ringwood.

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

Planning and Environment Act 1987
BALLARAT PLANNING SCHEME
Notice of Approval of Amendment
Ballarat Consolidation Amendment

The Minister for Planning has approved the above amendment to the Ballarat Planning Scheme.

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

This amendment is to the Ballarat (City) Planning Scheme, incorporating the Local Sections of the Ballarat (City), Sebastopol, Ballarat (Shire) Planning Schemes and parts thereof of the Bungaree, Buninyong and Grenville Planning Schemes as Chapters 2 to 4 of the Ballarat Planning Scheme and creating a new Chapter 1 to apply to the City of Ballarat. The amendment also deletes and revokes the Sebastopol and Ballarat (Shire) Planning Schemes and deletes portions of the Bungaree, Buninyong and Grenville Planning Schemes.

Health Services Act 1988
DECLARATION OF APPROVED QUALITY
ASSURANCE BODY

I declare that the Patient Care Review and Quality Assurance Committee, established by the Benalla and District Memorial Hospital is an approved quality assurance body for the purposes of Part 7 of the **Health Services Act 1988**.

Dated 23 November 1995

MARIE TEHAN
Minister for Health

Health Services Act 1988
DECLARATION OF APPROVED QUALITY
ASSURANCE BODY

I declare that the Quality Assurance Committee, established by Portland and District Hospital is an approved quality assurance body for the purposes of Part 7 of the **Health Services Act 1988**.

Dated 23 November 1995

MARIE TEHAN
Minister for Health

Transport Act 1983
DEPARTMENT OF TRANSPORT
Victorian Taxi Directorate
Commercial Passenger Vehicle Applications
Amendment to Previous Notice

This notice corrects a previous notice which appeared in the Victoria Government Gazette No. G45 dated 16 November 1995 in the name of G.R. & K. M. Lane Pty Ltd, Warrnambool. Closing date for objections and the consideration date specified in that notice shall remain the same.

G. R. & K. M. Lane Pty Ltd, Warrnambool. Application to licence two commercial passenger vehicles one vehicle to be purchased in respect of any vehicle that meets the standards approved by the Victorian Taxi Directorate to operate as country hire cars from 11 Wirilda Trail, Warrnambool.

Dated 30 November 1995

GARRY ELLIS
Manager, Licensing and Certification
Victoria Taxi Directorate

Transport Act 1983
DEPARTMENT OF TRANSPORT
Victorian Taxi Directorate

Commercial Passenger Vehicle Applications
Amendment to Previous Notice

This notice corrects a previous notice which appeared in the Victoria Government Gazette No. G45 dated 16 November 1995 in the name of P. A. Whiston, Echuca. Closing date for objections and the consideration date specified in that notice shall remain the same.

P. A. Whiston, Echuca. Application to licence one commercial passenger vehicle in respect of any vehicle that meets the standards approved by the Victorian Taxi Directorate to operate as a country hire car from 6 Hare Street, Echuca.

Dated 30 November 1995

GARRY ELLIS
Manager, Licensing and Certification
Victoria Taxi Directorate

Transport Act 1983
DEPARTMENT OF TRANSPORT
Victorian Taxi Directorate

Commercial Passenger Vehicle Applications
Amendment to Previous Notice

This notice corrects a previous notice which appeared in the Victoria Government Gazette No. G44 dated 9 November 1995 in the name of M. J. Campbell, Moama. Closing date for objections and the consideration date specified in that notice shall remain the same.

M. J. Campbell, Moama. Application to licence one commercial passenger vehicle in respect of any vehicle that meets the standards approved by the Victorian Taxi Directorate to operate as a country hire car from Percy Street, Echuca.

Dated 30 November 1995

GARRY ELLIS
Manager, Licensing and Certification
Victoria Taxi Directorate

Transport Act 1983
DEPARTMENT OF TRANSPORT
Victorian Taxi Directorate

Commercial Passenger Vehicle Applications
Amendment to Previous Notice

This notice corrects a previous notice which appeared in the Victoria Government Gazette No. G45 dated 16 November 1995 in the name of 242 P. & C. Nominees Pty Ltd, Sunbury.

Closing date for objections and the consideration date specified in that notice shall remain the same.

242 P. & C. Nominees Pty Ltd, Sunbury. Application to licence on commercial passenger vehicle to be purchased in respect of 1988 Ford station wagon with seating capacity for 6 passengers to operate a service solely for the carriage of school children between their homes and Shield Street Special school.

Dated 30 November 1995

GARRY ELLIS
Manager, Licensing and Certification
Victoria Taxi Directorate

Transport Act 1983
DEPARTMENT OF TRANSPORT
Victorian Taxi Directorate

Commercial Passenger Vehicle Applications

Notice is hereby given that the following applications will be considered by the Victorian Taxi Directorate, a division of the Department of Transport after 3 January 1996.

Notice of any objection to the granting of an application should be forwarded to reach the Manager, Licensing and Certification, Victorian Taxi Directorate, 598 Lygon Street, Carlton (P.O. Box 666, Carlton South 3053) not later than 28 December 1995.

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

M. J. Cappelletti, Sunbury. Application to licence two commercial passenger vehicles in respect of any vehicle that meets the standards approved by the Victorian Taxi Directorate to operate as metropolitan hire cars from 31 Dunrossil Drive, Sunbury.

Dichag Nominees Pty Ltd, Doncaster. Application to licence one commercial passenger vehicle to be purchased in respect of a 1987 Ford Falcon stretched limousine with seating capacity for 8 passengers to operate a service from 24 Park Avenue, Doncaster for the carriage of passengers on various day or half day tours in the Dandenongs as follows:

Wandin Historic Homestead, Lilydale Wineries, Ricketts Sanctuary, Olinda, Dandenongs Observatory, Rhododendron Gardens and Sherbrooke Forest

Note:

- (i) Tours will be followed by an Australian evening cuisine at the proposed operating address.

- (ii) Passengers on various day or half day tours will be picked up/set down from their place of accommodation throughout the State of Victoria.

R. I. Innes, Boronia. Application to licence one commercial passenger vehicle in respect of 1988 Holden Commodore sedan with seating capacity for 4 passengers to operate a service from 18 Castlewood Drive, Boronia for the carriage of passengers for wedding parties.

V. V. Ly, Springvale. Application to licence one commercial passenger vehicle to be purchased in respect of a 1990 or later model Toyota Commuter bus with seating capacity for 12 passengers to operate a service for the carriage of passengers on various tours to places of interest throughout the State of Victoria.

Note:

The only passengers to be carried will be from China, Taiwan, Korea, Hong Kong, Thailand, Vietnam, Malaysia, Singapore and Indonesia.

A. W. Murrell and K. J. Storer, Hamilton. Application to licence two commercial passenger vehicles in respect of one 1983 Ford Fairlane stretched limousine and one 1981 Ford Fairlane stretched limousine each with seating capacity for 7 passengers to operate a service from 44 McIntyre Street, Hamilton for the carriage of passengers for the following:

Wedding parties, Tourist activities in the Shire of Southern Grampians, Debutante balls, Melbourne casino trips and Airport pick-ups.

G. N. Slater, Emerald. Application to licence two commercial passenger vehicles in respect of one 1970 Holden Monaro coupe and one 1988 Holden Commodore each with seating capacity for 4 passengers to operate a service for the carriage of passengers for various day tours as follows:

The Dandenong Ranges Tour

Emerald Lake, Cardinia Dam, The Ridge Lookout-Kallista, Mt Dandenong Lookout, Choo Choo's Restaurant, Silvan Dam, Emerald Village, Monbulk and recognised tourist places of interest in and around the Dandenongs.

The Yarra Valley Tour

Chandon Domain Winery, Long Gully Winery, Yarra Glen, Warburton Ranges, Upper Yarra Dam, De Bortollis Winery, Healesville Sanctuary and recognised tourist places of interest in and around the Yarra Valley.

The Mornington Peninsula Tour

Mornington Beach, Sorrento, Arthur's Seat Lookout, Dromana/Rosebud and recognised tourist places of interest in and around the Mornington Peninsula area.

Note:

Passengers will be picked up/set down throughout the State of Victoria.

Dated 30 November 1995

GARRY ELLIS

Manager, Licensing and Certification
Victorian Taxi Directorate

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 3 January 1996.

Notice of any objection to the granting of an application should be sent to the Manager, Commercial Vehicle Operations, Level 2, Denmark Street, Kew, 3101 not later than 28 December 1995.

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

J. Bodegraven, Croydon. Application for variation of the conditions of licence number T0240 which authorises tours to places of interest throughout the State of Victoria to include an additional tour as follows:

Day 1 Travel from our pickup point in Central Melbourne, 8.00 a.m. near the Arts Centre to Mt Eccles National Park via Red Rock, Mt Leura and Tower Hill in Western Victoria. Camp 2 nights at Mt Eccles.

Day 2 To Cape Bridgewater and Cape Nelson for bushwalks. Back to Mt Eccles.

Day 3 Bushwalk at Mt Eccles. Travel to Mt Napier and Bushwalk. Visit Wannon and Nigretta Falls. Travel to Buandik camp area in the Western Grampians for a 3 night camp.

Day 4 Bush walk in the Black and Victoria Ranges.

Day 5 Bush walk in the Victoria Range.

Day 6 Travel to Mt Stapylton (still in the Grampians) for a walk and then travel back to Melbourne.

Fares: By agreement with the hirer.

Timetable: As and when required.

Tarenberg Pty Ltd, Garfield. Application to licence one commercial passenger vehicle in respect of 1982 Denning Coach with seating capacity for 45 passengers to operate as a country special service omnibus from within a 20km pick-up radius of the Pakenham Post Office.

Dated 30 November 1995

ROBERT FREEMANTLE

Manager, Commercial Vehicle Operations

Transport Act 1983

ROADS CORPORATION

Commercial Passenger Vehicle Application

Notice is hereby given that the following application will be considered by the Roads Corporation after 3 January 1996.

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 or any District Office of the Roads Corporation not later than 28 December 1995.

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

McHarry's Buslines Pty Ltd. Application to license one commercial passenger vehicle in respect of a 1991 Toyota bus with seating capacity for 19 passengers to operate as a special service omnibus from within a 20km pick-up radius of the Principal Post Office in the City of Greater Geelong.

Note: The vehicle would hold a 2 star rating for charter purposes.

Dated 30 November 1995

COLIN KOSKY

Regional Manager, South Western Region

Transport Act 1983

ROADS CORPORATION

Commercial Passenger Vehicle Application

Notice is hereby given that the following application will be considered by the Roads Corporation after 3 January 1996.

Notice of any objection to the granting of an application should be forwarded to reach the Regional Manager, Northern Region, PO Box 204, Bendigo 3550 or any District Office of the Roads Corporation not later than 28 December 1995.

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

Applications which are objected to will be determined by the Roads Corporation.

St Josephs College, Echuca. Application to license one commercial passenger vehicle in respect of a 1992 or later model Toyota bus with seating capacity for 25 passengers to operate for the following purposes:

- (i) a service for the carriage of school children attending St Joseph's College, Echuca, to the exclusion of all other passengers excepting duly authorised teachers between Gunbower and St Joseph's College.

Fares: By agreement with the hirer.

Timetable: As and when required.

- (ii) to include the ability to operate under charter conditions from within a 20 km radius of the Post Office at Echuca.

Note: School charter rights are being sought on this application.

Dated 30 November 1995

BRUCE PHILLIPS
Regional manager—Northern Region

Education Act 1958

Notice of making of an Order under section 13 (1) of the **Education Act 1958**

An Order of the Governor in Council was made on 28 November 1995 pursuant to section 13 (1) of the **Education Act 1958** in relation to a State school at Kurrajong Road Narre Warren and proposed to be called Oatlands Primary School.

DON HAYWARD
Minister for Education

Education Act 1958

Notice of making of an Order under section 13 (1) of the **Education Act 1958**

An Order of the Governor in Council was made on 28 November 1995 pursuant to section 13 (1) of the **Education Act 1958** in relation to a State school at Gumnet Drive Langwarrin and proposed to be called Woodlands Primary School.

DON HAYWARD
Minister for Education

Subordinate Legislation Act 1994 **Veterinary Surgeons Act 1958** **PROPOSED VETERINARY SURGEONS** **(FEES) REGULATIONS 1995** Notice of Decision

I, Bill McGrath, Minister for Agriculture give notice under section 12 of the **Subordinate Legislation Act 1994**, that I have decided that the proposed Veterinary Surgeons (Fees) Regulations 1995 be made.

A Regulatory Impact Statement was prepared and advertised inviting public comment and submissions. As no submissions were received no amendments have been made to proposed regulations.

Dated 24 November 1995

BILL McGRATH
Minister for Agriculture

Subordinate Legislation Act 1994 **Firearms Regulations 1995** Department of Justice Victoria Notice of Intention to Make Regulations

A Regulatory Impact Statement was published in relation to the proposed Firearms Regulations 1995. The proposed Regulations will ensure the continuing operation of key elements of Victoria's firearms regulatory framework such as shooters' licensing and firearms registration requirements.

The proposed Regulations and Regulatory Impact Statement have been advertised for public comment and a number of submissions were received.

Following consideration of submissions received, I now give notice of my intention to proceed with the making of the proposed Regulations, with some minor amendments.

PATRICK McNAMARA
Minister for Police and Emergency Services

REVOKING OF TEMPORARY **OCCUPATION OF BUILDINGS GUIDELINE** 95/04

Pursuant to section 188 (1) (c) of the **Building Act 1993** and section 41A of the **Interpretation of Legislation Act 1984**, I hereby revoke Guideline number 94/05, dated 16 June 1994 regarding the "Temporary Occupation of Buildings". This is in recognition of the

amendment of regulation 10.5 of the Building Regulations 1994 made by regulation 44 of the Building (Amendment) Regulations 1995.

ROBERT MACLELLAN
Minister for Planning

REVOKING OF TEMPORARY
OCCUPATION OF BUILDINGS GUIDELINE
95/05

Pursuant to section 188 (1) (c) of the **Building Act 1993** and section 41A of the **Interpretation of Legislation Act 1984**, I hereby revoke Guideline number 95/02, dated 31 May 1995 regarding the "Temporary Occupation of Buildings". This is in recognition of the amendment of section 64 of the **Building Act 1993** made by section 5 of the **Building (Amendment) Act 1995**.

ROBERT MACLELLAN
Minister for Planning

Road Safety Act 1986
ROAD SAFETY (PROCEDURES) (TOWING
INFRINGEMENTS) REGULATIONS 1995
Notice Pursuant to Section 12 of the
Subordinate Legislation Act 1994

I, William Robert Baxter, Minister for Roads and Ports, advise that, after consideration of all submissions received in response to the advertisement of the regulatory impact statement prepared in respect of the above proposed statutory rule, I have decided to make the above Road Safety (Procedures) (Towing Infringements) Regulations 1995 without amendment.

Dated 27 November 1995

W. R. BAXTER
Minister for Roads and Ports

ERRATUM

Advertisers please note the following advertisement appeared incorrectly in Gazette No. 46, dated 23 November 1995, page number 3258.

Local Authorities Superannuation Act 1988
ELECTION OF ONE (1) MEMBER OF THE
LOCAL AUTHORITIES
SUPERANNUATION BOARD

This notice has been withdrawn and republished in Gazette No. 47, 30 November 1995.

Local Authorities Superannuation Act 1988
ELECTION OF ONE (1) MEMBER OF THE
LOCAL AUTHORITIES
SUPERANNUATION BOARD

In accordance with section 22 of the Local Authorities Superannuation Board's Election Procedures, I hereby declare William Watton elected as Director and Coral Johnine Young elected as Deputy Director of the Local Authorities Superannuation Board following the conduct of the Board's 1995 elections.

D. WELLINGTON
Returning Officer

Crown Land (Reserves) Act 1978
PORTS REGULATIONS

I, Paul Mainey, Area Manager, South West Area, as delegate of the Minister for Conservation and Environment, make the following Regulations.

Dated 20 November 1995

PAUL MAINEY
Area Manager, South West Area

Part 1—Preliminary

Title

1. These regulations may be cited as the Port of Port Fairy Regulations.

Objective

2. The objective of these regulations is to provide for the care, protection and management of the Port of Port Fairy.

Authorising provision

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

Commencement

4. These regulations come into operation on the date they are published in the Government Gazette.

Definitions

5. In these regulations:
"Act" means the **Crown Land (Reserves) Act 1978**.

"appointed officer" means an officer or employee of the Committee appointed in writing by the Committee as an appointed officer for the purposes of these regulations.

"authorised officer" means an authorised officer appointed under Section 83 of the **Conservation, Forests and Lands Act 1987** for the purposes of the **Land Act 1958**.

"bicycle path" has the same meaning as in the Road Safety (Traffic) Regulations 1988.

"camp" means

- (a) to erect, occupy or use a tent or any similar form of accommodation, or
- (b) to park, occupy or use a caravan or other movable form of accommodation.

"Committee" means the committee of management appointed to manage the reserve under section 14 of the Act.

"firearm" has the same meaning as in the **Firearms Act 1958**.

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

"footway" has the same meaning as in the Road Safety (Traffic) Regulations 1988.

"segregated footway" has the same meaning as in the Road Safety (Traffic) Regulations 1988.

"shared footway" has the same meaning as in the Road Safety (Traffic) Regulations 1988.

"Secretary" means the Secretary to the Department of Conservation and Natural Resources.

"vessel" has the same meaning as in the **Marine Act 1988**.

"vehicle" has the same meaning as in the **Road Safety Act 1986**.

"reserve" means the reserved land in the Township of Port Fairy and the Parish of Belfast as shown by hatching on the plan marked "PF/9.10.95" attached to Department of Conservation and Natural Resources correspondence no. L2/4474.

"wharf" includes a pier, jetty, landing stage, quay, dock, slip, platform, breastwork and all approaches thereto and all sheds or other constructions thereon and storage.

Part 2—Use of the Reserve

6. Committee may set aside areas

(1) The Committee may determine that areas within the reserve be set aside for one or more of the following purposes—

- (a) the re-establishment or planting of trees, shrubs, grass or other vegetation;

- (b) parking areas;
- (c) amenities or facilities;
- (d) camping;
- (e) a bicycle path;
- (f) a footway;
- (g) a segregated footway;
- (h) a shared footway;
- (i) the playing of games or sport;
- (j) the lighting or maintaining of fires;
- (k) any other particular purpose which the Committee considers necessary for the care, protection and management of the reserve.

(2) The Committee may include in a determination under sub-regulation (1)—

- (a) details of the times or periods during which areas set aside under sub-regulation (1) may be used for the purpose for which they are set aside; and
- (b) any conditions or restrictions relating to the use by the public of those areas that the Committee considers necessary for the care, protection and management of the reserve;

(3) If the Committee has determined that an area be set aside under sub-regulation (1), the Committee must cause notices to be displayed in such a place and manner that the particulars are reasonably likely to be seen by the persons using the area, indicating—

- (a) the areas so set aside; and
- (b) the purpose for which those areas are set aside; and
- (c) any conditions or restrictions determined under sub-regulation (2) relating to the use of those areas by the public.

(4) A person must comply with a determination made under sub-regulation (1) when displayed in accordance with sub-regulation (3).

7. Prohibited or restricted access areas

(1) The Committee may determine that the whole or parts of the reserve be set aside as areas in which access is prohibited or restricted for one or more of the following purposes—

- (a) the passage of any vehicle or vehicles of a particular class;
- (b) the parking of vehicles;
- (c) the playing of games or sport;

- (d) the entry by any person accompanied by a dog or dogs under that person's control;
 - (e) the collection of firewood;
 - (f) the riding or leading of horses or horse-drawn vehicles;
 - (g) the entry by any person with alcohol in their possession;
 - (h) the entry by any person if, due to circumstances, their safety may be at risk;
 - (i) swimming;
 - (j) mooring of vessels;
 - (k) the landing, launching, or entering an area by vessels generally or vessels of a particular class or classes;
 - (l) a particular purpose which the Committee considers necessary for the care protection and management of the reserve.
- (2) The Committee may include in a determination under sub-regulation (1) details of the time or periods when areas set aside under sub-regulation (1) must not be used for the purposes for which access to the area has been prohibited or restricted.
- (3) If the Committee has determined that an area be set aside under sub-regulation (1) the Committee must cause notices to be displayed in such a place and manner that the particulars are reasonably likely to be seen by persons likely to be affected by them, indicating—
- (a) the areas set aside; and
 - (b) the times or periods during which access is prohibited or restricted for those purposes.
- (4) A person must comply with a determination made under sub-regulation (1) when displayed in accordance with sub-regulation (3).
- (5) In determining the areas in the reserve in which access for a purpose specified in sub-regulation (1) is prohibited or restricted, the Committee must have regard to the purpose for which the land is reserved.

Part 3—Works and Improvements

8. Consent of Minister

- (1) The Committee must obtain the Minister's consent before undertaking any works or improvements on the reserve.
- (2) The Minister's consent is not required if the works and improvements are—

- (a) for the purpose of constructing a track or a trail, earthworks, drainage works, signs, fencing, gates, viewing facilities, toilets or other works necessary for constructing a track or trail; or
- (b) for the purpose of carrying out repairs necessary to keep the reserve in good order or appearance; or
- (c) carried out in accordance with a lease, licence, tenancy or permit granted or issued under the Act or a previous enactment relating to Crown land or a lease or licence granted under the **Port of Portland Authority Act 1958** or any corresponding previous enactment over part or the whole of the reserve.

Part 4—Permits, Fees and Charges

9. Issuing and cancellation of Permits

- (1) The Committee may issue a permit for any purpose in the reserve for which a permit is required under these Regulations.
- (2) A permit issued under sub-regulation (1) authorises the holder to enter and use the reserve—
 - (a) for the purpose specified in the permit; and
 - (b) for the period specified in the permit; and
 - (c) subject to any terms, conditions and on payment of the fee in respect of that entry or use determined by the committee under Regulation 11 either generally or in a particular case and which are specified in the permit.

- (3) The Committee or an appointed officer may revoke or cancel a permit at any time.

10. Permit to be produced

A person who holds a permit issued under this Part must produce the permit for inspection when requested to do so by the Committee or an appointed officer.

11. Fees and charges

- (1) The reserve is open to the public free of charge except as otherwise determined by the Committee in accordance with sub-regulation (2).
- (2) The Committee may determine such reasonable fees that it considers necessary for entry to or use of improvements, services or facilities in the reserve.
- (3) A person must not enter or use the services or facilities within the reserve without paying the appropriate fee, if any, determined by the Committee under sub-regulation (2).

Part 5—Animals

12. Dogs, Horses and Other Animals

(1) A person must not bring an animal into, or allow any animal under that person's control to enter or remain in the reserve.

(2) Sub-regulation (1) does not apply to a person who—

- (a) brings a dog which is used as a guide dog into or allows that dog to remain in the reserve; or
- (b) brings a dog which is restrained by a hand lead or cord into or allows that dog to remain in the reserve in an area set aside under Regulation 7 as an area where dogs are permitted; or
- (c) brings a horse into or allows that horse to remain in the reserve in an area set aside under Regulation 7 as an area where horses are permitted; or
- (d) brings into or allows to remain in the reserve an animal for which that person has been granted a permit under Part 4 to allow that animal to enter or remain in the reserve.

(3) A person who brings a dog or horse into or allows a dog or horse under that person's control to enter or remain in the reserve must ensure that the dog or horse is prevented from interfering with or causing unreasonable disturbance to people or other animals in the reserve.

(4) A person must not in the reserve shoot, trap, maim, injure, kill or destroy any animal.

(5) A person must not disturb, interfere with or destroy any animal or its lair or nest.

(6) Sub-regulations (4) and (5) do not apply to a person who is acting in accordance with a direction of the Secretary under Section 73 of the **Catchment and Land Protection Act 1994**.

Part 6—Vehicles

13. Driving and parking vehicles

(1) A person must not drive a vehicle in the reserve.

(2) Sub-regulation (1) does not apply to a person who drives a vehicle in an area set aside by the Committee under Regulation 7 for the passage of vehicles or in an area set aside by the Committee under Regulation 6 or 7 as a parking area during the times determined by the Committee and indicated by signs.

(3) A person must not park or leave a vehicle standing in the reserve.

(4) Sub-regulation (3) does not apply to a person who parks a vehicle or leaves a vehicle standing in an area set aside by the Committee under Regulation 6 or 7 as a parking area in accordance with the times and manner of parking determined by the Committee and indicated by signs.

(5) A person in charge of a vehicle must not move that vehicle in contravention of a sign which specifies the direction of movement or speed of vehicles in the reserve.

(6) An appointed officer or an authorised officer may order a person in charge of a vehicle to move the vehicle if that vehicle is—

- (a) parked or left standing contrary to these Regulations; or
- (b) in the opinion of the appointed officer or authorised officer a danger to people using the reserve; or
- (c) in the opinion of the appointed officer or authorised officer obstructing or likely to obstruct the passage or parking of vehicles.

Part 7—General Control of the Reserve

14. Camping

(1) A person must not camp within the reserve.

(2) Sub-regulation (1) does not apply to a person who camps in an area set aside by the Committee under Regulation 6 for the purpose of camping.

15. Vegetation, Soil, Buildings and Structures

(1) Within the reserve, a person must not—

- (a) remove, cut, damage, displace, deface or interfere with any rock, timber, tree, shrub, plant, wildflower or other vegetation or any sign, notice board, seat, table, gate, post, fence, bridge, building, structure or any other thing of a like nature;
- (b) dig up, remove or deposit any gravel, stone, shell-grit, sand, soil or loam;
- (c) enter any area which is set aside under regulation 6 (1) for the re-establishment or planting of trees, shrubs grass or other vegetation.
- (d) plant or introduce any seed, tree, shrub, fern or other vegetation or any part of any tree, shrub or other vegetation.
- (e) write on any wharf, building, wall, fence, rail, hoarding, post, board, buoy, beacon or vessel under the control of

the Committee or attach any printed or written matter, picture or inscription thereto without the prior written permission of the Committee.

- (2) Sub-regulation (1) does not apply to—
- (a) a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1); or
 - (b) a person who is acting in accordance with a direction of the Secretary under Section 70 of the **Catchment and Land Protection Act 1994**.
 - (c) a person acting in accordance with a lease, licence, permit or other authority under the **Extractive Industries Act 1966** or the **Mineral Resources Development Act 1990**.

16. Fire

(1) A person must not light or maintain a fire in the reserve.

(2) Sub-regulation (1) does not apply to a person who lights or maintains a fire in—

- (a) a fireplace provided by the Committee or in a portable barbecue or in a fuel stove; or
- (b) in an area set aside by the Committee under regulation 6 (1) for the purpose of lighting or maintaining a fire

and at a time and during a period when the lighting of fires is not prohibited under any Act.

(3) A person must not leave unextinguished or unattended a fire which that person has lit or maintained in the manner referred to in sub-regulation (2);

(4) A person who has lit, maintained or has been left in charge of a fire must before leaving the fire

- (i) completely extinguish the fire; or
- (ii) ensure that a suitable person is in charge of the fire.

17. Commercial Activities

(1) Within the reserve a person must not—

- (a) sell or offer any article for sale;
- (b) take photographs for gain or commercial purposes;
- (c) ply any vehicle for hire or carry any passengers for fee or reward;
- (d) conduct any school or provide any form of instruction for gain;
- (e) advertise for sale or trade or hire any article, device, service or thing;

(f) solicit or collect money or orders for goods or services;

(g) take part in or advertise any entertainment for gain;

(h) give out, distribute, erect, leave set up or display any handbill, placard, notice, pamphlet, book, paper, advertising matter or any like thing;

(i) offer for hire any article, device or thing

(j) conduct a tour for gain or for commercial purposes.

(2) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).

18. Entry, occupation and use of buildings

(1) Within the reserve, a person must not—

(a) enter, occupy or use the whole or any part of any building, booth, shed or structure unless the same is set aside as an amenity or facility for public use;

(b) erect or place therein any building booth, shed or structure.

(2) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).

19. Public Address

(1) Within the reserve a person must not preach or deliver an address or use any amplifier, public address system, loud hailer or similar device.

(2) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).

20. Machinery and Power Tools

(1) Within the reserve a person must not operate any portable or stationary generator, air-compressor, chainsaw, oxy-acetylene or electrical cutting and welding apparatus or any other apparatus by which a naked flame or naked flash may be caused.

(2) Sub-regulation (1) does not apply to a person who holds a permit under Part 4 of these regulations which allows that person to engage in the particular activity referred to in sub-regulation (1).

(3) Sub-regulation (1) does not apply to a person who is acting in accordance with a direction of the Secretary under Sections 70 or 73 of the **Catchment and Land Protection Act 1994**.

21. Game or Sport

(1) A person must not in the reserve engage in any game or sport likely to cause interference, disturbance, inconvenience or danger to other persons using the reserve.

(2) Sub-regulation (1) does not apply to a person—

- (a) who is engaged in a game or sport in an area set aside for a game or sport under Regulation 6; or
- (b) who is acting in accordance with a permit under Part 4 which allows that person to engage in a game or sport.

22. Behaviour

A person must not in the reserve—

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

23. Firearms and traps

(1) A person must not, in the reserve, possess or carry or use any firearm, trap or snare.

(2) Sub-regulation (1) does not apply to a person who is acting in accordance with a direction of the Secretary under Section 73 of the **Catchment and Land Protection Act 1994**.

(3) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).

24. Poison

(1) A person must not, in the reserve, possess or carry or use any poison.

(2) Sub-regulation (1) does not apply to a person who brings poison into the reserve—

- (a) for the immediate therapeutic needs of that person; or
- (b) in a vehicle which is within an area set aside under Regulation 6 or 7 for the passage or parking of vehicles; or
- (c) for the purpose of complying with a direction of the Secretary under Sections 70 or 73 of the **Catchment and Land Protection Act 1994**.

25. Stone or missile

A person must not in the reserve propel or throw any stone or missile which is likely to cause danger or unreasonable disturbance to other persons or to animals.

26. Alcohol

(1) A person must not in the reserve consume or be in possession of any alcohol in an area set aside under Regulation 7 as an area where the consumption or possession of alcohol is prohibited.

(2) Sub-regulation (1) does not apply to a person who consumes alcohol or is in possession of alcohol on premises licensed under the **Liquor Control Act 1987** to sell or dispose of liquor.

27. Gates

A person must not in the reserve leave any gate open except where the gate is already open.

28. Use of Amenity or Facility

(1) A person must not in the reserve enter or use an amenity or facility set aside for use of the persons of the opposite sex.

(2) Sub-regulation (1) does not apply to the entering or use of an amenity or facility by a child under the age of six years when accompanied by an adult.

29. Royalties

A person authorised by a permit under Part 4 to take stone from the reserve must pay to the Secretary the royalty specified in Schedule 22 of the Extractive Industries Regulations 1989, in respect of the type and quantity of stone taken.

30. Obstruction

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

31. Damage to Signals or Lights

Within the reserve, a person must not commit nor be an accessory to the commission of any of the following acts:

- (a) The damaging, removal, alteration or destruction of any light for navigation or otherwise or any erection, vessel, buoy, beacon, lamp, lamp-post or lamp-iron, bearing or containing the light or any cable or wire leading thereto or the extinguishing of any such light;

(b) The alteration, damaging or destruction of any signal, signal staff, buoy, beacon, pile, guiding post, semaphore or flag;

(c) The sinking, soiling, defacing, damaging or destruction of any vessel, wharf, shed, fence, wall, holding, breakwater, breastwork, embankment, drain, pipe or any property whatever.

32. Obstruction of Bay, River or Wharf

Within the reserve a person must not place any obstruction likely to cause injury to people, on the margin of a bay, river or navigable creek, including any wharf, street or road.

33. Placing Material on Road, Street or Wharf

Within the reserve, a person must not, otherwise than as directed by the committee and in accordance with those directions, discharge or unload from any vessel or vehicle any goods or packages on to any wharf or place any material or substance or draw or trail any equipment or other property of the Committee which is likely to cause damage to or obstruction of that road, street, wharf or other property.

34. Cutting or Destroying Moorings

Within the reserve, a person must not cut break or destroy the mooring or fastening of any vessel or remove, unmoor, interfere with, cast off, or take away from any wharf or area set aside for the mooring of vessels any vessel without the permission of the owner or licensee thereof or unless ordered or permitted to do so by the Committee.

35. Attaching Rope or Gear to Structures on Wharf

Within the reserve, a person must not attach any rope, tackling or other gear to any portion of any shed, crane, lamp-post or other erection on any wharf or make use of any rope, tackling or gear so attached for any purpose whatever without the prior permission of the Committee.

36. Trespassing upon Navigational Aids

Within the reserve, a person must not trespass upon, make fast to or otherwise interfere with any lighthouse, dolphin, buoy, beacon or any erection or post which supports or is adjacent to the lighthouse, dolphin, buoy or beacon.

37. Climbing on Wharves and Interfering with Machine or Equipment

Within the reserve, a person must not climb on or about the structure of any wharf above or below the deck level or on over or through any

gate or fence or interfere with any crane or hoist or electrical fittings or mains or turn any valve or cock or open or shut any fire plug or hydrant or interfere in any way with any fire equipment (except for the specific purpose of extinguishing fire) unless authorised by the Committee.

38. Removing or Interfering with Life-Saving Gear

Within the reserve a person must not remove or in any way interfere with any life-saving gear, life-hook, drag, grapnel, life-buoy or any other life-saving apparatus unless for the purpose of saving life or by a member of the Police Force in searching for drowned persons.

Part 8—General

39. Direction to leave

(1) An appointed officer or an authorised officer may direct any person whom that officer believes on reasonable grounds has contravened these regulations to leave the reserve or any part of the reserve.

(2) A person must leave the reserve or the part of the reserve immediately when directed to do so by an appointed officer or an authorised officer.

40. Exemptions

(1) These Regulations do not apply to an appointed officer, authorised officer, or employee of the Committee or a person authorised by the Committee who is acting in the course of his or her duties.

(2) A person acting in accordance with a lease, licence, tenancy or permit granted or issued under the Act or a previous enactment relating to Crown land or a lease, or licence granted under the **Port of Portland Authority Act 1958** or any corresponding previous enactment over land in the reserve is not subject to these Regulations, to the extent that the activities authorised by that lease, licence, tenancy or permit are inconsistent with these Regulations.

Notes

Contravention of regulations

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

Litter

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

Motor Vehicles

Under the Land Conservation (Vehicle Control) Regulations 1992, motor vehicles are prohibited from being within a reserve except on a road, in a parking area or in an area declared to be a free access area. A contravention may result in the imposition of penalties under those regulations.

Bicycle Path, Footway, Segregated footway or Shared Footway

The meanings of bicycle path, footway, segregated footway and shared footway in the Road Safety (Traffic) Regulations 1988 as at 1 September 1995 are—

“Bicycle path” means a way, other than a bicycle lane, defined by a bicycle way sign at its beginning, and at its end by—

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

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

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

“Segregated Footway” means a length of footway defined by means of a segregated footway sign at its beginning, and at its end by—

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

“Shared footway” means a length of footway defined by means of a shared footway sign at its beginning, and at its end by—

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

Crown Land (Reserves) Act 1978
PORTS REGULATIONS

I, Paul Mainey, Area Manager, South West Area, as delegate of the Minister for Conservation and Environment, make the following Regulations.

Dated 20 November 1995

PAUL MAINEY
Area Manager, South West Area

Part I—Preliminary

Title

1. These regulations may be cited as the Port of Port Campbell Regulations.

Objective

2. The objective of these regulations is to provide for the care, protection and management of the Port of Port Campbell.

Authorising provision

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

Commencement

4. These regulations come into operation on the date they are published in the Government Gazette.

Definitions

5. In these regulations:

“Act” means the **Crown Land (Reserves) Act 1978**.

“appointed officer” means an officer or employee of the Committee appointed in writing by the Committee as an appointed officer for the purposes of these regulations.

“authorised officer” means an authorised officer appointed under Section 83 of the **Conservation, Forests and Lands Act 1987** for the purposes of the **Land Act 1958**.

“bicycle path” has the same meaning as in the Road Safety (Traffic) Regulations 1988.

“camp” means

- (a) to erect, occupy or use a tent or any similar form of accommodation, or
- (b) to park, occupy or use a caravan or other movable form of accommodation.

"Committee" means the committee of management appointed to manage the reserve under section 14 of the Act.

"firearm" has the same meaning as in the **Firearms Act 1958**.

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

"footway" has the same meaning as in the Road Safety (Traffic) Regulations 1988.

"reserve" means that area temporarily reserved by Order in Council dated 27 June 1995 for public purposes in the Township of Port Campbell and known as allotment 11, Section 7, Township of Port Campbell.

"Secretary" means the Secretary to the Department of Conservation and Natural Resources.

"segregated footway" has the same meaning as in the Road Safety (Traffic) Regulations 1988.

"shared footway" has the same meaning as in the Road Safety (Traffic) Regulations 1988.

"vehicle" has the same meaning as in the **Road Safety Act 1986**.

"vessel" has the same meaning as in the **Marine Act 1988**.

"wharf" includes a pier, jetty, landing stage, quay, dock, slip, platform, breastwork and all approaches thereto and all sheds or other constructions thereon and storage.

Part 2—Use of the Reserve

6. Committee may set aside areas

(1) The Committee may determine that areas within the reserve be set aside for one or more of the following purposes—

- (a) the re-establishment or planting of trees, shrubs, grass or other vegetation;
- (b) parking areas;
- (c) amenities or facilities;
- (d) camping;
- (e) a bicycle path;
- (f) a footway;
- (g) a segregated footway;
- (h) a shared footway;
- (i) the playing of games or sport;
- (j) the lighting or maintaining of fires;
- (k) any other particular purpose which the Committee considers necessary for the care, protection and management of the reserve.

(2) The Committee may include in a determination under sub-regulation (1)—

- (a) details of the times or periods during which areas set aside under sub-regulation (1) may be used for the purpose for which they are set aside; and
- (b) any conditions or restrictions relating to the use by the public of those areas that the Committee considers necessary for the care, protection and management of the reserve;

(3) If the Committee has determined that an area be set aside under sub-regulation (1), the Committee must cause notices to be displayed in such a place and manner that the particulars are reasonably likely to be seen by the persons using the area, indicating—

- (a) the areas so set aside; and
- (b) the purpose for which those areas are set aside; and
- (c) any conditions or restrictions determined under sub-regulation (2) relating to the use of those areas by the public.

(4) A person must comply with a determination made under sub-regulation (1) when displayed in accordance with sub-regulation (3).

7. Prohibited or restricted access areas

(1) The Committee may determine that the whole or parts of the reserve be set aside as areas in which access is prohibited or restricted for one or more of the following purposes—

- (a) the passage of any vehicle or vehicles of a particular class;
- (b) the parking of vehicles;
- (c) the playing of games or sport;
- (d) the entry by any person accompanied by a dog or dogs under that person's control;
- (e) the collection of firewood;
- (f) the riding or leading of horses or horse-drawn vehicles;
- (g) the entry by any person with alcohol in their possession;
- (h) the entry by any person if, due to circumstances, their safety may be at risk;
- (i) swimming;
- (j) mooring of vessels;

(k) the landing, launching, or entering an area by vessels generally or vessels of a particular class or classes;

(l) a particular purpose which the Committee considers necessary for the care protection and management of the reserve.

(2) The Committee may include in a determination under sub-regulation (1) details of the time or periods when areas set aside under sub-regulation (1) must not be used for the purposes for which access to the area has been prohibited or restricted.

(3) If the Committee has determined that an area be set aside under sub-regulation (1) the Committee must cause notices to be displayed in such a place and manner that the particulars are reasonably likely to be seen by persons likely to be affected by them, indicating—

- (a) the areas set aside; and
- (b) the times or periods during which access is prohibited or restricted for those purposes.

(4) A person must comply with a determination made under sub-regulation (1) when displayed in accordance with sub-regulation (3).

(5) In determining the areas in the reserve in which access for a purpose specified in sub-regulation (1) is prohibited or restricted, the Committee must have regard to the purpose for which the land is reserved.

Part 3—Works and Improvements

8. Consent of Minister

(1) The Committee must obtain the Minister's consent before undertaking any works or improvements on the reserve.

(2) The Minister's consent is not required if the works and improvements are—

- (a) for the purpose of constructing a track or a trail, earthworks, drainage works, signs, fencing, gates, viewing facilities, toilets or other works necessary for constructing a track or trail; or
- (b) for the purpose of carrying out repairs necessary to keep the reserve in good order or appearance; or
- (c) carried out in accordance with a lease, licence, tenancy or permit granted or issued under the Act or a previous enactment relating to Crown land or a lease or licence granted under the **Port**

of Portland Authority Act 1958 or any corresponding previous enactment over part or the whole of the reserve.

Part 4—Permits, Fees and Charges

9. Issuing and cancellation of Permits

(1) The Committee may issue a permit for any purpose in the reserve for which a permit is required under these Regulations.

(2) A permit issued under sub-regulation (1) authorises the holder to enter and use the reserve—

- (a) for the purpose specified in the permit; and
- (b) for the period specified in the permit; and
- (c) subject to any terms, conditions and on payment of the fee in respect of that entry or use determined by the committee under Regulation 11 either generally or in a particular case and which are specified in the permit.

(3) The Committee or an appointed officer may revoke or cancel a permit at any time.

10. Permit to be produced

A person who holds a permit issued under this Part must produce the permit for inspection when requested to do so by the Committee or an appointed officer.

11. Fees and charges

(1) The reserve is open to the public free of charge except as otherwise determined by the Committee in accordance with sub-regulation (2).

(2) The Committee may determine such reasonable fees that it considers necessary for entry to or use of improvements, services or facilities in the reserve.

(3) A person must not enter or use the services or facilities within the reserve without paying the appropriate fee, if any, determined by the Committee under sub-regulation (2).

Part 5—Animals

12. Dogs, Horses and Other Animals

(1) A person must not bring an animal into, or allow any animal under that person's control to enter or remain in the reserve.

(2) Sub-regulation (1) does not apply to a person who—

- (a) brings a dog which is used as a guide dog into or allows that dog to remain in the reserve; or

- (b) brings a dog which is restrained by a hand lead or cord into or allows that dog to remain in the reserve in an area set aside under Regulation 7 as an area where dogs are permitted; or
- (c) brings a horse into or allows that horse to remain in the reserve in an area set aside under Regulation 7 as an area where horses are permitted; or
- (d) brings into or allows to remain in the reserve an animal for which that person has been granted a permit under Part 4 to allow that animal to enter or remain in the reserve.

(3) A person who brings a dog or horse into or allows a dog or horse under that person's control to enter or remain in the reserve must ensure that the dog or horse is prevented from interfering with or causing unreasonable disturbance to people or other animals in the reserve.

(4) A person must not in the reserve shoot, trap, maim, injure, kill or destroy any animal.

(5) A person must not disturb, interfere with or destroy any animal or its lair or nest.

(6) Sub-regulations (4) and (5) do not apply to a person who is acting in accordance with a direction of the Secretary under Section 73 of the **Catchment and Land Protection Act 1994**.

Part 6—Vehicles

13. Driving and parking vehicles

(1) A person must not drive a vehicle in the reserve.

(2) Sub-regulation (1) does not apply to a person who drives a vehicle in an area set aside by the Committee under Regulation 7 for the passage of vehicles or in an area set aside by the Committee under Regulation 6 or 7 as a parking area during the times determined by the Committee and indicated by signs.

(3) A person must not park or leave a vehicle standing in the reserve.

(4) Sub-regulation (3) does not apply to a person who parks a vehicle or leaves a vehicle standing in an area set aside by the Committee under Regulation 6 or 7 as a parking area in accordance with the times and manner of parking determined by the Committee and indicated by signs.

(5) A person in charge of a vehicle must not move that vehicle in contravention of a sign which specifies the direction of movement or speed of vehicles in the reserve.

(6) An appointed officer or an authorised officer may order a person in charge of a vehicle to move the vehicle if that vehicle is—

- (a) parked or left standing contrary to these Regulations; or
- (b) in the opinion of the appointed officer or authorised officer a danger to people using the reserve; or
- (c) in the opinion of the appointed officer or authorised officer obstructing or likely to obstruct the passage or parking of vehicles.

Part 7—General Control of the Reserve

14. Camping

(1) A person must not camp within the reserve.

(2) Sub-regulation (1) does not apply to a person who camps in an area set aside by the Committee under Regulation 6 for the purpose of camping.

15. Vegetation, Soil, Buildings and Structures

(1) Within the reserve, a person must not—

- (a) remove, cut, damage, displace, deface or interfere with any rock, timber, tree, shrub, plant, wildflower or other vegetation or any sign, notice board, seat, table, gate, post, fence, bridge, building, structure or any other thing of a like nature;
- (b) dig up, remove or deposit any gravel, stone, shell-grit, sand, soil or loam;
- (c) enter any area which is set aside under regulation 6 (1) for the re-establishment or planting of trees, shrubs grass or other vegetation.
- (d) plant or introduce any seed, tree, shrub, fern or other vegetation or any part of any tree, shrub or other vegetation.
- (e) write on any wharf, building, wall, fence, rail, hoarding, post, board, buoy, beacon or vessel under the control of the Committee or attach any printed or written matter, picture or inscription thereto without the prior written permission of the Committee.

(2) Sub-regulation (1) does not apply to—

- (a) a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1); or

- (b) a person who is acting in accordance with a direction of the Secretary under Section 70 of the **Catchment and Land Protection Act 1994**.
- (c) a person acting in accordance with a lease, licence, permit or other authority under the **Extractive Industries Act 1966** or the **Mineral Resources Development Act 1990**.
16. Fire
- (1) A person must not light or maintain a fire in the reserve.
- (2) Sub-regulation (1) does not apply to a person who lights or maintains a fire in—
- (a) a fireplace provided by the Committee or in a portable barbecue or in a fuel stove; or
- (b) in an area set aside by the Committee under regulation 6 (1) for the purpose of lighting or maintaining a fire and at a time and during a period when the lighting of fires is not prohibited under any Act.
- (3) A person must not leave unextinguished or unattended a fire which that person has lit or maintained in the manner referred to in sub-regulation (2);
- (4) A person who has lit, maintained or has been left in charge of a fire must before leaving the fire
- (i) completely extinguish the fire; or
- (ii) ensure that a suitable person is in charge of the fire.
17. Commercial Activities
- (1) Within the reserve a person must not—
- (a) sell or offer any article for sale;
- (b) take photographs for gain or commercial purposes;
- (c) ply any vehicle for hire or carry any passengers for fee or reward;
- (d) conduct any school or provide any form of instruction for gain;
- (e) advertise for sale or trade or hire any article, device, service or thing;
- (f) solicit or collect money or orders for goods or services;
- (g) take part in or advertise any entertainment for gain;
- (h) give out, distribute, erect, leave set up or display any handbill, placard, notice, pamphlet, book, paper, advertising matter or any like thing;
- (i) offer for hire any article, device or thing
- (j) conduct a tour for gain or for commercial purposes.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).
18. Entry, occupation and use of buildings
- (1) Within the reserve, a person must not—
- (a) enter, occupy or use the whole or any part of any building, booth, shed or structure unless the same is set aside as an amenity or facility for public use;
- (b) erect or place therein any building booth, shed or structure.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).
19. Public Address
- (1) Within the reserve a person must not preach or deliver an address or use any amplifier, public address system, loud hailer or similar device.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).
20. Machinery and Power Tools
- (1) Within the reserve a person must not operate any portable or stationary generator, air-compressor, chainsaw, oxy-acetylene or electrical cutting and welding apparatus or any other apparatus by which a naked flame or naked flash may be caused.
- (2) Sub-regulation (1) does not apply to a person who holds a permit under Part 4 of these regulations which allows that person to engage in the particular activity referred to in sub-regulation (1).
- (3) Sub-regulation (1) does not apply to a person who is acting in accordance with a direction of the Secretary under Sections 70 or 73 of the **Catchment and Land Protection Act 1994**.
21. Game or Sport
- (1) A person must not in the reserve engage in any game or sport likely to cause interference, disturbance, inconvenience or danger to other persons using the reserve.

(2) Sub-regulation (1) does not apply to a person—

- (a) who is engaged in a game or sport in an area set aside for a game or sport under Regulation 6; or
- (b) who is acting in accordance with a permit under Part 4 which allows that person to engage in a game or sport.

22. Behaviour

A person must not in the reserve—

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

23. Firearms and traps

(1) A person must not, in the reserve, possess or carry or use any firearm, trap or snare.

(2) Sub-regulation (1) does not apply to a person who is acting in accordance with a direction of the Secretary under Section 73 of the **Catchment and Land Protection Act 1994**.

(3) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).

24. Poison

(1) A person must not, in the reserve, possess or carry or use any poison.

(2) Sub-regulation (1) does not apply to a person who brings poison into the reserve—

- (a) for the immediate therapeutic needs of that person; or
- (b) in a vehicle which is within an area set aside under Regulation 6 or 7 for the passage or parking of vehicles; or
- (c) for the purpose of complying with a direction of the Secretary under Sections 70 or 73 of the **Catchment and Land Protection Act 1994**.

25. Stone or missile

A person must not in the reserve propel or throw any stone or missile which is likely to cause danger or unreasonable disturbance to other persons or to animals.

26. Alcohol

(1) A person must not in the reserve consume or be in possession of any alcohol in an area set aside under Regulation 7 as an area where the consumption or possession of alcohol is prohibited.

(2) Sub-regulation (1) does not apply to a person who consumes alcohol or is in possession of alcohol on premises licensed under the **Liquor Control Act 1987** to sell or dispose of liquor.

27. Gates

A person must not in the reserve leave any gate open except where the gate is already open.

28. Use of Amenity or Facility

(1) A person must not in the reserve enter or use an amenity or facility set aside for use of the persons of the opposite sex.

(2) Sub-regulation (1) does not apply to the entering or use of an amenity or facility by a child under the age of six years when accompanied by an adult.

29. Royalties

A person authorised by a permit under Part 4 to take stone from the reserve must pay to the Secretary the royalty specified in Schedule 22 of the Extractive Industries Regulations 1989, in respect of the type and quantity of stone taken.

30. Obstruction

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

31. Damage to Signals or Lights

Within the reserve, a person must not commit nor be an accessory to the commission of any of the following acts:

- (a) The damaging, removal, alteration or destruction of any light for navigation or otherwise or any erection, vessel, buoy, beacon, lamp, lamp-post or lamp-iron, bearing or containing the light or any cable or wire leading thereto or the extinguishing of any such light;
- (b) The alteration, damaging or destruction of any signal, signal staff, buoy, beacon, pile, guiding post, semaphor or flag;
- (c) The sinking, soiling, defacing, damaging or destruction of any vessel, wharf, shed, fence, wall, holding, breakwater, breastwork, embankment, drain, pipe or any property whatever.

32. Obstruction of Bay, River or Wharf

Within the reserve a person must not place any obstruction likely to cause injury to people, on the margin of a bay, river or navigable creek, including any wharf, street or road.

33. Placing Material on Road, Street or Wharf

Within the reserve, a person must not, otherwise than as directed by the committee and in accordance with those directions, discharge or unload from any vessel or vehicle any goods or packages on to any wharf or place any material or substance or draw or trail any equipment or other property of the Committee which is likely to cause damage to or obstruction of that road, street, wharf or other property.

34. Cutting or Destroying Moorings

Within the reserve, a person must not cut break or destroy the mooring or fastening of any vessel or remove, unmoor, interfere with, cast off, or take away from any wharf or area set aside for the mooring of vessels any vessel without the permission of the owner or licensee thereof or unless ordered or permitted to do so by the Committee.

35. Attaching Rope or Gear to Structures on Wharf

Within the reserve, a person must not attach any rope, tackling or other gear to any portion of any shed, crane, lamp-post or other erection on any wharf or make use of any rope, tackling or gear so attached for any purpose whatever without the prior permission of the Committee.

36. Trespassing upon Navigational Aids

Within the reserve, a person must not trespass upon, make fast to or otherwise interfere with any lighthouse, dolphin, buoy, beacon or any erection or post which supports or is adjacent to the lighthouse, dolphin, buoy or beacon.

37. Climbing on Wharves and Interfering with Machine or Equipment

Within the reserve, a person must not climb on or about the structure of any wharf above or below the deck level or on over or through any gate or fence or interfere with any crane or hoist or electrical fittings or mains or turn any valve or cock or open or shut any fire plug or hydrant or interfere in any way with any fire equipment (except for the specific purpose of extinguishing fire) unless authorised by the Committee.

38. Removing or Interfering with Life-Saving Gear

Within the reserve a person must not remove or in any way interfere with any life-saving gear, life-hook, drag, grapnel, life-buoy or any other life-saving apparatus unless for the purpose of saving life or by a member of the Police Force in searching for drowned persons.

Part 8—General

39. Direction to leave

(1) An appointed officer or an authorised officer may direct any person whom that officer believes on reasonable grounds has contravened these regulations to leave the reserve or any part of the reserve.

(2) A person must leave the reserve or the part of the reserve immediately when directed to do so by an appointed officer or an authorised officer.

40. Exemptions

(1) These Regulations do not apply to an appointed officer, authorised officer, or employee of the Committee or a person authorised by the Committee who is acting in the course of his or her duties.

(2) A person acting in accordance with a lease, licence, tenancy or permit granted or issued under the Act or a previous enactment relating to Crown land or a lease, or licence granted under the **Port of Portland Authority Act 1958** or any corresponding previous enactment over land in the reserve is not subject to these Regulations, to the extent that the activities authorised by that lease, licence, tenancy or permit are inconsistent with these Regulations.

Notes

Contravention of regulations

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

Litter

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

Motor Vehicles

Under the Land Conservation (Vehicle Control) Regulations 1992, motor vehicles are prohibited from being within a reserve except on a road, in a parking area or in an area declared to be a free access area. A contravention may result in the imposition of penalties under those regulations.

Bicycle Path, Footway, Segregated footway or Shared Footway

The meanings of bicycle path, footway, segregated footway and shared footway in the Road Safety (Traffic) Regulations 1988 as at 1 September 1995 are—

"Bicycle path" means a way, other than a bicycle lane, defined by a bicycle way sign at its beginning, and at its end by—

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

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

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

"Segregated Footway" means a length of footway defined by means of a segregated footway sign at its beginning, and at its end by—

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

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

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

Crown Land (Reserves) Act 1978
PORTS REGULATIONS

I, Paul Mainey, Area Manager, South West Area, as delegate of the Minister for Conservation and Environment, make the following Regulations.

Dated 20 November 1995

PAUL MAINEY
Area Manager, South West Area

Part 1—Preliminary

Title

1. These regulations may be cited as the Port of Warrnambool Regulations.

Objective

2. The objective of these regulations is to provide for the care, protection and management of the Port of Warrnambool.

Authorising provision

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

Commencement

4. These regulations come into operation on the date they are published in the Government Gazette.

Definitions

5. In these regulations:

"Act" means the **Crown Land (Reserves) Act 1978**.

"appointed officer" means an officer or employee of the Committee appointed in writing by the Committee as an appointed officer for the purposes of these regulations.

"authorised officer" means an authorised officer appointed under Section 83 of the **Conservation, Forests and Lands Act 1987** for the purposes of the **Land Act 1958**.

"bicycle path" has the same meaning as in the Road Safety (Traffic) Regulations 1988.

"camp" means

- (a) to erect, occupy or use a tent or any similar form of accommodation, or
- (b) to park, occupy or use a caravan or other movable form of accommodation.

"Committee" means the committee of management appointed to manage the reserve under section 14 of the Act.

"firearm" has the same meaning as in the **Firearms Act 1958**.

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

"footway" has the same meaning as in the Road Safety (Traffic) Regulations 1988.

"segregated footway" has the same meaning as in the Road Safety (Traffic) Regulations 1988.

“shared footway” has the same meaning as in the Road Safety (Traffic) Regulations 1988.

“Secretary” means the Secretary to the Department of Conservation and Natural Resources.

“vessel” has the same meaning as the **Marine Act 1988**.

“vehicle” has the same meaning as in the **Road Safety Act 1986**.

“reserve” means Public purposes reserve, 4 hectares, more or less, being Crown Allotment 3B, Section 3A, Township of Warrnambool, Parish of Wangoom.

“wharf” includes a pier, jetty, landing stage, quay, dock, slip, platform, breastwork and all approaches thereto and all sheds or other constructions thereon and storage.

Part 2—Use of the Reserve

6. Committee may set aside areas

(1) The Committee may determine that areas within the reserve be set aside for one or more of the following purposes—

- (a) the re-establishment or planting of trees, shrubs, grass or other vegetation;
- (b) parking areas;
- (c) amenities or facilities;
- (d) camping;
- (e) a bicycle path;
- (f) a footway;
- (g) a segregated footway;
- (h) a shared footway;
- (i) the playing of games or sport;
- (j) the lighting or maintaining of fires;
- (k) any other particular purpose which the Committee considers necessary for the care, protection and management of the reserve.

(2) The Committee may include in a determination under sub-regulation (1)—

- (a) details of the times or periods during which areas set aside under sub-regulation (1) may be used for the purpose for which they are set aside; and
- (b) any conditions or restrictions relating to the use by the public of those areas that the Committee considers necessary for the care, protection and management of the reserve;

(3) If the Committee has determined that an area be set aside under sub-regulation (1), the Committee must cause notices to be displayed in

such a place and manner that the particulars are reasonably likely to be seen by the persons using the area, indicating—

- (a) the areas so set aside; and
- (b) the purpose for which those areas are set aside; and
- (c) any conditions or restrictions determined under sub-regulation (2) relating to the use of those areas by the public.

(4) A person must comply with a determination made under sub-regulation (1) when displayed in accordance with sub-regulation (3).

7. Prohibited or restricted access areas

(1) The Committee may determine that the whole or parts of the reserve be set aside as areas in which access is prohibited or restricted for one or more of the following purposes—

- (a) the passage of any vehicle or vehicles of a particular class;
- (b) the parking of vehicles;
- (c) the playing of games or sport;
- (d) the entry by any person accompanied by a dog or dogs under that person's control;
- (e) the collection of firewood;
- (f) the riding or leading of horses or horse-drawn vehicles;
- (g) the entry by any person with alcohol in their possession;
- (h) the entry by any person if, due to circumstances, their safety may be at risk;
- (i) swimming;
- (j) mooring of vessels;
- (k) the landing, launching, or entering an area by vessels generally or vessels of a particular class or classes;
- (l) a particular purpose which the Committee considers necessary for the care protection and management of the reserve.

(2) The Committee may include in a determination under sub-regulation (1) details of the time or periods when areas set aside under sub-regulation (1) must not be used for the purposes for which access to the area has been prohibited or restricted.

(3) If the Committee has determined that an area be set aside under sub-regulation (1) the Committee must cause notices to be displayed in

such a place and manner that the particulars are reasonably likely to be seen by persons likely to be affected by them, indicating—

- (a) the areas set aside; and
- (b) the times or periods during which access is prohibited or restricted for those purposes.

(4) A person must comply with a determination made under sub-regulation (1) when displayed in accordance with sub-regulation (3).

(5) In determining the areas in the reserve in which access for a purpose specified in sub-regulation (1) is prohibited or restricted, the Committee must have regard to the purpose for which the land is reserved.

Part 3—Works and Improvements

8. Consent of Minister

(1) The Committee must obtain the Minister's consent before undertaking any works or improvements on the reserve.

(2) The Minister's consent is not required if the works and improvements are—

- (a) for the purpose of constructing a track or a trail, earthworks, drainage works, signs, fencing, gates, viewing facilities, toilets or other works necessary for constructing a track or trail; or
- (b) for the purpose of carrying out repairs necessary to keep the reserve in good order or appearance; or
- (c) carried out in accordance with a lease, licence, tenancy or permit granted or issued under the Act or a previous enactment relating to Crown land or a lease or licence granted under the **Port of Portland Authority Act 1958** or any corresponding previous enactment over part or the whole of the reserve.

Part 4—Permits, Fees and Charges

9. Issuing and cancellation of Permits

(1) The Committee may issue a permit for any purpose in the reserve for which a permit is required under these Regulations.

(2) A permit issued under sub-regulation (1) authorises the holder to enter and use the reserve—

- (a) for the purpose specified in the permit; and
- (b) for the period specified in the permit; and

- (c) subject to any terms, conditions and on payment of the fee in respect of that entry or use determined by the committee under Regulation 11 either generally or in a particular case and which are specified in the permit.

(3) The Committee or an appointed officer may revoke or cancel a permit at any time.

10. Permit to be produced

A person who holds a permit issued under this Part must produce the permit for inspection when requested to do so by the Committee or an appointed officer.

11. Fees and charges

(1) The reserve is open to the public free of charge except as otherwise determined by the Committee in accordance with sub-regulation (2).

(2) The Committee may determine such reasonable fees that it considers necessary for entry to or use of improvements, services or facilities in the reserve.

(3) A person must not enter or use the services or facilities within the reserve without paying the appropriate fee, if any, determined by the Committee under sub-regulation (2).

Part 5—Animals

12. Dogs, Horses and Other Animals

(1) A person must not bring an animal into, or allow any animal under that person's control to enter or remain in the reserve.

(2) Sub-regulation (1) does not apply to a person who—

- (a) brings a dog which is used as a guide dog into or allows that dog to remain in the reserve; or
- (b) brings a dog which is restrained by a hand lead or cord into or allows that dog to remain in the reserve in an area set aside under Regulation 7 as an area where dogs are permitted; or
- (c) brings a horse into or allows that horse to remain in the reserve in an area set aside under Regulation 7 as an area where horses are permitted; or
- (d) brings into or allows to remain in the reserve an animal for which that person has been granted a permit under Part 4 to allow that animal to enter or remain in the reserve.

(3) A person who brings a dog or horse into or allows a dog or horse under that person's control to enter or remain in the reserve must

ensure that the dog or horse is prevented from interfering with or causing unreasonable disturbance to people or other animals in the reserve.

(4) A person must not in the reserve shoot, trap, maim, injure, kill or destroy any animal.

(5) A person must not disturb, interfere with or destroy any animal or its lair or nest.

(6) Sub-regulations (4) and (5) do not apply to a person who is acting in accordance with a direction of the Secretary under Section 73 of the **Catchment and Land Protection Act 1994**.

Part 6—Vehicles

13. Driving and parking vehicles

(1) A person must not drive a vehicle in the reserve.

(2) Sub-regulation (1) does not apply to a person who drives a vehicle in an area set aside by the Committee under Regulation 7 for the passage of vehicles or in an area set aside by the Committee under Regulation 6 or 7 as a parking area during the times determined by the Committee and indicated by signs.

(3) A person must not park or leave a vehicle standing in the reserve.

(4) Sub-regulation (3) does not apply to a person who parks a vehicle or leaves a vehicle standing in an area set aside by the Committee under Regulation 6 or 7 as a parking area in accordance with the times and manner of parking determined by the Committee and indicated by signs.

(5) A person in charge of a vehicle must not move that vehicle in contravention of a sign which specifies the direction of movement or speed of vehicles in the reserve.

(6) An appointed officer or an authorised officer may order a person in charge of a vehicle to move the vehicle if that vehicle is—

- (a) parked or left standing contrary to these Regulations; or
- (b) in the opinion of the appointed officer or authorised officer a danger to people using the reserve; or
- (c) in the opinion of the appointed officer or authorised officer obstructing or likely to obstruct the passage or parking of vehicles.

Part 7—General Control of the Reserve

14. Camping

(1) A person must not camp within the reserve.

(2) Sub-regulation (1) does not apply to a person who camps in an area set aside by the Committee under Regulation 6 for the purpose of camping.

15. Vegetation, Soil, Buildings and Structures

(1) Within the reserve, a person must not—

- (a) remove, cut, damage, displace, deface or interfere with any rock, timber, tree, shrub, plant, wildflower or other vegetation or any sign, notice board, seat, table, gate, post, fence, bridge, building, structure or any other thing of a like nature;
- (b) dig up, remove or deposit any gravel, stone, shell-grit, sand, soil or loam;
- (c) enter any area which is set aside under regulation 6 (1) for the re-establishment or planting of trees, shrubs grass or other vegetation.
- (d) plant or introduce any seed, tree, shrub, fern or other vegetation or any part of any tree, shrub or other vegetation.
- (e) write on any wharf, building, wall, fence, rail, hoarding, post, board, buoy, beacon or vessel under the control of the Committee or attach any printed or written matter, picture or inscription thereto without the prior written permission of the Committee.

(2) Sub-regulation (1) does not apply to—

- (a) a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1); or
- (b) a person who is acting in accordance with a direction of the Secretary under Section 70 of the **Catchment and Land Protection Act 1994**.
- (c) a person acting in accordance with a lease, licence, permit or other authority under the **Extractive Industries Act 1966** or the **Mineral Resources Development Act 1990**.

16. Fire

(1) A person must not light or maintain a fire in the reserve.

(2) Sub-regulation (1) does not apply to a person who lights or maintains a fire in—

- (a) a fireplace provided by the Committee or in a portable barbecue or in a fuel stove; or

(b) in an area set aside by the Committee under regulation 6 (1) for the purpose of lighting or maintaining a fire and at a time and during a period when the lighting of fires is not prohibited under any Act.

(3) A person must not leave unextinguished or unattended a fire which that person has lit or maintained in the manner referred to in sub-regulation (2);

(4) A person who has lit, maintained or has been left in charge of a fire must before leaving the fire

- (i) completely extinguish the fire; or
- (ii) ensure that a suitable person is in charge of the fire.

17. Commercial Activities

(1) Within the reserve a person must not—

- (a) sell or offer any article for sale;
- (b) take photographs for gain or commercial purposes;
- (c) ply any vehicle for hire or carry any passengers for fee or reward;
- (d) conduct any school or provide any form of instruction for gain;
- (e) advertise for sale or trade or hire any article, device, service or thing;
- (f) solicit or collect money or orders for goods or services;
- (g) take part in or advertise any entertainment for gain;
- (h) give out, distribute, erect, leave set up or display any handbill, placard, notice, pamphlet, book, paper, advertising matter or any like thing;
- (i) offer for hire any article, device or thing
- (j) conduct a tour for gain or for commercial purposes.

(2) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).

18. Entry, occupation and use of buildings

(1) Within the reserve, a person must not—

- (a) enter, occupy or use the whole or any part of any building, booth, shed or structure unless the same is set aside as an amenity or facility for public use;
- (b) erect or place therein any building booth, shed or structure.

(2) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).

19. Public Address

(1) Within the reserve a person must not preach or deliver an address or use any amplifier, public address system, loud hailer or similar device.

(2) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).

20. Machinery and Power Tools

(1) Within the reserve a person must not operate any portable or stationary generator, air-compressor, chainsaw, oxy-acetylene or electrical cutting and welding apparatus or any other apparatus by which a naked flame or naked flash may be caused.

(2) Sub-regulation (1) does not apply to a person who holds a permit under Part 4 of these regulations which allows that person to engage in the particular activity referred to in sub-regulation (1).

(3) Sub-regulation (1) does not apply to a person who is acting in accordance with a direction of the Secretary under Sections 70 or 73 of the **Catchment and Land Protection Act 1994**.

21. Game or Sport

(1) A person must not in the reserve engage in any game or sport likely to cause interference, disturbance, inconvenience or danger to other persons using the reserve.

(2) Sub-regulation (1) does not apply to a person—

- (a) who is engaged in a game or sport in an area set aside for a game or sport under Regulation 6; or
- (b) who is acting in accordance with a permit under Part 4 which allows that person to engage in a game or sport.

22. Behaviour

A person must not in the reserve—

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

23. Firearms and traps

(1) A person must not, in the reserve, possess or carry or use any firearm, trap or snare.

(2) Sub-regulation (1) does not apply to a person who is acting in accordance with a direction of the Secretary under Section 73 of the **Catchment and Land Protection Act 1994**.

(3) Sub-regulation (1) does not apply to a person who holds a current permit under Part 4 which allows that person to engage in the particular activity referred to in sub-regulation (1).

24. Poison

(1) A person must not, in the reserve, possess or carry or use any poison.

(2) Sub-regulation (1) does not apply to a person who brings poison into the reserve—

- (a) for the immediate therapeutic needs of that person; or
- (b) in a vehicle which is within an area set aside under Regulation 6 or 7 for the passage or parking of vehicles; or
- (c) for the purpose of complying with a direction of the Secretary under Sections 70 or 73 of the **Catchment and Land Protection Act 1994**.

25. Stone or missile

A person must not in the reserve propel or throw any stone or missile which is likely to cause danger or unreasonable disturbance to other persons or to animals.

26. Alcohol

(1) A person must not in the reserve consume or be in possession of any alcohol in an area set aside under Regulation 7 as an area where the consumption or possession of alcohol is prohibited.

(2) Sub-regulation (1) does not apply to a person who consumes alcohol or is in possession of alcohol on premises licensed under the **Liquor Control Act 1987** to sell or dispose of liquor.

27. Gates

A person must not in the reserve leave any gate open except where the gate is already open.

28. Use of Amenity or Facility

(1) A person must not in the reserve enter or use an amenity or facility set aside for use of the persons of the opposite sex.

(2) Sub-regulation (1) does not apply to the entering or use of an amenity or facility by a child under the age of six years when accompanied by an adult.

29. Royalties

A person authorised by a permit under Part 4 to take stone from the reserve must pay to the Secretary the royalty specified in Schedule 22 of the Extractive Industries Regulations 1989, in respect of the type and quantity of stone taken.

30. Obstruction

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

31. Damage to Signals or Lights

Within the reserve, a person must not commit nor be an accessory to the commission of any of the following acts:

- (a) The damaging, removal, alteration or destruction of any light for navigation or otherwise or any erection, vessel, buoy, beacon, lamp, lamp-post or lamp-iron, bearing or containing the light or any cable or wire leading thereto or the extinguishing of any such light;
- (b) The alteration, damaging or destruction of any signal, signal staff, buoy, beacon, pile, guiding post, semaphore or flag;
- (c) The sinking, soiling, defacing, damaging or destruction of any vessel, wharf, shed, fence, wall, holding, breakwater, breastwork, embankment, drain, pipe or any property whatever.

32. Obstruction of Bay, River or Wharf

Within the reserve a person must not place any obstruction likely to cause injury to people, on the margin of a bay, river or navigable creek, including any wharf, street or road.

33. Placing Material on Road, Street or Wharf

Within the reserve, a person must not, otherwise than as directed by the committee and in accordance with those directions, discharge or unload from any vessel or vehicle any goods or packages on to any wharf or place any material or substance or draw or trail any equipment or other property of the Committee which is likely to cause damage to or obstruction of that road, street, wharf or other property.

34. Cutting or Destroying Moorings

Within the reserve, a person must not cut break or destroy the mooring or fastening of any vessel or remove, unmoor, interfere with, cast off, or take away from any wharf or area set aside for the mooring of vessels any vessel without the permission of the owner or licensee thereof or unless ordered or permitted to do so by the Committee.

35. Attaching Rope or Gear to Structures on Wharf

Within the reserve, a person must not attach any rope, tackling or other gear to any portion of any shed, crane, lamp-post or other erection on any wharf or make use of any rope, tackling or gear so attached for any purpose whatever without the prior permission of the Committee.

36. Trespassing upon Navigational Aids

Within the reserve, a person must not trespass upon, make fast to or otherwise interfere with any lighthouse, dolphin, buoy, beacon or any erection or post which supports or is adjacent to the lighthouse, dolphin, buoy or beacon.

37. Climbing on Wharves and Interfering with Machine or Equipment

Within the reserve, a person must not climb on or about the structure of any wharf above or below the deck level or on over or through any gate or fence or interfere with any crane or hoist or electrical fittings or mains or turn any valve or cock or open or shut any fire plug or hydrant or interfere in any way with any fire equipment (except for the specific purpose of extinguishing fire) unless authorised by the Committee.

38. Removing or Interfering with Life-Saving Gear

Within the reserve a person must not remove or in any way interfere with any life-saving gear, life-hook, drag, grapnel, life-buoy or any other life-saving apparatus unless for the purpose of saving life or by a member of the Police Force in searching for drowned persons.

Part 8—General

39. Direction to leave

(1) An appointed officer or an authorised officer may direct any person whom that officer believes on reasonable grounds has contravened these regulations to leave the reserve or any part of the reserve.

(2) A person must leave the reserve or the part of the reserve immediately when directed to do so by an appointed officer or an authorised officer.

40. Exemptions

(1) These Regulations do not apply to an appointed officer, authorised officer, or employee of the Committee or a person authorised by the Committee who is acting in the course of his or her duties.

(2) A person acting in accordance with a lease, licence, tenancy or permit granted or issued under the Act or a previous enactment relating to Crown land or a lease, or licence granted under the **Port of Portland Authority Act 1958** or any corresponding previous enactment over land in the reserve is not subject to these Regulations, to the extent that the activities authorised by that lease, licence, tenancy or permit are inconsistent with these Regulations.

Notes

Contravention of regulations

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

Litter

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

Motor Vehicles

Under the Land Conservation (Vehicle Control) Regulations 1992, motor vehicles are prohibited from being within a reserve except on a road, in a parking area or in an area declared to be a free access area. A contravention may result in the imposition of penalties under those regulations.

Bicycle Path, Footway, Segregated footway or Shared Footway

The meanings of bicycle path, footway, segregated footway and shared footway in the Road Safety (Traffic) Regulations 1988 as at 1 September 1995 are—

“Bicycle path” means a way, other than a bicycle lane, defined by a bicycle way sign at its beginning, and at its end by—

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

(f) a dead end—

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

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

“Segregated Footway” means a length of footway defined by means of a segregated footway sign at its beginning, and at its end by—

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

“Shared footway” means a length of footway defined by means of a shared footway sign at its beginning, and at its end by—

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

Water Act 1989

I, Charles Geoffrey Coleman, as Minister administering the **Water Act 1989**, make the following Order:

**APPOINTMENT OF THE KIEWA MURRAY
REGION WATER AUTHORITY ORDER
1995 No. 3**

Citation

1. This Order is called the Appointment of the Kiewa Murray Region Water Authority Order 1995 No.3.

Enabling Powers

2. This Order is made under the powers conferred by Division 2 of Part 6 of the **Water Act 1989** and all other available powers.

Date of Effect

3. This Order takes effect on and from 1 December 1995.

Definitions

4. In this Order:

“Act” means the **Water Act 1989**.

“Council” means the Wodonga Rural City Council in performing its functions and exercising its powers under the **Local Government Act 1989** in respect of the Ebden Water Supply system.

Takeover of Former Authority

5. On and from the date on which this Order takes effect the Kiewa Murray Region Water Authority is appointed to take over the whole of the property, rights, liabilities, obligations, powers and functions under the Act of the Council including the management and control of the existing water supply system named below:

Ebden Water Supply System

Transfer of Staff

6. There will be no transfer of staff.

Pre-requisites for Making This Order

- 7.(a) This is an Order referred to in section 98 (2) (a) of the Act.
- (b) Under section 100 (2) (a) of the Act, the affected Authorities, the Kiewa Murray Region Water Authority and the Wodonga Rural City Council, have applied to me for this Order to be made.
- (c) Under section 98 (2) (a) of the Act, I have agreed to the terms and conditions for the takeover made by this Order with the affected Authorities.
- (d) Under section 100 (2) (b) (i) of the Act, I have consulted with the Minister administering the **Local Government Act 1989** as a council is affected.

GEOFF COLEMAN
Minister for Natural Resources

ORDERS IN 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 altering Historic Building No. 777.

Tintaldra General Store and Former Bakery, Main Street, Tintaldra, Shire of Towong.

Extent:

From:

All buildings and land known as the Tintaldra General Store and Former Bakery, included in the Register Book Certificate of Title Volume 6066, Folio 089.

To:

To the extent of

1. All of the buildings known as the Tintaldra General Store and Former Bakery and marked B-1 and B-2 on Plan 600369 signed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. Part of the land contained in Certificate of Title Volume 10248, Folio 863 and marked L-1 on plan number 600369 signed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister

ROBERT MACLELLAN

Minister for Planning

KATHY WILSON
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. 1120.

Inglewood Court House, Southey Street, Inglewood, Shire of Loddon.

Extent:

1. All of the building known as the Inglewood Court House, marked B-1 on Plan 600121 endorsed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. All of the land known as Crown Allotment 4A, Section 22, Township of Inglewood marked L-1 on Plan 600121 endorsed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister

ROBERT MACLELLAN

Minister for Planning

KATHY WILSON
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. 1121.

Former Gaelic Church and Schoolhouse, 271 La Trobe Terrace, Geelong, City of Greater Geelong.

Extent:

1. All of the building known as the former Gaelic church and schoolhouse marked B-1 on Plan 604437 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. All of the land marked L-1 on Plan 604437 being part of the land described in Certificate of Title Volume 9509 Folio 814 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister

ROBERT MACLELLAN

Minister for Planning

KATHY WILSON
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. 1122.

Mt Zion Particular Baptist Church, 10 Little Ryrie Street, Geelong, City of Greater Geelong.

Extent:

1. All of the building known as Mt Zion Particular Baptist Church marked B-1 on Plan 605989 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. All of the land described in Memorial No. 870 Book 857 marked L-1 on Plan 605989 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister
ROBERT MACLELLAN
Minister for Planning

KATHY WILSON
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. 1123.

Church of Christ, corner La Trobe Terrace and Little Myers Street, Geelong, City of Greater Geelong.

Extent:

1. All of the building known as the Church of Christ, excluding the attached hall, marked B-1 on Plan 606035 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. All of the land described in Memorial No. 637, Book 545 marked L-1 on Plan 606035 and endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister
ROBERT MACLELLAN
Minister for Planning

KATHY WILSON
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. 1124.

Residence, 9 Gertrude Street, Geelong West, City of Greater Geelong.

Extent:

1. All of the building known as 9 Gertrude Street marked B-1 and the garage marked B-2 excluding the recent addition on Plan 601499 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. All the of the Land described in Certificate of Title Volume 4638 Folio 927565 marked L-1 on Plan 601499 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister
ROBERT MACLELLAN
Minister for Planning

KATHY WILSON
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. 1125.

St George the Martyr Church and Parish Hall, corner of Hobson and Mercer Streets, Queenscliff, Borough of Queenscliffe.

Extent:

1. All of the buildings known as St George The Martyr Church, marked B-1 and Parish Hall, marked B-2 on Plan 600674 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. All of the land described in Certificate of Title Volume 8954 Folio 620 marked L-1 on Plan 600674 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister
ROBERT MACLELLAN
Minister for Planning

KATHY WILSON
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. 1127.

Claremont, 143 Noble Street, Newtown, City of Greater Geelong.

Extent:

1. All of the buildings known as Claremont, comprising the main house marked B-1, the 1910 glasshouse marked B-2, the stables marked B-3 and the weatherboard laundry block marked B-4 on Plan 606727 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. All of the land described in Certificates of Title Volume 9374 Folio 448 and Volume 9374 Folio 449 marked L-1 on Plan 606727 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister
ROBERT MACLELLAN
Minister for Planning

KATHY WILSON
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. 1136.

Emerald Hill Estate, Clarendon, Park, Cecil, Dorcas, Marshall, Fishley, Layfield, Perrins and Banks Streets, South Melbourne, City of Port Phillip.

Extent:

To the extent of:

1. All the buildings known as 284-326 Clarendon Street, 328-362 Clarendon Street, 242-244 Park Street, 248-264 Park Street, 268-286 Park Street, 292 Park Street, 159-179 Cecil Street, 181 Cecil Street, 183-203 Cecil Street, 239-255 Dorcas Street, 259-273 Dorcas Street, 277 Dorcas Street, 2 Marshall Street, 3-11 Perrins Street, 6-14 Perrins Street, 189-193 Bank Street, 190-198 Bank Street, 227-239 Bank Street and 230-238 Bank Street South

Melbourne marked on Plan 603410 endorsed by the Chair, Historic Buildings Council, and held by the Director, Historic Buildings Council.

2. All of the land described in Certificate of Title Volume 10254 Folios 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, and 960 and marked L1 to L13 on Plan 603410 endorsed by the Chair, Historic Buildings Council, and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister
ROBERT MACLELLAN
Minister for Planning

KATHY WILSON
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. 1129.

Fernshaw, 4 Western Beach, Geelong, City of Greater Geelong.

Extent:

1. All of the buildings known as Fernshaw, comprising the main house marked B-1 and the former stables/coach house marked B-2 on Plan 601035 endorsed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. All of the land described in Certificate of Title Volume 8111 Folio 052 marked L-1 on Plan 601035 endorsed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister
ROBERT MACLELLAN
Minister for Planning

KATHY WILSON
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. 1128.

Keyham, 275 Pakington Street, Newtown, City of Greater Geelong.

Extent:

1. All of the buildings known as Keyham, comprising the main house marked B-1 and the former stables marked B-2 on Plan 601175 endorsed by the Chairperson Historic Building Council and held by the Director, Historic Buildings Council.

2. All of the land described in Certificate of Title Volume 3606 Folio 027 marked L-1 on Plan 601175 endorsed by the Chairperson, Historic Buildings Council and held by the Director Historic Buildings Council.

Dated 28 November 1995

Responsible Minister

ROBERT MACLELLAN
Minister for Planning

KATHY WILSON
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. 1130.

Eythorne, 35 Aphrasia Street, Newtown, City of Greater Geelong.

Extent:

1. All of the building known as Eythorne, comprising the main house marked B-1 on Plan 601049 endorsed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. All of the land described in Book 812 Memorial 968, marked L-1 on Plan 601049 endorsed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister

ROBERT MACLELLAN
Minister for Planning

KATHY WILSON
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. 1131.

Prefabricated Iron Cottage, Summerhill, 155 Mt Duneed Road, Mt Duneed, City of Greater Geelong.

Extent:

1. All of the building known as the prefabricated iron cottage marked B-1 on Plan 601176 endorsed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council

2. An area of land to a distance of two metres from each side of the building marked L-1 on Plan 601176 being part of the land contained in Certificate of Title Volume 7160 Folio 906.

Dated 28 November 1995

Responsible Minister

ROBERT MACLELLAN
Minister for Planning

KATHY WILSON
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. 1133.

The Geelong Club, 74 Brougham Street, Geelong, City of Greater Geelong.

Extent:

1. All of the buildings known as the Geelong Club, comprising the main building marked B-1, the toilet block marked B-2, and the squash court building marked B-3 on Plan 601036, endorsed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. All of the land described in Certificates of Title Volume 8347, Folio 204, Volume 8598 Folio 966, Volume 5533 Folio 566, and Volume 9745 Folio 584 marked L-1 on Plan 601036 endorsed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 28 November 1995

Responsible Minister

ROBERT MACLELLAN
Minister for Planning

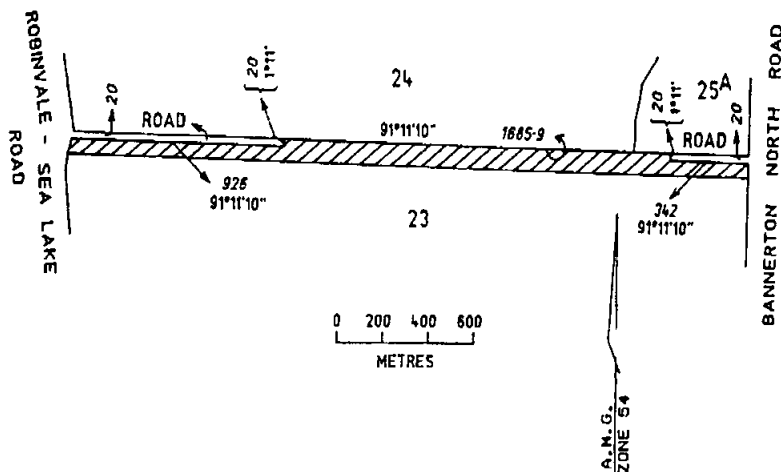
KATHY WILSON
Clerk of the Executive Council

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 SWAN HILL RURAL CITY COUNCIL

TOL TOL—The road in the Parish of Tol Tol as indicated by hatching on plan hereunder—(T 303[3]) (GL 18855).



Dated 28 November 1995
 Responsible Minister:
 M. A. BIRRELL
 Minister for Conservation and Environment

KATHY WILSON
 Clerk of the Executive Council

Land Act 1958
UNUSED ROADS CLOSED

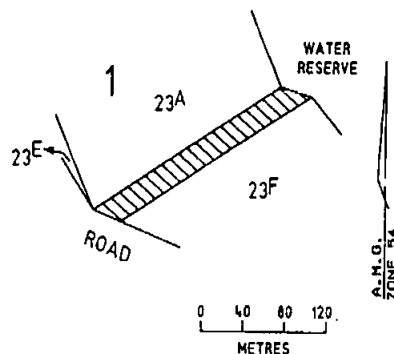
The Governor in Council under Section 349 of the **Land Act 1958** and with the consents in writing of the municipalities concerned and the adjoining owners closes the following unused roads:

MUNICIPAL DISTRICT OF THE WEST WIMMERA SHIRE COUNCIL

BENAYEO—The road in the Parish of Benayeo shown as Crown Allotment 32A, on Certified Plan No. 116567 lodged in the Central Plan Office—(02/7212).

MUNICIPAL DISTRICT OF THE CENTRAL GOLDFIELDS SHIRE COUNCIL

BUNG BONG—The road in the Parish of Bung Bong as indicated by hatching on plan hereunder—(B 539[4]) (P 104571).



3354 G 47 30 November 1995

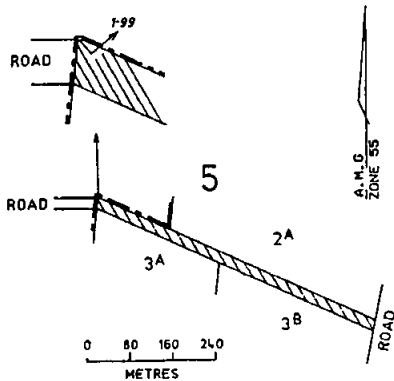
MUNICIPAL DISTRICT OF THE WYNDAM CITY COUNCIL

COCOROC—The road in the Parish of Cocoroc shown as Crown Allotment 5, Section 13 on Certified Plan No. 116203 lodged in the Central Plan Office—(L1-4407).

MUNICIPAL DISTRICT OF THE HEPBURN SHIRE COUNCIL

HOLCOMBE—The roads in the Parish of Holcombe:

- (i) shown as Crown Allotment 2F, Section 4 on Certified Plan No. 316344 lodged in the Central Plan Office; and
- (ii) as indicated by hatching on plan hereunder—(2760) (L1-3923).



MUNICIPAL DISTRICT OF THE SOUTH GIPPSLAND SHIRE COUNCIL

WOORARRA—The road in the Parish of Woorarra shown as Crown Allotments 4B and 4C, Section A on Certified Plan No. 116310 lodged in the Central Plan Office—(91/2298).

Dated 28 November 1995

Responsible Minister

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON

Clerk of the Executive Council

Land Act 1958

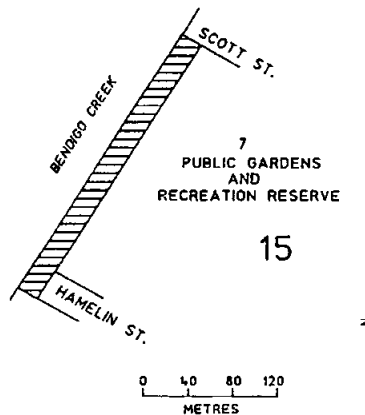
UNUSED ROAD CLOSED

The Governor in Council under Section 349 in writing of the municipality concerned closes the following unused road:

Victoria Government Gazette

MUNICIPAL DISTRICT OF THE CITY OF GREATER BENDIGO

SANHURT—The road at Bendigo, Parish of Sandhurst as indicated by hatching on plan hereunder—(S 372[103]) (87/087).



Dated 28 November 1995

Responsible Minister

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON

Clerk of the Executive Council

City of Melbourne 1993

MELBOURNE CITY COUNCIL

Ward Boundaries

The Governor in Council acting under section 14 of the **City of Melbourne Act 1993**, Orders that:

1. This Order comes into operation on the day it is published in the Government Gazette.
2. On the day this Order comes into operation the boundaries of each ward shall be fixed as described in the Schedules to this Order.

Schedule 1

Boundaries of Universities Ward

Commencing on the City boundary at the junction of Melrose Street with Flemington Road; thence south-easterly by Flemington Road to Peel Street; thence southerly by that street to Victoria Street; thence westerly by that

street to William Street; thence south-easterly by that street to Latrobe Street; thence north-easterly by that street and easterly by Victoria Street to Nicholson Street being a point on the city boundary, and thence northerly, generally north-westerly, westerly and southerly by the city boundary to the point of commencement.

Schedule 2

Boundaries of Flagstaff Ward

Commencing on the City boundary at the junction of Melrose Street with Flemington Road; thence south-easterly by Flemington Road to Peel Street; thence southerly by that street to Victoria Street; thence westerly by that street to William Street; thence south-easterly by that street to Latrobe Street; thence south-westerly by that street to Spencer Street; thence south-easterly by that street to Flinders Street; thence south-westerly by that street and westerly by North Wharf Road to Charles Grimes Bridge Road; thence southerly by that road and Montague Street to the City boundary, and thence south-westerly, northerly and generally south-easterly by the city boundary to the point of commencement.

Schedule 3

Boundaries of Hoddle Ward

Commencing on the City boundary at the junction of Lansdowne Street with Victoria Parade; thence southerly by Lansdowne Street to Wellington Street; thence south-westerly by a line to the Yarra River at the eastern boundary of Princes Walk; thence south-westerly by the Yarra River to Charles Grimes Bridge Road; thence northerly by that road to North Wharf Road; thence easterly by that road and north-easterly by Flinders Street to Spencer Street; thence north-westerly by that street to Latrobe Street, and thence north-easterly by that street and easterly by Victoria Street and Victoria Parade to the point of commencement.

Schedule 4

Boundaries of Domain Ward

Commencing on the City boundary at the junction of Lansdowne Street with Victoria Parade; thence southerly by Lansdowne Street to Wellington Street; thence south-westerly by a line to the Yarra River at the eastern boundary of Princes Walk; thence south-westerly by the Yarra River to Charles Grimes Bridge Road; thence southerly by that road and Montague

Street to the City boundary, and thence easterly, south-easterly, northerly and westerly by the city boundary to the point of commencement.

Dated 28 November 1995

Responsible Minister:

ROGER M. HALLAM

Minister for Local Government

KATHY WILSON

Clerk of the Executive Council

Local Government Act 1989

**ORDER TO PROVIDE TRANSITIONAL
RATING ARRANGEMENTS FOR THE
GOLDEN PLAINS SHIRE COUNCIL**

The Governor in Council acting under section 220R of the **Local Government Act 1989** Orders that:

Definitions

1. In this Order:

“charge” means any charge under Part 8 of the **Local Government Act 1989**, but does not include a special charge.

“Council” means the Golden Plains Shire Council.

“rate” means any rate under Part 8 of the **Local Government Act 1989**, but does not include a special rate.

“rateable property” means any land or portion of any land which is rateable within the meaning of the **Local Government Act 1989** and for which there is a separate valuation.

“specified percentage” means a percentage to be determined in a resolution of the Council which specifies the maximum percentage reduction allowed in the sum of the rates and charges levied in respect of a rateable property in the 1995-1996 financial year compared with the sum of the rates and charges levied in respect of that rateable property in the 1994-1995 financial year.

“supplementary valuation” means a supplementary valuation under section 13DF of the **Valuation of Land Act 1960**.

Rates and Charges Payable in the 1995-1996
Financial Year

2. If the sum of the rates and charges which would but for this Order be levied in respect of a rateable property in the 1995-1996 financial year exceeds the sum of the rates and charges levied on that property in the 1994-1995 financial year, the Council may grant a rebate in relation to those rates and charges of an amount which is calculated in the manner specified in a resolution of the Council.

3. If the sum of the rates and charges levied in respect of a rateable property in the 1995-1996 financial year would, by reason of the declaration of rates and charges for that financial year, be less than the sum of the rates and charges levied on that property in the 1994-1995 financial year, and that lesser sum would but for this Order exceed the specified percentage, the Council may, in relation to any such property and notwithstanding anything contained in its declaration of rates and charges for the particular year, levy such rates and charges as ensure that the specified percentage is not exceeded.

Supplementary Valuations

4. This Order shall not apply to a rateable property:

- (a) which was not a rateable property or the same rateable property as at 1 October 1994; or
- (b) in respect of which a supplementary valuation was made or could have been made during the 1994-1995 financial year.

Commencement

5. This Order comes into operation on the day it is published in the Government Gazette.

Dated 28 November 1995

Responsible Minister:

ROGER M. HALLAM

Minister for Local Government

KATHY WILSON

Clerk of the Executive Council

Local Government Act 1989
ORDER TO PROVIDE TRANSITIONAL
RATING ARRANGEMENTS FOR THE
BULOKE SHIRE COUNCIL

The Governor in Council acting under section 220R of the **Local Government Act 1989** Orders that:

Definitions

1. In this Order:

"charge" means any charge under Part 8 of the **Local Government Act 1989**, but does not include a special charge.

"Council" means the Buloke Shire Council.

"rate" means any rate under Part 8 of the **Local Government Act 1989**, but does not include a special rate.

"rateable property" means any land or portion of any land which is rateable within the meaning of the **Local Government Act 1989** and for which there is a separate valuation.

"specified amount" means an amount to be determined in a resolution of the Council which specifies the maximum reduction allowed in the sum of the rates and charges levied in respect of a rateable property in the 1995-1996 financial year compared with the sum of the rates and charges levied in respect of that rateable property in the 1994-1995 financial year.

"supplementary valuation" means a supplementary valuation under section 13DF of the **Valuation of Land Act 1960**.

Rates and Charges Payable in the 1995-1996
Financial Year

2. If the sum of the rates and charges which would but for this Order be levied in respect of a rateable property in the 1995-1996 financial year exceeds the sum of the rates and charges levied on that property in the 1994-1995 financial year, the Council may grant a rebate in relation to those rates and charges of an amount which is calculated in the manner specified in a resolution of the Council.

3. If the sum of the rates and charges levied in respect of a rateable property in the 1995-1996 financial year would, by reason of the declaration of rates and charges for that financial year, be less than the sum of the rates and charges levied on that property in the 1994-1995 financial year, and that lesser sum would but for this Order exceed the specified amount, the Council may, in relation to any such property and notwithstanding anything contained in its declaration of rates and charges for the particular year, levy such rates and charges as ensure that the specified amount is not exceeded.

Supplementary Valuations

4. This Order shall not apply to a rateable property:

- (a) which was not a rateable property or the same rateable property as at 1 October 1994; or
- (b) in respect of which a supplementary valuation was made or could have been made during the 1994-1995 financial year.

Commencement

5. This Order comes into operation on the day it is published in the Government Gazette.

Dated 28 November 1995

Responsible Minister:

ROGER M. HALLAM

Minister for Local Government

KATHY WILSON

Clerk of the Executive Council

Local Government Act 1989

**ORDER TO PROVIDE TRANSITIONAL
RATING ARRANGEMENTS FOR THE
INDIGO SHIRE COUNCIL**

The Governor in Council acting under section 220R of the **Local Government Act 1989** Orders that:

Definitions

1. In this Order:

"charge" means any charge under Part 8 of the **Local Government Act 1989**, but does not include a special charge.

"Council" means the Indigo Shire Council.

"rate" means any rate under Part 8 of the **Local Government Act 1989**, but does not include a special rate.

"rateable property" means any land or portion of any land which is rateable within the meaning of the **Local Government Act 1989** and for which there is a separate valuation.

"supplementary valuation" means a supplementary valuation under section 13DF of the **Valuation of Land Act 1960**.

Rates and Charges Payable in the 1995-1996
Financial Year

2. If the sum of the rates and charges which would but for this Order be levied in respect of a rateable property in the 1995-1996 financial year exceeds the sum of the rates and charges levied on that property in the 1994-1995 financial year, the Council may grant a rebate in relation to those rates and charges of an amount which is calculated in the manner specified in a resolution of the Council.

Supplementary Valuations

3. This Order shall not apply to a rateable property:

- (a) which was not a rateable property of the same rateable property as at 1 October 1994; or

- (b) in respect of which a supplementary valuation was made or could have been made during the 1994-1995 financial year.

Commencement

4. This Order comes into operation on the day it is published in the Government Gazette.

Dated 28 November 1995

Responsible Minister:

ROGER M. HALLAM

Minister for Local Government

KATHY WILSON

Clerk of the Executive Council

Local Government Act 1989

**ORDER TO PROVIDE TRANSITIONAL
RATING ARRANGEMENTS FOR THE
WANGARATTA RURAL CITY COUNCIL**

The Governor in Council acting under section 220R of the **Local Government Act 1989** Orders that:

Definitions

1. In this Order:

"charge" means any charge under Part 8 of the **Local Government Act 1989**, but does not include a special charge.

"Council" means the Wangaratta Rural City Council.

"rate" means any rate under Part 8 of the **Local Government Act 1989**, but does not include a special rate.

"rateable property" means any land or portion of any land which is rateable within the meaning of the **Local Government Act 1989** and for which there is a separate valuation.

"specified percentage" means a percentage to be determined in a resolution of the Council which specifies the maximum percentage reduction allowed in the sum of the rates and charges levied in respect of a rateable property in the 1995-1996 financial year compared with the sum of the rates and charges levied in respect of that rateable property in the 1994-1995 financial year.

"supplementary valuation" means a supplementary valuation under section 13DF of the **Valuation of Land Act 1960**.

Rates and Charges Payable in the 1995-1996
Financial Year

2. If the sum of the rates and charges which would but for this Order be levied in respect of a rateable property in the 1995-1996 financial year exceeds the sum of the rates and charges levied on that property in the 1994-1995 financial year, the Council may grant a rebate in relation to those rates and charges of an amount which is calculated in the manner specified in a resolution of the Council.

3. If the sum of the rates and charges levied in respect of a rateable property in the 1995-1996 financial year would, by reason of the declaration of rates and charges for that financial year, be less than the sum of the rates and charges levied on that property in the 1994-1995 financial year, and that lesser sum would but for this Order exceed the specified percentage, the Council may, in relation to any such property and notwithstanding anything contained in its declaration of rates and charges for the particular year, levy such rates and charges as ensure that the specified percentage is not exceeded.

Supplementary Valuations

4. This Order shall not apply to a rateable property:

- (a) which was not a rateable property or the same rateable property as at 1 October 1994; or
- (b) in respect of which a supplementary valuation was made or could have been made during the 1994-1995 financial year.

Commencement

5. This Order comes into operation on the day it is published in the Government Gazette.

Dated 28 November 1995

Responsible Minister:

ROGER M. HALLAM

Minister for Local Government

KATHY WILSON
Clerk of the Executive Council

Control of Weapons Act 1990
EXEMPTION

The Governor in Council hereby grants the following exemption under section 5 (2) of the **Control of Weapons Act 1990** with respect to the provisions of section 5 (1) of the **Control of Weapons Act 1990**:

all sworn members of the Victoria Police Force for the purpose of carriage and operational use of oleoresin capsicum sprays in the performance of their duty; and

all officers and employees of the office of the Chief Commissioner of Police required to handle oleoresin capsicum sprays in the performance of their administrative duties in relation to the supply, distribution, transportation and storage of such sprays.

Dated 28 November 1995

Responsible Minister:

PATRICK McNAMARA

Deputy Premier

Minister for Police and Emergency Services

KATHY WILSON
Clerk of the Executive Council

Health Services Act 1988

THE APPOINTMENT OF A DIRECTOR TO
THE BOARD OF THE WESTERN HEALTH
CARE NETWORK

The Governor in Council, on the recommendation of the Minister for Health under section 40E (1) of the **Health Services Act 1988**, by this Order:

1. Appoints Colin Rex Joyner to the board of the Western Health Care Network.

2. Specifies pursuant to section 40F (1) of the **Health Services Act 1988** that the term of this appointment is until 1 August 1998.

3. Directs that this Order is to take effect from 28 November 1995.

Dated 28 November 1995

Responsible Minister:

MARIE TEHAN

Minister for Health

KATHY WILSON
Clerk of the Executive Council

Children and Young Persons Act 1989
THE ESTABLISHMENT OF COMMUNITY
SERVICES

The Governor in Council under section 57 of the **Children and Young Persons Act 1989** by this Order establishes the following residences as community services to be operated by the Department of Health and Community Services to meet the needs of children requiring protection, care or accommodation:

Lot 1, RMB 4005, Yarrowonga Road, Wangaratta 3677.

Lot 1, RMB 1160, Boundary Road, Shepparton East 3631.

Dated 28 November 1995

Responsible Minister:

MICHAEL JOHN

Minister for Community Services

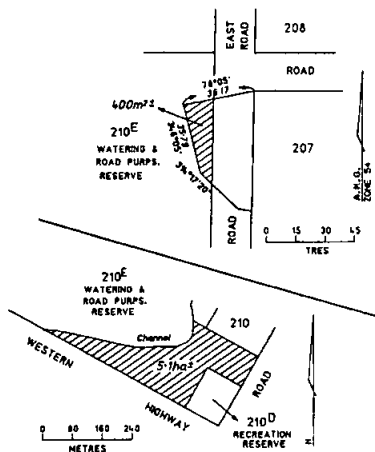
KATHY WILSON
Clerk of the Executive Council

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:

BUNGALALLY—The temporary reservation by Order in Council of 29 April, 1872 of an area of 437.06 hectares, more or less, of land in the Parish of Bungalally as a site for Watering and Road purposes, revoked as to part by various Orders, so far only as:

- (i) the portion containing 914 square metres shown as Crown Allotment 195F, Parish of Bungalally on Certified Plan No. 110541 lodged in the Central Plan Office; and
- (ii) the portions containing 5.14 hectares, more or less, as indicated by hatching on plan hereunder—(B 93[5]) (Rs 04225).



MOLKA—The temporary reservation by Order in Council of 26 January, 1886 of an area of 1.78 hectares being Crown Allotment 84, Parish of Molka as a site for a State School—(P 160622).

SMYTHESDALE—The temporary reservation by Order in Council of 22 January, 1886 of an area of 1351 square metres of land in Section 15, Township of Smythesdale as a site for Borough purposes—(Rs 5870).

YABBA YABBA—The temporary reservation by Order in Council of 13 November, 1883 of an area of 8094 square metres of land in Section C, Parish of Yabba Yabba as a site for Public Purposes (State School)—(P 160586).

Dated 28 November 1995

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
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:

BALLARAT to ARARAT RAILWAY—The temporary reservation for railway purposes by Order in Council of 23 November, 1868 of the Crown lands comprised within the limits of deviation of the surveyed line of railway from Ballarat to Ararat, so far as the balance remaining—(94/00628/04).

BALLARAT to HAMILTON RAILWAY—The temporary reservation for railway purposes by Order in Council of 23 November, 1868 of the Crown lands comprised within the limits of deviation of the surveyed line of railway from Ballarat to Hamilton, so far as the balance remaining—(94/00628/04).

BALLARAT to DUNOLLY, via MARYBOROUGH RAILWAY—The temporary reservation for railway purposes by Order in Council of 23 November, 1868 of the Crown lands comprised within the limits of deviation of the surveyed line of railway from Ballarat to Dunolly via Maryborough, so far as the balance remaining—(94/00628/04).

BALLARAT EAST—The temporary reservation by Order in Council of 5 April 1982 of an area of 12.14 hectares of land in the Township of Ballarat East as a site for Public Purposes, revoked as to part by various Orders, so far only as the portion containing 3234 square metres shown as Crown Allotment 8G, Section 67, Township of Ballarat East, Parish of Ballarat—(Rs 5114).

BEECHWORTH—The temporary reservation under Section 22 F (1) of the **Land Act 1958** of 3.29 hectares of land being Lot 2 on Plan of Subdivision No. 83622 and being part of Crown Allotment 10, Section A1, Parish of Beechworth transferred to the Crown by transfer No. H. 736258 registered in the Office of Titles on 24 October, 1979 as a site for the conservation of an area of natural beauty or interest or of historical or scientific interest—(Rs 11,200).

BUNGAREE—The temporary reservation by Order in Council of 11 June 1959 of an area of 1.09 hectares, more or less, of land in Section 13, Parish of Bungaree as a site for a Rubbish Depot—(Rs 7819).

CASTLEMAINE to MARYBOROUGH, via MALDON and via NEWSTEAD RAILWAY—The temporary reservation for railway purposes by Order in Council of 23 November 1868, of the Crown lands comprised within the limits of deviation of the surveyed line of railway from Castlemaine to Maryborough, via Maldon and Newstead, so far as the balance remaining—(94/00628/04).

GEELONG to COLAC RAILWAY—The temporary reservation for railway purposes by Order in Council of 23 November 1868 of the Crown lands comprised within the limits of deviation of the surveyed line of railway from Geelong to Colac, so far as the balance remaining—(94/00628/04).

MAFFRA—The temporary reservation by Order in Council of 7 May 1968 of an area of 4401 square metres of land in Section 40, Township of Maffra, Parish of Maffra as a site for Public Recreation and a Children's Playground—(Rs 8994).

MARYBOROUGH—The temporary reservation by Order in Council of 18 December 1973 of an area of 2210 square metres, more or less, of land being Crown Allotment 17, Section 30, Township of Maryborough, Parish of Maryborough as a site for Public Purposes (Municipal—Shire Offices)—(Rs 8833).

MARYBOROUGH—The temporary reservation by Order in Council of 6 June 1967 of an area of 809.4 square metres of land in Section 30, Township of Maryborough, Parish of Maryborough as a site for Public Purposes (Municipal - Shire Offices)—(Rs 8833).

MARYBOROUGH—The temporary reservation by Order in Council of 18 December 1973 of an area of 1050 square metres, more or less, being Crown Allotment 16, Section 30, Township of Maryborough, Parish of Maryborough as a site for Public Purposes (Government Buildings)—(Rs 5729).

MELBOURNE to BALLARAT RAILWAY—The temporary reservation for railway purposes by Order in Council of 23 November 1868 of the land within the line of railway from Melbourne to Ballarat as fenced, so far as the balance remaining—(94/00628/04).

MELBOURNE, MOUNT ALEXANDER AND MURRAY RIVER RAILWAY—The temporary reservation for railway purposes by Order in Council of 23 November, 1868 of the land comprised within the line of railway from Melbourne to Echuca, as fenced, so far as the balance remaining—(94/00628/04).

MELBOURNE to SALE RAILWAY—The temporary reservation for railway purposes by Order in Council of 23 November 1868 of the Crown lands comprised within the limits of deviation of the surveyed line of railway from Melbourne to Sale, so far as the balance remaining—(94/00628/04).

MELBOURNE to WODONGA (formerly BELVOIR) RAILWAY—The temporary reservation for railway purposes by Order in Council of 23 November 1868 of the Crown lands comprised within the limits of deviation of the surveyed line of railway from Melbourne to Wodonga (formerly Belvoir), so far as the balance remaining—(94/00628/04).

Dated 28 November 1995

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
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:

MILDURA—The temporary reservation by Order in Council of 26 February 1985 of an area of 2.053 hectares of land being Crown Allotment 14D, Section 133, Block F, Parish of Mildura as a site for a State School so far only as the portion containing 776 square metres shown as Crown Allotment 14E, Section 133, Block F, Parish of Mildura on Certified plan No. 116479 lodged in the Central Plan Office—(Rs 1912).

STAWELL—The temporary reservation by Order in Council of 2 February, 1955 of an area of 5.32 hectares of land in Section h, Township of Stawell, Parish of Stawell as a site for a Sanitary Depot—(Rs 7335).

Dated 28 November 1995

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
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:

BOLGA—The temporary reservation by Order in Council of 27 September 1886 of an area of 40.60 hectares of land in Section 10, Parish of Bolga as a site for Water Supply purposes, revoked as to part by various Orders, so far as the balance remaining containing 8.116 hectares, more or less—(Rs 1347).

BUNINYONG—The temporary reservation by Order in Council of 27 March 1990 of an area of 8094 square metres of land being Crown Allotment 126E, Parish of Buninyong as a site for Conservation of an area of natural interest—(Rs 14146).

TALLAROOK—The temporary reservation by Order in Council of 25 January 1983 of an area of 2106 square metres of land being Crown Allotment 52B, Section 1, Parish of Tallarook as a site for the purposes of the Department of Crown Lands and Survey—(Rs 12081).

TALLAROOK—The temporary reservation by Order in Council of 18 November 1986 of an area of 2108 square metres of land being Crown Allotment 52C, Section 1, Parish of Tallarook as a site for Public Purposes (Department of Conservation, Forests and Lands)—(Rs 12081).
Dated 28 November 1995

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

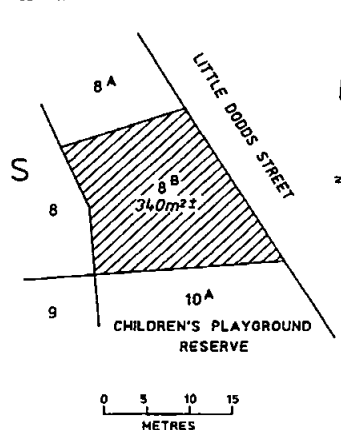
KATHY WILSON
Clerk of the Executive Council

**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.

**MUNICIPAL DISTRICT OF THE
BALLARAT CITY COUNCIL**

BALLARAT EAST—Children's Playmund, 340 square metres, more or less, being Crown Allotment 8B, Section 5, Township of Ballarat East, Parish of Eallarat as indicated by batching on plan hereunder—(B 128[[47]) (Rs 5194).



Dated 28 November 1995

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
INCORPORATION OF COMMITTEE OF
MANAGEMENT OF GOLDFIELDS
RECREATION RESERVE

The Governor in Council, under Section 1 4A (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 lands described in the schedule hereunder:

- (a) declares that the Committee of Management shall be a corporation;
- (b) assigns the name "Goldfields Recreation Reserve Committee of Management Incorporated" to the corporation; and

under Section 14B (3) of the Act, appoints Jim Mahony to be Chairperson of the corporation.

SCHEDULE

The land in the Parish of Trawalla temporarily reserved as a site for Water Supply and Public Recreation by Orders in Council of 3 November 1890, 3 March 1915 and 27 June 1961—(Rs 295(2)).

Dated 28 November 1995

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
EMU PLAINS RACECOURSE AND
RECREATION RESERVE

The Governor in Council under Section 14B(3) of the **Crown Land (Reserves) Act 1978** appoints Ralph Peter to be chairperson of the "Ernu Plains Racecourse and Recreation Reserve Committee Incorporated" in the place of Charles Waymouth—(Rs 3025).

Dated 28 November 1995

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
Clerk of the Executive Council

Retirement Villages Act 1986
DECLARATION OF EXEMPTION
Section

Under the powers found in section 6 of the **Retirement Villages Act 1986** ("the Act") the Governor in Council on the recommendation of the Minister for Fair Trading declares:

Westlands Hostel situated at 1 Bowman Court Wodonga on land owned by the Council of the Rural City of Wodonga and managed by the Westlands Hostel Inc ("the manager"), to be an exempt village for the purposes of the following provisions of the Act.

1. Part 2
2. Section 13
3. Section 14 sub-sections (1) (2) (3) and (4) 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 in title of the owners had also entered into the contract.

(2) In paragraph 3 (1) "successor in title" includes a person who acquires any interest in or right affecting land or has a mortgage, charge or other encumbrance over land.

4. 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 or 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 issued 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 the notice; and

- (c) the breach 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.
5. Section 19 upon condition that, before a resident enters into a residence contract, the manager or the manager's agent gives to the resident all residence documents relating to the village.
6. Section 24 sub-sections (2) (3) (4) (5) and (7) upon conditions that:
- (1) A resident who signs a residence contract may at any time before the end of the period of 21 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 6 (1) must be given to the manager or the 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 with 21 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 refund of all moneys paid by the resident under the contract, except for the sum of \$100 or 0.2 percentum of the in-going 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 21 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**.
7. Section 25 and part 5 upon condition that any monies paid by residents as an ingoing contribution are held in trust for the benefit of residents by the Council of the Rural City of Wodonga less any deductions allowed under the contract between the resident and the manager.
8. Section 33 upon condition that the information which would have been required to be presented to the annual meeting, is delivered to the residents of the village (or their representatives) once a year, and an annual

meeting is held if a written request is received from more than 20% of the residents in the village (or their representatives).

9. Sub-section 34 (3) upon condition that audited financial statements of the manager are prepared each financial year and distributed to residents (or their representatives) in accordance with paragraph 8 of this declaration of exemption.

10. 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.

11. And upon condition that:

- (a) the manager maintains an enforceable lease from the owners of the retirement village land;
- (b) the manager submit yearly audited accounts to the Registrar of Incorporated Associations together with the statement required to be submitted under section 30 sub-section 4) of the **Associations Incorporation Act 1981**;
- (c) the owner of the retirement village land does not sell or permit the land to be sold or part with the possession of the land without the prior approval of the Commissioner for Corporate Affairs which shall not be unreasonably withheld;
- (d) a copy of this declaration is given to each prospective resident at the time such resident is given the residence documents relating to the village and to residents presently residing at the village;
- (e) a copy of this declaration is given to the owners of the retirement village land.

Dated 28 November 1995
Responsible Minister:
JAN WADE
Minister for Fair Trading

KATHY WILSON
Clerk of the Executive Council

County Court Act 1958
DETERMINATION OF THE RIGHT OF A
JUDGE TO A PENSION

Under section 14 (3A) of the **County Court Act 1958**, the Governor in Council determines that the right of Judge Clive William Harris to a pension under s. 14 (2) of the Act shall not be suspended while he is Acting Chairperson of the Solicitors' Board from 1 January 1996 to 30 June 1996 (inclusive).

Dated 28 November 1995

Responsible Minister:

JAN WADE
Attorney-General

KATHY WILSON
Clerk of the Executive Council

State Owned Enterprises Act 1992
STATE OWNED ENTERPRISES
(ALTERATION OF FUNCTIONS OF
MELBOURNE WATER CORPORATION)
ORDER 1995

On the recommendation of the Treasurer after consultation with the Minister for Natural Resources, the Governor in Council acting under section 8A of the **State Owned Enterprises Act 1992** orders that:

1. The functions of Melbourne Water Corporation (being a reorganising body under the **State Owned Enterprises Act 1992**) under Part X of the **Melbourne Metropolitan Board of Works Act 1958** be altered to include acting as a delegate of the Minister in the carrying out of the Minister's functions as an Authority under Division 4 of Part 10 of the **Water Act 1989**.

2. This Order comes into operation on the day on which it is published in the Government Gazette.

Dated 28 November 1995

Responsible Minister:

ALAN R. STOCKDALE
Treasurer

KATHY WILSON
Clerk of the Executive Council

**SUBORDINATE LEGISLATION ACT 1994
NOTICE OF MAKING OF STATUTORY
RULES**

Notice is given under section 17 (2) of the **Subordinate Legislation Act 1994** of the making of the following Statutory Rules:

146. *Statutory Rule:* County Court (Chapter 1 Amendment No. 24) Rules 1995

Authorising Act: County Court Act 1958

Date of Making: 10 November 1995

147. *Statutory Rule:* Pharmacists (Fees) Regulations 1995

Authorising Act: Pharmacists Act 1974

Date of Making: 28 November 1995

148. *Statutory Rule:* Physiotherapists (Fees) Regulations 1995

Authorising Act: Physiotherapists Act 1978

Date of Making: 28 November 1995

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

Notice is given under section 17 (3) of the **Subordinate Legislation Act 1994** that the following Statutory Rules were first obtainable from Information Victoria, 318 Little Bourke Street, Melbourne on the date specified:

143. *Statutory Rule:* Mineral Resources (Health and Safety in Large Open-cut Mines) Regulations 1995

Authorising Act: Mineral Resources Development Act 1990

Date first obtainable: 23 November 1995

Code C

144. *Statutory Rule:* Casino Control (Prescribed Authorities and Persons) (Amendment) Regulations 1995

Authorising Act: Casino Control Act 1991

Date first obtainable: 23 November 1995

Code A

145. *Statutory Rule:* Gaming Machine Control (Miscellaneous) (Amendment) Regulations 1995

Authorising Act: Gaming Machine Control Act 1991

Date first obtainable: 23 November 1995

Code A

146. *Statutory Rule:* County Court (Chapter 1 Amendment No. 24) Rules 1995

Authorising Act: County Court Act 1958

Date first obtainable: 10 November 1995

Code B

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As from 30 November 1995

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Dated 21 August 1995



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