



Victoria Government Gazette

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GENERAL

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As from 2 January 2014

The last Special Gazette was No. 477 dated 31 December 2013.

The last Periodical Gazette was No. 1 dated 13 June 2013.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
 - or contact our office on 8523 4601
between 8.30 am and 5.30 pm Monday to Friday
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Copies of recent Special Gazettes can now be viewed at the following display cabinet:

- 1 Treasury Place, Melbourne (behind the Old Treasury Building)
-

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
AUSTRALIA DAY HOLIDAY 2014**

Please Note:

The Victoria Government Gazette (General) for AUSTRALIA DAY HOLIDAY week (G5/14) will be published on **Thursday 30 January 2014**.

Copy deadlines:

Private Advertisements **9.30 am on Friday 24 January 2014**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Tuesday 28 January 2014**

Office Hours:

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

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

JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership between Karey Jessica Shandler and Cindy Lea Watts, which traded under the name of Main Frame Photography, has been dissolved with effect from 2 December 2013. Any enquiries can be directed to PO Box 24, Yarra Glen 3775.

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership between Opalwin Pty Ltd (ACN 074 964 328), Waldemar Projects Pty Ltd (ACN 007 319 182) and A. P. & B. A. Donnellan Pty Ltd (ACN 007 080 588), and carrying on activity under the name of the Moor Room Dromana Partnership has been dissolved with effect on 1 November 2013.

KLIGER PARTNERS, lawyers,
Level 2, 280 Queen Street, Melbourne, Victoria 3000.

Take notice that FOTINI PROKA (also known as Fofi Proka), deceased, late of Unit 2, 47 Napier Street, Footscray, Victoria, home duties.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 October 2012 at Western Hospital, Footscray, Victoria, leaving property in Victoria and, in particular, at 45 and 47 Napier Street, Footscray, are required by the trustee, Panagiotis Papagiannopoulos, to send particulars of their claims to the trustee, care of Antippa Lawyers, of Room 3, Level 5, 2 Collins Street, Melbourne, Victoria, by 3 March 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

JOHN WARD, late of Unit 10, 14–16 New Street, Ringwood, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 December 2013, are required by the executor, John Ewen Scott-Mackenzie, solicitor, being the sole principal at the date of death of the deceased, of the firm of Devenish Lawyers, the executor named in the Will, to send

particulars of their claims to the undermentioned solicitors, within sixty days from the date of publication of this notice, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor then has notice.

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

Re: JENNIFER ANNE VELVIN, deceased, late of 1 Blackwood Crescent, Churchill, Victoria, health worker.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 August 2012, are required by the trustee of the said estate, Michael James Stroud, care of Donaldson Trumble Legal, Level 3, 84 William Street, Melbourne 3000, to send particulars to him by 1 April 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

DONALDSON TRUMBLE LEGAL,
Level 3, 84 William Street, Melbourne 3000.

Re: Estate DOROTHY JOSEPHINE FITZGERALD, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 October 2013, are required by the trustee, Ian Russell Fitzgerald, to send particulars to him, care of the undersigned, by 27 February 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

ANTONIUS MARIA NICOLAAS WINKELMAN, late of 10 Studley Park Road, Kew, in the State of Victoria.

Creditors, next-of-kin and others having claim in respect of the estate of the above deceased, who died at Kew on 23 July 2013, are required by the executors and trustees of the said deceased, Ian Bruce McNab and Mark Albert Maier, both care of McNab McNab & Starke, of

21 Keilor Road, Essendon, to send particulars to them by 6 March 2014, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

McNAB McNAB & STARKE, solicitors,
21 Keilor Road, Essendon 3040,
Telephone 9379 2819.

Re: Estate of ERIN LOUISE HARDY, late of 3 Summerhill Park Drive, Mooroolbark, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 September 2013, are required by the trustees to send particulars to the trustees, care of the undermentioned solicitors, by 2 April 2014, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

MAHONS with Yuncken & Yuncken, solicitors,
177 Surrey Road, Blackburn 3130.
SM:CH2132653

ERIC WILLIAM FLORENCE, late of Villa 296, Village Glen, Eastbourne Road, Rosebud, in the State of Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 August 2013, are required by the executor, Equity Trustees Limited, of 2/575 Bourke Street, Melbourne, Victoria 3000, to send particulars to them by 2 March 2014, after which date the executor may convey or distribute the assets, having regards only to claims of which they have notice.

Dated 19 December 2013

MICHAEL BENJAMIN & ASSOCIATES,
solicitors,
117 Centre Dandenong Road, Dingley Village,
Victoria 3172.

Creditors, next-of-kin and others having claims in respect of the estate of STEFANIA CEBULSKI, late of Unit 3, 8 Prospect Street, Glenroy, Victoria, pensioner, deceased, who died on 27 July 2013, are required to send particulars of such claims to the executors, care of the undermentioned solicitors, by 3 March

2014, after which date the executors will convey or distribute the assets, having regard only to the claims of which the executor then has notice.

PIETRZAK SOLICITORS,
222 LaTrobe Street, Melbourne 3000.

Re: DAVID PHILIP LOWENSTERN, late of 11 Royal Crescent, Armadale, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 March 2011, are required by Robyn Gillies and Wayne Thomson, the personal representatives of the estate of the deceased, to send particulars, in writing, of their claims to them, care of the below mentioned solicitors, by 4 March 2014, after which date they may convey or distribute the assets, having regard only to the claims of which they then have notice.

RIORDANS LAWYERS,
2/501 La Trobe Street, Melbourne, Victoria 3000.

Re: JAMES McALPINE REID, late of 3 Aberdeen Road, Sandringham, Victoria 3191, retired marine engineer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 17 October 2013, are required by the administrator, Morna Woolston, to send particulars to her, care of the undermentioned solicitors, by 5 March 2014, after which date the administrator may convey and distribute the assets, having regard only to the claims of which she then has notice.

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

Estate of MARJORIE CAMPION, late of 22 Sixth Avenue, Raymond Island, Victoria, secretary, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 April 2013, are required by the executor, Mark Alan Campion, to send particulars to them, care of Warren Graham & Murphy Pty Ltd, 119 Main Street, Bairnsdale, Victoria 3875, by 24 March 2014, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

Re: LEON ANTHONY FENNESSY, late of
2 Closeburn Avenue, Prahran, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 August 2013, are required to send particulars of their claims to the executors, care of GPO Box 1946, Melbourne 3001, by 25 April 2014, after which date the executors may convey or distribute the assets, having regard only to the claims of which they may then have notice.

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

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES****COLAC OTWAY SHIRE COUNCIL****Adoption of Amended Road Management Plan**

Notice is hereby given in accordance with section 55 of the **Road Management Act 2004** (the 'Act') that the Colac Otway Shire Council has undertaken a review of Council's Road Management Plan and has adopted amendments drafted in accordance with Division 5 section 54 of the Act.

The amendments were incorporated into the Road Management Plan (Version 3.0) on 18 December 2013.

Copies of the amended Road Management Plan are available for inspection at Council's Customer Service Centres located at 2–6 Rae Street, Colac, and 69–71 Nelson Street, Apollo Bay.

Further inquiries may be directed to Adam Lehmann, Manager Sustainable Assets on (03) 5232 9400 during normal business hours.

ROB SMALL
Chief Executive Officer

Country Fire Authority Act 1958**DECLARATION OF FIRE DANGER PERIOD**

In pursuance of the powers conferred by section 4 of the **Country Fire Authority Act 1958**, I, Euan Ferguson, Chief Officer of the Country Fire Authority, after consultation with the Secretary to the Department of Environment and Primary Industries, hereby declare the following periods to be the Fire Danger Period in the municipal districts of the municipalities or parts of municipalities specified, commencing on the dates shown and, unless varied by subsequent declaration, ending at 0100 hours on 1 May 2014.

To commence from 0100 hours on 6 January 2014:

- Latrobe City Council.

EUAN FERGUSON AFSM
Chief Officer

Education and Training Reform Act 2006

The Minister for Education makes the following Order:

PART 1 – PRELIMINARY**1. Title and commencement**

This Order may be cited as Ministerial Order No. 625 – Procedures for Suspension and Expulsion and comes into operation on 1 March 2014.

2. Authorising provisions

This Order is made under sections 2.2.19, 5.2.12, 5.10.4 of, and clause 4 of Schedule 6 to, the **Education and Training Reform Act 2006**.

3. Definitions

In this Order –

disability means –

- (a) total or partial loss of a bodily function; or
- (b) the presence in the body of organisms that may cause disease; or
- (c) total or partial loss of a part of the body; or

- (d) malfunction of a part of the body, including –
 - (i) a mental or psychological disease or disorder;
 - (ii) a condition or disorder that results in a person learning more slowly than people who do not have that condition or disorder; or
- (e) malformation or disfigurement of a part of the body –
and includes a disability that may exist in the future (including because of a genetic predisposition to that disability) and, to avoid doubt, behaviour that is a symptom or manifestation of a disability;

nominated means nominated in accordance with Part 2;

out of home care means a child who is living with someone other than a **parent** and includes –

- (a) an informal care arrangement that may or may not be documented by an Informal Relative Carer Statutory Declaration form; and
- (b) a formal care arrangement that is provided for under the **Family Law Act 1975** (Cth) and includes a Parenting Plan or a Court Order; and
- (c) a formal care arrangement that is provided for under the **Children, Youth and Families Act 2005** or other state welfare legislation;

overseas student has the same meaning as in the **Education and Training Reform Act 2006**;

parent in relation to a child means any person who has parental responsibility for ‘major long term issues’ as defined in the **Family Law Act 1975** (Cth) or has been granted ‘guardianship’ for the child pursuant to the **Children, Youth and Families Act 2005** or other state welfare legislation;

principal means an employee within the meaning of Division 3 of Part 2.4 of the **Education and Training Reform Act 2006** occupying, or for the time being performing the duties of, the position of principal of a Government school;

regional approved list means a list for each Departmental region of persons experienced in student discipline and wellbeing approved by the **Regional Director** responsible for that region;

regional director means an employee of the Department for the time being appointed to, acting in or performing the role of Regional Director;

relevant person means –

- (a) where a student is living with his or her **parent/s**, is under 18 years of age and is not considered a mature minor –
 - (i) a **parent**;
 - (ii) an adult **nominated** by the **parent**; or
 - (iii) an adult from the **suitable person list**;
- (b) where a student is in **out of home care** –
 - (i) a **parent**;
 - (ii) an adult who is residing with, and providing care to, the child in the **out of home care** arrangement; or
 - (iii) an adult from the **suitable person list**;
- (c) where a student is considered a mature minor –
 - (i) adult **nominated** by the student; or
 - (ii) adult from the **suitable person list**;

school day means a day on which the school is open for instruction;

SSS Network means a group of schools who have agreed to work together as a network to provide Student Support Services in accordance with any Guidelines published by the Department;

SSS Network Co-ordinator means the person appointed to the position of SSS Network Co-ordinator by the Executive Group or Executive Chair of a **SSS Network**;

suitable person means a person selected from the **suitable person list** to be a **relevant person** for the purposes of a suspension or an expulsion;

suitable person list means a list created by each **SSS Network** of persons who are:

- (a) employed by the Department of Education and Early Childhood Development; and
- (b) have completed training to be a **relevant person**.

4. Application

- (1) This Order applies to students enrolled in Government schools in Victoria.
- (2) This Order does not apply to the expulsion of an overseas student under section 2.2.8 of the **Education and Training Reform Act 2006** in respect of whom any fee required to be paid under that section has not been paid by the due date.
- (3) Ministerial Order No. 184 made under the **Education and Training Reform Act 2006** is **revoked** with effect from 28 February 2014.
- (4) Ministerial Order No. 184 applies to all disciplinary proceedings commenced but not determined before the date this Order comes into operation.

PART 2 – IDENTIFYING THE RELEVANT PERSON

- (1) Where a student or **parent** nominates an adult as the **relevant person**, the **principal** must –
 - (a) notify that adult of the **nomination**;
 - (b) explain the duties and obligations of a **relevant person** to the nominated adult; and
 - (c) ensure the student or **parent** and the nominated adult complete the *Nomination and Acceptance Form*.
- (2) Where a person from the **suitable person list** is required the **principal** must –
 - (a) submit a *Request to Appoint a Person from the Suitable Person List form* to the **SSS Network Coordinator**, or, if there is no **SSS Network Coordinator** in that principal's **SSS Network**, the Executive Chair of the **SSS Network**; and
 - (b) appoint, in conjunction with the **SSS Network Coordinator** or Executive Chair, a person from the **suitable person list**.
- (3) In applying this Order, where a student has attained 18 years of age, the **principal** may disregard any reference in this Order to '**relevant person**', however the student should be encouraged to have a support person or independent person to provide support to the student;
- (4) In applying subclause (3) where it is apparent to a **principal** that a student has a **disability** the **principal** must make enquiries as to the student's ability to represent himself or herself for the purposes of this Order. After making such enquiries, if the **principal** is not satisfied that a student has ability to adequately represent himself or herself, subclause (4) shall not apply to that student and the student is to be treated as if he or she were a mature minor.

PART 3 – SUSPENSION

5. Authority for suspension

Only a **principal** has the authority to suspend a student from the school of which he or she is the **principal**. This power cannot be delegated.

6. Grounds for suspension

A **principal** may suspend a student if, whilst attending school or travelling to or from school or engaged in any school activity away from the school (including travel to or from that activity), the student –

- (a) behaves in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;

- (b) causes significant damage to or destruction of property;
- (c) commits or attempts to commit or is knowingly involved in the theft of property;
- (d) possesses, uses or sells or deliberately assists another person to possess, use or sell illicit substances or weapons;
- (e) fails to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- (f) consistently engages in behaviour that vilifies, defames, degrades or humiliates another person based on age; breastfeeding; gender identity; **disability**; impairment; industrial activity; lawful sexual activity; marital status; parental status or status as a carer; physical features; political belief or activity; pregnancy; race; religious belief or activity; sex; sexual orientation; personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes; or
- (g) consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

7. Procedures for suspension

- (1) In determining whether to suspend a student the **principal** must ensure that suspending the student is appropriate to –
 - (a) the behaviour for which the student is being suspended;
 - (b) the educational needs of the student;
 - (c) any **disability** of the student;
 - (d) the age of the student; and
 - (e) the residential and social circumstances of the student.
- (2) Before implementing a suspension, the **principal** must be able to ensure that –
 - (a) the student has had the opportunity to be heard;
 - (b) any information or documentation provided by the student or their **relevant person** has been taken into account in making the decision regarding suspension; and
 - (c) other forms of action to address the behaviour for which the student is being suspended have been considered.
- (3) Prior to suspension taking effect, or on the day of implementing a suspension with immediate effect in accordance with sub-clauses 4 and 5, the **principal** must –
 - (a) identify the **relevant person** in accordance with Part 2;
 - (b) give verbal notification to the student and notify the **relevant person** via telephone or in person of the reason/s for the suspension, the **school days** on which the suspension shall occur and where the suspension will occur;
 - (c) provide contact details for additional support services to the student and their **relevant person**, as appropriate;
 - (d) where the student is suspended for three days or less, provide meaningful work;
 - (e) where the student is suspended for more than three days, develop a Student Absence Learning Plan and Return to School Plan;
 - (f) provide the student and their **relevant person** with a Notice of Suspension which must include –
 - (i) the reasons for the suspension; and
 - (ii) the **school days** on which the suspension shall occur;

- (g) provide the student and their **relevant person** with copies of the Student Absence Learning Plan and the Return to School Plan (if required to be prepared in accordance with paragraph (e));
 - (h) provide the student and their **relevant person** with a copy of the information brochure *Procedures for Suspension*; and
 - (i) record the suspension in CASES21.
- (4) The **principal** may implement a suspension in accordance with this Part to have immediate effect if the student's behaviour is such that they are putting the health, safety and wellbeing of themselves, or any other person at significant risk.
- (5) Where a **principal** implements a suspension with immediate effect, the **principal** may determine to expel the student, in accordance with the procedures in Part 4, while the student is on suspension.
- (6) Where a **principal** implements a suspension with immediate effect, the **principal** has a duty of care to provide supervision of the student –
- (a) until the student is collected by a **parent** or a person chosen as an emergency contact for the student by the **parent**; or
 - (b) if the student is in **out of home care**, if the student cannot be collected by a **parent**, until the student is collected by an adult who is residing with, and providing care to, the student; or
 - (c) until the end of the **school day**; or
 - (d) in the case of a school camp or school excursion, if (a) or (b) does not apply, until the end of the camp or excursion.

8. Period of suspension

- (1) The maximum continuous period of time a student can be suspended at any one time is five **school days**, unless a longer period is approved by the Regional Director in accordance with clause 8(2).
- (2) Where a **principal** implements a suspension with immediate effect and is considering whether to expel the student, the principal may request written approval from the Regional Director for a period of suspension greater than 5 **school days** for the purposes of undertaking the expulsion procedures in Part 4.
- (3) A student cannot be suspended for more than 15 **school days** in a school year without written approval from the Regional Director.
- (4) If a student is suspended for a period which is longer than the days left in a term the **principal** should consider the likely disruption to the student's learning before imposing a suspension that will continue into the following term.
- (5) If a student has been suspended for 15 **school days** in a school year, an expulsion is not the automatic consequence.

PART 4 – EXPULSION

9. Authority for expulsion

Only the **principal** has the authority to expel a student from the school of which he or she is the **principal**. This power cannot be delegated.

10. Grounds for expulsion

A **principal** may expel a student from the school if, whilst attending school or traveling to or from school or engaged in any school related activity away from the school (including travel to or from that activity) –

- (a) the student does anything mentioned in clause 6 (a) to (g); and
- (b) the student's behaviour is of such magnitude, that having regard to the need of the student to receive an education compared to the need to maintain the health, safety and wellbeing of other students and staff at the school and the need to maintain the effectiveness of the school's educational programs, expulsion is the only available mechanism.

11. Procedures prior to expulsion

- (1) The **principal** must identify the **relevant person** in accordance with Part 2.
- (2) If the student is in **out of home care**, the **principal** must inform the Regional Director that expulsion of the student is being considered.
- (3) If the student is an overseas student, the **principal** must inform the relevant business unit of the Department that the expulsion of the student is being considered.

Behaviour review conference

- (4) The **principal** must convene a behaviour review conference.
- (5) The purpose of the behaviour review conference is to –
 - (a) advise the student and their **relevant person** that the **principal** is considering whether to expel the student;
 - (b) outline the grounds for expulsion that are being considered and the evidence to support a finding that the student has engaged in relevant conduct;
 - (c) ensure that the student and their **relevant person** have the opportunity to be heard;
 - (d) identify the future educational, training and/or employment options most suited to the student's needs and agree on a course of action in the event expulsion is decided;
 - (e) provide the student and their **relevant person** with a copy of the information brochure *Procedures for Expulsion*.
- (6) The **principal** must seek the support of a member selected from the **regional approved list** to –
 - (a) attend the behaviour review conference, where appropriate;
 - (b) ensure that alternative disciplinary measures are considered for the student;
 - (c) ensure that the appropriate education, training and/or employment options are considered for the student; and
 - (d) assist in implementing the course of action agreed to at the behaviour review conference.
- (7) Prior to the behaviour review conference the **principal** must contact the student and their **relevant person** and advise them of the following –
 - (a) the date, time and place for the behaviour review conference;
 - (b) that both the student and their **relevant person** are encouraged to attend the behaviour review conference;
 - (c) that if the student's **relevant person** is unable or unwilling to attend, the relevant person and/or the student may nominate another adult to attend the behaviour review conference;
 - (d) the **relevant person** and/or the student may be accompanied at the conference by an independent support person of their choice who is not acting for fee or reward;
 - (e) that if the student and their **relevant person** do not attend the behaviour review conference, the behaviour review conference may proceed in their absence and, if expulsion is decided, the course of action may be determined without the benefit of hearing from the student and their **relevant person**.
- (8) The **principal** should determine whether the assistance of an interpreter in any language (including Auslan) is required by any person who is to attend the behaviour review conference and arrange for such assistance to be present at the conference.
- (9) When conducting a behaviour review conference a **principal** must ensure that the conference is conducted as informally as possible.
- (10) If the student and their relevant person do not attend the behaviour review conference, the **principal** must ensure that the key points discussed at the conference are recorded in writing and sent to the student and their **relevant person**.

Decision regarding expulsion

- (11) In determining whether to expel a student the **principal** must properly, fairly and without bias consider all of the relevant matters in making their decision. The **principal** must determine whether the expulsion is appropriate when compared to –
 - (a) the behaviour for which the student is being expelled;
 - (b) the educational needs of the student;
 - (c) any **disability** of the student;
 - (d) the age of the student; and
 - (e) the residential and social circumstances of the student.
- (12) Before implementing an expulsion, the **principal** must be able to ensure that any information or documentation provided by the student or their **relevant person** has been taken into account in making the decision regarding expulsion.
- (13) The **principal** must notify the student and their **relevant person** within 48 hours of the conclusion of the behaviour review conference of the **principal**'s decision whether to expel the student.
- (14) If the **principal** decides to expel the student the **principal** must provide the student and their **relevant person** with the following documentation –
 - (a) a Notice of Expulsion which must state –
 - (i) the ground/s for the expulsion;
 - (ii) the reason/s for the expulsion;
 - (iii) the date of the commencement of the expulsion; and
 - (iv) that the student has a right to appeal the expulsion decision.
 - (b) a copy of the Expulsion Appeal form.
- (15) The **principal** must prepare an Expulsion Report which must be in writing and contain –
 - (a) a short statement of the history of the student's time at the school;
 - (b) the grounds for the expulsion;
 - (c) the reasons for expulsion;
 - (d) any considerations in support of the expulsion including a comprehensive range of strategies which might have been employed to date;
 - (e) any representation made by the student or their **relevant person**;
 - (f) a summary of the options considered at the behaviour review conference and why expulsion was considered necessary;
 - (g) details of the arrangements that have been made for the continuing education, training and/or employment of the student; and
 - (h) recommendations on whether any further action either at the school, local, regional or system level is required, including strategies at the school level to prevent the repeat of similar circumstances.
- (16) Within 24 hours of the expulsion taking effect, a copy of the Notice of Expulsion and the Expulsion Report must be provided to the Regional Director.
- (17) The **principal** must record the expulsion in CASES21.

12. Procedures Following Expulsion

- (1) The **principal** of the expelling school, in collaboration with the DEECD regional office, must ensure that the student is provided with other educational and development opportunities as soon as practicable after the expulsion.

- (2) In the case of a student of compulsory school age, the **principal** and the DEECD regional office must ensure that the student is participating in one or more of the following options as soon as practicable –
 - (a) enrolled at another registered school;
 - (b) enrolled at a registered training organisation;
 - (c) engaged in employment.
- (3) In the case of a student of compulsory school age, the **principal** must provide the student with meaningful work from the time of expulsion until the student is participating in one or more of the options specified in clause 12(2), and monitor completion of that work.
- (4) The obligations in sub-clauses (2) and (3) do not apply if an exemption under section 2.1.5¹ of the **Education and Training Reform Act 2006** applies.
- (5) In the case of a student who is beyond compulsory school age, the **principal** should provide the student and their **relevant person** with information about other schools, registered training organisations, or employment agencies that may provide suitable opportunities for the student.

13. Appeal Procedures

- (1) A student may appeal a **principal**'s decision to expel the student to the Secretary (or delegate) provided that the appeal is lodged in accordance with this Order.²
- (2) The grounds on which an appeal can be made are –
 - (a) that the expulsion process was not followed by the **principal**;
 - (b) the grounds on which the student was expelled are unfair;
 - (c) there have not been sufficient prior interventions and strategies utilised prior to the decision to expel where the student has a history of behavioural issues; or
 - (d) other extenuating circumstances.
- (3) An Expulsion Appeal must be received by the **principal** within 10 **school days** of the student and their **relevant person** receiving the Notice of Expulsion.
- (4) The **principal** must provide the Secretary (or delegate) with a copy of the following documents within 24 hours of receiving the Expulsion Appeal –
 - (a) Notice of Expulsion;
 - (b) Expulsion Report; and
 - (c) Expulsion Appeal.
- (5) The Secretary (or delegate) must determine to uphold or overturn the decision made by the **principal** to expel the student.
- (6) The Secretary (or delegate) may appoint an Expulsion Review Panel to review the **principal**'s decision to expel the student.
- (7) The role of the Expulsion Review Panel is to –
 - (a) provide an opportunity for the student and their **relevant person** to be heard; and
 - (b) provide an Expulsion Review Panel Report to the Secretary (or delegate) outlining the relevant facts and relevant considerations and recommending to the Secretary (or delegate) the decision that should be made in relation to the expulsion appeal.

¹ Section 2.1.5 authorises the Minister to exempt a student from enrolment at school, attendance at school or both enrolment and attendance at school.

² Section 2.2.19(2) of the Act states that a student expelled from a Government school may, in accordance with any Ministerial Order, appeal to the Secretary against his or her expulsion.

- (8) If the Secretary (or delegate) determines to appoint an Expulsion Review Panel, the Secretary (or delegate) must appoint members of the panel. This panel must include –
- (a) a Department of Education and Early Childhood Development representative selected by the Secretary (or delegate);
 - (b) a member from the **regional approved list** selected by the Regional Director; and
 - (c) a member from the **regional approved list** selected by the **principal**.
- (9) The Secretary (or delegate) must appoint an Executive Officer to assist the Expulsion Review Panel. The role of the Executive Officer is to –
- (a) liaise with the panel members to determine an appropriate date, time and place to convene an Expulsion Review Panel meeting;
 - (b) contact the student and their **relevant person** and advise them of the following –
 - (i) the date, time and place for the Expulsion Review Panel meeting;
 - (ii) that both the student and their **relevant person** are encouraged to attend the Expulsion Review Panel meeting;
 - (iii) that if the student's **relevant person** is unable or unwilling to attend, the **relevant person** and/or the student may nominate another adult to attend the Expulsion Review Panel meeting;
 - (iv) the student and/or **relevant person** may be accompanied at the meeting by an independent support person of their choice who is not acting for fee or reward; and
 - (v) if the student and their **relevant person** do not attend the Expulsion Review Panel meeting, the Expulsion Review Panel meeting may proceed in their absence, and an Expulsion Review Panel Report to the Secretary may be prepared without the benefit of hearing from the student and their **relevant person**;
 - (c) determine whether the assistance of an interpreter in any language (including Auslan) is required by any person who is to attend the Expulsion Review Panel meeting and arrange for such assistance to be present at the meeting;
 - (d) ensure that the panel members receive the following documents prior to the Expulsion Review Panel meeting –
 - (i) Notice of Expulsion;
 - (ii) Expulsion Report; and
 - (iii) Expulsion Appeal;
 - (e) ensure that the panel members are fully informed of their role; and
 - (f) appoint a Chairperson for the Expulsion Review Panel meeting.
- (10) The expulsion review panel must provide a completed Expulsion Review Panel Report to the Secretary within 24 hours of the conclusion of the Expulsion Review Panel meeting.
- (11) Where the Secretary (or delegate) appoints an Expulsion Review Panel, the Secretary (or delegate) should consider the Expulsion Review Panel Report prior to making a determination but he or she is not bound to follow the recommendation made by the Expulsion Review Panel.
- (12) The Secretary (or delegate) should use his or her best endeavours to make a determination within 15 **school days** of receiving the Expulsion Appeal from the **principal**.

- (13) The Secretary (or delegate) must verbally notify the student, their **relevant person**, and the **principal** of the outcome of the appeal within 24 hours of the decision being made.
- (14) The Secretary (or delegate) must also provide written notification to the student, their **relevant person** and the **principal** of the determination made in relation to the expulsion appeal. If an Expulsion Review Panel was appointed a copy of the Expulsion Review Panel Report must be sent to the student, their **relevant person** and the **principal**.
- (15) If the Secretary (or delegate) overturns the **principal**'s decision to expel the student the **principal** must ensure that the following actions are implemented as soon as possible –
- (a) the student must be re-enrolled in the school;
 - (b) the **principal** must work with the student, their **relevant person** and the student's teacher/s to develop a Return to School Plan for the student;
 - (c) the **principal** must ensure that the record of expulsion is removed from the student's permanent record and CASES21; and
 - (d) once expulsion has been removed from the student's record, the **principal** must notify the student and their **relevant person** of this in writing.

Dated 23 December 2013

THE HON. MARTIN DIXON MP
Minister for Education

Food Act 1984
REGISTRATION OF A
FOOD SAFETY PROGRAM TEMPLATE

I, Pauline Ireland, as delegate of the Secretary to the Department of Health, under section 19DB of the **Food Act 1984** (the Act) –

1. state that the template entitled **Coles Food Safety Plan template Version 7** (the template) is registered for use; and
2. specify that this template is suitable for use by food businesses trading as **Coles Supermarkets** carried out at, on or from class 2 food premises.

In this instrument –

'**class 2 food premises**' means food premises declared to be class 2 food premises under section 19C of the Act.

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

Dated 23 December 2013

PAULINE IRELAND
Assistant Director
Food Safety and Regulation

Food Act 1984

REVOCATION OF REGISTRATION OF A FOOD SAFETY PROGRAM TEMPLATE

I, Pauline Ireland, as delegate of the Secretary to the Department of Health

- (a) noting that the **Coles Food Safety Program Template version 6** was registered under section 19DB of the **Food Act 1984** (the Act) in a notice published in the Government Gazette on 14 February 2013;

(b) revoke the registration of that food safety program template under section 19DB of the Act.

This revocation takes effect on the date this notice is published in the Government Gazette.

Dated 23 December 2013

PAULINE IRELAND
Assistant Director
Food Safety and Regulation

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