



Victoria Government Gazette

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No. G 52 Thursday 29 December 2016

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GENERAL

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As from 29 December 2016

The last Special Gazette was No. 400 dated 23 December 2016.

The last Periodical Gazette was No. 1 dated 18 May 2016.

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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**FIRST GENERAL GAZETTE FOR 2017
THURSDAY 5 JANUARY 2017**

Please Note:

The first Victoria Government Gazette (General) for 2017 (G1/17) will be published on **Thursday 5 January 2017**.

Copy deadlines:

Private Advertisements	9.30 am on Friday 30 December 2016
Government and Outer Budget Sector Agencies Notices	9.30 am on Tuesday 3 January 2017

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

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
AUSTRALIA DAY HOLIDAY 2017**

Please Note:

The Victoria Government Gazette (General) for AUSTRALIA DAY HOLIDAY week (G4/17) will be published on **Wednesday 25 January 2017**.

Copy deadlines:

Private Advertisements	9.30 am on Friday 20 January 2017
Government and Outer Budget Sector Agencies Notices	9.30 am on Monday 23 January 2017

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

Re: WILTRUD ERIKA FREDERICKS, late of 359 Narre Warren North Road, Narre Warren North, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 July 2016, are required by the trustee, Alexandra Giummarra, to send particulars to the trustee, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she has notice.

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

Re: MARGARET ELLEN BUTLER late of Mercy Place, 7 Maryville Way, Boronia, Victoria, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the abovenamed deceased, who died on 30 August 2016, are required by the personal representative, Equity Trustees Limited, to send particulars of their claims to the personal representative, care of the undermentioned solicitors, by 1 March 2017, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which the personal representative then has notice.

AITKEN PARTNERS PTY LTD, solicitors,
Level 28, 140 William Street,
Melbourne 3000.

Re: KONSTANTINOS ELEFThERIADIS, late of 2 Margaret Street, Seddon, Victoria 3011.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 September 2016, are required by the executor, Vicki Pallikaros, to send particulars of their claim to her, care of the undermentioned solicitors, by 1 March 2017, after which date the executor may convey or distribute the assets, having regard only to the claims of which she may then have notice.

DANIEL LAWYERS & ASSOCIATES,
Level 1, 40 Droop Street, Footscray 3011.

Re: Estate of RUKIE YMER, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of RUKIE YMER, late of Unit 1, 1 Cherryhinton Road, Box Hill, Victoria, retired, deceased who died on 7 August 2016, are required by the executor to send particulars of their claim to him, care of the undermentioned solicitors, by 12 June 2017, after which date the said executor will distribute the assets of the deceased, having regard only to the claims of which he then shall have notice.

DONALD & RYAN LAWYERS, solicitors,
304 High Street, Kew 3101.

Re: Estate of FRANCIS GERARD CRAIG.

Creditors, next-of-kin and others having claims in respect of the estate of FRANCIS GERARD CRAIG, also known as Francis Gerald Craig, late of 14 Keats Street, Kerang in the State of Victoria, labourer, deceased, who died on 18 July 2016, are to send particulars of their claim to the executor, care of the undermentioned legal practitioners, by 28 February 2017, after which date the executor will distribute the assets, having regard only to the claims of which he then has notice.

DWYER MAHON & ROBERTSON,
legal practitioners,
Beveridge Dome, 194–208 Beveridge Street,
Swan Hill 3585.

IAN RONALD NEWBEGIN, late of 4 Tumut Close, Epping, Victoria, teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 August 2016, are required by the executor, Jane Mary Newbegin, to send particulars of their claims to the undermentioned solicitors by 3 April 2017, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

I. GLENISTER & ASSOCIATES, solicitors,
421 Bell Street, Pascoe Vale, Victoria 3044.

COLIN SAMUEL KINNIBURGH, late of 24 Oakwood Avenue, Dandenong North, Victoria 3175, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 30 November 2015, are

required by Peter Julian Black, trustee of the estate of the deceased, care of 17 Argyle Place South, Carlton, Victoria 3053, to send particulars of their claims by 28 February 2017, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

Dated 19 December 2016

JOHN WHELAN, commercial lawyer,
17 Argyle Place South, Carlton, Victoria 3053.
PO Box 373, Carlton South, Victoria 3053.
Ph: 03 9347 8865. E: john@johnwhelan.com.au

Creditors, next-of-kin and others having claims in respect of the estate of WAYNE ANDREW MEAGHER, late of Unit 1, 4 Searle Street, Horsham, Victoria, deceased, who died on 4 April 2016, are required by the trustee, Nicholas John Lucas, to send particulars of their claims to the said trustee, care of his undermentioned solicitors, by 28 February 2017, after which date he will convey or distribute the assets, having regard only to the claims of which he then has notice.

LAWSON HUGHES PETER WALSH, lawyers,
Level 2, 533 Little Lonsdale Street,
Melbourne 3000.

CHRISTEL IRMGARD CLEGG, late of Unit 19, Greenwood Manor, 617 Lower Dandenong Road, Dingley, Victoria, retired waitress, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 September 2016, are required by the executors, Paul Joseph Dillon and Hussain Ali Chamali, to send particulars to them, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

LYTTLETONS LAWYERS,
2/128 Centre Dandenong Road, Dingley 3172.

Re: Estate of MONA EVELYN McEWEN,
late of 44 Murrumbeena Crescent, Murrumbeena,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 October 2016, are required by the trustees to send particulars to the trustees, care of the undermentioned solicitors, by 29 March

2017, after which date the trustees may convey or distribute the assets of the deceased, having regard only to the claims of which the trustees then have notice.

MAHONS with Yuncken & Yuncken, solicitors,
177 Surrey Road, Blackburn 3130.
SM:CH2162205

Re: Estate of STUART ROBERT SKINNER,
late of Villa Maria Catholic Homes, Corpus
Christi, 80 Clayton Road, Clayton, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 April 2015, are required by the trustees to send particulars to the trustees, care of the undermentioned solicitors, by 29 March 2017, 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:CH2160038

PHOEBE MARGARET LOMAX, late of Ti
Tree Lodge, 34A Balaka Street, Rosebud West,
Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 August 2016, are required to send particulars of their claims to the trustee, Shane Christopher McCarthy, care of the undermentioned solicitors, by 17 March 2017, after which date the trustee will distribute the assets of the estate, having regard only to the claims of which he then has notice.

MCCARTHY PARTNERS PTY, solicitors,
2247 Point Nepean Road, Rye 3941.

Re: DIANA JUNE KEANE, late of 12
Garrett Crescent, Bellfield, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 April 2016, are required by the executors of her estate, Janice Gay Taylor, Alan James Taylor and Janet Teresa Gardner, to send particulars thereof to them, care of the undermentioned legal practitioner, by 1 March 2017, after which date the said executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

ROBERT HODGENS LLB,
13 Myrtle Crescent, Ferntree Gully,
Victoria 3156.

Re: MARJORIE KELLY, late of Bethlehem Home for the Aged, 36–42 Specimen Hill Road, Golden Square, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 November 2016, are required by the trustee, Sandhurst Trustees Limited, ACN 004 030 737, of 18 View Street, Bendigo, Victoria, to send particulars to the trustee by 21 April 2017, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

SANDHURST TRUSTEES LIMITED,
18 View Street, Bendigo 3550.

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 28 February 2017, 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.

CANNIZZO, Salvatore, late of Unit 3, 267 Albion Street, Brunswick, Victoria 3056, deceased, who died on 3 November 2016.

LYNCH, Samuel, late of Capel Sands Aged Care, 8–16 Capel Avenue, Rosebud West, Victoria 3940, deceased, who died on 29 October 2016.

YIANNI, Christodoulos, late of 34 Wilkins Street, Yarraville, Victoria 3013, deceased, who died on 14 June 1992.

Dated 20 December 2016

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 1 March 2017, 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.

CARRE, Jacques Paul, late of Room 11, 77–79 Grey Street, St Kilda, Victoria 3182, deceased, who died on 13 November 2016.

McNALLY, James Patrick, late of Blue Cross Monterey, 858 Pascoe Vale Road, Glenroy, Victoria 3046, deceased, who died on 30 July 2016.

Dated 21 December 2016

**Australian Consumer Law (Victoria)
IMPOSITION OF INTERIM BAN
ON DECORATIVE ALCOHOL
FUELLED BURNERS**

I, Marlene Kairouz MP, Minister for Consumer Affairs, pursuant to section 109(1)(b) of the **Australian Consumer Law (Victoria)**, impose an interim ban on consumer goods of a

kind specified below, which are the subject of an interim ban imposed by the Hon. Michael Mischin, Minister for Commerce (WA), on 21 December 2016 pursuant to section 109(1)(a) of the **Australian Consumer Law (Western Australia)**.

The effect of this Notice is to ban the supply of such consumer goods for a period of 60 days from the date of the notice.

Particulars of Consumer Goods

Decorative fireplaces, appliances and devices designed for domestic use producing a flame using alcohol as fuel, excluding the following:

- those with a power output of more than 4.5 kW;
- those that require installation in a fixed position; and
- those designed for heating or warming food.

Interpretation:

Decorative fireplaces, appliances and devices designed for domestic use producing a flame using alcohol as fuel are used for heating or display purposes. The fuel is typically ethanol in liquid or (less commonly) gel form. The most common form is methylated spirits (ethanol and around 10% methanol) which may also be marketed as bio-ethanol or eco-fuel.

Dated 20 December 2016

HON. MARLENE KAIROUZ MP
Minister for Consumer Affairs

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, Steven Warrington, Chief Officer of the Country Fire Authority, after consultation with the Secretary to the Department of Environment, Land, Water and Planning, 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 2017.

To commence from 0100 hours on 3 January 2016:

- Knox City Council
- Manningham City Council (those portions not included in the Metropolitan Fire District)
- Maroondah City Council (those portions not included in the Metropolitan Fire District)
- Yarra Ranges Shire Council (those portions not included in the Metropolitan Fire District)

STEVEN WARRINGTON
Chief Officer

Education and Training Reform Act 2006

MINISTERIAL ORDER NO.952

Dissolution of Lorne-Aireys Inlet P-12 College Council

The Minister for Education makes the following Order:

1. Objectives

The objectives of this Order are to dissolve Lorne-Aireys Inlet P-12 College Council and make arrangements for its property, rights, liabilities, obligations and legal proceedings.

2. Authorising provision

This order is made under sections 2.3.2(6) and (7) of the **Education and Training Reform Act 2006**.

3. Commencement

This Order takes effect on 1 January 2017.

4. Definitions

4.1 In this Order:

‘**Old Council**’ means the Council established in respect of Lorne-Aireys Inlet P-12 College by Order dated 30 September 1997, as amended from time to time;

‘**New Councils**’ means the Council constituted in respect of Aireys Inlet Primary School by Ministerial Order 953 and the Council constituted in respect of Lorne P-12 College by Ministerial Order 954.

5. Councils replace former school council

5.1 On the date on which this clause comes into operation, the New Councils are the successor in law of the Old Council.

5.2 On the date on which this clause comes into operation –

- (a) all property and rights of the Old Council become the property and rights of the New Councils;
- (b) all liabilities and obligations of the Old Council become the liabilities and obligations of the New Councils; and
- (c) any legal proceedings by or against the Old Council, and any legal proceedings that might have been continued or commenced by or against it, may be continued or commenced by or against the New Councils.

5.3 On the date on which this Order takes effect, Lorne-Aireys Inlet P-12 College Council is dissolved.

This Order is made 16 December 2016

THE HON. JAMES MERLINO, MP
Minister for Education

Education and Training Reform Act 2006

MINISTERIAL ORDER NO. 953

Aireys Inlet Primary School Council

Constituting Order

A. Purpose

The purpose of this Order is to constitute a Council for Aireys Inlet Primary School, which by virtue of Ministerial Order No. 952, will be the successor in law of Lorne-Aireys Inlet P-12 College Council upon that Council's dissolution.

B. Authorising provisions

This Order is made under section 2.3.2 (1) and (2) and all other enabling provisions of the **Education and Training Reform Act 2006**.

C. Commencement

This Order comes into operation on the day it is made.

PART A – CONSTITUTION**1. Incorporation**

A school council is hereby constituted, under section 2.3.2(1) of the **Education and Training Reform Act 2006**, by the name of Aireys Inlet Primary School Council, as a body corporate to exercise and discharge the powers, duties and functions conferred or imposed on it by or under that Act in relation to the Government school [5566] named Aireys Inlet Primary School situated at 15–21 Anderson Street, Aireys Inlet, Victoria 3231.

1A. Objectives of the Council

The objectives of the Council with regard to the School are:

- (a) To assist in the efficient governance of the School;
- (b) To ensure that its decisions affecting students of the School are made having regard, as a primary consideration, to the best interest of the students;
- (c) To enhance the educational opportunities of students at the School; and
- (d) To ensure the School and the Council comply with any requirements of the **Education and Training Reform Act 2006**, any regulations or a Ministerial Order made under that Act, or a direction, guideline or policy issued under that Act.

1B. Functions of the Council

The functions of the Council with regard to the School are:

- (a) To establish the broad direction and vision of the School within the School's community;
- (b) To arrange for the supply of goods, services, facilities, materials, equipment and other things or matters that are required for the conduct of the School including the provision of preschool programs;
- (c) To raise funds for School related purposes;
- (d) To regulate and facilitate the after-hours use of the School premises and grounds;
- (e) To exercise a general oversight of the School buildings and grounds and ensure that they are kept in good order and condition;
- (f) To provide for the cleaning and sanitary services that are necessary for the School;
- (g) To ensure that all money coming into the hands of the Council is expended for proper purposes relating to the School;
- (h) To provide meals and refreshments for the staff and students of the School and make charges for those meals or refreshments;
- (i) To inform itself and take into account any views of the School community for the

- purpose of making decisions in regard to the School and the students at the School;
- (j) To generally stimulate interest in the School in the wider community; and
 - (k) To perform any other function or duty or to exercise any power conferred or imposed on the Council:
 - (i) By or under the **Education and Training Reform Act 2006** or any regulations made under that Act; or
 - (ii) By a Ministerial Order made, or direction issued, by the Minister under the **Education and Training Reform Act 2006**.

1C. Powers of the Council

- 1C.1 For the purpose of meeting its objectives or performing its functions or duties the Council may:
- (a) Enter into contracts, agreements or arrangements;
 - (b) Establish trusts and act as trustee of them;
 - (c) Subject to section 2.2.4 of the **Education and Training Reform Act 2006** and in accordance with any Ministerial Order made under that Act, charge fees to parents for goods, services or other things provided by the School to a child of the parent; and
 - (d) Do any other thing that is necessary or convenient to be done for, or in connection with, meeting its objectives or performing its functions or duties.
- 1C.2 In addition to the powers under clause 1C.1, the Council has any other powers conferred on it by or under the **Education and Training Reform Act 2006**, or any regulations or a Ministerial Order made under that Act.
- 1C.3 The Council does not have the power to do any of the following:
- (a) Employ a teacher with no date fixed for the termination of that employment;
 - (b) Purchase or acquire for consideration any land or building; or
 - (c) Unless authorised by or under the **Education and Training Reform Act 2006** or any regulations or a Ministerial Order made under that Act:
 - (i) License or grant any interest in land, including School lands or buildings;
 - (ii) Enter into hire purchase agreements;
 - (iii) Obtain loan or credit facilities;
 - (iv) Form or become a member of a corporation;
 - (v) Provide for any matter or thing outside Victoria unless it is related to an excursion by students from the School or the professional development of staff of the School;
 - (vi) Purchase a motor vehicle, boat or plane.

1D. Accountability and executive officer

- 1D.1 The Council is accountable to the Minister for Education in respect of the performance by the Council of its functions in accordance with any Order made by the Minister.
- 1D.2 The principal of the School is the executive officer of the Council and must ensure that:
- (a) Adequate and appropriate advice is provided to the Council on educational and other matters;
 - (b) The decisions of the Council are implemented; and
 - (c) Adequate support and resources are provided for the conduct of Council meetings.

PART B – GENERAL**2. Regulations**

Part 3 of the Education and Training Reform Regulations 2007 apply to the Council.

3. Definitions

3.1 In this Order:

‘Composition and Election Provisions’ means the Composition and Election provisions of the School Council Composition and Elections Order (Ministerial Order No. 52);

‘Council’ means the school council constituted by this Order;

‘DET’ means the Department of Education and Training;

‘Principal’ includes the person or persons for the time being authorised to perform the duties of principal of the School;

‘Public Reporting Meeting’ means a public reporting meeting as described in regulation 28 of the Education and Training Reform Regulations 2007, as amended from time to time;

‘School’ means the Government school referred to in clause 1 of this Order;

‘School Council Composition and Elections Order’ means Ministerial Order No. 52 made under the **Education and Training Reform Act 2006**, as amended and in force from time to time.

4. Specific clauses to prevail over general clauses

To the extent that there is any inconsistency between:

- (a) Clause 1B; or
- (b) Clause 1C,

and any other clause in this Order, that other clause will prevail.

5. Council composition and elections

- (a) The Composition and Election Provisions are incorporated in this Order and apply, inter alia, to the Council election process and the tenure of Council members.
- (b) The size and composition of the elected membership of the Council, including members co-opted by the Council, are specified in Schedule 1.
- (c) Options for change in the authorised size and/or composition of the Council membership pursuant to the Composition and Election Provisions are specified in Schedule 2.
- (d) Schedules 1 and 2 are part of this Order.

PART C – POWERS**6. Employment**

6.1 The Council, in accordance with the **Education and Training Reform Act 2006**, may:

- (a) Employ:
 - (i) Teachers for a fixed period not exceeding one year or on a casual basis;
 - (ii) Teacher aides; or
 - (iii) Any other staff,for the purpose of performing its functions and duties; and
- (b) Employ any person to enable the Council to do anything it is authorised to do by section 2.3.11 or Division 6 of the **Education and Training Reform Act 2006**.

6.2 If the Council employs a person under clause 6.1, it may do so on behalf of a group of school councils and the group of school councils may decide from time to time in a manner determined by agreement amongst themselves the time which the person is to spend on each school.

7. Use of buildings and grounds

7.1 The Council may:

- (a) Conduct programs in or use;
- (b) Subject to any conditions imposed by the Council, join with any other person or body to conduct programs in or use; or
- (c) Subject to any conditions imposed by the Council, allow any other person or body to conduct programs in or use,

any buildings or grounds of the School in relation to which the Council is constituted for the purposes of educational, recreational, sporting or cultural activities for students, the local community or young persons.

7.2 The Council may only allow buildings and grounds of the School to be used under clause 7.1 when the buildings or grounds are not required for ordinary School purposes.

8. Council may carry out works

8.1 The Council may, in regard to the School, with the approval of the Minister for Education given either generally or in any particular case:

- (a) Construct, or carry out any improvements to any building structure on the School grounds, or carry out any improvements in or to the School grounds;
- (b) Enter into a contract with any person for or in relation to the construction or carrying out by that person of any such building structure or improvements or of any other work which the Council is authorised or required by or under the **Education and Training Reform Act 2006** to carry out; or
- (c) Construct or carry out any improvements to any building structure, or carry out any improvements, on, in or to the School grounds or any other land that the Minister for Education has acquired an estate or interest in to provide preschool programs.

8.2 The Council may obtain and accept offers or tenders for any work approved by the Minister for Education under this clause that it proposes to carry out.

9. Other School Council works

The Council if so authorised by the Minister for Education is authorised and empowered to:

- (a) Enter into contracts with another school council for or in connection with:
 - (i) the construction of buildings or structures or the carrying out of improvements on, in or to the grounds of the school in relation to which the Council is constituted; or
 - (ii) any other work which the Council is authorised or required by or under the **Education and Training Reform Act 2006** to carry out; and
- (b) Do or comply with anything necessary or expedient for carrying the contract into effect.

10. Council may form sub-committee

Subject to the **Education and Training Reform Act 2006** and regulations made under that Act, the Council may form a sub-committee, consisting of at least one member of the Council and any other persons, to assist the Council.

11. Council may delegate powers, duties or functions

Subject to the **Education and Training Reform Act 2006** and regulations made under that Act, the Council may by instrument delegate all or any of the powers, duties or functions conferred or imposed on the Council by or under the **Education and Training Reform Act 2006**, the regulations, a Ministerial Order or a direction issued by the Minister under that Act, except this power of delegation to another person or body.

12. Council may form committees to manage joint facilities

If the Council enters into an agreement under its powers under the **Education and Training Reform Act 2006** for the use of any real or personal property by other persons or bodies, the Council may agree with the other parties to the agreement to form a committee for the management of the property.

13. Delegation to committee

If the Council agrees to form a committee to manage property under clause 12 the Council may, with the approval of the Minister for Education, delegate by instrument to members of the committee all or any of the Council's powers, duties or functions conferred or imposed on the Council by or under the **Education and Training Reform Act 2006** in relation to that property except this power of delegation.

14. Council may sell property

14.1 The Council may sell equipment, goods or other similar personal property acquired for use in the School.

14.2 If the proceeds from the sale of property under clause 14.1 are less than the amount determined by the Minister for Education, the Council may keep those proceeds.

14.3 If the proceeds from the sale of property under clause 14.1 are equal to or more than the amount determined by the Minister for Education, the Council may keep those proceeds, if the person appointed by the Secretary to the DET has given approval for the Council to do so.

14.4 For the purposes of clauses 14.2 and 14.3, a determination of the Minister for Education:

(a) Must be in writing; and

(b) May be varied or revoked by the Minister in writing.

14.5 The Secretary to the DET may appoint a person to give approvals under clause 14.3.

14.6 An approval given under clause 14.3 must be:

(a) In writing; and

(b) Given before the property is sold.

15. Preschool programs**15.1 Council may provide for preschool programs**

(1) If the School provides primary education, the Council may:

(a) Provide preschool programs on the premises of the School or on any other land or premises under the control of the Minister for Education;

(b) Enter into an agreement or arrangement with any other school council or other person or body for that Council, person or body to use part of the premises of that school or other premises under the control of the Minister for Education to provide a preschool program on those premises; or

(c) Enter into an agreement or arrangement with any other school council or other person or body to jointly provide a preschool program.

- (2) If the Council provides a preschool program or enters into an arrangement or agreement to provide a preschool program, it must ensure that, in any records kept by the School or the Council, the preschool children using the program are accounted for separately from students enrolled at the School in school programs.

15.2 Council may grant lease or licence over preschool land

The Council may, if authorised in writing by the Minister for Education, either generally or in any specified circumstances, grant a leasehold interest in, or a licence over, land of the School to be used to operate a preschool program or programs for children.

15.3 Fees for preschool programs

The Council or any other person or body authorised by the Council under clause 15.1, may require the payment of fees for the provision of preschool programs and other related services.

15.4 Application of, and accounting for, money received

In relation to any agreement or arrangement made by the Council for the provision of preschool programs under clause 15 the Council must ensure:

- (a) That any fees or other money received by the Council in the course of that provision or those agreements or arrangements is applied to the provision of preschool programs unless directed otherwise by a direction or guideline issued by the Minister for Education; and
- (b) That separate accounts and financial records are maintained in relation to the provision of those programs.

16. Payment of members

- 16.1 A member of the Council is not to receive any payment for his or her services as a member.
- 16.2 This does not prevent the Council reimbursing a member for any reasonable expenses incurred in the performance of his or her duties as a member.

17–23. Not used

24. Student dress code

- (1) The Council may determine a student dress code which is to apply to students of the School while they are at the School, travelling to and from School and/or attending School activities.
- (2) A student dress code may cover any matters which the Council considers appropriate in relation to clothing and other items worn, carried or used by students and to grooming, physical appearance and the general presentation of students, including without limiting the generality of the above –
 - (a) Whether a school uniform may or must be worn by students, and the school uniform to be worn;
 - (b) Clothing (including shoes) to be worn during classes and specified School activities such as sport, laboratory experiments and extra-curricular activities, and bags to be taken to School;
 - (c) The grounds on which any student may be exempted from complying with the dress code; and
 - (d) How the dress code may be enforced, provided the methods of enforcement are consistent with section 2.2.19 of the **Education and Training Reform Act 2006**, and the School's Student Code of Conduct (referred to in section 5.2.12 of the **Education and Training Reform Act 2006**).
- (3) The Council may enter into a contract with any person for the supply of school uniforms for students of the School.

25. Power to purchase

The Council may, subject to compliance with any directions issued by the Secretary to the DET, purchase goods, equipment or material for the purposes of the School.

26. Children's services

The Council may apply for and obtain under the **Children's Services Act 1996** approval to operate a children's service on premises of the School or on premises under the control of the Minister and may apply for and obtain a licence to operate a children's service and, subject to the **Children's Services Act 1996** and the **Education and Training Reform Act 2006** –

- (1) may operate, either solely or jointly, a children's service on part of the School premises or on other premises under the control of the Minister and may require payment of fees for the service and other related services;
- (2) may enter into a licence agreement, or a lease agreement if authorised in writing by the Minister, with another person for that person to use part of the School premises or other premises under the control of the Minister to provide a children's service or to provide a children's service on behalf of the Council on those premises; and
- (3) may carry out improvements to the School buildings and grounds for the provision of a children's service under subsection (1) or (2).

27. Other powers**27.1 Activities outside School Hours**

The Council may conduct or join with any other school council in conducting any educational, recreational or cultural activity for the students of the School outside School hours at the School or any other location.

27.2 Fund Raising

The Council may raise funds for School purposes by conducting local efforts or amusements.

27.3 Gifts

- (1) Subject to section 5.2.6 of the **Education and Training Reform Act 2006**, the Council may –
 - (a) accept gifts including real estate, providing that if a gift is encumbered or conditional, consent must be obtained from the Secretary to the DET before acceptance of such gifts; and
 - (b) purchase or maintain goods, equipment and material for the carrying out of its powers duties or functions under the **Education and Training Reform Act 2006** or any other Act, but may not purchase any vehicle without the prior consent of the Secretary to the DET.
- (2) For the purposes of this clause, 'vehicle' means the same as 'vehicle' in the **Road Safety Act 1986**.

27.4 Hire or use of Equipment**(1) Definitions**

In this clause –

'Equipment' includes goods and products but does not include fixtures.

'Equipment agreement' means a contract to hire equipment or a licence to use equipment under which –

- (a) the Council has the right to use the equipment; and
- (b) there is no option, right or obligation of the Council or any other person to buy the equipment; and
- (c) at the end of the contract or licence the School Council has to return the equipment to the other party to the contract or licence.

- (2) The Council may enter into an equipment agreement with another party if the sole or main purpose of entering into the equipment agreement is to benefit the education of students at the School or to assist with the efficient conduct of the School.
- (3) Prior to entering into an equipment agreement the Council must –
 - (a) obtain more than one written quotation or tender for the hire or use of the equipment if the annual cost of the hire or use of the equipment is expected to exceed \$1000; and
 - (b) carry out a financial evaluation of the proposal to hire or use the equipment; and
 - (c) ensure that the equipment to be hired or used has appropriate insurance cover, either through the terms of the equipment agreement or by separate cover.
- (4) The Council must not –
 - (a) enter into an equipment agreement for a continuous period exceeding four years until the Regional Director has approved the entering into of that equipment agreement; and
 - (b) enter into an equipment agreement for the hire or use of equipment previously owned or operated by the Council or for the purposes of the DET, and
 - (c) commit funds of a non-recurrent nature or funds granted for a specific purpose, towards the costs of an equipment agreement until the donor or provider of the funds has consented to that in writing; or
 - (d) enter into an equipment agreement unless it is satisfied that it will be able to meet all the costs of the equipment agreement.

27.5 Reporting

- (1) The Council must report the details of all equipment agreements it has entered into to the Council's Public Reporting Meeting. The report must include a description of the equipment hired or used, the purpose, the duration and the cost of the equipment agreement.
- (2) The costs of each equipment agreement must be fully identified in the Council's audited statement of receipts and expenditure presented to the Council's Public Reporting Meeting.

27.6 Exclusions

Clauses 27.4(3) and 27.5 do not apply to –

- (a) the hire of a video recording, or
- (b) the hire of any other equipment for less than four weeks in any one calendar year where the cost of the hire is less than \$1,000.00.

28. Transport Accident Commission agreements

The Council may enter into one or more agreements with the Transport Accident Commission concerning the provision of staff, facilities, equipment, support or other services for any student of the School who is the subject of a claim under the **Transport Accident Act 1986**.

29. Power to provide goods, services or facilities

- (a) Subject to subclauses (b) and (c), the Council may, for the purpose of the efficient conduct of the School, enter into arrangements or agreements, for reward or otherwise, to provide or supply goods, services or facilities to other Government schools or other educational institutions.

- (b) Any arrangement or agreement under subclause (a) may only be for goods, services or facilities that the Council is empowered under the **Education and Training Reform Act 2006**, the **Education and Training Reform Regulations 2007**, this Order, or any Ministerial Order made under the **Education and Training Reform Act 2006**, to provide or supply to the School.
- (c) Any arrangement or agreement under subclause (a) must comply with any directions issued by the Secretary to the DET.

30. Power to purchase by use of purchasing card facilities

- (a) Subject to this clause the Council may enter into arrangements with a financial institution under which the Council may purchase goods, services, equipment or material only for the purposes of the School by the use of purchasing card facilities provided by the financial institution.
- (b) Any purchase of goods, services, equipment or material under subclause (a) must comply with:
 - (i) any guidelines and directions issued by the Minister under section 5.2.1 of the **Education and Training Reform Act 2006**;
 - (ii) any directions issued by the Secretary to the DET; and
 - (iii) the terms and conditions relating to the use of any purchasing card issued by the financial institution to the Council from time to time.

31. Not used.

32. Trusts

The Council may act as a trustee of any trust fund established for the benefit of the School or its students with power to do any act or thing authorised under the terms of the relevant trust fund.

Part D – TRANSITIONAL PROVISIONS

33. Transitional provisions

- 33.1 (a) Subject to subclause (b), this clause 33 operates until and inclusive of the date of the declaration of the poll in 2017 (or, if no election is held that year, 31 March of that year);
- (b) Subclause 33.12 operates until and inclusive of the day after the date of the declaration of the poll in 2017 (or, if no election is held that year, 31 March of that year).
- 33.2 Subject to subclause 33.11, during the operation of this clause the Composition and Election provisions, namely clauses 5A to 5V of the School Council Composition and Elections Order (Ministerial Order No. 52), except clauses 5A, 5B.3 (insofar as it defines eligibility for election), 5B.3A(a) and 5R thereof, do not operate.
- 33.3 The School Council shall consist of a total of **nine** members comprising the principal *ex officio* and **one** other DET employee, **six** parents and **one** Community member.
- 33.4 (a) By ministerial appointment made for the purposes of this clause on the date of this Order the principal *ex officio*, **one** other DET employee, and **four** parents are appointed as members of the Council from the date this clause takes effect until and inclusive of the date of declaration of the poll in 2017.
- (b) The School Council may, prior to the date of the declaration of the poll in 2017 (or if no election is held that year, 31 March of that year), appoint **one** person who is eligible for appointment to the community member category of the school council for a term of office until and inclusive of the date of the declaration of the poll in 2017 (or if no election is held that year, 31 March of that year).

- 33.5 The School Council may, prior to the date of the declaration of the poll in 2017 (or, if no election is held that year, 31 March of that year), fill any casual vacancy that occurs in the membership of the School Council, by appointing to the School Council two persons who are eligible for election or appointment (as the case may be) to the relevant membership category, provided that any person who fills a vacant position created by a casual vacancy shall only serve the unexpired portion of the vacating member's term of office.
- 33.6 Not used.
- 33.7 A parent appointed under clause 33.4 who does not have a child enrolled at the School at the time of the Notice of Election and Call for Nominations for any School Council election shall cease to be a member of the Council on that date, and a casual vacancy is thereby created.
- 33.8 In the event that the School Council is unable to comply with the quorum provisions of Part 3 of the Education and Training Reform Regulations 2007 owing to the number of casual vacancies in its membership, the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** may fill any casual vacancy that occurs in the membership of the School Council by appointing to the School Council for a term of office that does not extend beyond the unexpired portion of the vacating member's term of office a person who is eligible for election or appointment (as the case may be) to the relevant membership category.
- 33.9 In the event that the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** is satisfied that a School Council member no longer intends to attend School Council meetings, but a casual vacancy has not been created in respect of that member's position on the School Council, the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** may remove the person as a School Council member and appoint to the School Council for a term of office that does not extend beyond the unexpired portion of the vacating member's term of office a person who is eligible for election or appointment (as the case may be) to the relevant membership category.
- 33.10 (a) The School Council may not conduct any School Council meeting unless the quorum provisions of Part 3 of the Education and Training Reform Regulations 2007 are satisfied.
- (b) Subject to clause 33.10(c), the School Council must not decide any matter unless a majority of the School Council members present are not DET employees.
- (c) If at any time the membership of the School Council is such that it is impossible for the School Council to decide a matter in accordance with clause 33.10(b), the School Council may nonetheless decide to fill a casual vacancy under clause 33.5 or appoint or co-opt a member under clause 33.4(b) and (c).
- (d) Subject to subclauses 33.10(a), 33.10(b), and 33.10(c), an act or decision of the School Council is not invalid, and the School Council is properly constituted, notwithstanding –
- (i) a vacancy in the office of a member (including a Community member);
 - (ii) a defect or irregularity in or in connection with the appointment or co-option of a member;
 - (iii) a casual vacancy is not filled; or
 - (iv) for any other reason the total number of school council members stated in clause 33.3 has not been appointed.

33.11 The first School Council election must be completed between the 2017 school year commencement date and 31 March 2017 in respect of **six** Parent member positions and **one** DET employee member position and the Composition and Election provisions (except clause 5D.3) shall apply to that School Council election.

33.12 The term of office of members of the School Council elected at the School Council election referred to in clause 33.11 shall commence on the day after the date of declaration of the poll in 2017.

This Order is made 16 December 2016

THE HON. JAMES MERLINO, MP
Minister for Education

SCHEDULE 1

Aireys Inlet Primary School Council

9T 6P 2DET 1CO

SCHEDULE 2

SCHOOL COUNCIL MEMBERSHIP TABLE

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
15	6	5	4	7	2
15	6	4	5	7	3
15	6	3	6	7	4
15	6	2	7	7	5
15	6	1	8	7	6
15	7	5	3	7	2
15	7	4	4	7	3
15	7	3	5	7	4
15	7	2	6	7	5
15	7	1	7	7	6
15	8	5	2	7	2
15	8	4	3	7	3
15	8	3	4	7	4
15	8	2	5	7	5
15	8	1	6	7	6
15	9	5	1	7	2
15	9	4	2	7	3
15	9	3	3	7	4
15	9	2	4	7	5
15	9	1	5	7	6
15	10	5	0	7	2
15	10	4	1	7	3
15	10	3	2	7	4
15	10	2	3	7	5
15	10	1	4	7	6
15	11	4	0	7	3
15	11	3	1	7	4
15	11	2	2	7	5

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
15	11	1	3	7	6
15	12	3	0	7	4
15	12	2	1	7	5
15	12	1	2	7	6
15	13	2	0	7	5
15	13	1	1	7	6
15	14	1	0	7	6
14	5	4	5	6	2
14	5	3	6	6	3
14	5	2	7	6	4
14	5	1	8	6	5
14	6	4	4	6	2
14	6	3	5	6	3
14	6	2	6	6	4
14	6	1	7	6	5
14	7	4	3	6	2
14	7	3	4	6	3
14	7	2	5	6	4
14	7	1	6	6	5
14	8	4	2	6	2
14	8	3	3	6	3
14	8	2	4	6	4
14	8	1	5	6	5
14	9	4	1	6	2
14	9	3	2	6	3
14	9	2	3	6	4
14	9	1	4	6	5
14	10	4	0	6	2
14	10	3	1	6	3
14	10	2	2	6	4
14	10	1	3	6	5
14	11	3	0	6	3
14	11	2	1	6	4
14	11	1	2	6	5
14	12	2	0	6	4
14	12	1	1	6	5
14	13	1	0	6	5
13	5	4	4	6	2
13	5	3	5	6	3
13	5	2	6	6	4
13	5	1	7	6	5

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
13	6	4	3	6	2
13	6	3	4	6	3
13	6	2	5	6	4
13	6	1	6	6	5
13	7	4	2	6	2
13	7	3	3	6	3
13	7	2	4	6	4
13	7	1	5	6	5
13	8	4	1	6	2
13	8	3	2	6	3
13	8	2	3	6	4
13	8	1	4	6	5
13	9	4	0	6	2
13	9	3	1	6	3
13	9	2	2	6	4
13	9	1	3	6	5
13	10	3	0	6	3
13	10	2	1	6	4
13	10	1	2	6	5
13	11	2	0	6	4
13	11	1	1	6	5
13	12	1	0	6	5
12	5	4	3	5	1
12	5	3	4	5	2
12	5	2	5	5	3
12	5	1	6	5	4
12	6	4	2	5	1
12	6	3	3	5	2
12	6	2	4	5	3
12	6	1	5	5	4
12	7	4	1	5	1
12	7	3	2	5	2
12	7	2	3	5	3
12	7	1	4	5	4
12	8	4	0	5	1
12	8	3	1	5	2
12	8	2	2	5	3
12	8	1	3	5	4
12	9	3	0	5	2
12	9	2	1	5	3
12	9	1	2	5	4
12	10	2	0	5	3

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
12	10	1	1	5	4
12	11	1	0	5	4
11	4	3	4	5	2
11	4	2	5	5	3
11	4	1	6	5	4
11	5	3	3	5	2
11	5	2	4	5	3
11	5	1	5	5	4
11	6	3	2	5	2
11	6	2	3	5	3
11	6	1	4	5	4
11	7	3	1	5	2
11	7	2	2	5	3
11	7	1	3	5	4
11	8	3	0	5	2
11	8	2	1	5	3
11	8	1	2	5	4
11	9	2	0	5	3
11	9	1	1	5	4
11	10	1	0	5	4
10	4	3	3	4	1
10	4	2	4	4	2
10	4	1	5	4	3
10	5	3	2	4	1
10	5	2	3	4	2
10	5	1	4	4	3
10	6	3	1	4	1
10	6	2	2	4	2
10	6	1	3	4	3
10	7	3	0	4	1
10	7	2	1	4	2
10	7	1	2	4	3
10	8	2	0	4	2
10	8	1	1	4	3
10	9	1	0	4	3
9	4	3	2	4	1
9	4	2	3	4	2
9	4	1	4	4	3
9	5	3	1	4	1
9	5	2	2	4	2

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
9	5	1	3	4	3
9	6	3	0	4	1
9	6	2	1	4	2
9	6	1	2	4	3
9	7	2	0	4	2
9	7	1	1	4	3
9	8	1	0	4	3
8	3	2	3	3	1
8	3	1	4	3	2
8	4	2	2	3	1
8	4	1	3	3	2
8	5	2	1	3	1
8	5	1	2	3	2
8	6	2	0	3	1
8	6	1	1	3	2
8	7	1	0	3	2
7	3	2	2	3	1
7	3	1	3	3	2
7	4	2	1	3	1
7	4	1	2	3	2
7	5	2	0	3	1
7	5	1	1	3	2
7	6	1	0	3	2
6	3	2	1	2	0
6	3	1	2	2	1
6	4	2	0	2	0
6	4	1	1	2	1
6	5	1	0	2	1

* A DET employee parent is a DET employee who is a parent of a child at the school.

Education and Training Reform Act 2006

MINISTERIAL ORDER NO. 954

Lorne P-12 College Council

Constituting Order

A. Purpose

The purpose of this Order is to constitute a council for Lorne P-12 College, which by virtue of Ministerial Order No. 952, will be the successor in law of Lorne-Aireys Inlet P-12 College Council upon that Council's dissolution.

B. Authorising provisions

This Order is made under section 2.3.2 (1) and (2) and all other enabling provisions of the **Education and Training Reform Act 2006**.

C. Commencement

This Order comes into operation on the day it is made.

PART A - CONSTITUTION**1. Incorporation**

A school council is hereby constituted, under section 2.3.2(1) of the **Education and Training Reform Act 2006**, by the name of Lorne P-12 College Council, as a body corporate to exercise and discharge the powers, duties and functions conferred or imposed on it by or under that Act in relation to the Government school [7997] named Lorne P-12 College situated at 15 Grove Road, Lorne, Victoria 3232.

1A. Objectives of the Council

The objectives of the Council with regard to the School are:

- (a) To assist in the efficient governance of the School;
- (b) To ensure that its decisions affecting students of the School are made having regard, as a primary consideration, to the best interest of the students;
- (c) To enhance the educational opportunities of students at the School; and
- (d) To ensure the School and the Council comply with any requirements of the **Education and Training Reform Act 2006**, any regulations or a Ministerial Order made under that Act, or a direction, guideline or policy issued under that Act.

1B. Functions of the Council

The functions of the Council with regard to the School are:

- (a) To establish the broad direction and vision of the School within the School's community;
- (b) To arrange for the supply of goods, services, facilities, materials, equipment and other things or matters that are required for the conduct of the School including the provision of preschool programs;
- (c) To raise funds for School related purposes;
- (d) To regulate and facilitate the after-hours use of the School premises and grounds;
- (e) To exercise a general oversight of the School buildings and grounds and ensure that they are kept in good order and condition;
- (f) To provide for the cleaning and sanitary services that are necessary for the School;
- (g) To ensure that all money coming into the hands of the Council is expended for proper purposes relating to the School;
- (h) To provide meals and refreshments for the staff and students of the School and make charges for those meals or refreshments;

- (i) To inform itself and take into account any views of the School community for the purpose of making decisions in regard to the School and the students at the School;
- (j) To generally stimulate interest in the School in the wider community; and
- (k) To perform any other function or duty or to exercise any power conferred or imposed on the Council:
 - (i) By or under the **Education and Training Reform Act 2006** or any regulations made under that Act; or
 - (ii) By a Ministerial Order made, or direction issued, by the Minister under the **Education and Training Reform Act 2006**.

1C. Powers of the Council

1C.1 For the purpose of meeting its objectives or performing its functions or duties the Council may:

- (a) Enter into contracts, agreements or arrangements;
- (b) Establish trusts and act as trustee of them;
- (c) Subject to section 2.2.4 of the **Education and Training Reform Act 2006** and in accordance with any Ministerial Order made under that Act, charge fees to parents for goods, services or other things provided by the School to a child of the parent; and
- (d) Do any other thing that is necessary or convenient to be done for, or in connection with, meeting its objectives or performing its functions or duties.

1C.2 In addition to the powers under clause 1C.1, the Council has any other powers conferred on it by or under the **Education and Training Reform Act 2006**, or any regulations or a Ministerial Order made under that Act.

1C.3 The Council does not have the power to do any of the following:

- (a) Employ a teacher with no date fixed for the termination of that employment;
- (b) Purchase or acquire for consideration any land or building; or
- (c) Unless authorised by or under the **Education and Training Reform Act 2006** or any regulations or a Ministerial Order made under that Act:
 - (i) License or grant any interest in land, including School lands or buildings;
 - (ii) Enter into hire purchase agreements;
 - (iii) Obtain loan or credit facilities;
 - (iv) Form or become a member of a corporation;
 - (v) Provide for any matter or thing outside Victoria unless it is related to an excursion by students from the School or the professional development of staff of the School;
 - (vi) Purchase a motor vehicle, boat or plane.

1D. Accountability and executive officer

1D.1 The Council is accountable to the Minister for Education in respect of the performance by the Council of its functions in accordance with any Order made by the Minister.

1D.2 The principal of the School is the executive officer of the Council and must ensure that:

- (a) Adequate and appropriate advice is provided to the Council on educational and other matters;
- (b) The decisions of the Council are implemented; and
- (c) Adequate support and resources are provided for the conduct of Council meetings.

PART B - GENERAL**2. Regulations**

Part 3 of the Education and Training Reform Regulations 2007 apply to the Council.

3. Definitions**3.1 In this Order:**

‘Composition and Election Provisions’ means the Composition and Election provisions of the School Council Composition and Elections Order (Ministerial Order No. 52);

‘Council’ means the school council constituted by this Order;

‘DET’ means the Department of Education and Training;

‘Principal’ includes the person or persons for the time being authorised to perform the duties of principal of the School;

‘Public Reporting Meeting’ means a public reporting meeting as described in regulation 28 of the Education and Training Reform Regulations 2007, as amended from time to time;

‘School’ means the Government school referred to in clause 1 of this Order;

‘School Council Composition and Elections Order’ means Ministerial Order No. 52 made under the **Education and Training Reform Act 2006**, as amended and in force from time to time.

4. Specific clauses to prevail over general clauses

To the extent that there is any inconsistency between:

(a) Clause 1B; or

(b) Clause 1C,

and any other clause in this Order, that other clause will prevail.

5. Council composition and elections

(a) The Composition and Election Provisions are incorporated in this Order and apply, inter alia, to the Council election process and the tenure of Council members.

(b) The size and composition of the elected membership of the Council, including members co-opted by the Council, are specified in Schedule 1.

(c) Options for change in the authorised size and/or composition of the Council membership pursuant to the Composition and Election Provisions are specified in Schedule 2.

(d) Schedules 1 and 2 are part of this Order.

PART C – POWERS**6. Employment**

6.1 The Council, in accordance with the **Education and Training Reform Act 2006**, may:

(a) Employ:

(i) Teachers for a fixed period not exceeding one year or on a casual basis;

(ii) Teacher aides; or

(iii) Any other staff,

for the purpose of performing its functions and duties; and

(b) Employ any person to enable the Council to do anything it is authorised to do by section 2.3.11 or Division 6 of the **Education and Training Reform Act 2006**.

- 6.2 If the Council employs a person under clause 6.1, it may do so on behalf of a group of school councils and the group of school councils may decide from time to time in a manner determined by agreement amongst themselves the time which the person is to spend on each school.

7. Use of buildings and grounds

7.1 The Council may:

- (a) Conduct programs in or use;
- (b) Subject to any conditions imposed by the Council, join with any other person or body to conduct programs in or use; or
- (c) Subject to any conditions imposed by the Council, allow any other person or body to conduct programs in or use,

any buildings or grounds of the School in relation to which the Council is constituted for the purposes of educational, recreational, sporting or cultural activities for students, the local community or young persons.

7.2 The Council may only allow buildings and grounds of the School to be used under clause 7.1 when the buildings or grounds are not required for ordinary School purposes.

8. Council may carry out works

8.1 The Council may, in regard to the School, with the approval of the Minister for Education given either generally or in any particular case:

- (a) Construct, or carry out any improvements to any building structure on the School grounds, or carry out any improvements in or to the School grounds;
- (b) Enter into a contract with any person for or in relation to the construction or carrying out by that person of any such building structure or improvements or of any other work which the Council is authorised or required by or under the **Education and Training Reform Act 2006** to carry out; or
- (c) Construct or carry out any improvements to any building structure, or carry out any improvements, on, in or to the School grounds or any other land that the Minister for Education has acquired an estate or interest in to provide preschool programs.

8.2 The Council may obtain and accept offers or tenders for any work approved by the Minister for Education under this clause that it proposes to carry out.

9. Other School Council works

The Council if so authorised by the Minister for Education is authorised and empowered to:

- (a) Enter into contracts with another school council for or in connection with:
 - (i) the construction of buildings or structures or the carrying out of improvements on, in or to the grounds of the school in relation to which the council is constituted; or
 - (ii) any other work which the Council is authorised or required by or under the **Education and Training Reform Act 2006** to carry out; and
- (b) Do or comply with anything necessary or expedient for carrying the contract into effect.

10. Council may form sub-committee

Subject to the **Education and Training Reform Act 2006** and regulations made under that Act, the Council may form a sub-committee, consisting of at least one member of the Council and any other persons, to assist the Council.

11. Council may delegate powers, duties or functions

Subject to the **Education and Training Reform Act 2006** and regulations made under that Act, the Council may by instrument delegate all or any of the powers, duties or functions conferred or imposed on the Council by or under the **Education and Training Reform Act 2006**, the regulations, a Ministerial Order or a direction issued by the Minister under that Act, except this power of delegation to another person or body.

12. Council may form committees to manage joint facilities

If the Council enters into an agreement under its powers under the **Education and Training Reform Act 2006** for the use of any real or personal property by other persons or bodies, the Council may agree with the other parties to the agreement to form a committee for the management of the property.

13. Delegation to committee

If the Council agrees to form a committee to manage property under clause 12 the Council may, with the approval of the Minister for Education, delegate by instrument to members of the committee all or any of the Council's powers, duties or functions conferred or imposed on the Council by or under the **Education and Training Reform Act 2006** in relation to that property except this power of delegation.

14. Council may sell property

14.1 The Council may sell equipment, goods or other similar personal property acquired for use in the School.

14.2 If the proceeds from the sale of property under clause 14.1 are less than the amount determined by the Minister for Education, the Council may keep those proceeds.

14.3 If the proceeds from the sale of property under clause 14.1 are equal to or more than the amount determined by the Minister for Education, the Council may keep those proceeds, if the person appointed by the Secretary to the DET has given approval for the Council to do so.

14.4 For the purposes of clauses 14.2 and 14.3, a determination of the Minister for Education:

- (a) Must be in writing; and
- (b) May be varied or revoked by the Minister in writing.

14.5 The Secretary to the DET may appoint a person to give approvals under clause 14.3.

14.6 An approval given under clause 14.3 must be:

- (a) In writing; and
- (b) Given before the property is sold.

15. Preschool programs**15.1 Council may provide for preschool programs**

(1) If the School provides primary education, the Council may:

- (a) Provide preschool programs on the premises of the School or on any other land or premises under the control of the Minister for Education;
- (b) Enter into an agreement or arrangement with any other school council or other person or body for that council, person or body to use part of the premises of that school or other premises under the control of the Minister for Education to provide a preschool program on those premises; or
- (c) Enter into an agreement or arrangement with any other school council or other person or body to jointly provide a preschool program.

- (2) If the Council provides a preschool program or enters into an arrangement or agreement to provide a preschool program, it must ensure that, in any records kept by the School or the Council, the preschool children using the program are accounted for separately from students enrolled at the School in school programs.

15.2 Council may grant lease or licence over preschool land

The Council may, if authorised in writing by the Minister for Education, either generally or in any specified circumstances, grant a leasehold interest in, or a licence over, land of the School to be used to operate a preschool program or programs for children.

15.3 Fees for preschool programs

The Council or any other person or body authorised by the Council under clause 15.1, may require the payment of fees for the provision of preschool programs and other related services.

15.4 Application of, and accounting for, money received

In relation to any agreement or arrangement made by the Council for the provision of preschool programs under clause 15 the Council must ensure:

- (a) That any fees or other money received by the Council in the course of that provision or those agreements or arrangements is applied to the provision of preschool programs unless directed otherwise by a direction or guideline issued by the Minister for Education; and
- (b) That separate accounts and financial records are maintained in relation to the provision of those programs.

16. Payment of members

- 16.1 A member of the Council is not to receive any payment for his or her services as a member.
- 16.2 This does not prevent the Council reimbursing a member for any reasonable expenses incurred in the performance of his or her duties as a member.

17–23. Not used

24. Student dress code

- (1) The Council may determine a student dress code which is to apply to students of the School while they are at the School, travelling to and from School and/or attending School activities.
- (2) A student dress code may cover any matters which the Council considers appropriate in relation to clothing and other items worn, carried or used by students and to grooming, physical appearance and the general presentation of students, including without limiting the generality of the above –
 - (a) Whether a school uniform may or must be worn by students, and the school uniform to be worn;
 - (b) Clothing (including shoes) to be worn during classes and specified School activities such as sport, laboratory experiments and extra-curricular activities, and bags to be taken to School;
 - (c) The grounds on which any student may be exempted from complying with the dress code; and
 - (d) How the dress code may be enforced, provided the methods of enforcement are consistent with section 2.2.19 of the **Education and Training Reform Act 2006**, and the School's Student Code of Conduct (referred to in section 5.2.12 of the **Education and Training Reform Act 2006**).
- (3) The Council may enter into a contract with any person for the supply of school uniforms for students of the School.

25. Power to purchase

The Council may, subject to compliance with any directions issued by the Secretary to the DET, purchase goods, equipment or material for the purposes of the School.

26. Children's services

The Council may apply for and obtain under the **Children's Services Act 1996** approval to operate a children's service on premises of the School or on premises under the control of the Minister and may apply for and obtain a licence to operate a children's service and, subject to the **Children's Services Act 1996** and the **Education and Training Reform Act 2006** –

- (1) may operate, either solely or jointly, a children's service on part of the School premises or on other premises under the control of the Minister and may require payment of fees for the service and other related services;
- (2) may enter into a licence agreement, or a lease agreement if authorised in writing by the Minister, with another person for that person to use part of the School premises or other premises under the control of the Minister to provide a children's service or to provide a children's service on behalf of the Council on those premises; and
- (3) may carry out improvements to the School buildings and grounds for the provision of a children's service under subsection (1) or (2).

27. Other powers**27.1 Activities outside School Hours**

The Council may conduct or join with any other school council in conducting any educational, recreational or cultural activity for the students of the School outside School hours at the School or any other location.

27.2 Fund Raising

The Council may raise funds for School purposes by conducting local efforts or amusements.

27.3 Gifts

- (1) Subject to section 5.2.6 of the **Education and Training Reform Act 2006**, the Council may –
 - (a) accept gifts including real estate, providing that if a gift is encumbered or conditional, consent must be obtained from the Secretary to the DET before acceptance of such gifts; and
 - (b) purchase or maintain goods, equipment and material for the carrying out of its powers duties or functions under the **Education and Training Reform Act 2006** or any other Act, but may not purchase any vehicle without the prior consent of the Secretary to the DET.
- (2) For the purposes of this clause, 'vehicle' means the same as 'vehicle' in the **Road Safety Act 1986**.

27.4 Hire or use of Equipment**(1) Definitions**

In this clause –

'Equipment' includes goods and products but does not include fixtures.

'Equipment agreement' means a contract to hire equipment or a licence to use equipment under which –

- (a) the Council has the right to use the equipment; and
- (b) there is no option, right or obligation of the Council or any other person to buy the equipment; and
- (c) at the end of the contract or licence the School Council has to return the equipment to the other party to the contract or licence.

- (2) The Council may enter into an equipment agreement with another party if the sole or main purpose of entering into the equipment agreement is to benefit the education of students at the School or to assist with the efficient conduct of the School.
- (3) Prior to entering into an equipment agreement the Council must –
 - (a) obtain more than one written quotation or tender for the hire or use of the equipment if the annual cost of the hire or use of the equipment is expected to exceed \$1000; and
 - (b) carry out a financial evaluation of the proposal to hire or use the equipment; and
 - (c) ensure that the equipment to be hired or used has appropriate insurance cover, either through the terms of the equipment agreement or by separate cover.
- (4) The Council must not –
 - (a) enter into an equipment agreement for a continuous period exceeding four years until the Regional Director has approved the entering into of that equipment agreement; and
 - (b) enter into an equipment agreement for the hire or use of equipment previously owned or operated by the Council or for the purposes of the DET, and
 - (c) commit funds of a non-recurrent nature or funds granted for a specific purpose, towards the costs of an equipment agreement until the donor or provider of the funds has consented to that in writing; or
 - (d) enter into an equipment agreement unless it is satisfied that it will be able to meet all the costs of the equipment agreement.

27.5 Reporting

- (1) The Council must report the details of all equipment agreements it has entered into to the Council's Public Reporting Meeting. The report must include a description of the equipment hired or used, the purpose, the duration and the cost of the equipment agreement.
- (2) The costs of each equipment agreement must be fully identified in the Council's audited statement of receipts and expenditure presented to the Council's Public Reporting Meeting.

27.6 Exclusions

Clauses 27.4(3) and 27.5 do not apply to –

- (a) the hire of a video recording, or
- (b) the hire of any other equipment for less than four weeks in any one calendar year where the cost of the hire is less than \$1,000.00.

28. Transport Accident Commission agreements

The Council may enter into one or more agreements with the Transport Accident Commission concerning the provision of staff, facilities, equipment, support or other services for any student of the School who is the subject of a claim under the **Transport Accident Act 1986**.

29. Power to provide goods, services or facilities

- (a) Subject to subclauses (b) and (c), the Council may, for the purpose of the efficient conduct of the School, enter into arrangements or agreements, for reward or otherwise, to provide or supply goods, services or facilities to other Government schools or other educational institutions.

- (b) Any arrangement or agreement under subclause (a) may only be for goods, services or facilities that the Council is empowered under the **Education and Training Reform Act 2006**, the Education and Training Reform Regulations 2007, this Order, or any Ministerial Order made under the **Education and Training Reform Act 2006**, to provide or supply to the School.
- (c) Any arrangement or agreement under subclause (a) must comply with any directions issued by the Secretary to the DET.

30. Power to purchase by use of purchasing card facilities

- (a) Subject to this clause the Council may enter into arrangements with a financial institution under which the Council may purchase goods, services, equipment or material only for the purposes of the School by the use of purchasing card facilities provided by the financial institution.
- (b) Any purchase of goods, services, equipment or material under subclause (a) must comply with:
 - (i) any guidelines and directions issued by the Minister under section 5.2.1 of the **Education and Training Reform Act 2006**;
 - (ii) any directions issued by the Secretary to the DET; and
 - (iii) the terms and conditions relating to the use of any purchasing card issued by the financial institution to the Council from time to time.

31. Not used.

32. Trusts

The Council may act as a trustee of any trust fund established for the benefit of the School or its students with power to do any act or thing authorised under the terms of the relevant trust fund.

PART D – TRANSITIONAL PROVISIONS

33. Transitional provisions

- 33.1 (a) Subject to subclause (b), this clause 33 operates until and inclusive of the date of the declaration of the poll in 2017 (or, if no election is held that year, 31 March of that year);
- (b) Subclause 33.12 operates until and inclusive of the day after the date of the declaration of the poll in 2017 (or, if no election is held that year, 31 March of that year).
- 33.2 Subject to subclause 33.11, during the operation of this clause the Composition and Election provisions, namely clauses 5A to 5V of the School Council Composition and Elections Order (Ministerial Order No. 52), except clauses 5A, 5B.3 (insofar as it defines eligibility for election), 5B.3A (a) and 5R thereof, do not operate.
- 33.3 The school Council shall consist of a total of **12** members, comprising **seven** Parent members, **four** DET employee members and **one** Community member.
- 33.4 (a) By ministerial appointment made for the purposes of this clause on the date of this Order the principal *ex officio*, **three** other DET employee, and **seven** parents are appointed as members of the Council from the date this clause takes effect until and inclusive of the date of declaration of the poll in 2017.
- (b) The School Council may, prior to the date of the declaration of the poll in 2017 (or if no election is held that year, 31 March of that year), appoint **one** person who is eligible for appointment to the community member category of the school council for a term of office until and inclusive of the date of the declaration of the poll in 2017 (or if no election is held that year, 31 March of that year).

- 33.5 The school Council may, prior to the date of the declaration of the poll in 2017 (or, if no election is held that year, 31 March of that year), fill any casual vacancy that occurs in the membership of the School Council, by appointing to the School Council a person who is eligible for election or appointment (as the case may be) to the relevant membership category, provided that any person who fills a vacant position created by a casual vacancy shall only serve the unexpired portion of the vacating member's term of office.
- 33.6 Not used.
- 33.7 A parent appointed under clause 33.4 who does not have a child enrolled at the School at the time of the Notice of Election and Call for Nominations for any School Council election shall cease to be a member of the Council on that date, and a casual vacancy is thereby created.
- 33.8 In the event that the School Council is unable to comply with the quorum provisions of Part 3 of the Education and Training Reform Regulations 2007 owing to the number of casual vacancies in its membership, the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** may fill any casual vacancy that occurs in the membership of the School Council by appointing to the School Council for a term of office that does not extend beyond the unexpired portion of the vacating member's term of office a person who is eligible for election or appointment (as the case may be) to the relevant membership category.
- 33.9 In the event that the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** is satisfied that a School Council member no longer intends to attend School Council meetings, but a casual vacancy has not been created in respect of that member's position on the School Council, the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** may remove the person as a School Council member and appoint to the School Council for a term of office that does not extend beyond the unexpired portion of the vacating member's term of office a person who is eligible for election or appointment (as the case may be) to the relevant membership category.
- 33.10 (a) The School Council may not conduct any School Council meeting unless the quorum provisions of Part 3 of the Education and Training Reform Regulations 2007 are satisfied.
- (b) Subject to clause 33.10(c), the School Council must not decide any matter unless a majority of the School Council members present are not DET employees.
- (c) If at any time the membership of the School Council is such that it is impossible for the School Council to decide a matter in accordance with clause 33.10(b), the School Council may nonetheless decide to fill a casual vacancy under clause 33.5 or appoint or co-opt a member under clause 33.4(b) and (c).
- (d) Subject to subclauses 33.10(a), 33.10(b), and 33.10(c), an act or decision of the School Council is not invalid, and the School Council is properly constituted, notwithstanding -
- (i) a vacancy in the office of a member (including a Community member);
 - (ii) a defect or irregularity in or in connection with the appointment or co-option of a member;
 - (iii) a casual vacancy is not filled; or
 - (iv) for any other reason the total number of school council members stated in clause 33.3 has not been appointed.

33.11 The first School Council election must be completed between the 2017 school year commencement date and 31 March 2017 in respect of the **seven** Parent member positions and **three** DET employee member positions and the Composition and Election provisions (except clause 5D.3) shall apply to that School Council election.

33.12 The term of office of members of the School Council elected at the School Council election referred to in clause 33.11 shall commence on the day after the date of declaration of the poll in 2017.

This Order is made 16 December 2016

THE HON. JAMES MERLINO, MP
Minister for Education

SCHEDULE 1

Lorne P-12 College Council

12T 7P 4DET 1CO

SCHEDULE 2

SCHOOLCOUNCIL MEMBERSHIP TABLE

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
15	6	5	4	7	2
15	6	4	5	7	3
15	6	3	6	7	4
15	6	2	7	7	5
15	6	1	8	7	6
15	7	5	3	7	2
15	7	4	4	7	3
15	7	3	5	7	4
15	7	2	6	7	5
15	7	1	7	7	6
15	8	5	2	7	2
15	8	4	3	7	3
15	8	3	4	7	4
15	8	2	5	7	5
15	8	1	6	7	6
15	9	5	1	7	2
15	9	4	2	7	3
15	9	3	3	7	4
15	9	2	4	7	5
15	9	1	5	7	6
15	10	5	0	7	2
15	10	4	1	7	3
15	10	3	2	7	4
15	10	2	3	7	5
15	10	1	4	7	6
15	11	4	0	7	3

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
15	11	3	1	7	4
15	11	2	2	7	5
15	11	1	3	7	6
15	12	3	0	7	4
15	12	2	1	7	5
15	12	1	2	7	6
15	13	2	0	7	5
15	13	1	1	7	6
15	14	1	0	7	6
14	5	4	5	6	2
14	5	3	6	6	3
14	5	2	7	6	4
14	5	1	8	6	5
14	6	4	4	6	2
14	6	3	5	6	3
14	6	2	6	6	4
14	6	1	7	6	5
14	7	4	3	6	2
14	7	3	4	6	3
14	7	2	5	6	4
14	7	1	6	6	5
14	8	4	2	6	2
14	8	3	3	6	3
14	8	2	4	6	4
14	8	1	5	6	5
14	9	4	1	6	2
14	9	3	2	6	3
14	9	2	3	6	4
14	9	1	4	6	5
14	10	4	0	6	2
14	10	3	1	6	3
14	10	2	2	6	4
14	10	1	3	6	5
14	11	3	0	6	3
14	11	2	1	6	4
14	11	1	2	6	5
14	12	2	0	6	4

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
14	12	1	1	6	5
14	13	1	0	6	5
13	5	4	4	6	2
13	5	3	5	6	3
13	5	2	6	6	4
13	5	1	7	6	5
13	6	4	3	6	2
13	6	3	4	6	3
13	6	2	5	6	4
13	6	1	6	6	5
13	7	4	2	6	2
13	7	3	3	6	3
13	7	2	4	6	4
13	7	1	5	6	5
13	8	4	1	6	2
13	8	3	2	6	3
13	8	2	3	6	4
13	8	1	4	6	5
13	9	4	0	6	2
13	9	3	1	6	3
13	9	2	2	6	4
13	9	1	3	6	5
13	10	3	0	6	3
13	10	2	1	6	4
13	10	1	2	6	5
13	11	2	0	6	4
13	11	1	1	6	5
13	12	1	0	6	5
12	5	4	3	5	1
12	5	3	4	5	2
12	5	2	5	5	3
12	5	1	6	5	4
12	6	4	2	5	1
12	6	3	3	5	2
12	6	2	4	5	3
12	6	1	5	5	4
12	7	4	1	5	1
12	7	3	2	5	2

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
12	7	2	3	5	3
12	7	1	4	5	4
12	8	4	0	5	1
12	8	3	1	5	2
12	8	2	2	5	3
12	8	1	3	5	4
12	9	3	0	5	2
12	9	2	1	5	3
12	9	1	2	5	4
12	10	2	0	5	3
12	10	1	1	5	4
12	11	1	0	5	4
11	4	3	4	5	2
11	4	2	5	5	3
11	4	1	6	5	4
11	5	3	3	5	2
11	5	2	4	5	3
11	5	1	5	5	4
11	6	3	2	5	2
11	6	2	3	5	3
11	6	1	4	5	4
11	7	3	1	5	2
11	7	2	2	5	3
11	7	1	3	5	4
11	8	3	0	5	2
11	8	2	1	5	3
11	8	1	2	5	4
11	9	2	0	5	3
11	9	1	1	5	4
11	10	1	0	5	4
10	4	3	3	4	1
10	4	2	4	4	2
10	4	1	5	4	3
10	5	3	2	4	1
10	5	2	3	4	2
10	5	1	4	4	3
10	6	3	1	4	1
10	6	2	2	4	2

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
10	6	1	3	4	3
10	7	3	0	4	1
10	7	2	1	4	2
10	7	1	2	4	3
10	8	2	0	4	2
10	8	1	1	4	3
10	9	1	0	4	3
9	4	3	2	4	1
9	4	2	3	4	2
9	4	1	4	4	3
9	5	3	1	4	1
9	5	2	2	4	2
9	5	1	3	4	3
9	6	3	0	4	1
9	6	2	1	4	2
9	6	1	2	4	3
9	7	2	0	4	2
9	7	1	1	4	3
9	8	1	0	4	3
8	3	2	3	3	1
8	3	1	4	3	2
8	4	2	2	3	1
8	4	1	3	3	2
8	5	2	1	3	1
8	5	1	2	3	2
8	6	2	0	3	1
8	6	1	1	3	2
8	7	1	0	3	2
7	3	2	2	3	1
7	3	1	3	3	2
7	4	2	1	3	1
7	4	1	2	3	2
7	5	2	0	3	1
7	5	1	1	3	2
7	6	1	0	3	2
6	3	2	1	2	0

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
6	3	1	2	2	1
6	4	2	0	2	0
6	4	1	1	2	1
6	5	1	0	2	1

* A DET employee parent is a DET employee who is a parent of a child at the school.

Electricity Industry Act 2000

NOTICE OF REVOCATION OF ELECTRICITY RETAIL LICENCE AND ELECTRICITY GENERATION LICENCE

The Essential Services Commission's predecessor, the Office of the Regulator-General, issued an electricity generation licence (EG_03/1995) to Energy Brix Australia Corporation Pty Ltd (ABN 79 074 736 833) (in liquidation) on 23 June 1995 and the Essential Services Commission issued an electricity retail licence (ER_01/2006) to Energy Brix Australia Corporation Pty Ltd (in liquidation) on 15 February 2006.

The licences are revoked by agreement between the Essential Services Commission and Energy Brix Australia Corporation Pty Ltd (in liquidation) in accordance with section 29(3) of the **Electricity Industry Act 2000** and the terms of the respective licences. The revocations are effective from 21 December 2016.

RICHARD CLARKE
Acting Chairperson

Electricity Industry Act 2000

NOTIFICATION OF VARIATION OF LICENCE TO SELL ELECTRICITY

The Essential Services Commission (Commission) gives notice under section 30(b) of the **Electricity Industry Act 2000** (EIA) that at its meeting of 21 December 2016, pursuant to section 29(1)(b) of the EIA, the Commission granted Pacific Hydro Retail Pty Ltd's application to vary its licence (ER04/2012).

The licence has been varied to:

1. change the name of the licensee from Pacific Hydro Retail Pty Ltd to Tango Energy Pty Ltd (ACN 43 155 908 839) (Tango); and
2. remove the limit on the number of domestic and small business customers that Tango is authorised to sell electricity to.

The varied licence continues on an ongoing basis. A copy of the licence is available on the Commission's website, www.esc.vic.gov.au, or can be obtained by calling the Commission on (03) 9032 1300.

RICHARD CLARKE
Acting Chairperson

Fisheries Act 1995

FISHERIES NOTICE 2016

I, Travis Dowling, Executive Director Fisheries Victoria, as delegate of the Minister for Agriculture and having undertaken consultation in accordance with section 3A of the **Fisheries Act 1995** (the Act), make the following Fisheries Notice under section 152 of the Act:

Dated 19 December 2016

TRAVIS DOWLING
Executive Director Fisheries Victoria

FISHERIES (GEMFISH) NOTICE 2016

1. Title

This Notice may be cited as the Fisheries (Gemfish) Notice 2016.

2. Objectives

The objective of this Notice is to set a bag and possession limit for gemfish harvested by recreational fishers in Victorian waters.

3. Authorising provision

This Notice is made under section 152 of the Act.

4. Commencement

This Notice comes into operation on the day it is published in the Victoria Government Gazette and the Department of Economic Development, Jobs, Transport and Resources website.

5. Catch and possession limits

For the purposes of the Act, the daily catch limit for recreational fishers with respect to the taking of gemfish from, or the possession of gemfish in, on or next to Victorian waters is five gemfish.

This notice does not apply to commercial fishery access licence holders.

Note: There are offences in sections 68A and 68B of the Act relating to taking or possessing more fish of a species than the catch limit specified in a Fisheries Notice. Various penalties apply.

6. Application to Fisheries Reserves

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

7. Revocation

Unless sooner revoked, this Notice will be automatically revoked 12 months after the day on which it comes into operation.

Health Services Act 1988

APPOINTMENT OF A DELEGATE TO THE
BOARD OF DIRECTORS OF GOULBURN VALLEY HEALTH

Instrument of Appointment

I, Jill Hennessy, Minister for Health, under section 65ZAA(1) of the **Health Services Act 1988** (the Act), appoint Michael Kevin Walsh as a delegate to the Board of Goulburn Valley Health.

The appointment is made on the following terms and conditions –

1. Appointment arrangements

The appointment is part time.

2. Period of Appointment

Under section 65ZAA(6)(a), the appointment is from 29 December 2016 to 28 December 2017.

3. Resignation/Revocation

Under section 65ZAA(7) of the Act, a delegate may resign by signed written notice delivered to the Minister for Health.

Under section 65ZAA(8) of the Act, the Minister for Health may at any time revoke this appointment.

4. Payment Provisions

Under section 65ZAA(5)(c) of the Act, the delegate will be paid remuneration of \$28,970 per annum.

5. Superannuation Obligations

Superannuation obligations will be paid by the employer in accordance with the Commonwealth's **Superannuation Guarantee (Administration) Act 1992**.

6. Travel and personal expenses

Under section 65ZAA(6)(c) of the Act, the delegate is entitled to be reimbursed for reasonable travel and personal expenses.

7. Leave arrangements

The delegate will not be entitled to paid leave of any kind.

HON. JILL HENNESSY MP
Minister for Health

Health Services Act 1988

APPOINTMENT OF A DELEGATE TO THE BOARD OF MANAGEMENT OF
YEA AND DISTRICT MEMORIAL HOSPITAL

Instrument of Appointment

I, Jill Hennessy, Minister for Health, under section 40C(1) of the **Health Services Act 1988** (the Act), appoint Peter John Brennan as a delegate to the board of management of Yea and District Memorial Hospital.

The appointment is made on the following terms and conditions –

1. Appointment arrangements

The appointment is part time.

2. Period of Appointment

Under section 40C(6)(a), the appointment is for the period 18 January 2017 to 17 January 2018.

3. Resignation/Revocation

Under section 40C(7) of the Act, a delegate may resign by writing signed by that person and delivered to the Minister.

Under section 40C(8) of the Act, the Minister for Health may at any time revoke this appointment.

4. Payment Provisions

Under section 40C(5)(c) of the Act, the delegate will be paid remuneration of \$28,970.00 per annum.

5. Superannuation Obligations

Superannuation obligations will be paid by the employer in accordance with the Commonwealth's **Superannuation Guarantee (Administration) Act 1992**.

6. Travel and personal expenses

Under section 40C(6)(c) of the Act, the delegate will be reimbursed for reasonable travel and personal expenses.

7. Leave arrangements

The delegate will not be entitled to paid leave of any kind.

HON. JILL HENNESSY MP
Minister for Health

Major Sporting Events Act 2009**DECLARATION OF AN EVENT**

In pursuance of the powers conferred by section 158 of the **Major Sporting Events Act 2009**, I, John Eren, Minister for Tourism and Major Events, hereby declare the 2017 Australian Football League Grand Final as a Sports Ticketing Event. This declaration only applies for the holding of the event in 2017.

Dated 16 December 2016

HON. JOHN EREN MP
Minister for Tourism and Major Events

ORIGIN ENERGY (VIC) PTY LTD**Origin Energy Hot Water Charges**

Origin Energy (Vic) Pty Ltd, ABN 11 086 013 283, hereby advise that the Bulk Supply to Flats for Water Storage Heating prices published in Victoria Government Gazette No. S371 on Thursday 1 December 2016 are incorrect and will not apply. Changes to hot water pricing will be notified on your bill. For hot water pricing please call us on 13 24 61.

Marine Safety Act 2010

Section 211(1)(b)

NOTICE OF CONTROLLING NAVIGATION IN THE VICINITY OF WORKS

Parks Victoria, as the declared waterways manager for the waters of the Yarra River upstream of the port waters of the Port of Melbourne under the **Marine Safety Act 2010**, makes the following notice under section 211(1)(b)(i).

For the purpose of works activity proposed by Ocean Star Marine Pty Ltd, for the construction and installation of timber jetty, pile and rock revetment works at two (2) locations on the banks of the Yarra River at Toorak, Victoria 3142, under section 211(1)(b)(i), Parks Victoria provides the following notice that prohibits the navigation and other movement of vessels in the works area, excluding Parks Victoria vessels and other vessels involved in the works.

Works area:

Timber jetty replacement, pile installation and construction, of a rock bank revetment will be undertaken at two exclusion zones (2). Exclusion zone one (1) will be 50 metres downstream of the Church Street Bridge and 50 metres upstream of the Cremorne Rail Bridge on the southern side, extending 15 metres offshore as indicated by lit communication buoys.

Exclusion zone two (2) will be 250 metres upstream of the Mac Robertson Bridge on the southern side, extending 300 metres upstream of the Yarra River and 15 metres offshore as indicated by lit communication buoys. Commencing 4 January 2017 to 3 March 2017. Each work zone will be delineated by lit water communication buoys.

This notice has effect from date of publication to Friday 3 March 2017.

Dated 19 December 2016

BY ORDER OF PARKS VICTORIA

Port Management Act 1995

PORT MANAGEMENT (LOCAL PORTS) REGULATIONS 2015

Set Aside Determination – Regulation 11(1)

Local ports of Port Phillip, Western Port and/or Port Campbell

As the Port Manager of Port Phillip, Parks Victoria has set aside an area of Port Phillip to facilitate the Portarlington New Year's Eve Fireworks organised by Bellarine Bayside on a barge located opposite the Portarlington foreshore. The set aside prohibits all persons entering the area between 8.00 pm and 11.00 pm on Saturday 31 December 2016. The full declaration, including event information, is available on Parks Victoria's website.

Dated 29 December 2016

BY ORDER OF PARKS VICTORIA

Victorian Managed Insurance Authority Act 1996

DECLARATION OF PARTICIPATING BODY

I, Robin Scott MP, being the Minister responsible for administering the **Victorian Managed Insurance Authority Act 1996** (the Act), pursuant to section 4(1)(c) of the Act, hereby declare the following entities to be participating bodies for the purposes of the Act:

The Southern Alpine Resort Management Board; and
The Victorian Asbestos Eradication Agency.

This declaration remains valid until revoked.

Dated 21 December 2016

ROBIN SCOTT MP
Minister for Finance

Road Safety Act 1986DECLARATION UNDER SECTION 99B(4) IN RELATION TO
NON-ROAD ACTIVITIES ON ROADS WITHIN THE CITY OF GREATER GEELONG
AND CITY OF HOBSONS BAY FOR MITCHELTON BAY CYCLING CLASSIC
HELD BETWEEN SUNDAY 1 JANUARY 2017 AND TUESDAY 3 JANUARY 2017**1 Purpose**

The purpose of this Declaration is to exempt participants in the Mitchelton Bay Cycling Classic from specified provisions of the **Road Safety Act 1986** and regulations under that Act with respect to the Event, which is a non-road activity to be conducted in Geelong, Portarlington and Williamstown.

2 Authorising provision

This notice is made under section 99B(4) of the **Road Safety Act 1986**. Section 99B(4) provides that the Minister may, on the application of a person proposing to conduct a non-road activity on a highway, by notice published in the Government Gazette, declare that specified provisions of the **Road Safety Act 1986** and of the regulations made under that Act do not apply with respect to the non-road activity specified in the notice during the period specified in the notice.

3 Commencement

This notice takes effect on Sunday 1 January 2017 at 9.00 am once the road is declared closed by the event Organiser.

4 Expiry

This notice expires on Tuesday 3 January 2017 at 5.00 pm.

5 Definitions

In this notice, unless the context or subject matter otherwise requires –

- a) ‘Event’ means the Criterium circuits of the Mitchelton Bay Cycling Classic, to be held on Sunday 1 January 2017 and finishes on Tuesday 3 January 2017; and
- b) ‘Participants’ means participants in the Event, including officers, members and authorised agents of the Mitchelton Bay Cycling Classic, whose presence is reasonably required to ensure the safe conduct of the Event.

6 Declaration

I, Bill Glasgow, as delegate of the Minister for Roads, under section 99B(4) of the **Road Safety Act 1986** declare that the provisions of the **Road Safety Act 1986** and regulations specified in Table 1 do not apply to Participants engaged in activities forming part of the Event on the highway specified in column 1 of Table 2 on the date and during the period specified in column 2 of Table 2.

Table 1
Provisions of the Road Safety Act 1986 and regulations under that Act
that do not apply to participants in the Event

Road Safety Act 1986

ALL

Road Safety Road Rules 2009

ALL

Road Safety (Vehicles) Regulations 2009

ALL

Table 2

<i>Column 1</i> Highway	<i>Column 2</i> Date and time
Stage 1 – Ritchie Boulevard ● Ritchie Boulevard	Sunday 1 January 2017 between the hours of 6.00 am to 9.00 pm
Stage 2 – Portarlington ● Geelong–Portarlington Road (Newcombe Street) between Fisher Street and Harding Street ● Harding Street between Geelong–Portarlington Road (Newcombe Street) and Pier Street ● Pier Street between Harding Street and The Esplanade ● The Esplanade between Pier Street and Fisher Street, ● Fisher Street between Geelong–Portarlington Road (Newcombe Street) and The Esplanade.	Monday 2 January 2017 between the hours of 5.00 am to 5.00 pm
Stage 3 – Williamstown ● Cecil Street between Thompson Street and Cole Street, ● Cole Street between Cecil Street and Nelson Place, ● Nelson Place between Thompson Street and Cole Street, ● Thompson Street between Cecil Street and Nelson Place.	Tuesday 3 January 2017 between the hours of 10.00 am to 5.30 pm

Dated 22 December 2016

BILL GLASGOW
 Executive Director
 Regional Services
 Roads Corporation

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