



Victoria Government Gazette

By Authority of Victorian Government Printer

No. G 39 Thursday 28 September 2017

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GENERAL

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As from 28 September 2017

The last Special Gazette was No. 327 dated 27 September 2017.

The last Periodical Gazette was No. 1 dated 17 May 2017.

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
-

2017 AFL GRAND FINAL PUBLIC HOLIDAY

Grand Final Friday

The Friday before the Australian Football League (AFL) Grand Final was declared a public holiday and published in Special Gazette S229 dated 19 August 2015. The 2017 public holiday will fall on Friday 29 September 2017.

Please Note: this office will be closed on Friday 29 September 2017.

The Victoria Government Gazette (General) for GRAND FINAL FRIDAY week (G40/17) will be published on **Thursday 5 October 2017**.

Copy deadlines:

Private Advertisements	9.30 am on Monday 2 October 2017
Government and Outer Budget Sector Agencies Notices	9.30 am on Tuesday 3 October 2017

Office Hours:

The Victoria Government Gazette Office is open normal office hours during that week, i.e. 8.30 am to 5.30 pm **Monday** to **Thursday**, excluding the public holiday.

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

NOTICE OF DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership previously subsisting between Brendan Wilson and Susan Wilson, trading under the name Cameron Street Mowerworld in Cranbourne, Melbourne, in the State of Victoria, Australia, has been dissolved as from 30 June 2017.

NOTICE TO CREDITORS UNDER **TRUSTEE ACT 1958** (SECTION 33 NOTICE)

Notice to Claimants

JANET ANNE CUFF, late of 61 Allenbrae Terrace, Attwood, Victoria 3049, laboratory assistant, deceased.

Creditors, next-of-kin and others having claims in respect of the Will/estate of the abovenamed deceased, who died on 26 October 2016, are required by the executors, Michele Jane Dore and Joanne Susan Dominiewski, care of 159 Sydney Road, Coburg, Victoria 3058, to send particulars of their claims to them by 27 November 2017, after which date the executors may convey or distribute the assets and distribute the estate, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 28 June 2017.

ADAMI DUQUE LAWYERS,
159 Sydney Road, Coburg, Victoria 3058.
Ph: (03) 9386 9961.

Re: NORMA DOROTHY WOOD, late of Ferndale Gardens Aged Care, 229 Bayswater Road, Bayswater North, Victoria, clerk/home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 2 March 2017, are required by the executor, John Robert Keats, to send particulars thereof to him, care of the undermentioned solicitors, within two months from the date of publication of this notice, after which the executor will distribute the estate, having regard only to the claims of which he has notice.

AUGHTERSONS LAWYERS PTY LTD,
267 Maroondah Highway, Ringwood,
Victoria 3134.

Estate GEORGE EDWARD FRANKLING, late of 2072 Koondrook Road, Koondrook, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the abovenamed deceased, who died on 12 July 2017, are required by the executors, Norman William Frankling and Douglas John Frankling, to send particulars of such claims to them, in care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

Dated 21 September 2017

BASILE & CO. PTY LTD, legal practitioners, consultants and conveyancers (Vic. and NSW), 46 Wellington Street, Kerang, Victoria 3579.
RB:GR:17453

Estate of MARGARET JANE FAZAKERLEY, late of Avonlea Aged Care, 3-7 Patty Street, Mentone, Victoria, retired hairdresser, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 May 2017, are required by the executor, Andrew James Fazakerley, to send particulars, care of the solicitors below, within two months from the publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

BEAUMARIS LAW,
25 North Concourse, Beaumaris, Victoria 3193.

Estate of JANET CHRISTINA STEWART, late of 39 Callaway Crescent, Leongatha, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 January 2017, are required by the executors, Robyn Naomi Salisbury, Cheryl Anne Toner and Russell Stewart Misson, to send particulars, care of the solicitors below, within two months from the 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.

BEAUMARIS LAW,
25 North Concourse, Beaumaris, Victoria 3193.

Creditors, next-of-kin and others having claims in respect of the estate of ANTONIETTA NARDELLA, late of Arrum, 17 Egginton Street, Brunswick West, Victoria, home duties, deceased, who died on 23 June 2017, are required to send particulars of their claims to the executor, Luisa Colia, care of the undermentioned solicitors, on or before 1 December 2017, after which she will distribute the assets, having regard only to the claims of which she then has notice.

BSP LAWYERS,
Level 15, 200 Queen Street, Melbourne 3000.
Telephone 9670 0722.

Creditors, next-of-kin and others having claims in respect of the estate of BETTY LORRAINE BELL, late of Casey Manor Hostel, Narre Warren South, Victoria, home duties, deceased, who died on 8 April 2017, are required to send particulars of their claims to the executor, Lorraine Margaret McLennan, care of the undermentioned solicitors, on or before 1 December 2017, after which she will distribute the assets, having regard only to the claims of which she then has notice.

BSP LAWYERS,
Level 15, 200 Queen Street, Melbourne 3000.
Telephone 9670 0722.

Re: Estate of JAMES BARROW, late of Eva Tilley Memorial Home, 110 Burke Road, Balwyn North, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 June 2017, are required by the executor to send particulars of their claims to the undermentioned solicitors, within 60 days from the date of publication of this notice, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor then has notice.

DEVENISH, lawyers,
PO Box 4276, Ringwood, Victoria 3134.

Re: SALVATORE COSTANZO, late of 70 Brisbane Street, Berwick, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 February 2013, are required by

the trustee, Ricardo Costanzo, to send particulars to the trustees, 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 they have notice.

DOMINIC ESPOSTIO SOLICITORS,
235 Rathdowne Street, Carlton 3053.

Re: NORMA ADELE KITCHEN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of NORMA ADELE KITCHEN, late of Unit 1, 83 The Esplanade, Torquay, Victoria, married woman, deceased, who died on 22 April 2010, are required by the administrator to send particulars of their claim to her, care of the undermentioned solicitors, by 8 March 2018, after which date the said administrator will distribute the assets of the deceased, having regard only to the claims of which she then shall have notice.

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

PHYLLIS MAUDE MONK, late of Nyah, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 April 2017, are required by Glenn Malcolm Monk and Lesley Phyllis Connor, the executors of the Will of the deceased, to send particulars of their claims to them, care of the undermentioned solicitor, within 60 days from the date of publication of this notice, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Re: PAMELA JOAN YOUNG, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 July 2017, are required by the trustees, Judith Alison Jackson and Denise Elizabeth Young, care of 2 Bridge Street, Benalla, Victoria, to send particulars to the trustees by 28 November 2017, after which date the trustees may convey or distribute the assets,

having regard only to the claims of which they shall then have had notice.

HDC LEGAL, lawyers and conveyancers,
2 Bridge Street, Benalla 3672.

Re: PAMELA MARY ROWE, late of Unit 21, 8–12 Albert Street, Ringwood, Victoria 3134, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 June 2017, are required by the executor, James William Rowe, to send particulars to him, care of the undersigned, by 8 December 2017, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

HUTCHINSON LEGAL,
12 Warrandyte Road, Ringwood, Victoria 3134.

Re: Estate of BRETT SAMUEL WILGRESS FREEMAN, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of BRETT SAMUEL WILGRESS FREEMAN, late of 483–485 Campbell Street, Swan Hill, in the State of Victoria, company director, deceased, who died on 24 June 2017, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 28 November 2017, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

JOLIMAN LAWYERS,
Beveridge Dome, 194–208 Beveridge Street,
Swan Hill 3585.

Re: Estate of GODFREY JOSEPH VALLANCE, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of GODFREY JOSEPH VALLANCE, late of Baptcare Northaven Community, Shadforth Street, Kerang, in the State of Victoria, retired, deceased, who died on 4 August 2017, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 27 November 2017, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

JOLIMAN LAWYERS,
Beveridge Dome, 194–208 Beveridge Street,
Swan Hill 3585.

Re: LORNA MYRTLE OLLIVER, deceased, of Arcare, Stanley Road, Keysborough, Victoria, home duties.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 May 2017, are required to send particulars of their claims to the executrix, Janis Boyd, care of 467 Hampton Street, Hampton, Victoria 3188, by 1 December 2017, after which date the executrix may convey or distribute the assets, having regard only to the claims of which she may then have notice.

KEITH R. CAMERON, solicitor,
467 Hampton Street, Hampton, Victoria 3188.

Re: LOUISE MARIA VAN DER PAAL, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 April 2017, are required by the trustees, Gerardus Hendrikus Van Der Paal of 900 Main Road, Eltham, Victoria, line worker, and Steven Philip Van Der Paal of 900 Main Road, Eltham, Victoria, airline pilot, to send particulars to the trustees by 28 November 2017, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

LORRAINE JONES & ASSOCIATES,
solicitors,
900 Main Road, Eltham 3095.

NICOLA PISCIONERI, also known as Nick, late of 172 Clarke Street, Port Melbourne, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 August 2017, are required by the executors to send particulars of their claims to the undermentioned lawyers by 27 November 2017, after which date the executors may convey or distribute the estate, having regard only to the claims of which they have notice.

McCLUSKYS LAWYERS,
111 Bay Street, Port Melbourne, Victoria 3207.

REGINALD LLEWELLYN STANLEY,
late of 30 Hillcrest Avenue, Kew, Victoria 3101,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 14 July 2017, are required by his executor, Robert William McNab, to send particulars to him, care of the undermentioned solicitor, by 7 March 2018, after which date the executor may convey or distribute the assets, having regard only to the claims on which they then have notice.

MELVILLE LAWYERS,
Suite 203, 9–11 Claremont Street, South Yarra,
Victoria 3141.

NOELLA MARY BUCKLEY late of Noel Miller Centre, 9–15 Kent Street, Glen Iris, Victoria, retired administration clerk, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 31 March 2017, are required by the executor, Brian Anthony Buckley of 66 Tivoli Road, South Yarra, Victoria, to send particulars of their claims to him, care of the undersigned, by 28 November 2017, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

RENNICK & GAYNOR, solicitors,
431 Riversdale Road, Hawthorn East,
Victoria 3123.

MICHAEL LLOYD NIALL, late of Unit 2, 30 Kensington Road, South Yarra, Victoria, grazier, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 23 June 2017, are required by the executor, Daniel Leslie Minogue of 431 Riversdale Road, Hawthorn East, Victoria, to send particulars of their claims to him, care of the undersigned, by 28 November 2017, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

RENNICK & GAYNOR, solicitors,
431 Riversdale Road, Hawthorn East,
Victoria 3123.

Re: ANTONIO COMELLI, late of 17–24 Springfield Avenue, Toorak, Victoria 3142, retail sales, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 21 April 2017, are required by the executors, Peter Anthony Jago, Philip Lawrence Cain and Heather Naomi Noonan, to send particulars of their claims to them, in care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

Dated 28 September 2017

RICHMOND LAW, legal practitioners,
Level 1, 2 Drewery Place, Melbourne,
Victoria 3000.
Ph: (03) 8677 5590.

Re: Estate JOSEPH CLERMONT JUMEAU, late of 9A Willow Road, Upper Ferntree Gully, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 December 2016, are required by the trustee, Jacqueline Mary Mederi, in the Will called Jacqueline Jumeau, care of the undermentioned solicitors, to send particulars to the trustee within 60 days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claim of which the trustees have notice.

RNG LAWYERS,
142 Main Street, Lilydale 3140.

Re: NANCY JANE HOWELL, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 May 2017, are required by the trustee, Robert Thomas Daniels, to send particulars of such claims to him, in care of the below mentioned lawyers, by 29 November 2017, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

ROBERTS BECKWITH PARTNERS,
16 Blamey Place, Mornington, Victoria 3931.

Re: KENNETH NEVILLE CUMSTIE ROLLASON, late of 28 Ardoyne Street, Black Rock, Victoria 3193, retired, deceased.

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

who died 27 July 2017, are required by the executor, Valma Janet Rollason, to send particulars to her, care of the undermentioned solicitors, by 30 November 2017, after which date the executor may convey and distribute the assets, having regard only to the claims of which she then has notice.

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

Re: GWENDOLINE SKINNER, late of 15/1 Argus Street, Cheltenham, Victoria 3192, retired bank officer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 4 August 2017, are required by the executors, Wendy Joy Vuat and Peter Charles Skinner, to send particulars to them, care of the undermentioned solicitors, by 30 November 2017, after which date the executors may convey and distribute the assets, having regard only to the claims of which they then have notice.

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

Re: The estate of KENNETH FREDERICK DIXON, late of 28 Curlew Point Drive, Patterson Lakes, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 June 2017, are required by the executor, Judith Gwen Dixon, to send particulars to her, care of the undersigned 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 the trustee has notice.

WILLIS SIMMONDS LAWYERS,
legal practitioners,
6/1 North Concourse, Beaumaris 3193.

ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 2 November 2017 at 1.30 pm in the afternoon, at Level 6, 446 Collins Street, Melbourne (unless process be stayed or satisfied).

All the estate and interest (if any) of Gina Khalil of 74 Tunaley Parade, Reservoir, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 10625 Folio 082, upon which is erected a house and known as 27 Elinda Place, Reservoir, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AJ689035K), Agreement Section 173 **Planning and Environment Act 1987** X880764G and Owners Corporation 1 Plan No. PS411961Y affect the said estate and interest. The Sheriff is unable to provide access to this property.

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

Please visit Sheriff's Office Real Estate Section website at www.justice.vic.gov.au/sheriffrealestate for an information sheet on Sheriff's Auctions, a contract of sale and any other enquiries.

SHERIFF

ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 2 November 2017 at 1.30 pm in the afternoon, at Level 6, 446 Collins Street, Melbourne (unless process be stayed or satisfied).

All the estate and interest (if any) of Papinder Singh of 312 Canterbury Road, Bayswater North, joint proprietor with Harpreet Kaur of an estate in fee simple in the land described on Certificate of Title Volume 09597 Folio 997, upon which is erected a house and known as 312 Canterbury Road, Bayswater North, will be auctioned by the Sheriff.

The Sheriff is unable to provide access to this property.

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

Please visit Sheriff's Office Real Estate Section website at www.justice.vic.gov.au/sheriffrealestate for an information sheet on Sheriff's Auctions, a contract of sale and any other enquiries.

SHERIFF

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**



Ararat Rural City

GUIDELINES FOR LOCAL LAWS INFRINGEMENTS NOTICES, PERMITS AND FEES

Council, at its meeting held on 19 September 2017, resolved to amend the Local Law Permit Fees, Charges and Bonds. These fees, charges and bonds are found in Schedule 10 of the Ararat Rural City Council – Guidelines for Infringement Notices, Permits and Fees. These Guidelines are incorporated by reference into the Ararat Rural City Council General Local Law 2012 and must be read in conjunction with the Local Law. The amended fees, charges and bonds commence the following day on which public notice of the amended Schedule is published in the Victoria Government Gazette.

The amended Schedule is below:

Schedule 10

Local Law Permit Fees, Charges and Bonds		
GLL.17	Vehicle Impoundment Charges	\$150.00
GLL.26	Fires in the open air – residential	\$20.00
GLL.27	Burn offensive materials	\$80.00
GLL.28	Use of vehicles and recreation vehicles Bond if required to protect Council asset (refundable)	\$40.00 as determined
GLL.29	Advertising, bill posting Council asset	as determined
GLL.30	Noise in a public place	\$50.00
GLL.32	Camping on Council land	\$60.00
GLL.32(3)	Camp on private land longer than specified	\$60.00
GLL.33	Temporary dwellings	\$110.00
GLL.34	Circuses, carnival and festivals	as determined
GLL.35	Keeping animals – residential – per year or for life of animal or time kept at property	\$50.00 \$250.00
GLL.38	Graze animals on Council land	\$50.00
GLL.50	Drainage tapping – dependent on works required	as determined
GLL.56	Consumption and possession of liquor Munic. Reserves	as determined
GLL.62	Vehicle crossings Bond if required to protect/reinstate asset (refundable)	\$50.00 as determined
GLL.70	Collections on roads Registered charities, religious or not for profit groups	\$60.00 \$0
GLL.71	Placing ‘A’ frame or advertising sign	\$50.00
GLL.73	Roadside trading	\$115.00
GLL.76 (71,76)	Locating goods for sale or Locating goods and ‘A’ frame sign	\$50.00 \$50.00

GLL.77	Outdoor eating facilities – 3 tables and 12 chairs plus extra table and 4 chairs plus place menu board	\$60.00 \$20.00 \$30.00
GLL.79	Place rubbish container or skip bin – limit 14 days each subsequent 7 days	\$50.00 \$20.00
GLL.80	Road occupation for works Bond if required to protect/reinstate assets (refundable)	\$40.00 as determined
GLL.81	Road cropping or planting	\$50.00
GLL.85	Street parties, street festivals and processions	\$50.00
GLL.86	Busking and street entertainment	\$50.00
GLL.87	Droving or movement of livestock Bond if required to protect/reinstate Council asset (refund)	\$75.00 as determined
GLL.89	Heavy vehicle parking in residential zones	\$110.00
GLL.90	Asset protection permit Bond if required to protect/reinstate asset (refundable)	\$110.00 as determined

COLLEEN WHITE
Interim Chief Executive Officer



Road Management Act 2004

AMENDMENT OF ROAD MANAGEMENT PLAN

In accordance with section 54(6) of the **Road Management Act 2004**, the East Gippsland Shire Council has completed the review and subsequent amendment of its Road Management Plan, effective 5 September 2017.

The amended version of the Road Management Plan may be inspected or obtained from Council's Corporate Centre in Bairnsdale, Council's Service Centres at Lakes Entrance, Mallacoota, Orbost, Omeo and Paynesville or at Council's Outreach Centres at Bendoc, Buchan and Cann River or accessed online at www.eastgippsland.vic.gov.au

GARY GAFFNEY
Chief Executive Officer

BENALLA RURAL CITY COUNCIL

Local Government Act 1989

Authorisation of Victoria Police Officers

Pursuant to section 224A of the **Local Government Act 1989** the Council authorises any Police Officer of the Victoria Police Force to enforce the provisions of the Benalla Rural City Community Local Law 2017 clause 10 – Consumption and Possession of Liquor. For the purposes of this authorisation, a police officer's certificate of identity is deemed to be an identity card issued under section 224(2) of the **Local Government Act 1989** and is deemed to comply with section 224(3).

TONY McILROY
Chief Executive Officer

CITY OF CASEY COUNCIL

Proposal to make Casey Community Local Law 2018

Notice is given that the City of Casey Council proposes to make a Local Law titled 'Casey Community Local Law 2018'.

The following information about the proposed Local Law is provided in accordance with section 119(2) of the **Local Government Act 1989**.

Purpose and General Purport of the Proposed Local Law.

If made, the purpose of the proposed Local Law will be to:

1. Repeal the existing City of Casey Community Local Law 2/2010;
2. Provide for the peace, order and good government of the municipal district;
3. Promote a physical and social environment free from hazards to health, in which residents of the municipal district can enjoy a quality of life that meets the general expectations of the community; and
4. Prevent and suppress nuisance which adversely affects the enjoyment of life within the municipal district or the health, safety and welfare of persons within the municipal district.

Purpose and General Purport of the Local Law

If made, the Proposed Local Law will introduce:

- New definitions and make some amendments to existing defined terms;
- Ability to seek a review of decisions made under the Local Law;
- Ability to correct errors made to permits;
- Amend some penalty amounts;
- Create new offences relating to:
 - Noise and nuisance from audible alarms
 - Storage of (registered) vehicles on roads
 - Smoking within Bunjil Place
 - Use of Drones on private property

Copies of the Proposed Local Law and copies of the explanatory Community Impact Statement may be inspected at any Council Office during normal office hours or may be viewed online at www.casey.vic.gov.au

Any person may make a written submission relating to the Proposed Local Law. All submissions received by Council on or before 27 October 2017 will be considered in accordance with section 223 of the **Local Government Act 1989**.

Any person making a written submission is entitled to request (in the submission itself) to be heard in support of the submission by appearing before a committee of Council, comprising of Councillors and Council staff (either personally or a person acting on his or her behalf). The date, time and location of any submission hearings will be provided to submitters requesting to be heard.

Submissions should be marked 'Submission on Proposed Casey Community Local Law 2018' and sent to Council at City of Casey, PO Box 1000, Narre Warren, Victoria 3805, or emailed to caseycc@casey.vic.gov.au

MIKE TYLER
Chief Executive Officer

DAREBIN CITY COUNCIL
Governance Local Law 2017

Notice is hereby given that Darebin City Council has made the following Local Law under section 111 of the **Local Government Act 1989**.

TITLE:

Governance Local Law 2017 (Local Law No. 1 of 2017).

PURPOSE:

The objectives of this Local Law are to regulate proceedings at Council and Committee meetings; regulate proceedings for the election of the Mayor and Committee Chairpersons; regulate use (and prohibit unauthorised use) of the common seal; provide for related administrative procedures; and provide for the peace, order and good government of the municipal district.

GENERAL PURPORT:

Part 1 – Introduction

This Local Law commences on the day on which notice of its making is published in the Victoria Government Gazette. Upon commencement of the new Local Law, Council’s Governance Local Law 2013 will be revoked.

Part 2 – Common Seal

This Part regulates use of the common seal and prohibits unauthorised use of the common seal or any device resembling the common seal.

Part 3 – Election of Mayor, Deputy Mayor and Committee Chairpersons

This Part regulates proceedings for the election of Mayor and Committee Chairpersons.

The election is to be a show of hands conducted by the Chief Executive Officer.

Part 4 – Councillor Briefings

This Part regulates the proceedings for Councillor Briefing Arrangements.

Part 5 – Council Meeting Procedures

This Part regulates proceedings at Council meetings. The Local Law:

- Provides for public notice of meetings, the quorum for meetings, the business to be dealt with at Ordinary meetings and the minutes of meetings.
- Provides a procedure for motions and amendments and rules for debate.
- Provides opportunity for public participation in question and submission time.
- Regulates conduct at a meeting including suspension from meetings.

Part 6 – Committees

This part allows for relevant provisions of the Local Law to apply to meetings of Special Committees and Advisory Committees.

Part 7 – Enforcement and Penalties

This part prescribes penalties for offences under the Local Law.

Enquiries:

A copy of the Local Law may be inspected at Darebin Civic Centre, 274 Gower Street, Preston, or from other City of Darebin Customer Service Centres.

SUE WILKINSON
Chief Executive Officer

GREATER GEELONG CITY COUNCIL

Council Meeting Procedures Local Law 2017

The Greater Geelong City Council at a meeting held on 20 September 2017, adopted the Council Meeting Procedures Local Law 2017, the objectives of which are to:

- facilitate the orderly conduct of meetings of Council and Special Committees;
- regulate and control the use of the Common Seal of Council;
- regulate proceedings for the election of the Mayor and Deputy Mayor;
- regulate proceedings at meetings of Council and Special Committees at the Greater Geelong City Council;
- facilitate the good government of the Greater Geelong City Council and ensure that the Council's decisions are made in the best interests of the community;
- promote and encourage community participation in the good government of the City;
- repeal the Greater Geelong City Council Meeting Procedure Local Law 2013; and
- promote and encourage community participation in the government of the City.

Copies of the Local Law are available at City Hall, 30 Gheringhap Street, Geelong, during office hours or may be viewed on the City's website, www.geelongaustralia.com.au

KELVIN SPILLER
Chief Executive Officer

NILLUMBIK SHIRE COUNCIL

Notice is hereby given that pursuant to section 224A of the **Local Government Act 1989** any police officer may enforce the provisions of Clause 11 of Nillumbik Shire Council's Amenity Local Law to regulate the consumption of liquor in public places.

MARK STOERMER
Chief Executive Officer

Planning and Environment Act 1987

BANYULE PLANNING SCHEME

Notice of the Preparation of an
Amendment to a Planning Scheme and
Notice of an Application for a
Planning Permit Given Under Section 96C of
the **Planning and Environment Act 1987**

Amendment C106

Planning Permit Application 1268/14

The land affected by the Amendment is the Heidelberg Golf Course at 8 Main Road, Lower Plenty.

The land affected by the application is the Heidelberg Golf Course at 8 Main Road, Lower Plenty.

The Amendment proposes to:

- rezone part of the land from Special Use Zone 1 (SUZ1) to Neighbourhood Residential Zone – Schedule 3 (NRZ3);
- apply a Development Plan Overlay (DPO5) to land to be rezoned; and
- applying an Incorporated Plan Overlay (IPO3) over the balance of the Golf Course land.

The application is for a permit for a 9-lot subdivision, buildings and works and removal of native vegetation.

The applicant for the permit is Terrain Consulting Group.

You may inspect the Amendment, the explanatory report about the Amendment, the application, and any documents that support the Amendment and the application, including the proposed permit, free of charge, at the following locations, during office hours, at the following places: Greensborough Service Centre, Level 3, 1 Flintoff Street, Greensborough 3088; Rosanna Service Centre (inside Rosanna Library), 72 Turnham Avenue, Rosanna 3084; Ivanhoe Service Centre, 275 Upper Heidelberg Road, Ivanhoe 3079; and at the Department of Environment, Land, Water and Planning website, www.delwp.vic.gov.au/public-inspection

Any person who may be affected by the Amendment or by the granting of the permit may make a submission to the planning authority about the Amendment and the application. Submissions must be made in writing giving the submitter's name and contact address, clearly

stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions.

The closing date for submissions is Thursday 2 November 2017. A submission must be sent to Strategic Planning, Banyule City Council, PO Box 94, Greensborough, Victoria 3088.

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

DAVID COX
Coordinator Strategic Planning
Banyule City Council

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 30 November 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.

BEROVALIS, Con, late of 28 Mary Street, Preston, Victoria 3072, deceased, who died on 2 August 2017.

DUNCAN, Graham, late of Amaroo Lodge Nursing Home, 36 Kennedy Street, Euroa, Victoria 3666, deceased, who died on 13 August 2017.

FISHER, Sharon Lee, late of 12 Launching Place Road, Gembrook, Victoria 3783, deceased, who died on 27 December 2016.

HALL, Daryl John, late of 39 Chandler Road, Boronia, Victoria 3155, deceased, who died on 7 April 2017.

HEENEY, Veronica Elaine, late of Mercy Place, 22 Verona Lane, East Melbourne, Victoria 3002, deceased, who died on 7 May 2017.

MILWAY, Patricia Jane, late of 40 Salisbury Street, Benalla, Victoria 3672, deceased, who died on 31 May 2017.

QUILTY, Valda Jean, late of Coppin Community, 45 Moubay Street, Melbourne, Victoria 3004, deceased, who died on 12 June 2017.

ROBINSON, John Richard, late of Unit 24, 2 Tom Hills Court, Port Melbourne, Victoria 3207, deceased, who died on 1 July 2017.

SMITH, Michael James, late of Room 20, Sir Donald & Lady Trescowlthick, 70 Charles Street, Prahran, Victoria 3181, deceased, who died on 20 July 2017.

THOMAS, Noel Weston, late of Unit 218, 34 Fitzroy Street, St Kilda, Victoria 3182, deceased, who died on 23 July 2017.

THOMPSON, Paul Wallace, late of 11 Dorothy Street, Burwood, Victoria 3125, deceased, who died on 15 March 2017.

TREVASKIS, Barry, late of Corpus Christie Aged Care, 855 Mickleham Road, Greenvale, Victoria 3059, deceased, who died on 6 December 2016.

WILDE, Marie, late of Unit 7, 131 Elizabeth Street, Edenhope, Victoria 3318, deceased, who died on 29 July 2017.

WILLIAMS, Alan William, late of 32 Market Street, Minyip, Victoria 3392, deceased, who died on 15 May 2017.

Dated 21 September 2017

EXEMPTION

Application No. H191/2017

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by Women's Health in the North Inc. (the applicant). The application for exemption is to enable the applicant to:

- employ only females and people whose gender identity is female (referred to as 'women') to work in the applicant organisation;
 - employ only women of a specified race or ethnic origin, or whose first language is a specified language other than English, to work in the applicant organisation on specific projects targeted at groups of women of that race or ethnic origin or whose first language is that language;
 - from time to time, provide services, including membership services, to women only; and
 - advertise those matters
- (the exempt conduct).

Upon reading the material filed in support of this application, including the affidavit of Helen Riseborough, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 16, 18, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption the Tribunal noted:

- The applicant is a women's health service for the Northern Metropolitan region of Melbourne. Its mission is to address gender inequities and the determinants of women's health through leadership and advocacy, research, knowledge translation and strategic partnerships. Its services include community and professional education, research and assessment of arising issues, dissemination of information and advocacy. The applicant has a particular expertise in meeting the needs of women who are the most marginalised by the health system.
- The applicant organisation is small with 18 employees. All staff are expected to share tasks and responsibilities and have regular direct contact with women. Researchers are often required to engage with women to obtain information. For example, a recent project on financial issues for women in retirement required researchers to engage with older women. The applicant believes women such as those are more comfortable discussing issues with other women. The applicant takes a social view of health and topics covered include family violence and sexual assault and says that makes it imperative that staff are women.
- The applicant provides programs which engage with organisations and the wider community (such as gender equity training for presidents of local sporting clubs). It also provides programs directed to specific needs of women and girls, such as programs dealing with sexual and reproductive health. The applicant has run programs educating women about female genital cutting/mutilation. The applicant works to prevent violence against women by, amongst other things, providing education to managers from the applicant's partner organisations, undertaking policy development and presentations and supporting and resourcing organisations offering direct support to women and children affected by family violence.
- The population of the applicant's catchment area is high in women from culturally and linguistically diverse backgrounds, particularly newly arrived women and Muslim women. It is for this reason that the applicant wishes, from time to time, to match its staff with its client's ethnic, racial or language backgrounds.
- Individual membership of the applicant organisation is limited to women. Members have access to services including receipt of annual reports and newsletters and access to library and other resources. Members are entitled to vote at general and annual general meetings. Given that the applicant provides services by women to women, it is preferable that individual members who receive these services are also women.
- On the evidence, I am satisfied that the services provided by the applicant direct to women which are designed to meet the special needs of women are special needs services under section 88 of the Act. I am further satisfied that the exception contained in section 28 of the Act applies in relation to direct services of that kind. That is because I am satisfied that the services where staff have direct and significant contact with the applicant's clients or women within the region and/or which are directed to women's interests and needs can be most effectively provided by women staff. However, the evidence does not establish that the broader research and policy and those services which are provided to men, can be provided most effectively by women. Accordingly, the section 28 exception does not apply to all roles within the applicant organisation. Where I am not satisfied that an exception applies to the services provided by the holder of each role within the applicant organisation but accept that it is preferable that those services be provided by women only, it is appropriate that an exemption be granted. It is also appropriate to ensure that an organisation established to provide the kinds of services set out above, is able to, when appropriate, limit its services including in the form of membership, to women only.
- Previous exemptions in similar terms have been granted. In the absence of an exemption, aspects of the exempt conduct would amount to prohibited discrimination.

- When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter). Arguably, this exemption limits the right to equality and in particular the right to equal and effective protection against discrimination of men who would wish to be employed by the applicant or who would wish to receive services by virtue of being a member of the applicant. I am satisfied that, in the circumstances discussed above, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an exemption from the operation of sections 16, 18, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 27 September 2022.

Dated 21 September 2017

A. DEA
Senior Member

EXEMPTION

Application No. H216/2017

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by Women's Health East Inc (the applicant). The application for exemption is to enable the applicant to:

- employ only females and people whose gender identity is female (referred to as 'women') to work in the applicant organisation;
- employ only women of a specified race or ethnic origin, or whose first language is a specified language other than English, to work in the applicant organisation on specific projects targeted at groups of women of that race or ethnic origin or whose first language is that language;
- from time to time, provide services, including membership services, to women only; and
- advertise those matters

(the exempt conduct).

Upon reading the material filed in support of this application, including the affidavit of Kristine Olaris, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 16, 18, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption the Tribunal noted:

- The applicant is a community-based health promotion organisation which works in partnership with other health and community agencies in the eastern metropolitan region of Melbourne. The applicant undertakes research and contributes to policy development which in turn informs the programs it and its partner organisations provide. It works to address health inequities and disadvantage experienced by women. Working within a feminist framework, the applicant advocates on behalf of women within the health system, provides education and training on women's health issues and gender equity and promotes access to appropriate services for women. The applicant works closely with others in the health and community sector to promote a gendered approach to program planning and service delivery, with the aim of achieving better health, safety and wellbeing outcomes for women.
- The applicant has a responsibility to represent women in the region and considers that the most credible and effective representatives of women's health needs and women's perspectives are women themselves through a specialist organisation run by and for women. Current programs and activities include a training and support program for women survivors of family/intimate partner violence and/or sexual assault to act as public speaking/media advocates in raising awareness of violence against women. Another is a women's leadership and financial literacy program which the applicant co-facilitates. Those programs are provided to a range of

women such as women with a disability and women from Burmese ethnic minority groups. The applicant is working on developing a sexual and reproductive health project for LGBTIQ women. The applicant also runs training programs for sporting clubs, local government, health providers and other key stake holders on a range of topics including the prevention of violence against women and gender stereotypes.

- The applicant organisation employs a total of 10 women. As a small organisation, all staff, including administrative and finance officers, are required to play an active and visible role in community events and campaigns. It would be inappropriate for the applicant to be represented by men in those. All employees are required to share reception duties, respond to incoming telephone calls, emails and officer visitors and interact with program participants and members. Women who contact the applicant often do so in circumstances where they are seeking support and referral in respect of sensitive matters. They expect to be assisted by women given they are contacting a women's health organisation.
- From time to time, the applicant develops programs to be undertaken with and for groups of women from particular cultural backgrounds. The success of those programs depends on having project staff from the same cultural backgrounds and language groups, wherever possible.
- Individual membership of the applicant organisation is limited to women. Members have access to services including entitlement to nominate for election to the Board of Governance, invitations to special events, opportunities to participate in consultations and the receipt of annual reports, newsletters and other resources. Members are entitled to vote at general and annual general meetings. Given that the applicant provides services by women to women, it is preferable that individual members who receive these services are also women.
- On the evidence, I am satisfied that the services provided by the applicant direct to women which are designed to meet the special needs of women are special needs services under section 88 of the Act. I am further satisfied that the exception contained in section 28 of the Act applies in relation to direct services of that kind. That is because I am satisfied that the services where staff have direct and significant contact with the applicant's clients or women within the region and/or which are directed to women's interests and needs can be most effectively provided by women staff. However, the evidence does not establish that the broader research, policy and training activities, including where services are provided to men, can be provided most effectively by women. Accordingly, the section 28 exception does not apply to all roles within the applicant organisation. Where I am not satisfied that an exception applies to the services provided by the holder of each role within the applicant organisation but accept that it is preferable that those services be provided by women only, it is appropriate that an exemption be granted. It is also appropriate to ensure that an organisation established to provide the kinds of services set out above, is able to, when appropriate, limit its services including in the form of membership, to women only.
- The applicant was granted an exemption in similar terms in 2012 and that exemption is due to expire on 2 October 2017 (A150/2012). In the absence of a further exemption, aspects of the exempt conduct would amount to prohibited discrimination.
- When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter). Arguably, this exemption limits the right to equality and in particular the right to equal and effective protection against discrimination of men who would wish to be employed by the applicant or who would wish to receive services by virtue of being a member of the applicant. I am satisfied that, in the circumstances discussed above, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an exemption from the operation of sections 16, 18, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

This exemption is to remain in force from 3 October 2017 until 2 October 2022.

Dated 25 September 2017

A. DEA
Senior Member

Associations Incorporation Reform Act 2012

SECTION 134

I, David Joyner, under delegation provided by the Registrar, hereby give notice that, pursuant to section 134(1) of the Act, the registration of the incorporated association mentioned below will be cancelled at the expiration of three months from the date of this notice:

Disability Attendant Support Service Inc.

Dated 28 September 2017

DAVID JOYNER
Deputy Registrar of
Incorporated Associations
PO Box 4567
Melbourne, Victoria 3001

Associations Incorporation Reform Act 2012

SECTION 135

On 30 August 2017 I issued a notice under section 135(2) of the **Associations Incorporations Reform Act 2012** (the Act) to the incorporated associations listed below, requesting them to show cause as to why their incorporation should not be cancelled.

I am now satisfied that the incorporation of the below listed incorporated associations should be and are hereby cancelled in accordance with section 135(3) of the Act.

Advance Bairnsdale Community Inc.; Alexandra Angling Club Inc.; Almega Group Inc.; Assembly of God Church of Samoa in St Albans, Victoria Australia Inc.; Australian Ortho-Practic Association Inc.; Australian Sri Lankans Inc.; Beacon Inc.; Biserica Romana Betel Inc.; Cape Town to Cairo for HIV/Aids Inc.; Central Highlands Older Adults Recreation Network Inc.; Central Melbourne F.M. Inc.; Central Sports Hub Inc.; Chinese Medicine, Massage & Qigong Therapy Association of Victoria Inc.; Codemo: Community Development Multicultural Organization Inc.; Coppin St. Studio's Inc.; Cybercrime Inc.; Deer Park Toddlers Playgroup Inc.; Disability Consultative Access Committee Incorporated; Donne Pugliesi in Arte Inc.; Dunkeld Polo Inc.; Eildon Cricket Club Inc.; Emerald Playgroup Inc.; Energisers

Inc.; Fancy Fish Theatre Inc.; Festival of Roses Inc.; Footscray Traditional Islamic Society of Victoria Inc.; Friends of Playspace Inc.; Galatasaray Supporters Association Inc.; Globe Hotel Social Club Inc.; Goongerah Catering Team Inc.; Greater Shepparton Citizens Advisory Group Inc.; Greek Women's Club of Maribyrnong Inc.; Happy Walrus Inc.; Healesville Gateway Festival and Arts Council Inc.; Hellenic Association 'Phoebus' Inc.; Heritage Tennis Club Inc.; HNK Gospic Bears Inc.; Knox-Sherbrooke Swimming Centre Inc.; Launch United Cricket Club Inc.; Longlea Reserve and Peppercorn Park Committee of Management Inc.; Lower Gundowring Tennis Club Inc.; Maldon Steer 'N' Gear Association Inc.; Melbourne Sanatan Soccer Club Inc.; Monash Labor Association Inc.; Mt Eliza Suns Basketball Club Inc.; Murrabit West Drain Inc.; Naath Nuer Community Association of Australia Inc.; Natural Health Freedom Inc.; NC Inspire Inc.; New Holland Theatre Company Inc.; North East Region Life Education Centre Management Committee Inc.; Organic Future Inc.; Otway Regions School Staff Inc.; Our Community Garden Inc.; Panyikango Social Development Association of Australia Inc.; Polish Association in Melbourne Inc.; Polyglot Student Advisory Inc.; Pretty Sally Beekeepers Club Inc.; Pro/User Association of Australia Inc.; Process Work Victoria Inc.; Pyalong Restoration Group Inc.; Rigbys Rescue Inc.; Romanian Christian Church Bethel Inc.; Rosebud Redbacks In-Line Hockey Club Inc.; Rosedale and District Tourism Association Inc.; Russian Speaking Association - 'Sotechistvenike' Inc.; Seanna Foundation Inc.; Silks Circle Inc.; Somalia Assistance Organization (SAO) Inc.; Somlink Inc.; Spaces Outdoor Community Inc.; Sporting American Bulldog Association Inc.; Street Class Cruisers Inc.; Street Light Inc.; Sunraysia All Nations Christian Fellowship Inc.; Sunraysia Gujarati Community Inc.; Sunraysia Junior Soccer League Inc.; Water Wheel Spinners of Rochester Inc.

Dated 28 September 2017

DAVID JOYNER
Deputy Registrar of
Incorporated Associations
PO Box 4567
Melbourne, Victoria 3001

Education and Training Reform Act 2006

MINISTERIAL ORDER NO. 1047

Taylor's Hill West Secondary College Council (Interim Name)

Constituting Order

A. Purpose

The purpose of this Order is to constitute a school council for Taylor's Hill West Secondary College (Interim Name).

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 Taylor's Hill West Secondary College Council (Interim Name), 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 No. 8784 named Taylor's Hill West Secondary College (Interim Name) situated 135 City Vista Court, Fraser Rise, Victoria 3336.

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 4 of the Education and Training Reform Regulations 2017 apply to the Council.

3. Definitions

3.1 In this Order:

‘Children’s service’ means a:

- (a) a children’s service under the **Children’s Services Act 1996**; and
- (b) an education and care service under the Education and Care Services National Law (Vic).

‘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 27 of the Education and Training Reform Regulations 2017, 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 approval under the **Children's Services Act 1996** or the Education and Care Services National Law (Vic) 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**, or the Education and Care Services National Law (Vic) 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 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 sub-clauses (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 sub-clause (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 2017, 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 sub-clause (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 sub-clause (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 sub-clause (b), this clause 33 operates until and inclusive of the date of the declaration of the poll in 2019 (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 2019 (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 five members comprising the principal *ex officio* and one other DET employee, three Parents members.

- 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 three 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 2019.
- (b) The School Council may, prior to the date of the declaration of the poll in 2019 (or if no election is held that year, 31 March of that year), appoint zero persons who are 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 2019 (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 2019 (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 4 of the Education and Training Reform Regulations 2017 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 4 of the Education and Training Reform Regulations 2017 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 a member under clause 33.4(b).

- (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-optation 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 2019 school year commencement date and 31 March 2019 in respect of five 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 2019.

This Order is made on 18 September 2017

THE HON. JAMES MERLINO, MP
Minister for Education

SCHEDULE 1

Taylors Hill West Secondary College Council
(Interim Name)

8T 5P 2DET 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

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
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
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

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
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
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

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
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
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

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
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
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

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
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. 1050

Torquay Coast Primary School Council

Constituting Order

A. Purpose

The purpose of this Order is to constitute a school council for Torquay Coast Primary School.

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 Torquay Coast 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 No. 5556 named Torquay Coast Primary School situated at 25 Stretton Drive, Torquay, Victoria 3228.

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 4 of the Education and Training Reform Regulations 2017 apply to the Council.

3. Definitions

3.1 In this Order:

‘Children’s service’ means a:

- (a) a children’s service under the **Children’s Services Act 1996**; and
- (b) an education and care service under the Education and Care Services National Law (Vic.).

‘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 27 of the Education and Training Reform Regulations 2017, 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 approval under the **Children's Services Act 1996** or the Education and Care Services National Law (Vic) 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**, or the Education and Care Services National Law (Vic) 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 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 sub-clauses (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 sub-clause (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 2017, 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 sub-clause (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 sub-clause (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 sub-clause (b), this clause 33 operates until and inclusive of the date of the declaration of the poll in 2019 (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 2019 (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 seven members comprising the principal *ex officio* and two other DET employees, three Parents and one Community member.

- 33.4 (a) By ministerial appointment made for the purposes of this clause, two DET employees and three Parents are appointed as members of the Council from the date this clause takes effect until and inclusive of the date of the declaration of the poll in 2019.
- (b) The School Council may, prior to the date of the declaration of the poll in 2019 (or if no election is held that year, 31 March of that year), appoint up to 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 2019 (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 2019 (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 4 of the Education and Training Reform Regulations 2017 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 4 of the Education and Training Reform Regulations 2017 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 a member under clause 33.4(b).

- (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 2019 school year commencement date and 31 March 2019 in respect of three 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 2019.

This Order is made on 18 September 2017

THE HON. JAMES MERLINO, MP
Minister for Education

SCHEDULE 1

Torquay Coast Primary School Council

6T 3P 2DET 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

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
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
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

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
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
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

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
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
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

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
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
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

Total	Parent members	DET employee members	Community members	Max DET employees	Max DET employee parents*
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.

Fisheries Act 1995
FISHERIES NOTICE

I, Travis Dowling, Chief Executive Officer of the Victorian Fisheries Authority, as delegate of the Minister for Agriculture and having considered the outcome of consultation in accordance with section 3A of the **Fisheries Act 1995** (the Act), make the following Fisheries Notice under sections 68A and 152 of the Act:

Dated 26 September 2017

TRAVIS DOWLING
Chief Executive Officer

FISHERIES (VICTORIAN PIFI) NOTICE 2017

1. Title

This Notice may be cited as the Fisheries (Victorian Pifi) Notice 2017.

2. Objectives

The objective of this Notice is to manage Victorian pifi stocks sustainably by –

- (a) opening marine waters to commercial pifi harvest except for a specified closed area;
- (b) prohibiting the taking of pifi by Ocean Fishery Access Licences that do not have a recorded catch history of 1,000 kilograms or more between 1 January 2012 and 31 December 2016;
- (c) specifying catch limits per day for the taking of pifi by endorsed licence holders;
- (d) restricting the number of fishing days per calendar month;
- (e) fixing a minimum size limit for pifis taken under endorsed licences; and
- (f) specifying reporting and other requirements to ensure compliance; and
- (g) revoking the Fisheries (Victorian Pifi) Notice 2016.

3. Authorising provision

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

4. Commencement

This Notice comes into operation on the day it is published in the Victoria Government Gazette.

5. Definitions

In this Fisheries Notice –

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

‘**closed waters**’ means –

- (a) all marine waters located between longitude 38° 38.883’ S, 145° 43.850’ E and longitude 38° 43.866’ S, 145° 50.000’ E (Venus Bay Closed Area); and
- (b) the marine waters within a spatial management unit for which a determination has been made under clause 10 of this Fisheries Notice;

‘**Crown land**’ has the same meaning as in the **Conservation, Forests and Lands Act 1987**;

‘**designated access point**’ means a point as specified in Schedule 2;

‘**designated weighing area**’ means the nearest recognised car parking area adjacent to the designated access point;

‘**endorsed licence**’ means an Ocean Fishery Access Licence that has been endorsed in accordance with clause 6;

‘**endorsement notice**’ means is the notice issued by the CEO in accordance with clause 6;

‘**fishing day**’ means a day on which pifi are taken or attempted to be taken;

‘landed’ in relation to pipi means the place where the pipis are taken across the mean high water mark;

‘next to’ in relation to waters includes –

- (a) within 100 meters of those waters; or
- (b) on any Crown land adjacent to the waters; or
- (c) on any road or public car park near the waters.

‘non-endorsed licence’ means an Ocean Fishery Access Licence that has not been endorsed in accordance with clause 6;

‘open waters’ means all marine waters other than closed waters;

‘pipi’ means *Donax spp*;

‘spatial management unit’ means each area of Victorian marine waters between the coordinates specified in Column 2 of the Table in Schedule 1 under the identifier specified in Column 1 of the Table in Schedule 1 corresponding to that area;

‘specified pipi details – prior’ means for the purposes of clause 13 of this Fisheries Notice –

- (a) the number allocated by the VFA to identify the access licence;
- (b) the date and time of the proposed fishing activity;
- (c) the catch and effort grid zone where pipi are to be taken;
- (d) the designated access point for entry (if in Discovery Bay); and

‘specified pipi details – post’ means for the purposes of clause 17 of this Fisheries Notice –

- (a) the number allocated by the VFA to identify the access licence;
- (b) the date and time of the completed fishing activity;
- (c) the catch and effort grid zone where pipi were taken;
- (d) the designated access point for exit (if in Discovery Bay); and
- (e) the weight of pipis (kg) taken;

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

‘upper limit’ for the spatial management unit specified in Column 1 of the Table in Schedule 1 means the amount of pipi specified in Column 3 of the Table in Schedule 1 corresponding to that spatial management unit;

‘VFA’ means the Victorian Fisheries Authority.

6. Endorsement Notice

- (1) The CEO may issue a notice to the holder of an eligible access licence endorsing the licence for the taking of pipi.
- (2) An **eligible access licence** means an Ocean Fishery Access Licence under which 1,000 kilograms or more pipi have been taken between 1 January 2012 and 31 December 2016 based on the daily catch and effort records completed by the licence holder in accordance with regulation 59 of the Fisheries Regulations 2009 and maintained by the VFA.
- (3) For the purposes of sub-clause (2) any inaccurate records or any pipi taken unlawfully are to be excluded.
- (4) The holder of an endorsed licence must have a copy of the endorsement notice issued to the licence holder in their immediate possession at all times when taking, possessing or transporting pipi taken under the licence.

Penalty: 50 penalty units.

7. Taking of pipi prohibited by non-endorsed licence prohibited

For the purposes of sections 67 of the Act,

- (a) the taking of pipi; or
- (b) the possession of pipi in, on or next to Victorian waters –

by the holder of a non-endorsed licence, or a person acting under the licence, is prohibited.

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

8. Daily catch limit for access licences

- (1) For the purposes of the Act, the daily catch limit with respect to –

- (a) the taking of pipi from Victorian waters; or
- (b) the possession of pipi in, on or next to Victorian waters –

by the holder of a non-endorsed licence, or a person acting under such a licence is zero pipi.

- (2) For the purposes of the Act, the daily catch limit with respect to –

- (c) the taking of pipi from Victorian waters; or
- (d) the possession of pipi in, on or next to Victorian waters –

by the holder of an endorsed licence or a person acting under such a licence is 150 kilograms in weight.

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.

9. Prohibitions on commercial pipi fishing by endorsed licences

For the purposes of section 67 of the Act, the taking of pipi –

- (a) on more than eight (8) days in any month; or
- (b) between sunset on any day and sunrise on the following day; or
- (c) on more than one trip on any one day –

under an endorsed licence is prohibited.

Note: A failure to comply with this prohibition is an offence under section 67(3) of the Act. A maximum penalty of 100 penalty units or 6 months imprisonment or both applies.

10. Minimum size for pipis taken by commercial fishers

For the purposes of the Act, the minimum size with respect to –

- (a) the taking of pipi; and
- (b) the possession of pipi in, on or next to Victorian waters –

by the holder of an endorsed licence, or a person acting under the licence, is 35 millimetres (as measured across the widest dimension of the shell).

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

11. Determination that catch target reached

- (1) The CEO may determine that the total amount of pipi taken under endorsed licences from a spatial management unit has exceeded the upper limit.

- (2) Without limiting the generality of sub-clause (1), a determination may:

- (a) specify one or more spatial management units;
- (b) specify that it comes into effect on a particular date and time; and
- (c) be varied or revoked at any time.

- (3) The CEO must ensure that a copy of the determination is sent to each holder of an endorsed licence as soon as possible after it is made.

12. Fishing in closed waters prohibited

- (1) For the purposes of sections 67 of the Act,
- (a) the taking of pipi from closed waters; or
 - (b) the possession of pipi in, on or next to closed waters –
- by the holder of an endorsed licence, or a person acting under the licence, is prohibited.
- Notes:** Failure to comply with this prohibition is an offence under sections 67 of the **Fisheries Act 1995**. A maximum penalty of 100 penalty units and/or six months imprisonment applies.
- (2) Sub-clause (1)(b) does not apply to a person –
- (c) travelling by the shortest practicable route from a point outside closed waters to another point outside closed waters; and
 - (d) the pipi is contained in a bag or container that is secured by a plastic cable tie or multiple cable ties in such a manner that pipi cannot be put into or removed from the bag or container without breaking it or the cable tie.

13. Prior Reporting requirements

An endorsed licence holder must ensure that the ‘specified pipi details – prior’ are provided to the VFA in the manner required by the VFA at least 1 hour before commencing a fishing activity in which pipis are targeted.

Penalty: 50 penalty units

14. Access points for Discovery Bay

- (1) An endorsed licence holder intending to take pipi from Discovery Bay must –
- (a) only enter the area; and
 - (b) ensure that any person acting under the licence only enters the area via a designated access point.

Penalty: 50 penalty units

- (2) An endorsed licence holder transporting pipi taken from Discovery Bay must –
- (a) only leave the area; and
 - (b) ensure that any person acting under the licence only leaves the area via a designated access point.

Penalty: 50 penalty units

15. Transfer of pipi in, on or next to Victorian waters prohibited

- (1) An endorsed licence holder or a person acting on behalf of an endorsed licence holder must not transfer pipi to another person in, on or next to Victorian waters.

Penalty 50 penalty units

- (2) Sub-clause (1) does not prevent the transfer of pipi to another person acting under the licence.

16. Requirement to carry daily catch record book

The holder of an endorsed licence must have the daily catch record book in their immediate possession or in a vehicle within the vicinity at all times when the licence holder or any person acting on behalf of the licence holder is taking or attempting to take pipis or is in possession of pipis.

Penalty: 50 penalty units

17. Post landing requirements

The holder of an endorsed licence must ensure that, no later than 20 minutes after landing and before any pipi taken under the licence are moved from the designated weighing area, placed in or on any motor vehicle, or delivered, consigned or given to another person –

- (1) The pipi are weighed; and
- (2) All details of the daily catch record are completed in accordance with regulation 59(1) of the Fisheries Regulations 2009; and
- (3) The ‘specified pipi details – post’ are provided to the VFA.

Penalty: 50 penalty units

18. Revocation

- (1) The Fisheries (Victorian Pipi) Notice 2016 is revoked.
- (2) Unless sooner revoked, this Notice will be automatically revoked 12 months after the day on which it comes into operation.

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

**SCHEDULE 1
SPATIAL MANAGEMENT UNITS**

Table

Column 1 Spatial management unit name	Column 2 Coordinates	Column 3 Upper limit
From the South Australia/Victoria border to Sutton Rocks, Discovery Bay.	From 38° 03.383' S 140° 57.933' E To 38° 08.633' S 141° 10.900' E	20.0 tonnes
From Sutton Rocks, Discovery Bay, to the northern border of Discovery Bay Marine National Park.	From 38° 08.633' S 141° 10.900' E To 38° 20.000' S 141° 23.000' E	60.0 tonnes

Geographic Coordinate System – WGS 1984

**SCHEDULE 2
DESIGNATED ACCESS POINTS FOR DISCOVERY BAY**

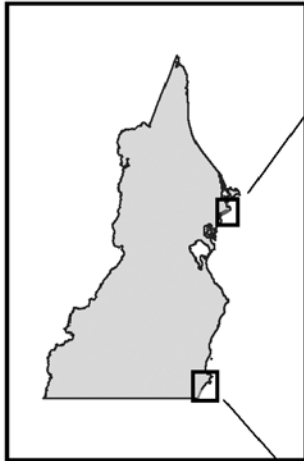
- A. Nelson Ocean Beach Walking Track: 38° 03.883' S 141° 00.550' E
- B. Noble Rocks Walking Track: 38° 06.950' S 141° 07.860' E
- C. Swan Lake Access Track: 38° 12.960' S 141° 18.650' E

Geographic Coordinate System – WGS 1984

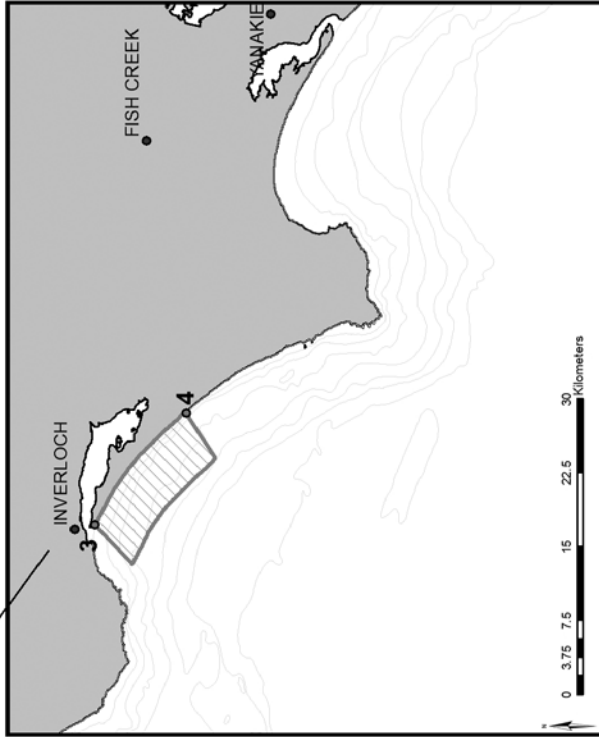
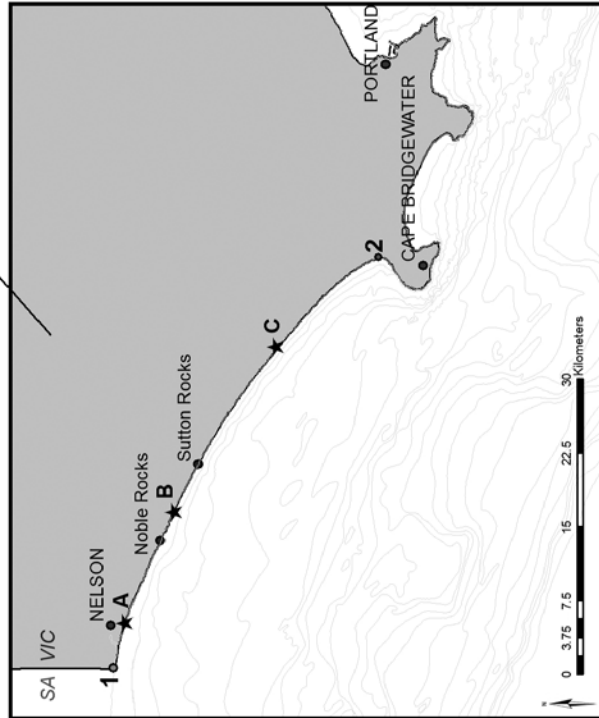
Victorian Commercial Pipi Fishing 2017

NOTES

Open to commercial pipi fishing extend offshore from the coast for three nautical miles.
 The minimum size limit for pipis harvested by commercial fishers is 35 millimetres.



Coordinates bordering Discovery Bay	
1	38°03.383' S 140°57.933' E
2	38°20.000' S 141°23.000' E
Access points in Discovery Bay	
A	38°03.883' S 141°00.550' E
B	38°06.950' S 141°07.860' E
C	38°12.960' S 141°18.650' E
Coordinates bordering Venus Bay Closed Area	
3	38°38.883' S 145°43.850' E
4	38°43.866' S 145°50.000' E



Legend



Geographic Coordinate System - WGS 1984

Geographic Place Names Act 1998

NOTICE OF REGISTRATION OF GEOGRAPHIC NAMES

The Registrar of Geographic Names hereby gives notice of the registration of the undermentioned place names.

School Naming:

School Name	Naming Authority and Location
Bannockburn P-12 College	Department of Education and Training Formerly known as Bannockburn Primary School A new school entity located at 139 Milton Street, Bannockburn.
Torquay Coast Primary School	Department of Education and Training A new school entity located at 25 Stretton Drive, Torquay.

Office of Geographic Names

Land Use Victoria

2 Lonsdale Street

Melbourne 3000

DAVID R. BOYLE
Registrar of Geographic Names

Marine Safety Act 2010

Section 208(2)

NOTICE OF BOATING ACTIVITY EXCLUSION ZONE

Goulburn–Murray Water, as the declared waterway manager for Lake Hume, hereby gives notice under section 208(2) of the **Marine Safety Act 2010** that the waters of Lake Hume south of the Bethanga Bridge for 1800 m and 600 m offshore from the Hume Boat Club at Bellbridge, as bounded by yellow buoys, are prohibited to all persons and vessels not registered to take part in Round 1 of the Country ACT Point Score Series. The exclusion zone takes effect between 8.00 am to 6.00 pm on Saturday 7 and Sunday 8 October 2017.

BY ORDER OF GOULBURN–MURRAY WATER

Occupational Health and Safety Act 2004

OCCUPATIONAL HEALTH AND SAFETY REGULATIONS 2017

Exemption

This exemption from compliance with a provision of the Occupational Health and Safety Regulations 2017 (the OHS Regulations) is granted by the Victorian WorkCover Authority under regulation 538(1) of the OHS Regulations, in the form required by regulation 545:

The following class of person is exempt from compliance with regulation 128 of the OHS Regulations, which prohibits persons from doing any high risk work unless they hold an appropriate high risk work licence in relation to the work.

Exempt class of person

Non-Australian residents employed or engaged by Dorna Sports SL or a MotoGP racing team to handle freight for the Australian Motorcycle Grand Prix held at Philip Island Grand Prix circuit, Back Beach Road, Philip Island, Victoria (the international operators).

High risk work that may be performed by the exempt class of person

Operation of a forklift truck operated by a person who does not hold a high risk work licence for the licence class of forklift truck operation licence in Part 2 of Schedule 3 of the OHS Regulations.

Conditions

In accordance with regulation 544 of the OHS Regulations the following conditions are imposed in granting the exemption which must be observed and apply to all work:

1. This exemption applies to only those persons who are non-Australian residents engaged or employed by Dornan Sports SL or a MotoGP racing team to operate fork-lift trucks at the Australian Motorcycle Grand Prix held at Philip Island Grand Prix circuit (the Grand Prix).
2. The Grand Prix includes the period of fourteen days leading up to the Australian Motorcycle Grand Prix race and fourteen days after the conclusion of the Australian Motorcycle Grand Prix race.
3. This exemption commences fourteen days before the start of the Grand Prix and expires fourteen days after the completion of the Grand Prix held in the years 2017, 2018, 2019, 2020 and 2021 respectively unless earlier revoked by WorkSafe Victoria.
4. Each international operator is required to provide evidence of a relevant licence or certificate of competency obtained in their home country together with a colour photograph and supporting identification.
5. An AGPC supervisor or project manager must be present at all times that forklift operating activities are taking place at the Grand Prix.
6. The AGPC will ensure an initial competency assessment is undertaken by each international forklift operator. This exemption only applies to those forklift operators who are deemed competent after undertaking this assessment.
7. Safety requirements will be provided to the racing teams and Dorna Sports SL by the AGPC prior to the Grand Prix in a format and language they are able to understand.
8. Each international operator is required to sign a safety undertaking before being provided with the keys to operate a forklift truck.
9. This exemption shall only apply to the designated forklift operating areas in accordance with those areas specified in Appendix B of the AGPC's exemption application dated 17 August 2017.
10. No forklift operations will be carried out in the forklift exclusion zone as set out in Appendix C of the AGPC's exemption application dated 17 August 2017.
11. A suitably competent safety officer/observer, independent of Dorna Sports SL and the MotoGP racing teams, must be present at all times that forklift operating activities are taking place at the Grand Prix to monitor and enforce the implementation of any safety requirements and the initiation of corrective action in the event those requirements are not correctly or fully implemented.
12. A physical boundary must be erected to restrict unauthorised access to, and traffic egress from, the designated operating areas for forklift activities. Security personnel must be provided to enforce the secured area.
13. All personnel working in the restricted areas will be required to wear appropriate personal protective equipment including high visibility clothing and protective footwear.
14. All forklifts to be operated under the terms of this exemption must undergo a safety inspection at the commencement of each day.
15. WorkSafe Victoria retains the right to suspend, cancel and/or request re-assessment of any international operator should they be found to be operating a forklift in an unsafe manner or if an operator is involved in an incident or fails to adhere to any direction given by WorkSafe Victoria whilst covered by this exemption.

In accordance with regulation 543 of the OHS Regulations, the Victorian WorkCover Authority is satisfied that, provided the above conditions are met, the work that is the subject of this exemption can be performed as safely by a person who does not hold a relevant high risk work licence as it could be performed by a person who holds such a licence.

This exemption starts on and from 6 October 2017 and will remain in force for the duration of those periods set out in condition three.

ROBERT KELLY
Director, Specialist Services
for and on behalf of the Victorian WorkCover Authority

Public Records Act 1973

DECLARATION OF RECORDS NOT AVAILABLE FOR PUBLIC INSPECTION

Whereas section 10AA of the **Public Records Act 1973** provides, inter alia, that:

The Minister by notice published in the Government Gazette may declare that any specified records or records of a class transferred or to be transferred from a public office to the Public Record Office shall not be available for public inspection for a period specified in the notice.

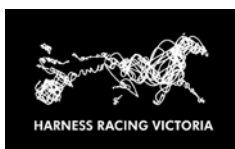
I, Gavin Jennings, as Special Minister of State, do now by this notice declare that the records listed on the schedule below shall not be available for public inspection for a period of ten years from the date of the publication of this notice.

Dated 8 September 2017

GAVIN JENNINGS MLC
Special Minister of State

SCHEDULE A

VPRS No.	VPRS Title	Date Range
13894/P1	Yallourn Clearance Project Records	1992–2000
13894/P2	Yallourn Clearance Project Records	1996–2000
13930/P1	Stat File Negative Cards – SECV Assets	1930–1976
13931/P1	Aperture Cards [35 mm] of SECV Assets	1930–2000

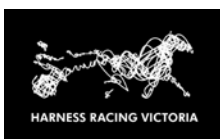


Subordinate Legislation Act 1994

NOTICE OF AMENDMENTS TO
AUSTRALIAN RULES OF HARNESS RACING (ARHR)

Notice is hereby given under section 16A(2) of the **Subordinate Legislation Act 1994** of the making of amendments to the ARHR, made by Harness Racing Victoria under section 49 of the **Racing Act 1958**.

Details of the amendments to the ARHR may be obtained by contacting Harness Racing Victoria, Integrity Department: (in person) 400 Epsom Road, Flemington; or (by mail) PO Box 184, Moonee Ponds 3039.



Subordinate Legislation Act 1994

NOTICE OF AMENDMENTS TO VICTORIAN LOCAL RULES OF
HARNESS RACING (VLR)

Notice is hereby given under section 16A(2) of the **Subordinate Legislation Act 1994** of the making of amendments to the VLR, made by Harness Racing Victoria under section 49 of the **Racing Act 1958**.

Details of the amendments to the VLR may be obtained by contacting Harness Racing Victoria, Integrity Department: (in person) 400 Epsom Road, Flemington; or (by mail) PO Box 184, Moonee Ponds 3039.

Planning and Environment Act 1987
PORT PHILLIP PLANNING SCHEME
Notice of Approval of Amendment
Amendment C132

The Minister for Planning has approved Amendment C132 to the Port Phillip Planning Scheme.

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

The Amendment applies Heritage Overlay HO497 to 26 Stokes Street, Port Melbourne, on a permanent basis.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Port Phillip City Council, 99a Carlisle Street, St Kilda.

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

ORDERS IN COUNCIL

Cemeteries and Crematoria Act 2003

**ORDER TO INCLUDE ADDITIONAL RESERVED CROWN LAND
INTO THE BIRREGURRA PUBLIC CEMETERY
(ALSO KNOWN AS THE WHOOREL PUBLIC CEMETERY)**

Order in Council

The Governor in Council, under section 4(4)(b) of the **Cemeteries and Crematoria Act 2003** orders that the land known as Crown Allotment 24, Section 2, Parish of Whoorel as shown on Original Plan OP123842, be included in the Birregurra Public Cemetery (also known as the Whoorel Public Cemetery).

Dated 26 September 2017

Responsible Minister:

HON JILL HENNESSY MP

Minister for Health

ANDREW ROBINSON
Clerk of the Executive Council

Crown Land (Reserves) Act 1978

NOTICE OF INTENTION TO REVOKE TEMPORARY RESERVATIONS

Order in Council

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** gives notice of intention to revoke the following temporary reservations:

BENDIGO – The temporary reservation by Order in Council of 16 June, 1873 of an area of 8157 square metres, more or less, of land (now described as Crown Allotment 23D, Section 50C, At Bendigo, Parish of Sandhurst) as a site for State School purposes. – (0607109)

BENDIGO – The temporary reservation by Order in Council of 22 June, 1948 of an area of 1257 square metres of land now described as Crown Allotment 101A, Section E, At Bendigo, Parish of Sandhurst as a site for State School purposes. – (Rs 6177)

BENDIGO – The temporary reservation by Order in Council of 14 June, 1955 of an area of 759 square metres, more or less, of land (now described as Crown Allotment 23C, Section 50C, At Bendigo, Parish of Sandhurst) as a site for State School purposes. – (Rs 7301)

BENDIGO – The temporary reservation by Order in Council of 5 November, 1980 of an area of 1001 square metres, more or less, of land (now described as Crown Allotment 23B, Section 50C, At Bendigo, Parish of Sandhurst) as a site for a State School. – (Rs 11504)

This Legislative Instrument is effective from the date on which it is published in the Government Gazette.

Dated 26 September 2017

Responsible Minister

HON LILY D'AMBROSIO MP

Minister for Energy, Environment and Climate Change

ANDREW ROBINSON
Clerk of the Executive Council

Crown Land (Reserves) Act 1978

REVOCATION OF TEMPORARY RESERVATIONS

Order in Council

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** revokes the following temporary reservations:

BUCKRABANYULE – The temporary reservation by Order in Council of 9 April, 1883 of an area of 40.36 hectares, more or less, of land in the Parish of Buckrabanyule (now described as Crown Allotment 60A) as a site for Conservation of Water, **so far only as** Crown Allotments 2004 [area 23.82 hectares] and 2006 [area 15.15 hectares], Parish of Buckrabanyule as shown on Original Plan No. OP124079 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (2002319)

MARDAN – The temporary reservation by Order in Council of 26 October, 1903 of an area of 4047 square metres of land in the Parish of Mardan (now described as Crown Allotment 20B) as a site for a State School, revoked as to part by Order in Council of 15 October, 1946 so far as the balance remaining containing 987 square metres, more or less. – (Rs 5898)

SHEPPARTON – The temporary reservation by Order in Council of 30 May, 2006 of an area of Crown land in the Parish of Shepparton as a site for Hospital purposes, **so far only as** the portion containing 654 square metres being Crown Allotment 2044, Parish of Shepparton as shown on plan GP2103 published in the Government Gazette on 22 June, 2017 – page 1356. – (Rs 10610)

TAMBOON SOUTH – The temporary reservation by Order in Council of 20 August, 1957 of an area of 1012 square metres of land (now described as Crown Allotment 1A, Section 4, Township of Tamboon South), formerly in the Parish of Barga as a site for the purposes of the Forests Acts. – (Rs 7626)

WOODNAGGERAK – The temporary reservation by Order in Council of 17 March, 1992 of an area of 5.141 hectares of land formerly being Crown Allotment 30A3, Parish of Woodnaggerak as a site for the Conservation of an area of natural interest **so far only as** the portion containing 1.535 hectares being Crown Allotment 2016, Parish of Woodnaggerak as shown on Original Plan No. OP123922 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (Rs 21014)

CAULFIELD – The temporary reservation by Order in Council of 20 February, 2007 of an area of 2364 square metres of land being Crown Allotment 2009, At Caulfield, Parish of Prahran as a site for Public purposes (Educational purposes). – (2015725)

GOSCHEN – The temporary reservation by Order in Council of 12 September, 1898 of an area of 3.24 hectares, more or less, of land in the Township of Goschen, Parish of Kooem (formerly described as Crown Allotment 24, Section E) as a site for Public Recreation. – (0104924)

GOSCHEN – The temporary reservation by Order in Council of 16 August, 1937 of an area of 8.36 hectares, more or less, of land in the Township of Goschen, Parish of Kooem (formerly described as Crown Allotment 23, Section E) as a site for Public Hall and Recreation **so far only as** the portion containing 7.1 hectares, more or less, being Crown Allotment 2002, Township of Goschen, Parish of Kooem as shown on Plan No. LEGL./15-205 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (0104924)

MACARTHUR – The temporary reservation by Order in Council of 19 October, 1982 of an area of 1099 square metres of land in being Crown Allotment 12B, Section 16, Township of Macarthur, Parish of Macarthur as a site for the purposes of the Department of Crown Lands and Survey. – (Rs 12080)

SWAN HILL – The temporary reservation by Order in Council of 28 November, 1978 of an area of 3858 square metres, more or less, of land formerly being Crown Allotment 14, Section 2, Township of Swan Hill, Parish of Castle Donnington as a site for Public Purposes [Police purposes]. – (Rs 2748)

WHISKEY CREEK – The temporary reservation by Order in Council of 15 October, 1974 of an area of 2024 square metres of land being Crown Allotment 31, Section B, Township of Whiskey Creek, Parish of Drouin West as a site for Public purposes [Public Hall]. – (Rs 9993)

This Legislative Instrument is effective from the date on which it is published in the Government Gazette.

Dated 26 September 2017

Responsible Minister

HON LILY D'AMBROSIO MP

Minister for Energy, Environment and Climate Change

ANDREW ROBINSON
Clerk of the Executive Council

Crown Land (Reserves) Act 1978

TEMPORARY RESERVATION OF CROWN LANDS

Order in Council

The Governor in Council under section 4(1) of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown lands which are required for the purposes mentioned:–

MUNICIPAL DISTRICT OF THE INDIGO SHIRE COUNCIL

CARLYLE – Public Recreation; area 1.1 hectares, more or less, being Crown Allotment 2032, Parish of Carlyle as shown on Original Plan No. OP124325 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (1104425)

MUNICIPAL DISTRICT OF THE NORTHERN GRAMPIANS SHIRE COUNCIL

ILLAWARRA and STAWELL – Growth, preservation and supply of timber; being Crown Allotment 2002 [area 11.0 hectares, more or less], Parish of Illawarra and Crown Allotments 2070 [area 5934 square metres, more or less], 2071 [area 3549 square metres, more or less], 2078 [area 3.6 hectares, more or less], Crown Allotments 1B of Section 243 [area 1.7 hectares, more or less], 6 of Section 13 [area 5736 square metres, more or less], 1 of Section 226 [area 2.2 hectares, more or less], 1 of Section 227 [area 2.0 hectares, more or less], 1 of Section 250 [area 1.6 hectares, more or less] and 1 of Section 251 [area 1.9 hectares, more or less], Parish of Stawell as shown on Plan No. LEGL./15-522;

Crown Allotments 1 of Section 175 [area 2.9 hectares, more or less] and 2081 [area 74.4 hectares, more or less], Parish of Stawell as shown on Plan No. LEGL./15-523;

Crown Allotments 5 of Section 87A [area 2.6 hectares, more or less], 2082 [area 7.8 hectares, more or less] and 2083 [area 52.3 hectares, more or less], Parish of Stawell as shown on Plan No. LEGL./15-524 and Crown Allotments 2065 [area 2.5 hectares, more or less], 2067 [area 4760 square metres, more or less], 2068 [area 1371 square metres, more or less], 2069 [area 571 square metres, more or less], 2084 [area 15.0 hectares, more or less], 2086 [area 38.0 hectares, more or less], A [area 7995 square metres, more or less] and B [area 5294 square metres, more or less] of Section 153, Crown Allotment 8 of Section 150 [area 2.8 hectares, more or less], 1 [area 3475 square metres, more or less] and 2 [area 2330 square metres, more or less] of Section 154 and 3 of Section F [area 3.3 hectares, more or less], Parish of Stawell as shown on Plan No. LEGL./15-525. All plans lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (2013348)

MUNICIPAL DISTRICT OF THE MORELAND CITY COUNCIL

JIKA JIKA – Public purposes (Economic Development), area 6295 square metres, being Crown Allotment 2756, Parish of Jika Jika as shown on Original Plan No. OP124110 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (12L12-1355)

MUNICIPAL DISTRICT OF THE MILDURA RURAL CITY COUNCIL

MILDURA – Public purposes, area 138.2 hectares being Crown Allotment 2537, Parish of Mildura as shown on Original Plan No. OP124111 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (L5-0734)

MUNICIPAL DISTRICT OF THE LODDON SHIRE COUNCIL

POMPAPIEL – Public Recreation; area 3.315 hectares, being Crown Allotment 189H, Parish of Pompapiel as shown on Original Plan No. OP124160 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning.– (0609467)

This Legislative Instrument is effective from the date on which it is published in the Government Gazette.

Dated 26 September 2017

Responsible Minister

HON LILY D'AMBROSIO MP

Minister for Energy, Environment and Climate Change

ANDREW ROBINSON
Clerk of the Executive Council

Mental Health Act 2014

ORDER PURSUANT TO SECTION 314 OF THE
MENTAL HEALTH ACT 2014

Order in Council

The Governor in Council under sections 314(1) and 314(2) of the **Mental Health Act 2014** (the Act) –

- (a) revokes the Orders in Council dated 26 February 2002, 3 April 2002, 27 May 2009 and 31 August 2010 and made under section 93B of the **Mental Health Act 1986**;
- (b) declares the following laws as corresponding laws for the purposes of Part 13 of the Act:
 - **Mental Health Act 2009** (South Australia);
 - **Mental Health Act 2007** (New South Wales);
 - **Mental Health Forensic Provisions Act 1990** (New South Wales);
 - **Mental Health Act 2016** (Queensland);
 - **Mental Health Act 2013** (Tasmania);
 - **Mental Health Act 2014** (Western Australia);
 - **Mental Health Act 2015** (Australian Capital Territory); and
 - **Mental Health and Related Services Act** (Northern Territory).
- (c) declares the following orders, being substantially similar to an Assessment Order, a Temporary Treatment Order or a Treatment Order, as corresponding Orders for the purposes of Part 13 of the Act:
 - a level 1 community treatment order made under section 10 and a level 2 community treatment order made under section 16 of the **Mental Health Act 2009** (South Australia);
 - a level 1 inpatient treatment order made under section 21, a level 2 inpatient treatment order made under section 25 and a level 3 inpatient treatment order made under section 29 of the **Mental Health Act 2009** (South Australia);
 - the detainment of a person for treatment in a mental health facility under section 18, section 27 and section 61(4) of the **Mental Health Act 2007** (New South Wales);

- an order that a person be detained in a mental health facility as an involuntary patient under section 35(5)(c) and section 38(4) of the **Mental Health Act 2007** (New South Wales);
- an order that a person be detained in a mental health facility under section 64(3) of the **Mental Health Act 2007** (New South Wales);
- a community treatment order under section 35(5)(b), section 38(5) and section 53 of the **Mental Health Act 2007** (New South Wales);
- a community treatment order under section 33(1A) and an order that a person be classified as an involuntary patient under section 53 of the **Mental Health (Forensic Provisions) Act 1990** (New South Wales);
- a recommendation for assessment under section 39 and a treatment authority under section 49 of the **Mental Health Act 2016** (Queensland);
- an assessment order under section 24, an interim treatment order under 38 and a treatment order under section 39 of the **Mental Health Act 2013** (Tasmania);
- a referral for examination at an authorised hospital or other place under section 26 or section 36, an order authorising the continuation of the person's detention at an authorised hospital under section 55(1)(c) and an order authorising the person's reception at an authorised hospital and the person's detention there under section 61(1)(c) of the **Mental Health Act 2014** (Western Australia);
- an involuntary treatment order (inpatient) under section 22 and an involuntary treatment order (community) under section 23 of the **Mental Health Act 2014** (Western Australia);
- an assessment order under section 37, a removal order to conduct an assessment under section 43, a psychiatric treatment order under section 58, a restriction order under section 60, a community care order under section 66, and a restriction order with community care order under section 68 of the **Mental Health Act 2015** (Australian Capital Territory); and
- detained as an involuntary patient on the grounds of mental illness under section 39 or section 123(5)(a), an interim community management order under section 45 and a community management order under section 123(5)(c) of the **Mental Health and Related Services Act** (Northern Territory).

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

Dated 26 September 2017

Responsible Minister

MARTIN FOLEY MP

Minister for Mental Health

ANDREW ROBINSON
Clerk of the Executive Council

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

Notice is hereby given under section 17(3) of the **Subordinate Legislation Act 1994** that the following Statutory Rules were first obtainable from SAI Global Bookshop, 85 Buckhurst Street, South Melbourne, on the date specified:

96. *Statutory Rule:* Children's Services
Amendment
Regulations 2017
Authorising Act: Children's Services
Act 1996
Date first obtainable: 26 September 2017
Code B
97. *Statutory Rule:* Supreme Court
(Chapters I and II
Amendment)
Rules 2017
Authorising Act: Supreme Court
Act 1986
Date first obtainable: 26 September 2017
Code B
98. *Statutory Rule:* Supreme Court
(Harmonised
Subpoenas
Amendment)
Rules 2017
Authorising Act: Supreme Court
Act 1986
Date first obtainable: 26 September 2017
Code C
-

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