



Victoria Government Gazette

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No. G 10 Thursday 10 March 2022

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GENERAL

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As from 10 March 2022

The last Special Gazette was No. 117 dated 9 March 2022.

The last Periodical Gazette was No. 1 dated 9 June 2021.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
 - or contact our office on 8523 4601
between 8.30 am and 5.30 pm Monday to Friday
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**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
LABOUR DAY HOLIDAY WEEK 2022 (Monday 14 March 2022)**

Please Note:

The Victoria Government Gazette (General) for LABOUR DAY holiday week (G11/22) will be published on **Thursday 17 March 2022**.

Copy Deadlines:

Private Advertisements **9.30 am on Friday 11 March 2022**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Tuesday 15 March 2022**

Office Hours:

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

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

KIM BURNESSE
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Land Act 1958

Notice is hereby given that Simpson Car Club Inc. has applied to lease, pursuant to section 134 of the **Land Act 1958** for a term of 21 years, Crown land being Crown Allotment 45F, Parish of Carpendeit containing approximately 6.381 hectares as a site for 'motor racing, recreation, amusement, and community'.

DISSOLUTION OF PARTNERSHIP

Notice is given that the partnership between Rob Cas and Mark Adam Bean, carrying on business as M BEAN & R CAS, was dissolved on 14 June 2021.

DISSOLUTION OF PARTNERSHIP

Pursuant to section 41 of the **Partnership Act 1958**, take notice that the partnership between Michael Stewart Hendry, Sandra Louise Klepetko, and Peter Neil Humphreys, carrying on business at Unit 95, 38–40 Popes Road, Keysborough 3173, as Pianos Recycled, ABN 99 896 203 019, has been dissolved by agreement with effect from close of business 7 March 2022.

Re: UNA BONE, late of 18 Edrington Park Drive, Berwick, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 November 2021, are required by the trustees, Ruth Alison Bone, Robyn May Bailey and Gregory Wayne Bailey, 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 trustees may convey or distribute the assets, having regard only to the claims of which they have notice.

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

Re: MAXWELL DUNCAN CATTANACH, late of 15 Bona Street, Tootgarook, Victoria, engineer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 September 2021, are required by the trustee, Leah Rachael Slee, to send particulars to the trustee, care of the

undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she has notice.

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

Re: LUCIA LEARDI, late of 40 Gladstone Street, Kew, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 August 2021, are required by the trustee, Paul Morris Natoli, to send particulars to the trustee, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he has notice.

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

TREVOR GWYNNE CLAVERDON-JONES, also known as Trevor Claverdon-Jones, late of 1245 Malvern Road, Malvern, Victoria 3144, insurance agent, deceased.

Creditors, next-of-kin and others having claims in respect of the Will of the abovenamed deceased, who died on 30 March 2021, are required by Megan Layton Claverdon-Jones, the executor, care of Angela Torcasio, lawyer, of 54 Llaneast Street, Armadale 3143, in Victoria, to send particulars of their claims to the said Angela Torcasio, lawyer, by 12 May 2022, after which date the executor may convey and distribute the estate, having regard only to the claims of which she then has notice. Probate was granted in Victoria on 6 October 2021.

Dated 7 March 2022

ANGELA TORCASIO, lawyer,
54 Llaneast Street, Armadale, Victoria 3143.
Ph: 0419 341 933.

HRISTO LJUZA, late of 124 Boundary Road, Pascoe Vale, Victoria 3044, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 October 2021, are required by the executrix, Vasilka Acevski, care of Arthur J. Dines & Co., solicitors, 2 Enterprise Drive, Bundoora, in the said State, to send particulars to her by 9 May 2022, after which date the executrix may convey or distribute the assets, having regards only to claims to which she has notice.

Dated 2 March 2022

ARTHUR J. DINES & CO.,
property law advisors,
2 Enterprise Drive, Bundoora 3083.

MARIKA PETROPOULOS, deceased, late of 335 Station Street, Thornbury 3071, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 March 2021, are required by the executors, Anne Tenedios and Miltiadis Petropoulos, care of Arthur J. Dines & Co., solicitors, 2 Enterprise Drive, Bundoora, in the said State, to send particulars to them by 9 May 2022, after which date the executors may convey or distribute the assets, having regards only to claims to which they have notice.

Dated 2 March 2022

ARTHUR J. DINES & CO.,
property law advisors,
2 Enterprise Drive, Bundoora 3083.

GRACE JUNE SINGLETON, late of 445 Ormond Road, Narre Warren, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 September 2021, are required by the personal representative, Suzanne Joan Fairweather, to send particulars of their claim to her, care of the undermentioned solicitors, by 10 May 2022, after which date she may convey or distribute the assets, having regard only to the claims of which she then has notice.

ASHBY LEGAL,
PO Box 1258, Blackburn North, Victoria 3130.

Re: Estate of DAWN LESLEY HALL, late of Mercy Place, 60 Corbett Street, Ballarat East, Victoria, retired, deceased.

Creditors, next-of-kin and all others having claims in respect of the estate of the deceased, who died on 24 November 2021, are required by the executor, Noel Gerard Ronan, to send particulars to him, care of the undersigned, by 9 May 2022, after which date he may convey or distribute the assets, having regard to the claims of which he then has notice.

CINQUE OAKLEY BRYANT LAWYERS,
17 Dawson Street South, Ballarat, Victoria 3350.

BETTY SANDERS HUNT, late of 30 Celeste Street, Doncaster East, Victoria, secretary, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 20 September 2021, are required by the executor, Frank Costanzo, care of Suite 2, 261–265 Blackburn Road, Doncaster East, Victoria 3109, to send particulars of their claims to him within 60 days of the date of this notice, after which date the executor may convey or distribute the assets of the estate, having regard only to the claims of which he then has notice. Probate was granted in Victoria on 12 November 2021.

COSTANZO LAWYERS,
Suite 2, 261–265 Blackburn Road,
Doncaster East, Victoria 3109.
Ph: 03 9894 5888.

BEN MacMAHON WADHAM, late of 50 King Street, Queenscliff, Victoria, retired clinical cytopathologist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 September 2021, are required by the executor, Equity Trustees Wealth Services Limited, ACN 006 132 332, of Level 1, 575 Bourke Street, Melbourne, Victoria, to send particulars to it by 10 May 2022, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

DAVID DAVIS & ASSOCIATES,
Suite 2, 733 High Street, Thornbury,
Victoria 3071.

Re: MURIEL ELIZABETH TUDOR, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 January 2022, are required by the trustee, Christine Elizabeth Tudor, care of Featherbys Lawyers of 14 Ninth Avenue, Rosebud, Victoria, to send particulars to the trustee by 13 May 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

FEATHERBYS LAWYERS, solicitors,
14 Ninth Avenue, Rosebud 3939.

RE: Estate of HILDA PATRICIA KRZEMPEK, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of HILDA PATRICIA KRZEMPEK, late of 6 Roberts Street, Woomelang, in the State of Victoria, retired, deceased, who died on 9 August 2020, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 5 May 2022, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

JOLIMAN LAWYERS,
42 McCallum Street, Swan Hill, Victoria 3585.

Re: Estate of ROSINA NASISI, also known as Rosa Nasisi, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of ROSINA NASISI, also known as Rosa Nasisi, late of 12 Betts Court, Swan Hill, in the State of Victoria, retired, deceased, who died on 9 November 2021, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 5 May 2022, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

JOLIMAN LAWYERS,
42 McCallum Street, Swan Hill, Victoria 3585.

Re: ERWIN KEITH BAKER, late of 617 Lower Dandenong Road, Dingley Village, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in the respect of the estate of ERWIN KEITH BAKER, deceased, who died on

15 January 2022, are required by the trustee, Alana Frances Meeking, to send particulars of their claim to the undermentioned firm, by a date not later than two months from the date of publication hereof, after which date the trustee will convey or distribute assets, having regard only to the claims of which she then has notice.

KINGSTON LAWYERS PTY LTD,
barristers and solicitors,
8 Station Road, Cheltenham, Victoria 3192.

Re: DAVID BUCHANAN McHAFFIE, late of 45–51 Elliot Street, Mordialloc, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in the respect of the estate of DAVID BUCHANAN McHAFFIE, deceased, who died on 18 December 2021, are required by the trustee, Iain William McHaffie, to send particulars of their claim to the undermentioned firm, by a date not later than two months from the date of publication hereof, after which date the trustee will convey or distribute assets, having regard only to the claims of which he then has notice.

KINGSTON LAWYERS PTY LTD,
barristers and solicitors,
8 Station Road, Cheltenham, Victoria 3192.

MARK ROBERTSON NICKELS, late of 62 Brights Drive, Tootgarook, Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 November 2021, are required to send particulars of their claims to the trustee, Kathryn Daly, care of the undermentioned solicitors, by 20 May 2022, after which date the trustee will distribute the assets of the estate, having regard only to the claims of which she then has notice.

McCARTHY PARTNERS PTY LTD,
lawyers and advisers,
2247 Point Nepean Road, Rye 3941.

DOROTHY FLORA MOODY, late of Faversham House, 27 Shierlaw Avenue, Canterbury, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 April 2021, are required by the

executors, Anne Elisabeth Fries and Andrew Paul Moody, to send particulars to them, care of the undermentioned solicitors, by 10 May 2022, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

McCRACKEN & McCRACKEN, lawyers,
Suite 4, 60 Railway Road, Blackburn,
Victoria 3130.

MARGARET ROSE PERRYMAN, late of 819 Borung–Hurstwood Road, Borung, Victoria 3518, farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the Will of the abovenamed deceased, who died on 13 June 2021, are required by the executors, Andrew Joseph Perryman and Barbara Maree Round, care of the undermentioned solicitor, to send particulars of their claims to them by 17 May 2022, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

MCL LEGAL,
78 Napier Street, St Arnaud, Victoria 3478.

Re: MAUREEN LORRAINE HUNTER, late of 21 Victor Crescent, Forest Hill, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 October 2021, are required by the trustees, Kerrie Maree Westwick and Janine Lee Shield, to send particulars to the trustees, care of the undermentioned lawyers, by 12 May 2022, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

MAHONS with Yuncken & Yuncken, lawyers,
101/177 Surrey Road, Blackburn 3130.
CD:2211838.

Re: ALLAN REGINALD WHITE, late of 14 Mackay Avenue, Mooroolbark, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 September 2021, are required by the trustee, Anthony John Mahon, to send particulars to the trustee, care of the

undermentioned lawyers, by 12 May 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, lawyers,
101/177 Surrey Road, Blackburn 3130.
CD:2211501.

PAUL JOMO KARIUKI, late of 32 Clarendon Street, Pakenham, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 March 2021, are required by the administrator of his intestate estate, Faith Mtandwa, care of Mills Oakley, Level 6, 530 Collins Street, Melbourne, Victoria, to send particulars to her within 60 days from the date of publication of this notice, after which date the administrator may convey or distribute the assets, having regard only to the claims of which the administrator then has notice.

MILLS OAKLEY,
Level 6, 530 Collins Street, Melbourne 3000.
ifeben@millsoakley.com.au

CRAIG MICHAEL BOUMA, late of 204/20 Labrador Street, Labrador, Queensland 4215, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died between 18 April 2021 and 23 April 2021, are required by the trustee, Nicholas Mitchell Bouma, to send particulars to the trustee, care of the undermentioned solicitors, by 10 May 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

NATIONAL PROBATE AND ESTATES
GROUP,

Suite 101/83 York Street, Sydney,
New South Wales 2000.
21.6439@law.nationalprobate.com.au

SANDRA JOY SHARP, late of 24 Lakeside Drive, Point Cook, Victoria 3030, catering worker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 25 August 2021, are required by the administrator, Brent Darrell

Peter Sharp, care of Unit 39, 131 Hyde Street, Footscray, Victoria 3011, to send particulars of their claims to him by 11 May 2022, after which date the administrator may convey or distribute the estate, having regard only to the claims of which he then has notice. Letters of Administration were granted in Victoria on 11 November 2021.

Dated 4 March 2022

NORTON LEGAL,
Unit 39, 131 Hyde Street, Footscray,
Victoria 3011.
Ph: 9314 7320.

Re: JOHN WILLIAM RAHILLY, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 April 2021, are required by the trustee, Deborah Ann Rognlien, to send particulars of such claims to her, in care of the below mentioned lawyers, by 5 May 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

Re: ATHENA TROUNSON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 July 2021, are required by the trustee, Kerrie Jayne Batikas, to send particulars of such claims to her, in care of the below mentioned lawyers, by 5 May 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

Re: MARTIN FRANCIS HORRIGAN, late of Unit 1, 19 Karana Drive, Warrnambool, Victoria, teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 20 August 2021, are required by the executors, Reginald James Robert Hutchinson and Yvonne Fay Hutchinson, care of SWD Legal, 241 Lava Street, Warrnambool, Victoria 3280, to send particulars of their claims

to them by 10 May 2022, after which date the executors may convey or distribute the assets, having regard only to the claims of which the executors then have notice.

SWD Legal,
241 Lava Street, Warrnambool, Victoria 3280.

VERONICA RUTH KEENS, late of 57 Intervale Drive, Avondale Heights, Victoria, deceased.

Creditors, next-of-kin and others having claims against the estate of the deceased, who died on 5 March 2021, are required by the executor, Roger Keens, to send detailed particulars of their claim to the said executor, care of Sladen Legal of Tower 2, Level 22, 727 Collins Street, Melbourne, Victoria, by 11 May 2022, after which date he will proceed to distribute the said estate, having regard only to the claims of which he then has notice.

SLADEN LEGAL,
Tower 2, Level 22, 727 Collins Street, Melbourne,
Victoria 3008.

ZENA DOROTHY SLADE, late of 11 Kerferd Street, Malvern East, Victoria, deceased.

Creditors, next-of-kin and others having claims against the estate of the deceased, who died on 16 November 2021, are required by the executor, Edward John Skilton, to send detailed particulars of their claim to the said executor, care of Sladen Legal of Tower 2, Level 22, 727 Collins Street, Melbourne, Victoria, by 11 May 2022, after which date he will proceed to distribute the said estate, having regard only to the claims of which he then has notice.

SLADEN LEGAL,
Tower 2, Level 22, 727 Collins Street, Melbourne,
Victoria 3008.

Re: DONALD ALLEN BOISEN, late of 1 Harry Street, Hampton East, Victoria 3188, police officer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 January 2022, are required by the executors, Debra Lyn Nevitt and Thalia Dawn Kurzel, to send particulars to them, care of the undermentioned solicitors, by 13 May 2022, 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.

MARIO ANTOINE DANTON, also known as Mario Danton.

Creditors, next-of-kin and others having claims in respect of the estate of MARIO ANTOINE DANTON, also known as Mario Danton, late of 8 Costello Court, Endeavour Hills, deceased, who died on 15 August 2021, are requested to send particulars of their claims to the executor, Natalie Marie Danton, care of the undersigned solicitors, by 11 May 2022, after which date the executor will convey or distribute the assets, only having regard to the claims of which she then has notice.

WPC LAWYERS, solicitors,
33 Bakery Square, Melton, Victoria 3337.

Estate of HEATHER JOAN McRAE.

Creditors, next-of-kin and others having claims in respect of the estate of HEATHER JOAN McRAE, deceased, late of 2 Rosina Drive, Melton, Victoria, retired, who died on 19 August 2021, are requested to send particulars of their claims to the executors, Sean McRae and Stacey Blackmore, care of the undersigned solicitors, by 11 May 2022, after which date the executors will convey or distribute the assets, only having regard to the claims of which they then have notice.

WPC LAWYERS, solicitors,
33 Bakery Square, Melton, Victoria 3337.

ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Tuesday 12 April 2022 at 11.00 am, unless process is stayed or satisfied, all the estate and interest, if any, of the person(s) named below, in the land described below, will be auctioned online by the Sheriff:

Glenn Andrew Cooper of 23 Galway Street, Seaford, Victoria, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 11692 Folio 671, more particular as Lot 2 on Plan of subdivision 726404C, which is vacant land and known as Unit 2, 698 Nepean Highway, Carrum, Victoria 3197.

The following recordings in the Register affect or may affect the land as at 23 February 2022:

- Section 173 **Planning and Environment Act 1987** Agreement AM704515Q
- Owners Corporation 1 Plan No PS726404C.

The Sheriff is unable to provide access to these properties. Refer to the advertisement on realestate.com.au for further information.

Note: this property is subject to GST.

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 EFT only, using OSKO.

Note: This is an online auction only, online registration is required, a copy of the registration form can be obtained from the website listed below. All registration forms must be emailed to realestatesection@justice.vic.gov.au prior to the auction to participate.

Please visit the Sheriff's Office Victoria Real Estate Section website at www.justice.vic.gov.au/sheriffrealestate for an information sheet on Sheriff's Auctions, a contract of sale and further information. Alternately, you can contact the Sheriff's Office Victoria Real Estate Section at realestatesection@justice.vic.gov.au

SHERIFF OF VICTORIA

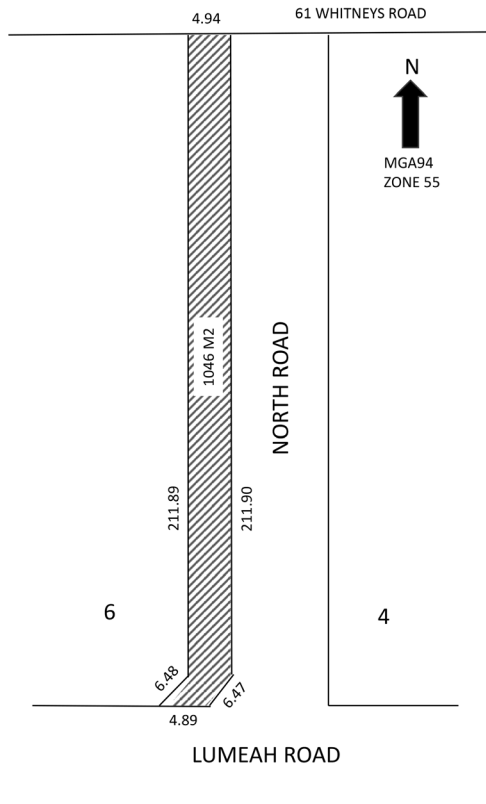
**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**



**MORNINGTON
PENINSULA**
Shire

ROAD DISCONTINUANCE

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Mornington Peninsula Shire Council resolved at its meeting on 15 November 2021 to discontinue the section of North Road, Somerville shown hatched on the plan below, and to sell the land by private treaty to the owner of the abutting property at 6 Lumeah Road, Somerville.



JOHN BAKER
Chief Executive Officer



NOTICE UNDER
DOMESTIC ANIMALS ACT 1994

Designated Off-Leash Area

On 2 March 2022 City of Ballarat (Council) made an Order under section 26(2) of the **Domestic Animals Act 1994** (Act). This Order is effective from the date of this notice.

1. Revocation of previous orders

All previous Orders made by Council under section 26(2) of the act are revoked.

2. Dogs must be on leash

The person in apparent control of a dog must keep the dog attached to a chain, cord or leash held by or attached to the person when the dog is in any Public Place in Council's municipal district (other than those in private ownership) unless the dog is in a Designated Off Leash Area.

The following areas as Designated Off Leash Areas:

- Charles Edward Brown Reserve Fenced Dog Park (North West corner opposite Netball Centre) at 238 Dowling Street, Wendouree;
- Pioneer Park at 5 McKenzie Drive, Wendouree;
- Cuthberts Road Reserve at 164A Cuthberts Road, Alfredton;
- Victoria Park at Russell Street, Newington;
- Gregory Street Reserve, 514 and 520 Gregory Street, Soldiers Hill;
- Chisholm Reserve at CA 13A Chisholm Street, Black Hill;
- Birdwood Park at CA 72A Midland Highway, Buninyong;
- M R Power Reserve at 182–198 Grant Street, Sebastopol;
- Canadian Lakes Reserve at 815 Geelong Road, Canadian (off Canadian Lakes Boulevard);
- Pennyweight Park Fenced Dog Park at Otway Street South, Canadian; and
- James Reserve Fenced Dog Park at 1 Union Jack Lane, Buninyong, Victoria 3357 (off Geelong Road).

For the purpose of this Order:

'Designated Off Leash Area', means any place or part of an area declared by a resolution of Council included in this Order.

'Public Place' has the same meaning as in section 3 of the **Summary Offences Act 1966**.

3. Make an Order pursuant to section 26(2) of the Domestic Animals Act 1994 that the following conditions apply to a dog in a Designated Off Leash Area:

- 3.1.1 Subject to clause 3.2 and 3.3 of this Order, a dog may be exercised off a chain, cord or leash in a Designated Off Leash Area if the person in apparent control of the dog:
- a) carries a chain, cord or leash sufficient to bring the dog under effective control;
 - b) remains in effective voice or hand control of the dog and within constant sight of the dog at all times; and
 - c) does not allow the dog to worry, cause a nuisance or threaten any person or animal.

- 3.1.2 If a dog is off a chain, cord or a leash in a Designated Off-Leash Area it must be brought under effective control by means of a chain, cord or leash if the dog is within 50 m of:
- a) the arena or ground of an organised sporting or practice event;
 - b) a children's play equipment area;
 - c) the principal location of an organised public meeting or event; and
 - d) a permanent barbecue or picnic area.
- 3.1.3 If a dog is off chain, cord or a leash in a Designated Off Leash Area it must be brought under effective control by means of a chain, cord or leash if the dog is within 10 m of any shared path, walking track or waterway.



ORDERS UNDER SECTION 25 AND 26 OF THE DOMESTIC ANIMALS ACT 1994

Notice is hereby given that the Rural City of Benalla at its Council Meeting held on 23 February 2022, resolved to make the following orders under section 25 and section 26(2) of the **Domestic Animals Act 1994** ('the Act').

Cat Curfew

Pursuant to section 25 of the Act, cats within the municipality are to be securely confined to the owner's property, or the property where they are kept for the time being, at all times.

Control of Dogs

Pursuant to section 26 of the Act, dogs and cats within the municipality must be kept under effective control by means of a chain, cord, or leash, not exceeding 3 metres in length, held by the owner and attached to the animal whilst the animal is in a reserve or public place.

Owners Obligations: A dog may be exercised off leash in a Designated Area if the owner:

- carries a chain, cord, or leash, not exceeding 3 metres in length, sufficient to bring the dog under effective control if the dog behaves in a manner which may worry, threaten or harass any person or animal, and
- remains in effective control of the dog by voice and/or hand command to promptly bring the dog under control by chain, cord, or leash if it becomes necessary, and
- does not allow the dog to worry, threaten or harass any person or animal.

Exceptions: If a dog is being exercised off leash in a Designated area, it must be brought under effective control of the owner by means of chain, cord, or leash if within:

- 30 metres of the principal location of an organised sporting event
- 30 metres of the principal location of an organised public meeting
- 30 metres of a permanent barbecue or picnic area when in use
- 10 metres of the perimeter of a playground
- 5 metres of a shared pathway.

Prohibited Areas: Areas where dogs and cats are not permitted at any time:

- Dogs and cats, restrained or otherwise, are prohibited within the perimeter of any playground at any time.
- Dogs and cats, restrained or otherwise, are not permitted within any prohibited area declared by Council.

Definitions:

Effective Control means that an owner of a dog or cat can immediately recall the animal by use of voice or hand control, keeps the animal within 50 metres of themselves in audio and visual range at all times and does not allow the animal to threaten, worry or harass another person or animal.

Designated Area means a reserve or other place that has been declared in a Council Order under section 26(2) of the Act to be a place where dogs may be exercised off leash whilst under effective control.

Owner has the same meaning as in the **Domestic Animals Act 1994**.

Public Place has the same meaning as in the **Summary Offences Act 1966** and includes all Council reserves and municipal places.

Review: Council may, by order of resolution and after giving public notice inviting submissions on the proposal:

- remove a reserve or part of a reserve; and/or
- add a reserve or part of a reserve to the list of designated reserves.

Designated Areas:

- Little Casey Island
- Big Casey Island (signed areas only)
- Psaltis Parade Reserve
- U.F.S. Sports Reserve (signed areas only).

Prohibited Areas:

- Willis Little Conservation and Resource zone.

DOM TESTONI
Chief Executive Officer
Benalla Rural City Council



GLEN EIRA
CITY COUNCIL

INCLUSION OF TREES IN THE CLASSIFIED TREE REGISTER

On 22 February 2022, under subclause 16(1)(a) of the Classified Tree Local Law (the Local Law), Glen Eira City Council resolved to include the trees listed in each item to the Schedule to this notice, nominated under subclause 11(1) of the Local Law, in the Classified Tree Register.

Schedule

Item	Tree	Location
1.	Silky Oak (<i>Grevillea robusta</i>)	Centenary Park, Bentleigh East
2.	Algerian Oak (<i>Quercus canariensis</i>)	Rosstown Rail Trail, Glen Huntly
3.	Red Flowering Gum (<i>Corymbia ficifolia</i>)	19 Cosy Gum Road, Carnegie
4.	Spotted Gum (<i>Corymbia maculata</i>)	21 Godfrey Street, Bentleigh
5	Cork Oak (<i>Quercus suber</i>)	Princes Park, Hawthorn Road, Caulfield South

CHRISTIAN RENAUD
Authorised Officer



COMMUNITY (MISCELLANEOUS AMENDMENT) LOCAL LAW NO. 5

Kingston City Council gives notice to the public that it has made its Community Local Law No. 5.

A copy of the Local Law can be obtained via Council's website and Council offices.

The purpose of the Local Law is to:

- make improvements to provide for a safe and healthy environment so that the community can enjoy a quality of life that meets its expectations
- provide for improvements for the protection and enhancement of the amenity and environment; and
- provide for the peace, order, and good government.

The changes include:

Allow residents to light open air fires (e.g. fire pits) on private property taking all reasonable steps to ensure safety of people and property.

Maintenance of nature strips by property owners can be addressed under the Local Law.

Regulation of derelict buildings can be addressed under the Local Law.

Reference to the Footpath Activities Policy reflects scope of footpath trading, including the use of barbecues on footpaths.

Planning and Environment Act 1987**BAW BAW PLANNING SCHEME**

Notice of the Preparation of an Amendment

Amendment C144bawb

The Baw Baw Shire Council has prepared Amendment C144bawb to the Baw Baw Planning Scheme.

The land affected by the Amendment is the whole of Baw Baw Shire municipality.

The Amendment proposes to update the Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO) maps within the Baw Baw Planning Scheme based on strategic flood and drainage assessments completed by Melbourne Water, West Gippsland Catchment Management Authority and Council officers.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at: the Baw Baw Shire Council website at www.bawbawshire.vic.gov.au/AmendmentC144; and/or during office hours, at the office of the planning authority, Baw Baw Shire Council, 33 Young Street, Drouin; the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection

Any person who may be affected by the Amendment may make a submission to the planning authority about the Amendment. 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 5.00 pm on Friday 6 May 2022.

A submission must be sent to: email (preferred) strategic.planning@bawbawshire.vic.gov.au (please include Amendment C144bawb in the email title); or posted to Baw Baw Shire Council (Strategic Planning) Amendment C144bawb, PO Box 304, Warragul, Victoria 3820.

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

Bawbawshire.vic.gov.au
Phone: +615624 2411

Planning and Environment Act 1987**GREATER BENDIGO****PLANNING SCHEME**

Notice of the Preparation of an Amendment

Amendment C254gben

The Greater Bendigo City Council has prepared Amendment C254gben to the Greater Bendigo Planning Scheme.

The land affected by the Amendment is Lot 2 shown on proposed Plan of Subdivision PS808010U at 244 Edwards Road, Maiden Gully.

The Amendment proposes to rezone 1.893 hectares of land from General Residential Zone to Commercial 1 Zone to allow the site to be developed for a Neighbourhood Activity Centre and amends the Schedule to Clause 34.01 Commercial 1 Zone to include a maximum leasable floor area of 4,200 square metres for shop and a maximum floor area of 1,500 square metres for each individual shop at this location only.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at: the City of Greater Bendigo website at www.bendigo.vic.gov.au; and/or during office hours, at the office of the planning authority, City of Greater Bendigo, 15 Hopetoun Street, Bendigo; and/or 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 may make a submission to the planning authority about the Amendment. 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 Tuesday 12 April 2022. A submission must be sent to the City of Greater Bendigo Strategic Planning Unit, Amendment C254gben, PO Box 733, Bendigo, Victoria 3552, or email: psAmendments@bendigo.vic.gov.au

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

CRAIG NIEMANN
Chief Executive Officer

Planning and Environment Act 1987

CARDINIA 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 C262card

Planning Permit Application T190728

The Cardinia Shire Council has prepared Amendment C262card to the Cardinia Planning Scheme.

The land affected by the Amendment is part of the land at 11 Thom Road, Lang Lang.

The Amendment proposes to rezone the land from Farming Zone – Schedule 1 (FZ1) to Neighbourhood Residential Zone – Schedule 1 (NRZ1).

The planning permit application seeks approval for the subdivision of land into 28 lots, the creation of 2 reserves and the creation of restrictions on the Plan of Subdivision.

The applicant for the permit is XWB Consulting.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, Cardinia Shire Council, 20 Siding Avenue, Officer 3809; 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 may make a submission to the planning authority about the Amendment. 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 Monday 11 April 2022. A submission must be sent to the Cardinia Shire Council at: mail@cardinia.vic.gov.au or Cardinia Shire Council, Amendment C262card, PO Box 7, Pakenham, Victoria 3810.

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

LUKE CONNELL
Manager Policy, Design and
Growth Area Planning

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 16 May 2022, 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.

BYRNES, Brian Peter, late of Doutta Galla Footscray Aged Care Home, 48 Geelong Road, Footscray, Victoria 3011, deceased, who died on 4 November 2021. Date of Grant 5 March 2022.

FARRELL, Samuel Christian, late of Room 5, 3 Oaklands Crescent, Frankston, Victoria 3199, deceased, who died on 24 November 2021.

HENSHILWOOD, Elaine Lois, late of Regis Shenley Manor, 440 Camberwell Road, Camberwell, Victoria 3124, deceased, who died on 14 October 2021.

HUESTON, Beverley Ann, late of Japara Millward Aged Care Home, 31 Blackburn Road, Doncaster East, Victoria 3109, deceased, who died on 20 November 2021.

KNOTT, Lorna Pearl, late of Sisters of Nazareth, 16 Cornell Street, Camberwell, Victoria 3124, deceased, who died on 26 September 2021.

NAISMITH, Lance Jeffrey, late of Harrier Manor, 128 Princes Highway, Dandenong, Victoria 3175, deceased, who died on 22 January 2022.

PATTEN, Julien Alexander, late of 17 Helmer Crescent, Thomson, Victoria 3219, deceased, who died on 14 July 2021.

VINEN, Wendy Kay, also known as Wendy Vinen, late of Unit 4, 465 Brunswick Road, Brunswick West, Victoria 3055, deceased, who died on 11 December 2021.

WILHELM, Alois, also known as Lou Wilhelm, late of Ron Conn Nursing Home, 33 Westminster Drive, Avondale Heights, Victoria 3034, deceased, who died on 17 September 2021.

WOODWARD, Beverly Lorraine, late of 16 Prescott Avenue, Safety Beach, Victoria 3936, deceased, who died on 21 July 2021. Date of Grant 1 March 2022.

YOUNG, Colin Leslie, late of 32B McCole Street, Sale, Victoria 3850, deceased, who died on 9 November 2021.

Dated 7 March 2022.

Department of Treasury and Finance

SALE OF CROWN LAND
BY PUBLIC AUCTION

On Saturday 9 April 2022 at 11.00 am on site

Reference: F19/2099.

Address of Property: Part of 22 High Street, Bannockburn.

Crown Description: Crown Allotment 2A, Section 6 Township of Bannockburn, Parish of Wabdallah.

Terms of Sale: Deposit 10%, balance in 90 days or earlier by mutual agreement.

Area: 349 m².

Officer Co-ordinating Sale: Joe Rossello, Senior Project Manager Land and Property, Department of Treasury and Finance, Level 5, 1 Treasury Place, Melbourne, Victoria 3002.

Selling Agent: Stockdale & Leggo Bannockburn, Shop 14, 6–8 High Street, Bannockburn, Victoria 3331.

DANNY PEARSON MP
Assistant Treasurer

Department of Treasury and Finance

SALE OF CROWN LAND
BY PUBLIC AUCTION

On Saturday 14 May 2022 at 12.00 pm on site

Reference: F19/2098.

Address of Property: 29 Valley View Parade, Korumburra.

Crown Description: Crown Allotment 89A Township and Parish of Korumburra.

Terms of Sale: Deposit 10%, balance in 60 days or earlier by mutual agreement.

Area: 853 m².

Officer Co-ordinating Sale: Emily Carrick, Senior Project Manager, Land and Property, Department of Treasury and Finance, Level 5, 1 Treasury Place, Melbourne, Victoria 3002.

Selling Agent: Unlock Real Estate, 1 Commercial Street, Korumburra, Victoria 3951.

DANNY PEARSON MP
Assistant Treasurer

Associations Incorporation Reform Act 2012

SECTION 135

On 8 February 2022 I issued a notice under Section 135(2) of the **Associations Incorporation 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.

Akatokamanava Mauke Enea Community of Victoria Inc.; Alghadeer Islamic Association Inc.; Amiol Community Association of Australia Inc.; Art Consulting Association of Australia Inc.; Association for Cultural Unity Inc.; Australia – Sri Lanka Foundation of Culture and Society Inc.; Australian Hellenic Council – Victoria Inc.; Australian Iraqi Forum Inc.; Australian Milk Producers Association Inc.; Australian Miniature Pylon Racing Association (AMPRA) Inc.; Australian Native Grass Fire Safety Association Inc.; Australian Rare Fauna Research Association Inc.; Australian Tongan Tennis Association Inc.; Australian Veterans Table Tennis Association Inc.; Baw Baw Country LTA Inc.; Bendigo And Districts Gamers Association

Inc.; Bendigo Touch Football Association Inc.; Bentleigh Chinese Senior Support Group Inc.; Boules Sports Australia Inc.; Boules Victoria Inc.; Camberwell Youth Theatre Inc.; Care & Hope Ministry Inc.; Caroline Springs Playgroup Inc.; Chinese Association of Expert in Australia Inc.; Chinese Cultural Education of Melbourne Inc.; Ciec Lou Community Inc.; City of Port Phillip Brass Band Inc.; Cressy & District Neighbourhood Centre Inc.; Croydon Family Church Inc.; Cush Media Inc.; Dandenong Ranges Folk Club Inc.; Deakin MBA Society Inc.; Digital Eyes Studio Inc.; Dinka Northern Upper Nile Community Association of Australia Inc.; Direct Impact Ministry Inc.; East Malvern RSL Cricket Club Inc.; Eastern Districts Tennis Club Inc.; Eastfield Cricket Club Inc.; Eley Park Senior Citizens Centre Inc.; Essendon District Junior Tennis Association Inc.; Flemington Bridge Club Inc.; Fneidek Youth Philanthropic Association Inc.; Friends of Coate Park and Rudder Grange Inc.; Friends of Liverpool Road Retarding Basin Inc.; Friends of The Lobster Pot Inc.; Friends of The Yarra Inc.; Funds4paws Inc.; Geelong And District Riding Club Inc.; Gildone Social Club Inc.; Glen Eira Community Associations Inc.; Hamilton Warriors Baseball Club Inc.; Hampton Tennis Club Inc.; Hawkesdale & District Historical Society Inc.; Heart for Christ Tongan Catholic Youth Brass Band, Vic. Inc.; Hellenic Bowls Club of Victoria Inc.; Horsham Community Action Centre Inc.; Indo Australasian Psychiatry Association Inc.; Inside Job Productions Inc.; Islamic Research & Educational Academy Inc.; Keilambete Water Syndicate Inc.; Kensington Women's Dinner Inc.; Koroit Tennis Club Inc.; Kyabram Squash Club Inc.; Kyokushin Karate Altona & Brooklyn Inc.; Latrobe Valley Supporters Group Inc.; Luaf Inc.; Macedon Traders Association Inc.; Mandela Soccer Club Inc.; Maroondah Ratepayers & Residents Association Inc.; Maryborough & District Carers Support Group Inc.; Melbourne Phoenix Football Club Inc.; Mental Health Retired Officers Association Inc.; Metropolitan Fire and Emergency Services Board Football Club Inc.; Mildura Gay & Lesbian Support Group Incorporated; Moorabool Anti Windfarm Action Group Inc.; Mooroopna Amateur Swimming

Club Inc.; Mosquito Drain 5/36p Drainage Group Inc.; Moto Kids, Family & Friends Inc.; Murle Youth Association in Australia/Victoria Inc.; National Arab Racehorse Association Inc.; National Paintball Players Association Inc.; Nhill Racecourse Social Club Inc.; North Bendigo Sports Club Inc.; Noto Auxiliary for Hope and Joy Inc.; Numurkah Toy Library Inc.; Off Road Racing Commercial Development Inc.; People Against Lenient Sentencing (P.A.L.S.) Inc.; Poath Road Traders Association Inc.; Prom Country Challenge Inc.; Residents Against Sunshine/Kealba Quarry Inc.; Riding Pony Gala Events Inc.; Riverside Tennis Association Inc.; Ruffy Cricket Club Inc.; Samaria Mountain Bike Promotions Inc.; Schneiderei Inc.; Semerkand Inc.; Shwachman – Diamond Syndrome –Australia Inc.; South East Titans Cricket Club Inc.; South Pacific Rugby Cup – Cultural Festival Inc.; South Waverley Basketball Club Inc.; South West Athletics Inc.; Southern Gippsland Wine Inc.; St. Andrews Junior Football Club Inc.; Sunraysia Combined Playgroup Association Inc.; Sunshine Model Railway Club Inc.; Swan Hill Aviation Social Club Inc.; Te Puna Waiora (The Living Waters Spring) Interdenominational Maori Church, Australia Inc.; Thai Community of Geelong (TCG) Inc.; The Beaufort Arts and Theatre Society Inc.; The Geelong Country Music Club Inc.; The Pied Piper Foundation Inc.; Timboon Squash Club Inc.; Tonstreifen Inc.; Victoria Wolves Futsal Club Inc.; Victorian Ice Hockey Past Players Association Inc.; Victorian Science Fiction Conventions Inc.; Victorian Tentpegging Association Inc.; Vikings Sports Club Inc.; Vision Latina Inc.; Waaia Playgroup Inc.; Weary Dunlop Scholarship Fund Inc.; Wellington Warriors Football Club Inc.; Welshpool Cricket Club Inc.; Werribee Volleyball Association Inc.; Westside 4x4 Club Inc.; Women's Action Alliance (Australia) Inc.; Yarram and District Junior Badminton Association Inc.; Youth League of Epirus Inc.

Dated 10 March 2022

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

**Building Act 1993**

Building Regulations 2018

STATE BUILDING SURVEYOR

Notice of Accreditation

In accordance with Regulation 244A(4) of the Building Regulations 2018, the Victorian Building Authority (VBA) hereby provides information regarding the accreditation of a building product by the Building Regulation Advisory Committee.

Dated 8 March 2022

ANDREW CIALINI

State Building Surveyor

A duly authorised delegate of the VBA

Building Act 1993*Section 14A(2)***Building Regulations 2018***Regulation 245(2)*

CERTIFICATE OF ACCREDITATION

Name of product: GreenClad (EIFS) Insulated Façade System

Product description: The GreenClad Insulated Façade System consists of a rendered 50 mm, 75 mm or 100 mm M-Grade Expanded Polystyrene panel directly fixed to the exterior wall frame.

Description of the purpose and use of the building product: External Wall Cladding System for use on exterior walls for use in Class 1 and 10 buildings and structures.

Regulation/s in relation to which the building product is accredited: The Building Regulations Advisory Committee appointed under Division 4 of Part 12 of the **Building Act 1993** has examined the application and accredited the product as complying with; Performance requirements that are relevant to the building product, as determined in accordance with Part A2.1 and A5.2 of the BCA Volume Two are P2.1.1, P2.2.2, V2.2.1. The deemed-to-satisfy provisions relevant to the performance requirements identified are 3.0.1, 3.0.2, 3.0.3, Part 3.5.4, 3.12.1.4 (e). The R-values provided are only for the GreenClad Insulated Façade System and any additional requirements of Clause 3.12.4 must be satisfied. Building Code of Australia Class 1 and Class 10 buildings, as adopted by the Building Regulations 2018 as those clauses apply within the State of Victoria for use on exterior walls for use in certain residential and non-habitable buildings and structures.

Conditions to which the accreditation is subject:

1. Impact loading requirements for windborne debris in accordance with AS 1170.2:2011. Clause 2.5.8 are not addressed.
2. Weatherproofing is subject to windows that comply with AS 2047:2014.
3. Timber frame is to be constructed in accordance with AS 1684-2021 or AS 1720.1:2010.
4. Cold-formed steel frame is to be constructed from minimum 0.75 mm BMT, G550 steel in accordance with NASH Standard for Residential and Low-rise Steel Framing, Part 1: Design Criteria, or AS 3623:1993 (R2018) Domestic Metal Framing, or AS/NZS 4600:2018 Cold-Formed Steel Structures.

5. Installation of GreenClad insulated façade system must be in accordance with the GreenClad Manual Ver 5 Dt 22-10-2020 a Technical Installation Manual.
6. Only to be installed by a Painttex Pty Ltd approved and experienced applicator.
7. In all installations, the minimum clearance between the underside of the panel and the adjoining surface level below must comply with the specifications in Part 3.5.4.7 of Volume 2 of the NCC.
8. Compliance with all other requirements applicable to the construction of the external wall including condensation management and building sealing.

The name, address and Australian business number of the holder of the accreditation: Painttex Pty Ltd, Unit 5, 12–14 South Link, Dandenong South, Victoria 3175, ABN 55 134 179 310

Certificate number: V22/01

Date of issue: 11 January 2022

Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of Cemetery Trust Fees and Charges

I, Bryan Crampton as Delegate of the Secretary to the Department of Health for the purposes of section 40(2) of the **Cemeteries and Crematoria Act 2003**, give notice that I have approved the scale of fees and charges fixed by the following cemetery trust.

The approved scale of fees and charges will take effect from the date of publication of this notice in the Victoria Government Gazette and will be published on the internet.

The fees will be published on the internet at <http://www.health.vic.gov.au/cemeteries>

The Arthurs Creek Cemetery Trust

Dated 2 March 2022

BRYAN CRAMPTON

Manager

Cemetery Sector Governance Support

Geographic Place Names Act 1998

CORRIGENDUM

In the Victoria Government Gazette, Notice of Registration, G06, 10 February 2022 under **Geographic Place Names Act 1998** feature naming, the correct spelling for Rotmah Island should be Rotamah Island.

Land Use Victoria

2 Lonsdale Street

Melbourne 3000

CRAIG L. SANDY

Registrar of Geographic Names

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.

Naming:

Change Request Number	Place Name	Authority	Location
–	Blackbird Flat	Department of Environment, Land, Water and Planning	Located at (146.343889, -37.195458)
	Paling Spur		Located at (147.226722, -36.979729)
	Harry Dawnes Spur		Located at (147.279088, -36.554445)
	Tarra Valley		Located at (146.552742, -38.467375)
	Ellery Spur		Located at (148.799299, -37.368427)
	Long Spur		Located at (147.268530, -37.197072)
	Open Clear Flats		Located at (141.409341, -35.397301)
	Gunmark Range		Located at (148.855422, -37.287557)
	Sandmount Clearing		Located at (141.755264, -35.397266)
	Windy Ridge		Located at (147.818417, -37.222458)
	Crowhurst Flat		Located at (142.021603, -36.531244)
	Plenty Gorge		Located at (145.096353, -37.663200)
144717	Koomail Tardy Community Centre	Wyndham City Council	Located at 117 Alcock Road, Truganina. For further details see map at: www.land.vic.gov.au/place-naming
144717	Bembit Bag-rook Community Centre	Wyndham City Council	Located at 61 Polly Parade, Tarneit. For further details see map at: www.land.vic.gov.au/place-naming

Geographic Names Victoria

Land Use Victoria
2 Lonsdale Street
Melbourne 3000

CRAIG L. SANDY
Registrar of Geographic Names

Health Complaints Act 2016

Section 90

INTERIM PROHIBITION ORDER

This Interim Prohibition Order is made pursuant to section 90 of the **Health Complaints Act 2016**.

The Health Complaints Commissioner (Commissioner) has made this Interim Prohibition Order because the Commissioner reasonably believes that the general health service provider named below has contravened a code of conduct applying to the general health service being provided and is satisfied that it is necessary to make this order to avoid a serious risk to the health, safety or welfare of the public.

Name of the general health service provider on whom the Interim Prohibition Order is imposed:	Mr Mehrshad ‘Sam’ Moharaminia
Date this Interim Prohibition Order is made:	6 March 2022
Date on which this Interim Prohibition Order expires:	An Interim Prohibition Order can remain in force for up to 12 weeks. This Interim Prohibition Order will remain in force until 28 May 2022 while an investigation is conducted unless it is revoked before that date.
Effect of this Interim Prohibition Order:	<ol style="list-style-type: none"> 1. The general health service provider named above must not, directly or indirectly: <ol style="list-style-type: none"> a. advertise or cause to be advertised, b. offer or cause to be offered, c. provide or cause to be provided, or d. establish, direct or otherwise operate any business that either advertises, offers or provides (or causes to be advertised, offered or provided) any general health service, paid or otherwise, in a clinical or non-clinical capacity. 2. The general health service provider named above must display a copy of this Interim Prohibition Order prominently at their business premises and ensure that it is easily visible to the public. 3. The general health service provider named above must publish a copy of this Interim Prohibition Order on any website or social media platform used to promote themselves or the supply of any goods or services. 4. The published interim prohibition order must remain on any website or social media platform used to promote themselves or the supply of any goods or services until the interim prohibition order has expired or is revoked.

In this Interim Prohibition Order ‘general health service’ and ‘general health service provider’ have the same meaning as in section 3 of the **Health Complaints Act 2016**.

This Interim Prohibition Order takes effect on the service of the order on the general health service provider to whom it applies.

This Order will be published in the Victoria Government Gazette and on the internet site of the Health Complaints Commissioner, www.hcc.vic.gov.au

ELIZABETH LANGDON
Acting Health Complaints Commissioner



Heritage Act 2017
NOTICE UNDER SECTION 137(1)(A) OF THE
HERITAGE ACT 2017
REGARDING COVENANT PURSUANT TO SECTION 134 OF THE
HERITAGE ACT 2017

HERITAGE PLACE NO. H0034
ANZ Bank (H0034)
376–390 Collins Street, Melbourne

It is proposed that the Heritage Council of Victoria enter into a Covenant pursuant to section 134(1) of the **Heritage Act 2017** in relation to the above Heritage Place with GPT Funds Management LTD, the owner of the above Heritage Place.

The Covenant will bind the owner of the above Heritage Place to the development, use or conservation of the Heritage Place in accordance with the terms of the Covenant.

Agreement:

The Owners and the Heritage Council covenant agree that the Owner will at its own expense, care for the Heritage Place in accordance with the Act and will implement the Heritage Infrastructure Management Plan in accordance with the requirements of the Plan, as amended from time to time with the agreement of the Executive Director of Heritage Victoria.

To view the form of the Covenant contact Heritage Victoria, telephone (03) 7022 6390 during business hours, or email heritage.permits@delwp.vic.gov.au

Any person wishing to make a written submission in response to the Covenant should write to the Executive Director, Heritage Victoria care of the above address within 28 days of the publication of this notice.

STEVEN AVERY
Executive Director
Heritage Victoria

(As delegate of the Heritage Council of Victoria pursuant to the instrument of delegation)



Heritage Act 2017
 NOTICE UNDER SECTION 137(1)(A) OF THE
HERITAGE ACT 2017
 REGARDING COVENANT PURSUANT TO SECTION 134 OF THE
HERITAGE ACT 2017
 HERITAGE PLACE NO. H0451
 Former Safe Deposit Building (H0451)
 90 Queen Street, Melbourne

It is proposed that the Heritage Council of Victoria enter into a Covenant pursuant to section 134(1) of the **Heritage Act 2017** in relation to the above Heritage Place with GPT Funds Management LTD, the owner of the above Heritage Place.

The Covenant will bind the owner of the above Heritage Place to the development, use or conservation of the Heritage Place in accordance with the terms of the Covenant.

Agreement:

The Owners and the Heritage Council covenant agree that the Owner will at its own expense, care for the Heritage Place in accordance with the Act and will implement the Heritage Infrastructure Management Plan in accordance with the requirements of the Plan, as amended from time to time with the agreement of the Executive Director of Heritage Victoria.

To view the form of the Covenant contact Heritage Victoria, telephone (03) 7022 6390 during business hours, or email heritage.permits@delwp.vic.gov.au

Any person wishing to make a written submission in response to the Covenant should write to the Executive Director, Heritage Victoria care of the above address within 28 days of the publication of this notice.

STEVEN AVERY
 Executive Director
 Heritage Victoria

(As delegate of the Heritage Council of Victoria pursuant to the instrument of delegation)

Marine Safety Act 2010

Section 208(2)

CORRIGENDUM

NOTICE OF BOATING ACTIVITY EXCLUSION ZONE

This Notice rectifies a problem contained in a Notice published in the Government Gazette G41 dated 14 October 2021 at page 22.

The last row in Table 1: Geelong Masters Regatta 2022, should read:

Day	Date	Time	Event Type
Saturday	2 April 2022	6.00 am to 5.00 pm	Geelong Masters Regatta

Dated 7 March 2022

CORANGAMITE CATCHMENT MANAGEMENT AUTHORITY

Interpretation of Legislation Act 1984**POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES REGULATIONS 2022**

Notice of Incorporation of Documents and Address for Inspection of Documents

As required by section 32(3) of the **Interpretation of Legislation Act 1984**, notice is given that the Pollution of Waters by Oil and Noxious Substances Regulations 2022, S.R. No. 7/2022, ('the Regulations') apply, adopt or incorporate the following document:

Table of applied, adopted or incorporated matter

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 4, definition of Marine Order 91 and regulation 10(3)	Marine Order 91 (Marine pollution prevention – oil) 2014, made under section 34 of the Protection of the Sea (Prevention of Pollution from Ships) Act 1983 of the Commonwealth and section 342 of the Navigation Act 2012 of the Commonwealth, prepared by the Australian Maritime Safety Authority on 1 April 2018	The whole

A copy of the material applied, adopted or incorporated by the Regulations has been lodged with the Clerk of the Parliaments on 11 February 2022 and is available for inspection by the public, free of charge, during normal business hours, at the office of the Department of Environment, Land, Water and Planning, 8 Nicholson Street, East Melbourne, Victoria. A copy of the material is also available at <https://www.legislation.gov.au/Details/F2018C00190>

Dated 3 March 2022

HON. LILY D'AMBROSIO MP
Minister for Energy, Environment and Climate Change

Melbourne Cricket Ground Act 2009**MELBOURNE CRICKET GROUND FLOODLIGHT DETERMINATION NO. 1/2022**

I, Martin Pakula, Minister for Tourism, Sport and Major Events, make the following determination:

1. Title

This determination may be cited as the Melbourne Cricket Ground Floodlight Determination No. 1/2022.

2. Objectives

The objectives of the determination are to:

- (a) Specify the days and times during which the floodlights affixed to the floodlight towers at the Melbourne Cricket Ground (MCG) may be used.
- (b) Specify the purposes for which the floodlights may be used on those days.

3. Authorising provision and commencement

This determination is made under section 30 of the **Melbourne Cricket Ground Act 2009** and commences on 15 March 2022.

4. Floodlights may be used on certain days at certain times and for certain purposes

The floodlights affixed to the floodlight towers at the MCG may be used:

- (a) between 8.00 am and 8.00 pm from 15 March 2022 to 3 October 2022 for the purpose of aligning, testing and repairing the floodlights;

- (b) between 8.00 am and 8.00 pm from the date this determination commences to 3 October 2022 for the purpose of Australian Rules football (AFL) training;
- (c) between 2.00 pm and 11.30 pm on the following dates for the purpose of hosting 2022 AFL premiership season twilight and night matches:
- 15 March 2022
 - 17 March 2022
 - 1 April 2022
 - 2 April 2022
 - 9 April 2022
 - 16 April 2022
 - 24 April 2022
 - 30 April 2022
- (d) between 8.00 am and 8.00 pm on the following dates for the purpose of hosting 2022 AFL premiership season day matches:
- 19 March 2022
 - 20 March 2022
 - 26 March 2022
 - 27 March 2022
 - 3 April 2022
 - 10 April 2022
 - 17 April 2022
 - 18 April 2022
 - 25 April 2022
 - 1 May 2022
 - 7 May 2022
 - 8 May 2022
 - 14 May 2022
- (e) between 8.00 am and 8.00 pm for day matches and between 2.00 pm and 11.30 pm for night matches from 20 May 2022 to 22 August 2022 for the purpose of hosting 2022 AFL premiership season matches:
- 2022 AFL premiership season matches scheduled from round ten onwards may be played at any time from 20 May 2022 until 22 August 2022.
- (f) between 8.00 am and 8.00 pm for day matches and between 2.00 pm and 11.30 pm for night matches from 25 August 2022 to 24 September 2022 for the purpose of hosting 2022 AFL premiership season finals matches. Finals matches may be played on any of the following dates:
- 25 August 2022 to 28 August 2022
 - 1 September 2022 to 4 September 2022
 - 9 September 2022 to 11 September 2022
 - 15 September 2022 to 17 September 2022
 - 24 September 2022

Note: Specific match dates within the period specified in clauses 4(e) and (f) of this determination will be announced by the AFL during the 2022 AFL premiership season and published on its website.

THE HON. MARTIN PAKULA MP
Minister for Tourism, Sport and Major Events

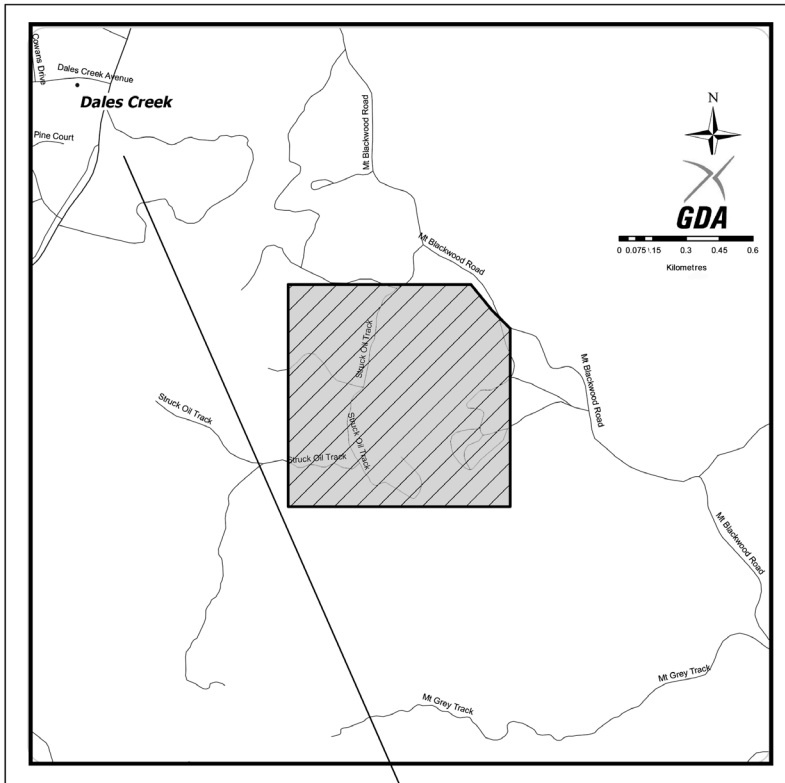
Mineral Resources (Sustainable Development) Act 1990

EXEMPTION OF LAND FROM A LICENCE

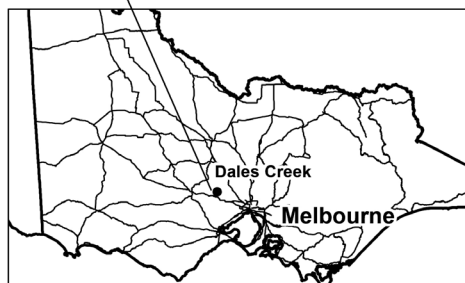
I, Laura Helm, Director Statutory Authorisations, Earth Resources Regulation pursuant to section 7 of the **Mineral Resources (Sustainable Development) Act 1990** (the ‘Act’) and acting under delegation from the Minister for Resources dated 24 January 2022

Hereby exempt all that land situated within the boundaries of the hatched area on attached Schedule A from being subject to any exploration, retention, mining, or prospecting licences under the Act.

Schedule A



Locality Map



Dated 3 March 2022

LAURA HELM
 Director, Statutory Authorisations
 Earth Resources Regulation

Public Health and Wellbeing Act 2008

Section 165AI

**GUIDANCE FOR THE PANDEMIC (ADDITIONAL INDUSTRY OBLIGATIONS)
ORDER 2022 (No. 8)**

The presence of a person with a positive diagnosis for COVID-19 at a work premises is considered to pose an immediate risk of transmission to persons who attend, or may attend, the work premises. This Order imposes additional specific obligations on employers and workers in specific industries in relation to managing the risk associated with COVID-19.

The following industries must comply with this Order:

- (1) poultry processing facilities;
- (2) abattoirs and meat processing facilities;
- (3) seafood processing facilities;
- (4) supermarket work premises and perishable food work premises;
- (5) warehousing and distribution centres;
- (6) commercial cleaning services;
- (7) care facilities;
- (8) ports of entry servicing international arrivals;
- (9) hotel quarantine;
- (10) hospitals;
- (11) schools;
- (12) childcare or early childhood services;
- (13) construction sites.

An authorised officer or inspector may conduct an inspection of the work premises and audit the records of the employer.

An employer must consult with health and safety representatives, together with workers who are likely to be directly affected in relation to the implementation of the Additional Industry Obligations.

Failure to comply with this Order may result in penalties.

This explanatory guidance does not form part of the Pandemic (Additional Industry Obligations) Order 2022 (No. 8) and is for explanatory purposes only.

Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (ADDITIONAL INDUSTRY OBLIGATIONS) ORDER 2022 (No. 8)

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Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (ADDITIONAL INDUSTRY OBLIGATIONS) ORDER 2022 (No. 8)

I, Martin Foley, Minister for Health, make the following Order under the **Public Health and Wellbeing Act 2008** in the belief that this Order is reasonably necessary to protect public health throughout Victoria from the serious risk arising from the coronavirus (COVID-19) pandemic disease.

PART 1 – PRELIMINARY**1. Objective**

- (1) The purpose of this Order is to establish additional specific obligations on employers and workers in specific industries in relation to managing the risk associated with COVID-19 transmission in the work premises.
- (2) This Order must be read together with the pandemic orders in force.
- (3) This Order is intended to supplement any obligations an employer may have under the **Occupational Health and Safety Act 2004** and the **Workplace Orders** and are not intended to derogate from any such obligations.

2. Citation

This Order may be referred to as the **Pandemic (Additional Industry Obligations) Order 2022 (No. 8)**.

3. Authorising provision

This Order is made under section 165AI of the **Public Health and Wellbeing Act 2008**.

4. Commencement and revocation

- (1) This Order commences at 11:59:00 pm on 27 February 2022 and ends at 11:59:00 pm on 12 April 2022.
- (2) The **Pandemic (Additional Industry Obligations) Order 2022 (No. 7)** is revoked at 11:59:00 pm on 27 February 2022.

5. Definitions

Terms used in the Order have meanings set out in Schedule 2.

6. Application of this Order

This Order applies to the whole State of Victoria.

PART 2 – ADDITIONAL INDUSTRY OBLIGATIONS**7. Application of this Order to certain employers and roles**

- (1) This Order applies to Additional Obligation Industries, namely:
 - (a) poultry processing facilities;
 - (b) abattoirs and meat processing facilities;
 - (c) seafood processing facilities;
 - (d) supermarket work premises and perishable food work premises;
 - (e) warehousing and distribution centres;
 - (f) commercial cleaning services;
 - (g) care facilities;
 - (h) ports of entry servicing international arrivals;
 - (i) hotel quarantine;
 - (j) hospitals;
 - (k) schools;
 - (l) childcare or early childhood services;
 - (m) construction sites.

- (2) This Order applies to Additional Obligation Industries work premises that are located:
 - (a) in relation to supermarket work premises and perishable food work premises, and warehousing and distribution centres, in Metropolitan Melbourne; and
 - (b) in relation to all other Additional Obligation Industries not referred to in paragraph (a), anywhere in Victoria, unless this Order indicates otherwise.

8. General obligations

Clauses 9 and 10 apply to high-risk hospital work premises.

Note: the exception of care facilities and hospitals (except for high-risk hospital work premises) as being exempt from the requirements in clause 8 does not exempt care facilities from satisfying equivalent requirements imposed under other regulatory arrangements.

9. Compliance

To assess an employer's compliance with this Order, an authorised officer or inspector (or their nominated representative) may conduct:

- (1) an inspection of a work premises; or
- (2) an inspection or audit of the records of an employer.

10. Consultation

An employer in relation to a high-risk hospital work premises must, to the extent reasonably practicable, consult with health and safety representatives, together with workers who are, or are likely to be, directly affected:

- (1) to identify or assess risks to health or safety at a work premises; and
- (2) to make decisions about the measures to be taken to control risks to health and safety; and
- (3) to determine if any risk identified under subclause (1) is either under the employer's management and control or arises from the employer's conduct; and
- (4) to make decisions about the adequacy of facilities for the welfare of workers; and
- (5) in making decisions about procedures to resolve health and safety issues, including (but not limited to):
 - (a) procedures around health and safety consultation itself;
 - (b) procedures to monitor the health of workers and the conditions of the work premises;
 - (c) procedures to provide information and training to workers; and
- (6) by a change to:
 - (a) a work premises; or
 - (b) the plant, substances, or other things used at a work premises; or
 - (c) the conduct of work performed at a work premises.

11. Additional Industry Obligations

- (1) An employer in relation to an Additional Obligation Industry work premises must:
 - (a) where the employer's work premises is an industry that is listed in the Surveillance Testing Industry List and Requirements (as amended from time to time on the advice of the Chief Health Officer):
 - (i) carry out surveillance testing for COVID-19 on its workers in relation to the work premises in accordance with the requirements of the Surveillance Testing Industry List and Requirements (as amended from time to time on the advice of the Chief Health Officer), including:
 - (A) those sections of its workforce required to be tested under the Surveillance Testing Industry List and Requirements;

- (B) a weekly surveillance testing target of the percentage of workers that are to be tested; and
- (ii) for industries that require workers to undergo a COVID-19 rapid antigen test, if a worker receives an invalid test result from the COVID-19 rapid antigen test, the employer must direct the worker to undertake a second COVID-19 rapid antigen test as soon as possible; and
- (iii) for industries that require workers to undergo a COVID-19 rapid antigen test, 'if a worker receives:
 - (A) a positive test result from the COVID-19 rapid antigen test, the employer must direct the worker to immediately self-isolate in accordance with the **Quarantine, Isolation and Testing Order**; or
 - (B) two successive invalid COVID-19 rapid antigen test results, the employer must direct the worker to:
 - (1) undertake a COVID-19 PCR test as soon as possible; and
 - (2) immediately self-isolate until a negative COVID-19 PCR test result is received; and
- (iv) keep records of surveillance testing of workers for COVID-19, which demonstrate that the employer has complied with its obligations under subparagraph (i) in relation to the work premises; and
- (v) provide the records required to be kept by the employer under subparagraph (iv) to the Department upon request by the Department for those records.

Note: the industries and requirements included in the Surveillance Testing Industry List and Requirements may be amended on the advice of the Chief Health Officer.

- (2) An employer is not required to carry out surveillance testing for COVID-19 pursuant to subparagraph (1)(a)(i) in relation to a worker who is a confirmed case for a period of 30 days commencing from the date the diagnosis of COVID-19 is confirmed through a COVID-19 PCR test.

12. Care facilities

- (1) An employer in relation to a work premises that is a care facility in Victoria must require care facility workers in relation to a care facility to wear a face covering while working in any indoor space at the care facility if the worker is performing a resident-facing role at the care facility, unless an exception under the **Movement and Gathering Order** applies to that worker.

Example: where a care facility worker is communicating with a resident who is hard of hearing or deaf and visibility of the mouth is essential for communication, that care facility worker may remove their face covering whilst communicating with the resident.

Note: a care facility worker working in a resident-facing role at a care facility must wear a mask at all times while working in an indoor space including when they are not interacting with residents.

- (2) If a care facility worker is working at more than one work premises for two or more different employers:
 - (a) the care facility worker must provide a written declaration to each employer to advise them that the worker is working at more than one work premises and must provide details of the other work premises to each employer; and
 - (b) each employer must maintain a record of all care facility workers who have disclosed to the employer under paragraph (a) that they are working across more than one work premises.
- (3) Despite the **Visitors to Hospitals and Care Facilities Order**, an employer in relation to a work premises that is a care facility in Victoria must not permit an employee or contractor (excluding a visiting health care professional) to enter the care facility where:
 - (a) the employee or contractor has, on or after 4 October 2020, worked at another care facility; and

- (b) at the time the employee or contractor worked at that other care facility, a confirmed case was present at that other facility,
unless the employee or contractor is fully vaccinated or is an excepted person and either:
- (c) the following applies:
- (i) at least 7 days have elapsed since the last time the employee or contractor worked at that other facility while a confirmed case was present; and
 - (ii) the employee or contractor:
 - (A) has undertaken a COVID-19 rapid antigen test on or after 6 days from the day that the employee or contractor last worked at that other facility while a confirmed case was present; and
 - (B) received confirmation that the results of the test undertaken pursuant to subsubparagraph (A) were negative; or
 - (d) the following applies:
 - (i) their attendance at the care facility is reasonably necessary to address a significant actual or potential decline in the quality of care delivered by the operator of that care facility; and
 - (ii) the employee or contractor is not experiencing COVID-19 symptoms; and
 - (iii) the employee or contractor:
 - (A) undertakes a COVID-19 rapid antigen test each day prior to working at the care facility for a period of 5 days from the day after that the employee or contractor last worked at that other facility while a confirmed case was present; and
 - (B) receives confirmation that the results of the tests undertaken pursuant to subsubparagraph (A) were negative.
- (4) For the avoidance of any doubt, the obligations on an employer in subclause (3) do not apply to a visiting health care professional entering the care facility.
- (5) An employer in relation to a work premises that is a care facility in Victoria must comply with personal protective equipment requirements in accordance with the requirements of the Department.
- (6) The Chief Health Officer may grant an exemption in writing to the requirements of subclause (3).

Note: an exemption may only be granted where it is necessary to ensure that residents are provided with a reasonable standard of care.

13. Ports of entry

- (1) Subject to subclause (2), a port of entry worker means:
- (a) any airport or maritime port worker who has direct contact (including occasional contact or interactions) with international passengers or crew, at the international port of entry; or
 - (b) a worker or person who interacts with the environment within the international port of entry (including any worker or person who boards a vessel, ship or aircraft) where international passengers and crew are or have been.
- Note: interacting with the 'environment' within the international port of entry refers to handling items and/or using or being in communal facilities (such as toilets, waiting areas and seating) that have been used by or are being used by international passengers and crew. It also refers to boarding or entering a vessel, ship or aircraft where international passengers and crew are or have been.*
- (2) Despite subclause (1), a port of entry worker does not include any worker who works in an international departures area of an airport.

- (3) In relation to a work premises that is a port of entry work premises servicing international arrivals, an employer must:

Note: a work premises which is a port of entry servicing international arrivals is a port or airport at which port of entry workers provide services in relation to, or encounter, passengers, crew members, shipping vessels or aircraft arriving in Victoria from outside of Australia, subject to the definition of 'port of entry workers' above.

- (a) make available an adequate supply of personal protective equipment free of charge to port of entry workers; and
- (b) ensure that all port of entry workers wear appropriate personal protective equipment in accordance with the requirements of the Department; and
- (c) if they are an employer of an international aircrew service worker, keep, and provide to the Department upon request by the Department, records of:
 - (i) the date and time each COVID-19 rapid antigen test is administered to an international aircrew service worker; and
 - (ii) the result of each COVID-19 rapid antigen test administered to an international aircrew service worker; and
 - (iii) in the event that the result of the COVID-19 rapid antigen test is positive for an international aircrew service worker, the date, time and result of a COVID-19 PCR test undertaken on that worker.

14. Hotel quarantine

In relation to a work premises that is a hotel quarantine work premises, an employer must provide regular training to workers (including, but not limited to, an induction for all workers commencing at, or returning to, the work premises) that covers:

- (1) good hygiene practices; and
- (2) advising workers not to attend the work premises when unwell.

15. Hospitals

In relation to a work premises identified in Column 1 of Schedule 1, an employer must comply with the restrictions and requirements outlined in Column 2 of Schedule 1, except in relation to:

- (1) an in vitro fertilisation (IVF) procedure performed at a work premises that is a registered facility; or
- (2) a procedure for the surgical termination of pregnancy.

PART 3 – GENERAL PROVISIONS

16. Relationship with other Orders

- (1) If there is any inconsistency between this Order and a pandemic order in force or other requirement contained in a Detention Notice, this Order is inoperative to the extent of the inconsistency.
- (2) If there is any inconsistency between this Order and a requirement contained in the **Workplace Order**, the **Workplace Order** is inoperative to the extent of the inconsistency.

17. Severability

To the extent that any part of this Order is held to be in excess of power or otherwise invalid it is intended that it is to be taken to be valid to the extent to which it is not in excess of that power.

18. Transitional provisions

- (1) A reference in any pandemic order in force to a Revoked Additional Industry Obligations Order is taken on and after the commencement of this Order to be a reference to this Order.

- (2) Any act, matter or thing that had effect under a Revoked Additional Industry Obligations Order immediately before it was revoked continues to have effect under this Order.
- (3) Without limiting subclause (2), this Order is subject to any exemption, benefit, requirement or entitlement (however described) to which a Revoked Additional Industry Obligations Order was subject immediately before it was revoked.
- (4) This clause is subject to any express provision to the contrary in this Order.

PART 4 – PENALTIES

19. Penalties

Section 165BN of the **Public Health and Wellbeing Act 2008** provides:

Failure to comply with pandemic order, direction or other requirement

- (1) A person commits an offence if the person refuses or fails to comply with a pandemic order, or with a direction given to the person, or a requirement made of the person, in the exercise of a pandemic management power.
Penalty: In the case of a natural person, 60 penalty units;
Penalty: In the case of a body corporate, 300 penalty units.
- (2) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply.

*Note: the **Public Health and Wellbeing Regulations 2019** provide for infringement notices to be served on any person who has refused or failed to comply (without a reasonable excuse) with a pandemic order, or a direction given or a requirement made in the exercise of a pandemic management power. The amount payable pursuant to the infringement notice varies depending on the nature of the failure or refusal and the age of the person.*

SCHEDULE 1 –RESTRICTIONS ON ELECTIVE SURGERY

Work premises (Column 1)	Current elective surgery restrictions (Column 2)
<p>Private hospitals (excluding day procedure centres) in the local government area of the City of Ballarat, the City of Greater Shepparton, the City of Greater Bendigo, the City of Latrobe, the Rural City of Wangaratta and the City of Greater Geelong.</p> <p>Private hospitals and day procedure centres in Metropolitan Melbourne.</p>	<p>(a) An employer may only permit elective surgery (including multi-day surgery and non-urgent surgery) to be performed if the employer does not exceed the volume cap on elective surgery procedures in paragraph (b).</p> <p>(b) An employer must ensure that the volume of elective surgery procedures performed per week at each registered facility does not exceed 100 per cent of the usual volume of allocated list time prior to the introduction of restrictions on elective surgery procedures under the revoked Workplace (Additional Industry Obligations) Directions (No. 51).</p> <p>(c) An employer must:</p> <ul style="list-style-type: none"> (i) ensure all patients requiring elective surgery procedures are prioritised based on clinical need; (ii) maintain, at a minimum, the capacity the employer’s registered facility has been providing public health services, as of 31 January 2022. Any reduction in this capacity must be confirmed by way of written mutual agreement between the relevant private and public hospital’s Chief Executive Officers; (iii) assist aged care facilities with workforce requests related to shortages caused by the COVID-19 pandemic; (iv) assist public health services operating a COVID-19 streaming area to ensure urgent public patients waiting for elective surgery are treated within clinically recommended times. <p>(d) The following services provided by an employer do not count towards the volume cap in place at each registered facility in accordance with paragraph (b):</p> <ul style="list-style-type: none"> (i) all activity undertaken on behalf of public health services or public hospitals; and (ii) emergency surgery. <p>(e) An employer may only permit elective surgery procedures to be performed in accordance with paragraphs (a) and (b) if the employer provides a report to the Department and relevant impacted public health services on a weekly basis that specifies:</p> <ul style="list-style-type: none"> (i) the volume of urgent elective surgery procedures it is performing; and (ii) how requests for support from public health services to assist with the COVID-19 response and aged care facility workforce requests have been fulfilled.

Work premises (Column 1)	Current elective surgery restrictions (Column 2)
All public health services in Victoria.	<p>(a) Subject to (b), an employer may permit an elective surgery procedure to be performed that is a Category 1, Category 2, Category 3 or non-urgent non-ESIS elective surgery procedure.</p> <p>(b) An employer must ensure:</p> <ul style="list-style-type: none"> (i) the volume of elective surgery activity is determined by the employer's assessment of capacity in consultation with the Department and in line with agreed Health Service Partnership bed plans; (ii) all patients requiring elective surgery must be prioritised based on clinical need; (iii) COVID-19 demand is met; and (iv) workforce pressures manageable to support the resumption of non-urgent elective surgery. <p>(c) If an employer intends to reduce the volume of non-urgent elective surgery, the employer must notify the Department.</p> <p>(d) If paragraph (c) applies, an employer should ensure elective surgery procedures that are not urgent elective surgery procedures, including Category 2 elective surgery procedures, Category 3 elective surgery procedures and non-urgent non-ESIS procedures, are reduced in the first instance.</p> <p>(e) An employer of a public health service operating a COVID-19 streaming area must:</p> <ul style="list-style-type: none"> (i) continue to focus on supporting patients with COVID-19; and (ii) establish local partnerships with public and private hospitals with a focus on treating Category 1 and Category 2 patients within the clinically recommended time. <p>(f) An employer of a public health service that is not operating a COVID-19 streaming area must:</p> <ul style="list-style-type: none"> (iii) provide required capacity to support the COVID-19 pandemic response, and (iv) support requests by other public health services operating a COVID-19 streaming area to treat Category 1 and Category 2 patients within clinically recommended time.

SCHEDULE 2 – DEFINITIONS

For the purposes of this Order:

abattoir has the meaning under the PrimeSafe licence categories ‘abattoirs (domestic)’ and ‘abattoirs (exports)’;

Additional Obligation Industries has the meaning in clause 7(1);

aircraft means an aircraft that is mainly used for the purpose of, or is engaged, or is intended or likely to be engaged, in a flight wholly within Australia;

airport means a facility that receives scheduled international passenger air transport services and / or passenger charter air services from international markets;

authorised officer has the same meaning as in the **Public Health and Wellbeing Act 2008**;

care facility has the same meaning as in the **Visitors to Hospitals and Care Facilities Order**;

care facility worker has the same meaning as ‘care facility worker’ in the **Visitors to Hospitals and Care Facilities Order**;

Category 1 elective surgery procedure means a procedure that is clinically indicated within 30 days and where the patient’s condition has the potential to deteriorate quickly to the point where the patient’s condition may become an emergency;

Category 2 elective surgery procedure means procedure that is clinically indicated within 90 days and is unlikely to deteriorate quickly or become an emergency during that period;

Category 3 elective surgery procedure means a procedure that is clinically indicated within 365 days but is unlikely to deteriorate quickly;

childcare or early childhood service means onsite early childhood education and care services or children’s services provided under the:

- (1) **Education and Care Services National Law 2010** and the **Education and Care Services National Regulations 2011**, including long day care services, kindergartens and/or preschool and family daycare services, but not including outside school hours care services; and
- (2) **Children’s Services Act 1996**, including limited hours services, budget based funded services, occasional care services, early childhood intervention services, mobile services and (if applicable) school holiday care programs;

confirmed case means a worker or person diagnosed with COVID-19 and includes the period of time prior to the diagnosis during which the worker is considered infectious;

Note: the period during which a person is considered infectious is generally considered to be 48 hours prior to the onset of COVID-19 symptoms, however, alternative infectious periods may be determined at the discretion of an officer or nominated representative of the Department (for instance, in high-risk settings or if the confirmed case is asymptomatic).

construction site means a work premises at which civil works, building or construction activities take place;

COVID-19 means the contagious disease caused by severe acute respiratory syndrome coronavirus 2;

COVID-19 PCR test means a COVID-19 polymerase chain reaction test;

COVID streaming area means any patient treatment area nominated by the relevant health service as an area dedicated to treating a confirmed case or confirmed cases, including negative pressure rooms for COVID-19 patients;

COVID-19 symptoms has the same meaning as in the **Workplace Order**;

day procedure centre has the same meaning as in the **Visitors to Hospitals and Care Facilities Order**;

density quotient has the same meaning as in the **Workplace Order**;

Department means the Department of Health;

Detention Notice means a notice given to a person requiring the person to be detained for a specified period under the **Public Health and Wellbeing Act 2008**;

elective surgery procedure means an urgent elective surgery procedure, urgent non-ESIS procedures, Category 1 elective surgery procedure, Category 2 elective surgery procedure, Category 3 elective surgery procedure or non-urgent non-ESIS procedure;

employee includes a person who is self-employed;

employer means a person who owns, operates or controls a work premises and includes a person who is self-employed or a sole-trader;

excepted person has the same meaning as in the **Open Premises Order**;

face covering has the same meaning as in the **Workplace Order**;

fully vaccinated has the same meaning as in the **Open Premises Order**;

high-risk hospital work premises means any hospital ward treating a confirmed case or cases of COVID-19;

high-risk hospital work premises worker means any worker involved in the direct care of patients, and those who interact with a high-risk hospital work premises;

hospital has the same meaning as in the **Visitors to Hospitals and Care Facilities Order**;

hotel quarantine means a place (being a hotel or other facility or class of facility), designated by the Attorney-General and published in the Government Gazette, where people are detained in or directed to remain in, or are staying in, quarantine, isolation or emergency accommodation at, for the purpose of eliminating or reducing the serious risk to public health posed by the COVID-19 pandemic;

inspector has the same meaning as in the **Occupational Health and Safety Act 2004**;

meat processing facility has the meaning under the PrimeSafe licence category ‘further meat processing facilities’;

Metropolitan Melbourne means the area within the municipal districts under the local government of the municipal councils set out in Schedule 2 of the **Planning and Environment Act 1987**;

Movement and Gathering Order means the **Pandemic (Movement and Gathering) Order 2022 (No. 4)** as amended or replaced from time to time;

non-urgent non-ESIS procedure means a non-time critical procedure that is not reported via the Elective Surgery Information System where the patient’s condition is unlikely to deteriorate quickly;

Open Premises Order means the **Pandemic (Open Premises) Order 2022 (No. 5)** as amended or replaced from time to time;

outbreak has the same meaning as in the **Quarantine, Isolation and Testing Order**;

pandemic orders in force has the same meaning as in the **Movement and Gathering Order**;

patient has the same meaning as in the **Visitors to Hospitals and Care Facilities Order**;

perishable food work premises means a work premises that is predominantly a perishable food facility that is a chilled distribution facility;

personal protective equipment has the same meaning as in the **Occupational Health and Safety Regulations 2017**;

port means the port of Melbourne, the port of Geelong, the port of Portland, the port of Hastings and any other port declared under section 6 of the **Port Management Act 1995** in relation to which port lands or port waters or both port lands and port waters have been declared under section 5 of the **Port Management Act 1995**;

port of entry means a port or airport;

port of entry worker has the meaning in clause 13(1);

poultry processing facility has the meaning under the PrimeSafe licence category ‘poultry meat processing facilities’;

premises has the same meaning as in the **Public Health and Wellbeing Act 2008**;

private hospital has the same meaning as in the **Visitors to Hospitals and Care Facilities Order**;

public health service has the same meaning as in the **Health Services Act 1988**;

public hospital has the same meaning as in the **Visitors to Hospitals and Care Facilities Order**;

Quarantine, Isolation and Testing Order means the **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 5)** as amended or replaced from time to time;

reasonably practicable is to have its ordinary and common sense meaning;

Regional Victoria means the areas within the State of Victoria that are not part of Metropolitan Melbourne;

registered facility means a private hospital or a day procedure centre that is registered with the Department as a ‘private hospital’ or a ‘day procedure centre’;

representative in relation to the operator of a construction site means the site manager, the duty holder or a registered builder;

Revoked Additional Industry Obligations Order means the **Workplace (Additional Industry Obligations) Directions (No. 58)** or the **Pandemic (Additional Industry Obligations) Order 2022 (No. 7)**, or their predecessors;

school means a registered school as defined in the **Education and Training Reform Act 2006**;

seafood processing facility has the meaning under the PrimeSafe licence category ‘seafood processing facilities’;

supermarket has the same meaning as ‘supermarket business’ in the **Food Act 1984**, and includes supermarket distribution and warehousing (including in relation to liquor products) but excludes retail facilities;

supermarket work premises means the total of all supermarket distribution facilities;

Surveillance Testing Industry List and Requirements means the Department document that lists the industries (as amended from time to time on the advice of the Chief Health Officer) that are required to carry out surveillance testing on their workers, and also sets out the surveillance testing requirements for those listed industries;

Note: the Surveillance Testing Industry List and Requirements are available at www.health.vic.gov.au/covid-19/surveillance-testing-industry-list-covid-19 as amended from time to time by the Victorian Government.

urgent elective surgery procedure means:

- (1) a procedure where admission within 30 days is clinically indicated for a condition that has the potential to deteriorate quickly to the point that it might become an emergency;
- (2) an urgent non-ESIS procedure including a procedure undertaken for the purposes of cancer diagnosis and early or overdue cancer surveillance;

urgent non-ESIS procedure means a procedure that is a time critical procedure that is not reported via the Elective Surgery Information System where the patient’s condition is likely to deteriorate quickly including procedures undertaken for the purposes of cancer diagnosis and early or overdue cancer surveillance;

vehicle has the same meaning as in the **Public Health and Wellbeing Act 2008**;

*Note: under the **Public Health and Wellbeing Act 2008**, vehicle includes any means of transport, whether used on land, sea or in the air.*

visiting health care professional means a health care worker whose usual place of work is not the facility but who attends to provide health care services to a resident or facility;

Visitors to Hospitals and Care Facilities Order means the **Pandemic (Visitors to Hospitals and Care Facilities) Order 2022 (No. 3)** as amended or replaced from time to time;

Workplace Order means the **Pandemic (Workplace) Order 2022 (No. 6)** as amended or replaced from time to time;

work premises means the premises of an employer in which work is undertaken, including any vehicle whilst being used for work purposes, and including a seasonal work premises;

Note: a work premises does not include an employee's ordinary place of residence.

worker includes employees, labour hire, subcontractors (and their employees), volunteers and any other person engaged or permitted by an employer to perform work.

Dated 25 February 2022

MARTIN FOLEY MP
Minister for Health

Public Health and Wellbeing Act 2008

Section 165AI

**GUIDANCE FOR THE PANDEMIC COVID-19 MANDATORY VACCINATION
(SPECIFIED FACILITIES) ORDER 2022 (No. 6)**

This Order requires operators of specified facilities to manage the vaccination status of workers, in order to limit the spread of COVID-19 within the population in the following settings:

- (1) residential aged care facilities;
- (2) construction sites;
- (3) healthcare facilities; and
- (4) education facilities.

Amongst other things, this Order requires operators of specified facilities to:

- (1) collect, record and hold certain vaccination information of workers;
- (2) take reasonable steps to prevent entry of unvaccinated or partially vaccinated workers to the specified facility for the purposes of working;
- (3) if a booster deadline is specified in relation to a worker and the worker is aged 18 years or over, take reasonable steps to prevent entry of workers, unless the worker is fully vaccinated (boosted) or an excepted person or unless an exception applies to the worker;
- (4) take reasonable steps to prevent entry of residential aged care facility workers, healthcare workers or education workers, who are fully vaccinated, to the specified facility for the purposes of working if they have not booked a booster dose by the relevant booster booking deadline; and
- (5) notify current and new workers that the operator is obliged to collect, record and hold certain vaccination information about the worker and to take reasonable steps to prevent a worker who is unvaccinated or partially vaccinated or not fully vaccinated (boosted) from entering or remaining on the premises of a specified facility for the purposes of work, as applicable.

Exceptional circumstances are set out in this Order where an operator is not required to comply with this Order. Otherwise, failure to comply with this Order may result in penalties.

This guidance does not form part of the Pandemic COVID-19 Mandatory Vaccination (Specified Facilities) Order 2022 (No. 6) and is for explanatory purposes only.

Public Health and Wellbeing Act 2008

Section 165AI

**PANDEMIC COVID-19 MANDATORY VACCINATION (SPECIFIED FACILITIES)
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Public Health and Wellbeing Act 2008

Section 165AI

**PANDEMIC COVID-19 MANDATORY VACCINATION (SPECIFIED FACILITIES)
ORDER 2022 (No. 6)**

I, Martin Foley, Minister for Health, make the following Order under the **Public Health and Wellbeing Act 2008** in the belief that this Order is reasonably necessary to protect public health throughout Victoria from the serious risk arising from the coronavirus (COVID-19) pandemic disease.

PART 1 – PRELIMINARY**1. Objective**

- (1) The objective of this Order is to impose obligations upon operators of specified facilities in relation to the vaccination of workers, in order to limit the spread of COVID-19 within the population in these settings.
- (2) This Order imposes obligations on operators of:
 - (a) residential aged care facilities;
 - (b) construction sites;
 - (c) healthcare facilities; and
 - (d) education facilities.
- (3) This Order must be read together with the pandemic orders in force.

2. Citation

This Order may be referred to as the **Pandemic COVID-19 Mandatory Vaccination (Specified Facilities) Order 2022 (No. 6)**.

3. Authorising Provision

This Order is made under section 165AI of the **Public Health and Wellbeing Act 2008**.

4. Commencement and revocation

- (1) This Order commences at 11:59:00 pm on 25 February 2022 and ends at 11:59:00 pm on 12 April 2022.
- (2) The **Pandemic COVID-19 Mandatory Vaccination (Specified Facilities) Order 2022 (No. 5)** is revoked at 11:59:00 pm on 25 February 2022.

5. Definitions

In this Order:

- (1) key definitions are contained in Division 1 of Schedule 2;
- (2) facility-specific definitions are contained in Division 2 of Schedule 2; and
- (3) other definitions are contained in Division 3 of Schedule 2.

6. Application of this Order

This Order applies to the whole State of Victoria.

PART 2 – OPERATOR OBLIGATIONS**Division 1 – Operator must collect, record and hold vaccination information****7. Vaccination information**

- (1) If a worker is, or may be, scheduled to work at a specified facility after the commencement of this Order, the operator must collect, record and hold the following vaccination information about the worker:
 - (a) the worker's vaccination status; and
 - (b) if the worker is fully vaccinated – the date on which the person became fully vaccinated.

- (2) If:
- (a) a worker has a booster deadline; and
 - (b) the worker is aged 18 years or over; and
 - (c) the worker is, or may be, scheduled to work outside the worker's ordinary place of residence after that date,
- the operator must collect, record and hold the following vaccination information about the worker:
- (d) whether the worker is fully vaccinated (boosted); and
 - (e) if the worker is fully vaccinated (boosted) – the date on which the person became fully vaccinated (boosted).
- (3) The operator must collect, record and hold information about whether a worker specified in clause 10(4) or 10(5) has a booking to receive a booster dose and any information about that booking including the date of the booking.
- (4) If an operator is not required to comply with clause 10(2) in relation to a worker because the exception in clause 12 applies to the worker, the operator must collect, record and hold information regarding the entry of the worker into Australia from another country including the date of entry.

8. Timing

- (1) An operator must comply with the obligations in clause 7(1) as soon as reasonably practicable after the commencement of this Order.
- (2) An operator must comply with the obligations in clause 7(2) in relation to a worker before that worker's booster deadline.

9. Exceptions

- (1) Clause 7(1)(a) does not apply in relation to a worker if the operator already holds information that the worker:
- (a) if the worker:
 - (i) does not have a booster deadline, is fully vaccinated; or
 - (ii) does have a booster deadline, is fully vaccinated (boosted); or
 - (b) will be an excepted person for the period beginning when this Order commences and ending when this Order ends.
- (2) Clauses 7(1)(b) and 7(2) do not apply in relation to a worker if:
- (a) the operator already holds the information specified in those subclauses; or
 - (b) the worker will be an excepted person for the period beginning when this Order commences and ending when this Order ends.

Division 2 – Operator must take reasonable steps to prevent entry of unvaccinated workers

10. Prevention of entry to premises

Unvaccinated and partially vaccinated workers

- (1) An operator of a specified facility must take all reasonable steps to ensure that a worker does not enter, or remain on, the premises of the specified facility for the purposes of working at the specified facility unless the worker is fully vaccinated or an excepted person.

Booster deadlines

- (2) If a booster deadline is specified in relation to a worker and the worker is aged 18 years and over, an operator of a specified facility must take all reasonable steps to ensure that the worker does not, after that date, enter, or remain on, the premises of the specified facility for the purposes of working at the specified facility unless the worker is fully vaccinated (boosted) or an excepted person, or one or more of the exceptions under this Order apply.

Where operator does not hold information about vaccination status

- (3) For the purposes of this clause, if an operator does not hold information about the vaccination status of a worker, the operator must treat the worker as if the worker is unvaccinated.

Booster bookings – residential aged care facility worker and healthcare workers

- (4) If a worker is a residential aged care facility worker or a healthcare worker and:
- (a) became fully vaccinated on or before 12 September 2021; and
 - (b) has not received a booster dose on or before 12 February 2022,
- the operator of a specified facility must take all reasonable steps to ensure that the worker does not, after 12 February 2022, enter, or remain on, the premises of the specified facility for the purposes of working at the specified facility unless the worker is an excepted person or:
- (c) has a booking to receive a booster dose on or before 12 March 2022; and
 - (d) has provided evidence to the operator of the specified facility that the worker has a booking as specified in subparagraph (c).

Booster bookings – education worker

- (5) If a worker is an education worker and:
- (a) became fully vaccinated on or before 25 October 2021; and
 - (b) has not received a booster dose on or before 25 February 2022,
- the operator of an education facility must take all reasonable steps to ensure that the worker does not, after 25 February 2022, enter, or remain on, the premises of the education facility for the purposes of working at the education facility unless the worker is an excepted person or:
- (c) has a booking to receive a booster dose on or before 25 March 2022; and
 - (d) has provided evidence to the operator of the specified facility that the worker has a booking as specified in subparagraph (c).

11. Exception – not eligible for booster

Despite clause 10(2), an operator of a specified facility may permit a worker referred to in that subclause to enter, or remain on, the premises of the specified facility if the worker became fully vaccinated in the previous 3 months and 14 days.

Note: once 3 months and 14 days have passed since a worker with a booster deadline has become fully vaccinated, an operator can only permit the worker to enter, or remain on, the premises of the specified facility after the booster deadline if the worker is fully vaccinated (boosted).

12. Exception – recent international arrival

Despite clause 10(2), an operator of a specified facility may permit a worker referred to in that subclause to enter, or remain on, the premises of the specified facility if the worker:

- (1) is fully vaccinated;
- (2) entered Australia from another country in the previous 4 weeks;
- (3) has a booking to receive a booster dose within 4 weeks of entering Australia; and
- (4) has provided evidence to the operator of the specified facility that the worker has a booking as specified in subclause (3).

Note: once 4 weeks have passed since a worker has entered Australia from another country, an operator can only permit the worker to enter, or remain on, the premises of the specified facility after the booster deadline if the worker is fully vaccinated (boosted).

13. Exception – no longer excepted person

Despite clause 10(2), an operator of a specified facility may permit a worker referred to in that subclause to enter, or remain on, the premises of the specified facility if the worker is fully vaccinated and ceased to be an excepted person in the previous 14 days.

Note: once 14 days have passed since a worker has ceased to be an excepted person, an operator can only permit the worker to enter, or remain on, the premises of the specified facility after the booster deadline if the worker is fully vaccinated (boosted).

14. Exception – self-quarantine or self-isolation

Despite clause 10(2), an operator of a specified facility may permit a worker referred to in that subclause to enter, or remain on, the premises of the specified facility only until the end of the 14 day period specified in subclause (2) if the worker is fully vaccinated and:

- (1) was unable to become fully vaccinated (boosted) before the relevant booster deadline because they were in self-quarantine or self-isolation under the **Quarantine, Isolation and Testing Order**; and
- (2) has a booking to receive, within 14 days of the end of the period of self-quarantine or self-isolation as determined under the **Quarantine, Isolation and Testing Order**, a dose of a COVID-19 vaccine that will cause the worker to become fully vaccinated (boosted).

Note: once 14 days have passed since the end of the worker's relevant period of self-quarantine or self-isolation, an operator can only permit the worker to enter, or remain on, the premises of the specified facility after the booster deadline if the worker is fully vaccinated (boosted).

15. Exception – recent diagnosed persons or probable cases

Despite clause 10(2), an operator of a specified facility may permit a worker referred to in that subclause to enter, or remain on, the premises of the specified facility, if the worker is fully vaccinated and:

- (1) was a diagnosed person whose self-isolation period under the **Quarantine, Isolation and Testing Order** or a Revoked Quarantine, Isolation and Testing Order ended within the previous 4 months; or
- (2) was a probable case whose self-isolation period under the **Quarantine, Isolation and Testing Order** or a Revoked Quarantine, Isolation and Testing Order ended within the previous 4 months, and:
 - (a) if the worker's self-isolation period ended at or prior to 11:59 pm on 4 February 2022:
 - (i) the worker has provided a written attestation to their employer stating that they were unable to access a COVID-19 PCR test when they were in self-isolation as a probable case; and
 - (ii) the worker notified the Department of their positive result from a COVID-19 rapid antigen test prior to 11:59 pm on 4 February 2022; or
 - (b) if the worker's self-isolation period ended after 11:59 pm on 4 February 2022, the worker received a positive result from a COVID-19 PCR test undertaken during the period of self-isolation.

Note 1: to demonstrate to an operator of a specified facility that a worker is covered by this exception, the worker may provide the operator with a written positive result from a COVID-19 PCR test for the purposes of subclause (1) and (2)(b), or a written declaration of their positive result from a COVID-19 rapid antigen test for the purposes of subclause (2)(a).

Note 2: once 4 months have passed since the worker's period of self-isolation has ended, an operator can only permit the worker to enter, or remain on, the premises of the specified facility after the booster deadline if the worker is fully vaccinated (boosted).

DIVISION 3 – OPERATOR TO NOTIFY WORKERS**16. Authorisation to use vaccination information**

For the purposes of complying with Division 2 of Part 2, an operator is authorised to use any information about a worker that it holds under clause 7, except a worker's Individual Healthcare Identifier.

Note: a COVID-19 digital certificate issued by Services Australia may include a person's Individual Healthcare Identifier. Individual Healthcare Identifiers are regulated by the Healthcare Identifiers Act 2010 of the Commonwealth.

17. Disclosure to employer or contractor

If the operator is obliged to comply with Division 2 of Part 2 in relation to a worker and the operator is not:

- (1) the employer of the worker; or

- (2) the person who engaged the worker to work at the facility,
the operator is authorised to disclose to the employer or person who engaged the worker that the operator is obliged to comply with Division 2 of Part 2 in relation to the worker.

18. Notification to current workers

- (1) Unless an exception applies under this Order, subject to subclause (2), an operator of a specified facility must, as soon as reasonably practicable after the commencement of this Order, inform each worker who is, or may be, scheduled to work at the facility that:
- (a) clause 7 obliges the operator to collect, record and hold the information specified in that clause in relation to the worker; and
 - (b) clause 10(1) obliges the operator to take all reasonable steps to ensure that a worker does not enter, or remain on, the premises of a specified facility for the purposes of working at the facility unless the worker is fully vaccinated or an excepted person; and
 - (c) if a booster deadline is specified in relation to a worker and the worker is aged 18 years or over, clause 10(2) obliges the operator to take all reasonable steps to ensure that the worker does not enter, or remain on, the premises of the specified facility for the purposes of working at the facility unless the worker is fully vaccinated (boosted) or an excepted person; and
 - (d) clauses 10(4) and 10(5) oblige the operator to take all reasonable steps to ensure that a worker referred to in subclause 10(4) or 10(5) does not enter, or remain on, the premises of the specified facility for the purpose of working at the facility unless the worker has a booking to receive a booster dose by the relevant booster booking deadline.
- (2) Subclause (1) does not apply to an operator in respect of a worker to the extent that the operator informed the worker of the matters specified in that subclause under a Revoked COVID-19 Mandatory Vaccination (Specified Facilities) Order.

19. Notification to new workers

Unless an exception applies under this Order, if an operator of a specified facility engages a worker who is, or may be, scheduled to work at the facility, the operator must inform the worker, as soon as reasonably practicable after engaging the worker, that:

- (1) clause 7 obliges the operator to collect, record and hold the information specified in that clause in relation to the worker; and
- (2) clause 10(1) obliges the operator to take all reasonable steps to ensure that a worker does not enter, or remain on, the premises of a specified facility for the purposes of working at the facility unless the worker is fully vaccinated or an excepted person; and
- (3) if a booster deadline is specified in relation to a worker and the worker is aged 18 years or over, clause 10(2) obliges the operator to take all reasonable steps to ensure that the worker does not enter, or remain on, the premises of the specified facility for the purposes of working at the facility unless the worker is fully vaccinated (boosted) or an excepted person; and
- (4) clauses 10(4) and 10(5) oblige the operator, to take all reasonable steps to ensure that a worker referred to in subclause 10(4) or 10(5) does not enter, or remain on, the premises of the specified facility for the purpose of working at the facility unless the worker has a booking to receive a booster dose by the relevant booster booking deadline.

DIVISION 4 – EXCEPTIONS AND OTHER OPERATOR OBLIGATIONS**20. Exception – exceptional circumstances**

- (1) An operator of a specified facility is not required to comply with clause 10 if one or more of the exceptional circumstances specified in subclause (2) applies.
- (2) The exceptional circumstances are:
 - (a) a worker is required to perform work or duties at the facility that is or are necessary to provide for urgent specialist clinical or medical care due to an emergency situation or a critical unforeseen circumstance; or
 - (b) a worker is required to fill a vacancy to provide urgent care, to maintain quality of care and/or continue essential operations at the facility due to an emergency situation or a critical unforeseen circumstance; or
Example 1: a work premises has a large number of workers furloughed due to exposure at a Tier 1 site.
Example 2: a medical practitioner is required to attend the premises on short notice due to an emergency situation.
 - (c) a worker is required to attend the facility to respond to an emergency at the facility; or
 - (d) a worker is required to perform urgent and essential work at the facility to protect the health and safety of workers or members of the public, or to protect assets and infrastructure.
Example 1: securing a crane due to impending high winds.
Example 2: works required at a construction site in order to make the construction site safe for continued operation.
- (3) If a circumstance specified in subclause (2)(b), (2)(c) or (2)(d) applies, the operator must take all reasonable steps to ensure that the worker remains upon the premises of the facility only for the period of time necessary to respond to the exceptional circumstance.

21. Additional obligation

If the circumstances specified in clause 20(2) apply in relation to a residential aged care facility or a healthcare facility, the relevant operator must take all reasonable steps to ensure that the worker wears, at all times while on the premises of the facility, PPE that includes, at a minimum, a surgical mask and face shield.

22. Disclosure to authorised officers

- (1) An authorised officer may request an operator to produce to the authorised officer any vaccination information held by the operator under clause 7, except any Individual Healthcare Identifiers that the operator might hold.
- (2) If an authorised officer makes a request to a person under subclause (1), the person must comply with the request.

*Note: authorised officers may also be authorised to exercise the public health risk power in section 190(1)(d) of the **Public Health and Wellbeing Act 2008** to require the provision of any information needed to investigate, eliminate or reduce the risk to public health.*

PART 3 – SERVICE VICTORIA AUTHORISATION**23. Notification of eligibility for booster**

The Chief Executive Officer of Service Victoria is authorised to notify a person through the Service Victoria App that the person:

- (1) is eligible to receive a booster dose; or
- (2) will shortly become eligible to receive a booster dose,

by using the information contained in the person's COVID-19 digital certificate issued by Services Australia and displayed through the Service Victoria App.

PART 4 – GENERAL PROVISIONS**24. Severability**

To the extent that any part of this Order is held to be in excess of power or otherwise invalid it is intended that it is to be taken to be valid to the extent to which it is not in excess of that power.

25. Transitional provisions

- (1) A reference in any pandemic order in force to a Revoked COVID-19 Mandatory Vaccination (Specified Facilities) Order is taken on and after the commencement of this Order to be a reference to this Order.
- (2) Any act, matter or thing that had effect under a Revoked COVID-19 Mandatory Vaccination (Specified Facilities) Order immediately before it was revoked continues to have effect under this Order.
- (3) Without limiting subclause (2), this Order is subject to any exemption, benefit, requirement or entitlement (however described) to which a Revoked COVID-19 Mandatory Vaccination (Specified Facilities) Order was subject immediately before it was revoked.
- (4) This clause is subject to any express provision to the contrary in this Order.

PART 5 – PENALTIES**26. Penalties**

Section 165BN of the **Public Health and Wellbeing Act 2008** provides:

Failure to comply with pandemic order, direction or other requirement

- (1) A person commits an offence if the person refuses or fails to comply with a pandemic order, or with a direction given to the person, or a requirement made of the person, in the exercise of a pandemic management power.
Penalty: In the case of a natural person, 60 penalty units;
Penalty: In the case of a body corporate, 300 penalty units.
- (2) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply.

*Note: the **Public Health and Wellbeing Regulations 2019** provide for infringement notices to be served on any person who has refused or failed to comply (without a reasonable excuse) with a pandemic order, or a direction given or a requirement made in the exercise of a pandemic management power. The amount payable pursuant to the infringement notice varies depending on the nature of the failure or refusal and the age of the person.*

SCHEDULE 1 – SPECIFIED FACILITIES

Specified facility (Column 1)	Operator (Column 2)	Worker (Column 3)	Booster deadline (Column 4)	Facility-specific definitions
residential aged care facility	approved provider with responsibility for that residential aged care facility	residential aged care facility worker	12 March 2022	Clause 4 of Schedule 2
construction site	principal contractor for that construction site	any person (paid or unpaid) performing work at a construction site, including: (a) an employee of the operator; and (b) any contractor engaged by the operator or by a third party.	Not applicable	Clause 5 of Schedule 2
healthcare facility	healthcare operator	healthcare worker	For workers that became fully vaccinated on or before 12 September 2021, the deadline is 12 March 2022. For workers that became fully vaccinated after 12 September 2021, the deadline is 29 March 2022.	Clause 6 of Schedule 2
education facility	education operator	education worker	25 March 2022	Clause 7 of Schedule 2

SCHEDULE 2 – DEFINITIONS**Division 1 – Key definitions****1. Vaccination status**

- (1) A person's **vaccination status** is one of the following:
 - (a) fully vaccinated (boosted); or
 - (b) fully vaccinated; or
 - (c) partially vaccinated; or
 - (d) unvaccinated; or
 - (e) excepted person.
- (2) A person is **fully vaccinated** if the person has received:
 - (a) one dose of a one dose COVID-19 vaccine; or
 - (b) two doses of a two dose COVID-19 vaccine including two different types of two dose COVID-19 vaccines.
- (3) A person is **fully vaccinated (boosted)** if the person has received a booster dose.
- (4) A person is **partially vaccinated** if the person has received one dose of a two dose COVID-19 vaccine and is not an excepted person.
- (5) A person is **unvaccinated** if the person has not received a dose of a COVID-19 vaccine and is not an excepted person.
- (6) A person is an **excepted person** if the person holds acceptable certification that the person is unable to receive a dose, or a further dose, of any COVID-19 vaccine that is available in Australia due to:
 - (a) a medical contraindication; or
 - (b) an acute medical illness (including where the person has been diagnosed with COVID-19).
- (7) An **acceptable certification** for the purpose of subclause (6) is:
 - (a) a current COVID-19 digital certificate issued by Services Australia and displayed through the Medicare App, Service Victoria App or equivalent smartphone wallet, that states that the person is unable to receive a dose, or a further dose, of any COVID-19 vaccine that is available in Australia; or
 - (b) a printed version of the COVID-19 digital certificate referred to in subparagraph (a); or
 - (c) only in relation to a person who is fully vaccinated, a current Immunisation History Statement displayed through the Medicare App, that states that a fully vaccinated person is unable to receive a booster dose that is available in Australia; or
 - (d) only in relation to a person who is fully vaccinated, a printed version of the Immunisation History Statement referred to in subparagraph (c).
- (8) A **booster deadline** in relation to a worker is the date specified in Column 4 of Schedule 1 for that worker.
- (9) A person has received a **booster dose** if they have received:
 - (a) a second dose of a COVID-19 vaccine after receiving one dose of a one dose COVID-19 vaccine; or
 - (b) a third dose of a COVID-19 vaccine after receiving two doses of a two dose COVID-19 vaccine including different types of two dose COVID-19 vaccines.

2. Vaccination information

For the purposes of this Order, **vaccination information** is information relating to a person's vaccination status and includes:

- (1) any information that is derived from a record of information that was made under, or in accordance with, the Australian Immunisation Register Act 2015 of the Commonwealth; and
- (2) the name or type of any dose of COVID-19 vaccine received by the person; and
- (3) the date on which the person received any dose of a COVID-19 vaccine.

Note: vaccination information may be recorded in a variety of documents, such as a letter from a medical practitioner, a certificate of immunisation or an immunisation history statement obtained from the Australian Immunisation Register. For overseas travellers, it may be recorded in an Australian International COVID-19 Vaccination Certificate or vaccination certificates issued by an overseas government authority, accompanied by the Australian Traveller Declaration or COVID-19 Vaccination and Testing Declaration for travel to Australia.

3. Schedule 1 definitions

For the purposes of this Order:

- (1) **operator** in relation to a specified facility means a person identified in Column 2 of Schedule 1 for that facility;
- (2) **specified facility** means a facility identified in Column 1 of Schedule 1;
- (3) **worker** in relation to a specified facility means a person identified in Column 3 of Schedule 1 for that facility except for a person under 12 years and two months of age.

Division 2 – Facility-specific definitions

4. Residential aged care facilities

For the purposes of this Order:

- (1) **approved provider** has the same meaning as in the **Aged Care Quality and Safety Commission Act 2018** of the Commonwealth;
- (2) **residential aged care facility** means the premises at which accommodation and personal care or nursing care or both are provided to a person in respect of whom a residential care subsidy or a flexible care subsidy is payable under the **Aged Care Act 1997** of the Commonwealth;
- (3) **residential aged care facility worker** means a person (including a volunteer) that is:
 - (a) employed, or engaged as a contractor, by an operator that operates a residential aged care facility to perform work at the residential aged care facility including:
 - (i) direct care workforce including nurses, personal care workers, allied health professionals, and allied health assistants;
 - (ii) administration staff including reception and management staff;
 - (iii) ancillary staff including food preparation, cleaning, laundry, gardening and general maintenance staff;
 - (iv) dental practitioners;
 - (v) phlebotomists (pathology nurses);
 - (vi) lifestyle and social staff, such as those delivering music or art therapy;
 - (vii) transport drivers who are responsible for collecting and transporting residents to and from the residential aged care facility for outings;
 - (viii) volunteers engaged by the residential aged care facility to undertake duties at the facility;
 - (ix) students on placement;
 - (x) medical practitioners and allied health professionals who attend the residential aged care facility to provide care to residents of the facility;

- (b) a medical practitioner, dental practitioner or allied health professional who is employed or engaged by a resident of a residential aged care facility to provide care to the resident;
- (4) **residential care subsidy** has the same meaning as in the **Aged Care Act 1997** of the Commonwealth.

5. Construction sites

For the purposes of this Order:

- (1) **construction site** means a premises at which civil works, building or construction activities are taking place (the primary premises) and includes:
 - (a) premises that are nearby to the primary premises at which work relating to the operation of the primary premises is undertaken (secondary premises);
 - (b) any vehicle used to carry out work at the primary premises or secondary premises;
Example: a site office for a construction site that is located in an office building close to the construction site.
- (2) **principal contractor** means the owner of a construction site unless the owner:
 - (a) appoints a principal contractor for the construction work performed for or on behalf of the owner; and
 - (b) authorises the principal contractor to manage or control the construction site to the extent necessary to discharge the duties imposed on a principal contractor under the **Occupational Health and Safety Regulations 2017**;
- (3) **vehicle** has the same meaning as in the **Public Health and Wellbeing Act 2008**.

6. Healthcare facilities

For the purposes of this Order:

- (1) **healthcare facility** means each of the following premises:
 - (a) hospitals, including outpatient settings and in reach services;
 - (b) ambulance and patient transport services vehicles;
 - (c) community health centres including mental health, child and maternity, and drug and alcohol counselling services centres;
 - (d) general practices;
 - (e) COVID-19 related healthcare sites, including testing sites, vaccination centres and hotel quarantine premises;
 - (f) dental surgeries and practices;
 - (g) day procedure centres;
 - (h) health clinics, including medical specialist and allied health professional operated clinics;
 - (i) pharmacies;
 - (j) diagnostic and medical imaging centres;
 - (k) premises at which mobile health services are provided;
 - (l) premises at which blood donation services are provided;
 - (m) premises at which healthcare students undertake placement, registration or internships;
 - (n) premises at which health services within government agencies are provided, including the Victorian Department of Justice and Community Services – Victorian Institute of Forensic Medicine, but excluding an education facility;
 - (o) Coroner’s Court;
 - (p) any retail or other premises operating within a healthcare facility, including cafes, newsagents and florists;

- (2) **healthcare operator** means a person who operates a healthcare facility whether public, private or denominational;
- (3) **healthcare worker** means a person who is employed or engaged as a contractor by a healthcare operator to perform at a healthcare facility any of the following:
- (a) healthcare services including:
 - (i) medical practitioners, dental professionals, nurses and midwives;
 - (ii) allied health professionals (including those that work within a discipline classified by the Victorian Department of Health as allied health, or are registered with the Australian Health Practitioner Regulation Agency);
 - (iii) palliative care workers;
 - (iv) personal care attendants;
 - (v) phlebotomists and pathology workers;
 - (vi) coroners;
 - (vii) lifestyle and social therapists;
 - (viii) formal language and interpretation services;
 - (ix) students;
 - (x) volunteers;
 - (b) administrative or ancillary roles, including:
 - (i) an administrative, clerical and managerial worker, and each of their assistants' delegates;
 - (ii) food preparation, cleaning and laundry services;
 - (iii) patient service assistants and porters;
 - (iv) operating theatre technicians;
 - (v) security, maintenance and repair and information technology, gardening and landscaping;
 - (c) ambulance and patient transport services;
 - (d) work at a retail business operating within a healthcare facility, including cafes, restaurants, newsagents and florists.

7. Education facilities

For the purposes of this Order:

- (1) **childcare or early childhood service** means onsite early childhood education and care services or children's services provided under the:
- (a) **Education and Care Services National Law** and the **Education and Care Services National Regulations**, including long day care services, kindergartens and/or preschool and family daycare services, but not including outside school hours care services; and
 - (b) **Children's Services Act 1996**, including limited hours services, budget based funded services, occasional care services, early childhood intervention services, mobile services and (if applicable) school holiday care programs;
- (2) **education facility** means:
- (a) premises at which a childcare or early childhood service is provided;
 - (b) premises at which an outside school hours care service is provided;
 - (c) a school;
 - (d) school boarding premises;
- (3) **education operator** means a person who operates an education facility, whether public, private or denominational;

- (4) **education worker** means:
- (a) any person who is employed by an education operator to work in an education facility (including teachers, early childhood educators and educational support staff);
 - (b) a person contracted to work at an education facility and who will or may be in close proximity to children, students or staff, whether or not engaged by the education operator including casual relief teachers, Breakfast Club suppliers, IT personnel, NDIS providers and auditors, (but does not include delivery personnel);
 - (c) staff of the Department of Education and Training who attend an education facility (such as allied health personnel or Authorised Officers);
 - (d) staff of any other entity who attends an education facility;
 - (e) volunteers that attend an education facility and that work in close proximity to children, students or staff (including parent helpers);
 - (f) students on placements at an education facility;
 - (g) a person providing healthcare services at an education facility;
- (5) **school** means a registered school as defined in the **Education and Training Reform Act 2006**;
- (6) **school boarding premises** means a registered school boarding premises, as defined in the **Education and Training Reform Act 2006**.

Division 3 – Other definitions

8. Other definitions

For the purposes of this Order:

authorised officer has the same meaning as in the **Public Health and Wellbeing Act 2008**;

COVID-19 means the contagious disease caused by severe acute respiratory syndrome coronavirus 2;

COVID-19 PCR test means a COVID-19 polymerase chain reaction test;

COVID-19 rapid antigen test means a COVID-19 rapid antigen test;

COVID-19 vaccine means either a one dose COVID-19 vaccine or a two dose COVID-19 vaccine;

critical unforeseen circumstance means a circumstance that the operator of a work premises could not reasonably have foreseen nor planned for which results in a critical need for staff;

diagnosed person has the same meaning as in the **Pandemic (Quarantine, Isolation and Testing) Order**;

emergency situation means a situation where it is reasonably apparent to the operator of a specified facility that medical treatment is necessary, as a matter of urgency to:

- (a) save a person's life; or
- (b) prevent serious damage to a person's health; or
- (c) prevent a person from suffering or continuing to suffer significant pain or distress;

Individual Healthcare Identifier has the same meaning as the healthcare identifier of a healthcare recipient in section 9 of the **Healthcare Identifiers Act 2010** of the Commonwealth;

medical contraindication means one of the following contraindications to the administration of a COVID-19 vaccine:

- (a) anaphylaxis after a previous dose;
- (b) anaphylaxis to any component of the vaccine, including polysorbate or polyethylene glycol;

- (c) in relation to AstraZeneca:
 - (i) history of capillary leak syndrome; or
 - (ii) thrombosis with thrombocytopenia occurring after a previous dose;
- (d) in relation to Comirnaty or Spikevax:
 - (i) myocarditis or pericarditis attributed to a previous dose of either Comirnaty or Spikevax;
- (e) where a person is in the process of completing a Federal Department of Health approved COVID-19 vaccine clinical trial;
- (f) the occurrence of any other serious adverse event that has:
 - (i) been attributed to a previous dose of a COVID-19 vaccine by an experienced immunisation provider or medical specialist (and not attributed to any another identifiable cause); and
 - (ii) been reported to State adverse event programs and/or the Therapeutic Goods Administration;

medical practitioner means:

- (a) a general practice registrar on an approved 3GA training placement; or
- (b) a public health physician; or
- (c) an infectious disease physician; or
- (d) a clinical immunologist; or
- (e) a general practitioner who is vocationally registered; or
- (f) a general practitioner who is a fellow of the Royal Australian College of General Practitioners (RACGP); or
- (g) a general practitioner who is a fellow of the Australian College of Rural and Remote Medicine (ACRRM); or
- (h) a paediatrician; or
- (i) a medical practitioner who is a fellow of the Royal Australasian College of Physicians;

one dose COVID-19 vaccine means ‘COVID-19 Vaccine Janssen’ (Janssen-Cilag);

pandemic orders in force has the same meaning as in the **Pandemic (Movement and Gathering) Order 2022 (No. 4)** as amended or replaced from time to time;

PPE means personal protective equipment;

premises has the same meaning as in the **Public Health and Wellbeing Act 2008** but does not include a worker’s ordinary place of residence;

probable case has the same meaning as in the **Pandemic (Quarantine, Isolation and Testing) Order**;

Quarantine, Isolation and Testing Order means the **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 5)** as amended or replaced from time to time;

Revoked COVID-19 Mandatory Vaccination (Specified Facilities) Order means the **COVID-19 Mandatory Vaccination (Specified Facilities) Directions (No. 13)**, the **Pandemic COVID-19 Mandatory Vaccination (Specified Facilities) Order 2022 (No. 5)**, or their predecessors;

Revoked Quarantine, Isolation and Testing Order means the **Diagnosed Persons and Close Contacts Directions (No. 35)** or the **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 4)**, or their predecessors;

Service Victoria App means the digital system provided by the Chief Executive Officer of Service Victoria and other parts of the Victorian Government;

two dose COVID-19 vaccine means:

- (a) Vaxzevria (AstraZeneca);
- (b) Comirnaty (Pfizer);
- (c) Spikevax (Moderna);
- (d) Coronavac (Sinovac);
- (e) Covishield (Astrazeneca/Serum Institute of India);
- (f) Covaxin (Bharat Biotech);
- (g) BBIP-CorV (Sinopharm);
- (h) Sputnik V (Gamaleya Research Institute).
- (i) Nuvaxovid (Bioelect on behalf of Novavax).

Dated 25 February 2022

MARTIN FOLEY MP
Minister for Health

Public Health and Wellbeing Act 2008

Section 165AI

**GUIDANCE FOR THE PANDEMIC COVID-19 MANDATORY VACCINATION
(SPECIFIED WORKERS) ORDER 2022 (No. 5)**

This order requires employers to not permit a worker to work outside their ordinary place of residence if they are unvaccinated or partially vaccinated or not fully vaccinated (boosted) (as applicable) in order to limit the spread of COVID-19 within the population of those workers.

Specified workers are listed in Schedule 1.

Amongst other things, this Order requires employers of specified workers to:

- (1) collect, record and hold certain vaccination information of workers;
- (2) not permit specific unvaccinated or partially vaccinated workers from working outside the worker's ordinary place of residence;
- (3) if a booster deadline is specified in relation to a worker and the worker is aged 18 years or over, the employer must not, after that date, permit the worker to work outside their ordinary place of residence unless the worker is fully vaccinated (boosted) or an excepted person or unless an exception applies to the worker; and
- (4) notify current and new workers that the employer is obliged to collect, record and hold vaccination information about the worker and to not permit the worker who is unvaccinated or partially vaccinated or not fully vaccinated (boosted) from working outside the worker's ordinary place of residence, as applicable.

Exceptional circumstances are set out in this Order where an employer is not required to comply with this Order. Otherwise, failure to comply with this Order may result in penalties.

This guidance does not form part of the Pandemic COVID-19 Mandatory Vaccination (Specified Workers) Order 2022 (No. 5) and is for explanatory purposes only.

Public Health and Wellbeing Act 2008

Section 165AI

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Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC COVID-19 MANDATORY VACCINATION (SPECIFIED WORKERS)

ORDER 2022 (No. 5)

I, Martin Foley, Minister for Health, make the following Order under the **Public Health and Wellbeing Act 2008** in the belief that this Order is reasonably necessary to protect public health throughout Victoria from the serious risk arising from the coronavirus (COVID-19) pandemic disease.

PART 1 – PRELIMINARY**1. Objective**

- (1) The objective of this Order is to impose obligations upon employers in relation to the vaccination of workers, in order to limit the spread of COVID-19 within the population of those workers.
- (2) This Order must be read together with the pandemic orders in force.

2. Citation

This Order may be referred to as the **Pandemic COVID-19 Mandatory Vaccination (Specified Workers) Order 2022 (No. 5)**.

3. Authorising provision

This Order is made under section 165AI of the **Public Health and Wellbeing Act 2008**.

4. Commencement and revocation

- (1) This Order commences at 11:59:00 pm on 25 February 2022 and ends at 11:59:00 pm on 12 April 2022.
- (2) The **Pandemic COVID-19 Mandatory Vaccination (Specified Workers) Order 2022 (No. 4)** is revoked at 11:59:00 pm on 25 February 2022.

5. Definitions

In this Order:

- (1) key definitions are contained in Division 1 of Schedule 2;
- (2) worker specific definitions are contained in Division 2 of Schedule 2; and
- (3) other definitions are contained in Division 3 of Schedule 2.

6. Application of this Order

This Order applies to the whole State of Victoria.

PART 2 – EMPLOYER OBLIGATIONS**Division 1 – Employer must collect, record and hold vaccination information****7. Vaccination information**

- (1) If a worker is, or may be, scheduled to work outside the worker's ordinary place of residence after the commencement of this Order, the employer of the worker must collect, record and hold the following vaccination information about the worker:
 - (a) the worker's vaccination status; and
 - (b) if the worker is fully vaccinated – the date on which the person became fully vaccinated.
- (2) If:
 - (a) a worker has a booster deadline; and
 - (b) the worker is aged 18 years or over; and
 - (c) the worker is, or may be, scheduled to work outside the worker's ordinary place of residence after that date,the employer must collect, record and hold the following vaccination information about the worker:
 - (d) whether the worker is fully vaccinated (boosted); and
 - (e) if the worker is fully vaccinated (boosted) – the date on which the person became fully vaccinated (boosted).

- (3) The employer must collect, record and hold information about whether a worker specified in clause 10(4) has a booking to receive a booster dose and any information about that booking including the date of the booking.
- (4) If an employer is not required to comply with clause 10(2) in relation to a worker because the exception in clause 13 applies to the worker, the employer must collect, record and hold information regarding the entry of the worker into Australia from another country including the date of entry.

8. Timing

- (1) An employer must comply with the obligations in clause 7(1) as soon as reasonably practicable after the commencement of this Order.
- (2) An employer must comply with the obligations in clause 7(2) before the booster deadline.

9. Exception – fully vaccinated and excepted persons

- (1) Clause 7(1)(a) does not apply in relation to a worker if the employer already holds information that the worker:
 - (a) is fully vaccinated; or
 - (b) will be an excepted person for the period beginning when this Order commences and ending when this Order ends.
- (2) Clauses 7(1)(b) and 7(2) do not apply in relation to a worker if the employer already holds the information specified in those subclauses.

Division 2 – Employer must ensure unvaccinated workers do not work outside ordinary place of residence

10. No work outside ordinary place of residence

Unvaccinated and partially vaccinated workers

- (1) An employer of a worker must not permit a worker to work for that employer outside the worker's ordinary place of residence unless the worker is fully vaccinated or an excepted person.

Booster deadlines

- (2) If a booster deadline is specified in relation to a worker and the worker is aged 18 years and over, an employer of the worker must not, after that date, permit the worker to work for that employer outside the worker's ordinary place of residence unless the worker is fully vaccinated (boosted) or an excepted person, or one or more of the exceptions under this Order apply.

Where employer does not hold information about vaccination status

- (3) For the purposes of this clause, if an employer does not hold information about the vaccination status of a worker, the employer must treat the worker as if the worker is unvaccinated.

Booster bookings

- (4) If a worker:
 - (a) has a booster deadline; and
 - (b) is aged 18 years or over; and
 - (c) was fully vaccinated on or before 12 September 2021; and
 - (d) has not received a booster dose on or before 12 February 2022,an employer of the worker must not permit the worker, after 12 February 2022, to work for that employer outside of the worker's ordinary place of residence unless the worker is an excepted person or:
 - (e) has a booking to receive a booster dose on or before 12 March 2022; and
 - (f) has provided evidence to the employer that the worker has a booking as specified in subparagraph (c).

11. Exception – agricultural and forestry workers

Despite clause 10(1), an employer of an agricultural and forestry worker may permit an agricultural and forestry worker to work for that employer outside the worker's ordinary place of residence if the worker:

- (1) is unvaccinated or partially vaccinated; and
- (2) is employed or engaged by the employer through the Pacific Australia Labour Mobility scheme; and
- (3) has a booking to receive a dose of a COVID-19 vaccine that will cause the worker to become partially vaccinated or fully vaccinated within 4 weeks of entering Australia from another country.

12. Exception – not eligible for booster

Despite clause 10(2), an employer may permit a worker referred to in that subclause to work for that employer outside of the worker's ordinary place or residence if the worker became fully vaccinated in the previous 3 months and 14 days.

Note: once 3 months and 14 days have passed since a worker with a booster deadline has become fully vaccinated, an employer can only permit the worker to work for that employer outside of the worker's ordinary place of residence after the booster deadline if the worker is fully vaccinated (boosted).

13. Exception – recent international arrival

Despite clause 10(2), an employer may permit a worker referred to in that subclause to work for that employer outside of the worker's ordinary place or residence if the worker:

- (1) is fully vaccinated;
- (2) entered Australia from another country in the previous 4 weeks;
- (3) has a booking to receive a booster dose within 4 weeks of entering Australia; and
- (4) has provided evidence to the employer that the worker has a booking as specified in subclause (3).

Note: once 4 weeks have passed since a worker has entered Australia from another country, an employer can only permit the worker to work for that employer outside of the worker's ordinary place of residence after the booster deadline if the worker is fully vaccinated (boosted).

14. Exception – no longer excepted person

Despite clause 10(2), an employer may permit a worker referred to in that subclause to work for that employer outside of the worker's ordinary place or residence if the worker is fully vaccinated and ceased to be an excepted person in the previous 14 days.

Note: once 14 days have passed since a worker has ceased to be an excepted person, an employer can only permit the worker to work for that employer outside of the worker's ordinary place of residence after the booster deadline if the worker is fully vaccinated (boosted).

15. Exception – self-quarantine or self-isolation

Despite clause 10(2), an employer may permit a worker referred to in that subclause to work for that employer outside of the worker's ordinary place of residence only until the end of the 14 day period specified in subclause (2) if the worker is fully vaccinated and:

- (1) was unable to become fully vaccinated (boosted) before the relevant booster deadline because they were in self-quarantine or self-isolation under the **Quarantine, Isolation and Testing Order**; and
- (2) has a booking to receive, within 14 days of the end of the period of self-quarantine or self-isolation as determined under the **Quarantine, Isolation and Testing Order**, a dose of a COVID-19 vaccine that will cause the worker to become fully vaccinated (boosted).

Note: once 14 days have passed since the end of the worker's relevant period of self-quarantine or self-isolation, an employer can only permit the worker to work for that employer outside of the worker's ordinary place of residence after the booster deadline if the worker is fully vaccinated (boosted).

16. Exception – recent diagnosed persons or probable cases

Despite clause 10(2), an employer may permit a worker referred to in that subclause to work for that employer outside of the worker's ordinary place of residence, if the worker is fully vaccinated and:

- (1) was a diagnosed person whose self-isolation period under the **Quarantine, Isolation and Testing Order** or a Revoked Quarantine, Isolation and Testing Order ended within the previous 4 months; or
- (2) was a probable case whose self-isolation period under the **Quarantine, Isolation and Testing Order** or a Revoked Quarantine, Isolation and Testing Order ended within the previous 4 months, and:
 - (a) if the worker's self-isolation period ended at or prior to 11:59 pm on 4 February 2022:
 - (i) the worker has provided a written attestation to their employer stating that they were unable to access a COVID-19 PCR test when they were in self-isolation as a probable case; and
 - (ii) the worker notified the Department of their positive result from a COVID-19 rapid antigen test prior to 11:59 pm on 4 February 2022; or
 - (b) if the worker's self-isolation period ended after 11:59 pm on 4 February 2022, the worker received a positive result from a COVID-19 PCR test undertaken during the period of self-isolation.

Note 1: to demonstrate to an employer that a worker is covered by this exception, the worker may provide the employer with a written positive result from a COVID-19 PCR test for the purposes of subclause (1) and (2)(b), or a written declaration of their positive result from a COVID-19 rapid antigen test for the purposes of subclause (2)(a).

Note 2: once 4 months have passed since the worker's period of self-isolation has ended, an employer can only permit the worker to work for that employer outside of the worker's ordinary place of residence after the booster deadline if the worker is fully vaccinated (boosted).

DIVISION 3 – EMPLOYER TO NOTIFY WORKERS**17. Authorisation to use vaccination information**

For the purposes of complying with Division 2 of Part 2, an employer is authorised to use any information about a worker that it holds under clause 7, except a worker's Individual Healthcare Identifier.

*Note: a COVID-19 digital certificate issued by Services Australia may include a person's Individual Healthcare Identifier. Individual Healthcare Identifiers are regulated by the **Healthcare Identifiers Act 2010** of the Commonwealth.*

18. Notification to current workers

- (1) Unless an exception applies under this Order, an employer of a worker must, as soon as reasonably practicable after the commencement of this Order, inform each worker who is, or may be, scheduled to work outside the worker's ordinary place of residence that:
 - (a) clause 7 obliges the employer to collect, record and hold the information specified in that clause in relation to the worker; and
 - (b) clause 10(1) obliges the employer not to permit a worker to work for that employer outside the worker's ordinary place of residence unless the worker is fully vaccinated or an excepted person; and
 - (c) if a booster deadline is specified in relation to a worker and the worker is aged 18 years or over, clause 10(2) obliges the employer to not permit the worker to work for that employer outside the worker's ordinary place of residence unless the worker is fully vaccinated (boosted) or an excepted person; and
 - (d) clause 10(4) obliges the employer to ensure that a worker referred to in that subclause does not work for the employer outside of the worker's ordinary place of residence unless the worker has a booking to receive a booster dose by the booster booking deadline.

- (2) Subclause (1) does not apply to the extent that the employer has previously notified the worker of the matters specified in that subclause under a Revoked COVID-19 Mandatory Vaccination (Specified Workers) Order or its predecessors.

19. Notification to new workers

Unless an exception applies under this Order, if an employer engages a worker who is, or may be, scheduled to work outside the worker's ordinary place of residence, the employer must inform the worker, as soon as reasonably practicable after engaging the worker, that:

- (a) clause 7 obliges the employer to collect, record and hold the information specified in that clause in relation to the worker; and
- (b) clause 10(1) obliges the employer not to permit a worker to work for that employer outside the worker's ordinary place of residence, unless the worker is fully vaccinated or an excepted person; and
- (c) if a booster deadline is specified in relation to a worker, and the worker is aged 18 years or over, clause 10(2) obliges the employer to not permit the worker to work for that employer outside the worker's ordinary place of residence unless the worker is fully vaccinated (boosted) or an excepted person; and
- (d) clause 10(4) obliges the employer to ensure that a worker referred to in that subclause does not work for the employer outside of the worker's ordinary place of residence unless the worker has a booking to receive a booster dose by the booster booking deadline.

DIVISION 4 – EXCEPTIONS AND OTHER EMPLOYER OBLIGATIONS

20. Exception – exceptional circumstances

- (1) An employer of a worker is not required to comply with clause 10 if one or more of the exceptional circumstances specified in subclause (2) applies.
- (2) The exceptional circumstances are:
 - (a) a worker is required to perform work or duties that is or are necessary to provide for urgent specialist clinical or medical care due to an emergency situation or a critical unforeseen circumstance; or
 - (b) a worker is required to fill a vacancy to provide urgent care, to maintain quality of care and/or to continue essential operations due to an emergency situation or a critical unforeseen circumstance; or
Example 1: a large number of workers furloughed due to exposure at a Tier 1 site.
Example 2: a medical practitioner is required to work outside their ordinary place of residence on short notice due to an emergency situation.
 - (c) a worker is required to respond to an emergency; or
 - (d) a worker is required to perform urgent and essential work to protect the health and safety of workers or members of the public, or to protect assets and infrastructure.
- (3) If a circumstance specified in subclause (2) applies, the employer must take all reasonable steps to ensure that the worker does not work outside the worker's ordinary place of residence for any longer than the period of time necessary to respond to the exceptional circumstance.

21. Disclosure to authorised officers

- (1) An authorised officer may request an employer to produce to the authorised officer any vaccination information held by the employer under clause 7, except any Individual Healthcare Identifiers that the employer might hold.

- (2) If an authorised officer makes a request to a person under subclause (1), the person must comply with the request.

*Note: authorised officers may also be authorised to exercise the public health risk power in section 190(1)(d) of the **Public Health and Wellbeing Act 2008** to require the provision of any information needed to investigate, eliminate or reduce the risk to public health.*

PART 3 – GENERAL PROVISIONS

22. Severability

To the extent that any part of this Order is held to be in excess of power or otherwise invalid it is intended that it is to be taken to be valid to the extent to which it is not in excess of that power.

23. Transitional provisions

- (1) A reference in any pandemic order in force to a Revoked COVID-19 Mandatory Vaccination (Specified Workers) Order is taken on and after the commencement of this Order to be a reference to this Order.
- (2) Any act, matter or thing that had effect under a Revoked COVID-19 Mandatory Vaccination (Specified Workers) Order immediately before it was revoked continues to have effect under this Order.
- (3) Without limiting subclause (2), this Order is subject to any exemption, benefit, requirement or entitlement (however described) to which a Revoked COVID-19 Mandatory Vaccination (Specified Workers) Order was subject immediately before it was revoked.
- (4) This clause is subject to any express provision to the contrary in this Order.

PART 4 – PENALTIES

24. Penalties

Section 165BN of the **Public Health and Wellbeing Act 2008** provides:

Failure to comply with pandemic order, direction or other requirement

- (1) A person commits an offence if the person refuses or fails to comply with a pandemic order, or with a direction given to the person, or a requirement made of the person, in the exercise of a pandemic management power.
Penalty: In the case of a natural person, 60 penalty units;
Penalty: In the case of a body corporate, 300 penalty units.
- (2) A person is not guilty of an offence against section (1) if the person had a reasonable excuse for refusing or failing to comply.

*Note: the **Public Health and Wellbeing Regulations 2019** provide for infringement notices to be served on any person who has refused or failed to comply (without a reasonable excuse) with a pandemic order, or a direction given or a requirement made in the exercise of a pandemic management power. The amount payable pursuant to the infringement notice varies depending on the nature of the failure or refusal and the age of the person.*

SCHEDULE 1 – WORKERS

Row	Worker (Column 1)	Booster deadline (Column 2)	Worker-specific definitions
1.	accommodation worker	Not applicable	Schedule 2, Division 2, Clause 4
2.	agricultural and forestry worker	Not applicable	Schedule 2, Division 2, Clause 5
3.	airport worker	Not applicable	Schedule 2, Division 2, Clause 6
4.	ancillary, support and welfare worker	Not applicable	Schedule 2, Division 2, Clause 7
5.	authorised officer	Not applicable	Schedule 2, Division 2, Clause 8
6.	care worker	Not applicable	Schedule 2, Division 2, Clause 9
7.	community worker	Not applicable	Schedule 2, Division 2, Clause 10
8.	creative arts worker	Not applicable	Schedule 2, Division 2, Clause 11
9.	custodial worker	12 March 2022	Schedule 2, Division 2, Clause 12
10.	disability worker	12 March 2022	Schedule 2, Division 2, Clause 13
11.	emergency service worker	12 March 2022	Schedule 2, Division 2, Clause 14
12.	entertainment and function worker	Not applicable	Schedule 2, Division 2, Clause 15
13.	food distribution worker	12 March 2022	Schedule 2, Division 2, Clause 16
14.	funeral worker	Not applicable	Schedule 2, Division 2, Clause 17
15.	higher education worker	Not applicable	Schedule 2, Division 2, Clause 18
16.	justice worker	Not applicable	Schedule 2, Division 2, Clause 19
17.	manufacturing worker	Not applicable	Schedule 2, Division 2, Clause 20
18.	marriage celebrant	Not applicable	Schedule 2, Division 2, Clause 21
19.	meat and seafood processing worker	12 March 2022	Schedule 2, Division 2, Clause 22
20.	media and film production worker	Not applicable	Schedule 2, Division 2, Clause 23
21.	mining worker	Not applicable	Schedule 2, Division 2, Clause 24
22.	physical recreation worker	Not applicable	Schedule 2, Division 2, Clause 25
23.	port or freight worker	Not applicable	Schedule 2, Division 2, Clause 26
24.	professional sports, high-performance sports or racing person	Not applicable	Schedule 2, Division 2, Clause 27
25.	professional services worker	Not applicable	Schedule 2, Division 2, Clause 28
26.	public sector worker	Not applicable	Schedule 2, Division 2, Clause 29
27.	quarantine accommodation worker	12 March 2022	Schedule 2, Division 2, Clause 30
28.	real estate worker	Not applicable	Schedule 2, Division 2, Clause 31
29.	religious worker	Not applicable	Schedule 2, Division 2, Clause 32

Row	Worker (Column 1)	Booster deadline (Column 2)	Worker-specific definitions
30.	repair and maintenance worker	Not applicable	Schedule 2, Division 2, Clause 33
31.	retail worker	Not applicable	Schedule 2, Division 2, Clause 34
32.	science and technology worker	Not applicable	Schedule 2, Division 2, Clause 35
33.	social and community service worker	Not applicable	Schedule 2, Division 2, Clause 36
34.	transport worker	Not applicable	Schedule 2, Division 2, Clause 37
35.	utility and urban worker	Not applicable	Schedule 2, Division 2, Clause 38
36.	veterinary and pet/animal care worker	Not applicable	Schedule 2, Division 2, Clause 39

SCHEDULE 2 – DEFINITIONS**Division 1 – Key definitions****1. Vaccination status**

- (1) A person's **vaccination status** is one of the following:
 - (a) fully vaccinated (boosted); or
 - (b) fully vaccinated; or
 - (c) partially vaccinated; or
 - (d) unvaccinated; or
 - (e) excepted person.
- (2) A person is **fully vaccinated** if the person has received:
 - (a) one dose of a one dose COVID-19 vaccine; or
 - (b) two doses of a two dose COVID-19 vaccine including two different types of two dose COVID-19 vaccines.
- (3) A person is **fully vaccinated (boosted)** if the person has received a booster dose.
- (4) A person is **partially vaccinated** if the person has received one dose of a two dose COVID-19 vaccine and is not an excepted person.
- (5) A person is **unvaccinated** if the person has not received a dose of a COVID-19 vaccine and is not an excepted person.
- (6) A person is an **excepted person** if the person holds acceptable certification that the person is unable to receive a dose, or a further dose, of any COVID-19 vaccine that is available in Australia due to:
 - (a) a medical contraindication; or
 - (b) an acute medical illness (including where the person has been diagnosed with COVID-19).
- (7) An **acceptable certification** for the purpose of subclause (6) is:
 - (a) a current COVID-19 digital certificate issued by Services Australia and displayed through the Medicare App, Service Victoria App or equivalent smartphone wallet, that states that the person is unable to receive a dose, or a further dose, of any COVID-19 vaccine that is available in Australia; or
 - (b) a printed version of the COVID-19 digital certificate referred to in subparagraph (a);
 - (c) only in relation to a person who is fully vaccinated, a current Immunisation History Statement displayed through the Medicare App, that states that a fully vaccinated person is unable to receive a booster dose that is available in Australia; or
 - (d) only in relation to a person who is fully vaccinated, a printed version of the Immunisation History Statement referred to in subparagraph (c).
- (8) A **booster deadline** in relation to a worker is the date specified in Column 2 of Schedule 1 for that worker.
- (9) A person has received a **booster dose** if they have received:
 - (a) a second dose of a COVID-19 vaccine after receiving one dose of a one dose COVID-19 vaccine; or
 - (b) a third dose of a COVID-19 vaccine after receiving two doses of a two dose COVID-19 vaccine including different types of two dose COVID-19 vaccines.

2. Vaccination information

For the purposes of this Order, **vaccination information** is information relating to a person's vaccination status and includes:

- (1) any information that is derived from a record of information that was made under, or in accordance with, the Australian Immunisation Register Act 2015 of the Commonwealth; and
- (2) the name or type of any dose of COVID-19 vaccine received by the person; and
- (3) the date on which the person received any dose of a COVID-19 vaccine.

Note: vaccination information may be recorded in a variety of documents, such as a letter from a medical practitioner, a certificate of immunisation or an immunisation history statement obtained from the Australian Immunisation Register. For overseas travellers, it may be recorded in an Australian International COVID-19 Vaccination Certificate or vaccination certificates issued by an overseas government authority, accompanied by the Australian Traveller Declaration or COVID-19 Vaccination and Testing Declaration for travel to Australia.

3. Employers and workers

For the purpose of this Order:

- (1) **employer** in relation to a worker means:
 - (a) the person who employs or engages the worker; or
 - (b) if the worker is self-employed – the worker;
- (2) **worker** means a person identified in Column 1 of Schedule 1, whether paid or unpaid, but does not include:
 - (a) a Commonwealth employee;
 - (b) a worker who works in connection with proceedings in a court, where that work cannot be done from the person's ordinary place of residence;
 - (c) a person under 12 years and two months of age.

Division 2 – Worker-Specific Definitions

4. Accommodation worker

For the purposes of this Order, **accommodation worker** means a person who works at or in connection with one of the following accommodation facilities, whether operated on a for-profit or not-for-profit basis:

- (1) camping ground;
- (2) caravan park;
- (3) hotel;
- (4) hostel;
- (5) bed and breakfast;
- (6) private holiday rental facility, including Airbnbs;
- (7) motel;
- (8) serviced apartment.

5. Agricultural and forestry worker

For the purposes of this Order, **agricultural and forestry worker** means a person who works in connection with:

- (1) food safety and verification, inspection or associated laboratory services and biosecurity functions;
- (2) animal saleyards, knackeries and animal transportation services (including livestock and pets);
- (3) services connected with animal health, husbandry or welfare;

- (4) farm, animal and bloodstock leasing activities, including but not limited to:
 - (a) farming activities and other operations relating to agriculture, horticulture, viticulture, irrigation, permaculture, apiculture, grains, fibre production, dairy, flower industry, commercial fishing, aquaculture and livestock;
 - (b) intensive agricultural production including greenhouses and animal production;
 - (c) agricultural, veterinary chemicals and vaccine production, transportation and distribution (including the Pig Services Centre);
 - (d) laboratory and diagnostic services;
 - (e) animal feed production, transportation, packaging, sale, and feeding (including livestock and pets);
 - (f) animal pounds and shelters activities;
- (5) forestry activities for the purposes of or relating to:
 - (a) production of firewood for heating of premises;
 - (b) production of pallets;
 - (c) production of building supplies for construction;
 - (d) production of other goods (e.g. paper, packaging, caskets and coffins).

6. Airport worker

For the purposes of this Order:

- (1) **airport** has the same meaning as in the **Airports Act 1996** of the Commonwealth;
- (2) **airport worker** means a person who works at or in connection with an airport.

7. Ancillary, support and welfare worker

For the purposes of this Order, **ancillary, support and welfare worker** means:

- (1) a person who works in connection with:
 - (a) services that are critical to, and relate to, the Victorian Government's COVID-19 response (including hotel quarantine);
 - (b) a public event where that event has received an exemption allowing it to proceed, including any workers and public broadcast personnel that support the safe running of the public event;
 - (c) employment services;
 - (d) union/peak body/employer organisation officials attending a worksite as permitted by law or for Occupational Health and Safety (OHS) advice;
- (2) fly in fly out workers or drive in drive out workers who are required for continuity of an industry or business and maintenance of a competitive operation and where the service is time-critical, or for the critical maintenance or repair of infrastructure critical to a region of, or to, Victoria;
- (3) maritime crew.

8. Authorised officer

For the purposes of this Order, **authorised officer** has the same meaning as in the **Public Health and Wellbeing Act 2008**.

9. Care worker

For the purposes of this Order:

- (1) **alcohol and drug residential service** means:
 - (a) a treatment centre within the meaning of the **Severe Substance Dependence Treatment Act 2010**;

- (b) a residential treatment service (however described) that provides drug or alcohol withdrawal or rehabilitation services in a residential setting to people dependent on alcohol or other drugs;
 - (c) a service that provides supported accommodation to a person after the person has received residential treatment services of the kind referred to in subclause (b);
- (2) **care worker** means a person who works in connection with:
- (a) an alcohol and drug residential service;
 - (b) a disability residential service;
 - (c) services provided to an NDIS participant in any setting;
 - (d) a homelessness residential service;
 - (e) a secure welfare service;
 - (f) a supported residential service;
 - (g) essential relief activities including the activities provided at Neighbourhood Houses;
 - (h) an eligible SDA enrolled dwelling;
 - (i) a short-term accommodation and assistance dwelling;
 - (j) a mental health residential service including the service provided at a Community Care Unit or a Prevention and Recovery Centre;
 - (k) a retirement village;
- (3) **disability residential service** means a residential service within the meaning of the **Disability Act 2006** and includes the Intensive Residential Treatment Program of the Statewide Forensic Service, often referred to as ‘DFATS’;
- (4) **eligible SDA enrolled dwelling** means a Specialist Disability Accommodation (SDA) enrolled dwelling that is provided under an SDA residency agreement within the meaning of section 498B of the **Residential Tenancies Act 1997**;
- (5) **homelessness residential service** means a service that is funded by government to provide a staffed residential service to people who are homeless or at risk of being homeless;
- (6) **mental health residential service** means a service that is funded by the Victorian Government to provide a staffed residential service to people who have a mental illness;
- (7) **retirement village** has the same meaning as in the **Retirement Villages Act 1986**;
- (8) **secure welfare service** has the same meaning as in the **Children, Youth and Families Act 2005**;
- (9) **short-term accommodation and assistance dwelling** has the same meaning as in the **Disability Act 2006**;
- (10) **supported residential service** has the same meaning as in the **Supported Residential Services (Private Proprietors) Act 2010**.

10. Community worker

For the purposes of this Order, **community worker** means a person who works at or in connection with a community facility or an organisation providing community services, whether operated on a for profit or not-for-profit basis, including but not limited to:

- (1) a facility at which services are provided by an Aboriginal Community Controlled Organisation;
- (2) a community centre or community hall;
- (3) a public library;

- (4) a youth centre;
- (5) a skatepark in an outdoor space.

11. Creative arts worker

For the purposes of this Order, **creative arts worker** means a person who works at or in connection with:

- (1) an art studio;
- (2) a ceramics studio;
- (3) a music room or studio;
- (4) a rehearsal room or studio;
- (5) any other facility that is used for creative art.

12. Custodial worker

For the purposes of this Order:

- (1) **custodial worker** means a person who works at or in connection with a:
 - (a) custodial facility that is a facility used for the detention of persons, including but not limited to:
 - (i) a prison;
 - (ii) a remand centre;
 - (iii) a youth residential centre;
 - (iv) a youth justice centre;
 - (v) residential facilities;
 - (vi) residential treatment facilities;
- (2) **prison** has the same meaning as in the **Corrections Act 1986**;
- (3) **remand centre** has the same meaning as in the **Children, Youth and Families Act 2005**;
- (4) **residential facility** has the same meaning as in the **Serious Offenders Act 2018**, and includes the Maribyrnong Community Residential Facility;
- (5) **residential treatment facility** has the same meaning as in the **Serious Offenders Act 2018**;
- (6) **youth residential centre** has the same meaning as in the **Children, Youth and Families Act 2005**;
- (7) **youth justice centre** has the same meaning as in the **Children, Youth and Families Act 2005**.

13. Disability worker

For the purposes of this Order, **disability worker** means a person identified in rows 1 to 36 of Column 1 of Schedule 1, except row 10, who:

- (1) directly provides a **disability service** to a person with a **disability**; or
- (2) supervises or manages another person who directly provides a **disability service** to a person with a disability,

but does not include a person who:

- (3) is a family member of a person with a disability, and provides **disability services** to the person with a disability and does not receive a fee or reward for providing those **disability services**; or
- (4) voluntarily provides **disability services**, unless the person provides the **disability services** on behalf of an organisation or agency.

14. Emergency service worker

For the purposes of this Order, **emergency service worker** means a person who works in connection with emergency services including but not limited to:

- (1) the Victoria State Emergency Services;
- (2) Fire Rescue Victoria, the Country Fire Authority or any other firefighting services;
- (3) the Emergency Services Telecommunications Authority;
- (4) aquatic safety services, including life saving services and marine search and rescue services;
- (5) paramedical services;
- (6) ambulance and paramedics services;
- (7) air ambulance and medical retrieval services (including Royal Flying Doctor Service);
- (8) Victoria Police, protective services and police custody services;
- (9) essential infrastructure and essential services that are required to maintain or protect human health, safety and wellbeing (whether provided by a public or private undertaking), and including maintenance and repair of such infrastructure.

15. Entertainment and function worker

For the purposes of this Order, **entertainment and function worker** means a worker who works at an amusement park for the purpose of providing statutorily required training for staff prior to reopening.

16. Food distribution worker

For the purposes of this Order, **food distribution worker** means a person who works at or in connection with a premises used for the distribution of food and is a:

- (1) manufacturing worker; or
- (2) port or freight worker; or
- (3) meat and seafood processing worker.

17. Funeral worker

For the purposes of this Order, **funeral worker** means a person who works in connection with funerary or mortuary services.

18. Higher education worker

For the purposes of this Order, **higher education worker** means a person who works at or in connection with:

- (1) a university;
- (2) a vocational education and training institute;
- (3) a technical and further education institute;
- (4) an adult community and further education institute;
- (5) a registered training organisation;
- (6) any other facility undertaking post-compulsory education or training.

19. Justice worker

For the purposes of this Order:

- (1) **honorary justice** has the same meaning as in the **Honorary Justices Act 2014**;
- (2) **justice service centre** means:
 - (a) a premises or place appointed as a community corrections centre pursuant to section 86 of the **Corrections Act 1986** or a youth justice unit pursuant to section 478 of the **Child Youth and Families Act 2005**; or
 - (b) the Wulgunggo Ngalu Learning Place;

- (3) **justice worker** means:
- (a) a person who works at or in connection with a justice service centre; or
 - (b) an honorary justice or a person who works in connection with an honorary justice.

20. Manufacturing worker

For the purposes of this Order, **manufacturing worker** means a person who works at or in connection with a premises used for the distribution, production or processing of goods, including but not limited to production or processing of:

- (1) food (excluding meat, seafood or poultry);
- (2) beverages including brewed and bottled drinks;
- (3) textiles, leather, clothing, footwear and accessories;
- (4) wood products;
- (5) pulp and paper products;
- (6) printing including small and large production runs;
- (7) chemicals, including fertilisers, pesticides, pharmaceutical, medicinal, cleaning products, toiletries, cosmetics, photographic and explosives;
- (8) metal and plastics;
- (9) machinery and equipment manufacturing including parts;
- (10) furniture;
- (11) household goods;
- (12) whole or partial products;
- (13) software, essential marketing or product installation.

21. Marriage celebrant

For the purposes of this Order, **marriage celebrant** has the same meaning as authorised celebrant in the **Marriage Act 1961** of the Commonwealth.

22. Meat and seafood processing worker

For the purposes of this Order, **meat and seafood processing worker** means a person who works at or in connection with an abattoir or a meat, seafood or poultry processing plant.

23. Media and film production worker

For the purposes of this Order, **media and film production worker** means a person who works in connection with:

- (1) journalism;
- (2) media services;
- (3) the production of feature films, theatre, television shows and documentaries (excluding television commercials, student and corporate productions);
- (4) broadcasting performances from an entertainment facility;
- (5) a rehearsal conducted in a theatre that has a seated capacity of more than 1000 people and ordinarily conducts performances on a commercial basis;
- (6) a rehearsal conducted by a National Performing Arts Partnership Company.

24. Mining worker

For the purposes of this Order, **mining worker** means a person who works at a premises at which mining activities take place, including coal mining, oil and gas extraction, metal ore mining, non-metallic mineral mining and quarrying petroleum production.

25. Physical recreation worker

For the purposes of this Order:

- (1) **physical recreation worker** means a person:
 - (a) who works at or in connection with:
 - (i) a facility used or partly used for sport, sport racing or physical recreation;
 - (ii) a play centre;
 - (iii) a trampolining centre;
 - (iv) a swimming pool, hydrotherapy pool, spa, sauna, steam room or spring facility; or
 - (b) who provides personal training services;
- (2) **hydrotherapy pool** means a pool designed to be used for hydrotherapy or rehabilitation purposes;
- (3) **play centre** means a premises, whether indoor or outdoor, that has play equipment to be used or partly used by children under the age of 12 years but does not mean a playground;
- (4) **spring facility** means a hot, sweet, geothermal or mineral pool, spa or bath fed by groundwater from an aquifer.

26. Port or freight worker

For the purposes of this Order, **port or freight worker** means a person works in connection with:

- (1) air transport services;
- (2) port operations;
- (3) freight services (including postal and courier services);
- (4) services provided by a transport, freight or logistics driver;
- (5) monitoring compliance with the **Heavy Vehicle National Law**.

27. Professional sports, high-performance sports, or racing person

For the purposes of this Order, **professional sports, high-performance sports, or racing person** means a person who:

- (1) performs a sporting activity in an open-aged national or international competition (at the highest level as identified by the recognised national body);
- (2) is employed to perform a sporting activity as their primary source of income (for example, employed by a professional club or recognised national body);
- (3) is a National Institute Network Scholarship holder or equivalent level national categorised athlete;
- (4) supports the safe conduct of another person's professional sport;
- (5) publicly broadcasts professional sport;
- (6) participates in thoroughbred, harness and greyhound racing.

28. Professional services worker

For the purposes of this Order:

- (1) **Australian legal practitioner** has the same meaning as in the **Legal Profession Uniform Law Application Act 2014**;
- (2) **legal worker** means:
 - (a) an **Australian legal practitioner** who provides services in connection with the administration of justice where the services cannot be provided by an online communication, teleconference or by means of an audio-visual link facility; or
 - (b) a person who works in connection with a person specified in subparagraph (a).

(3) **professional services worker** means:

- (a) a person who provides a financial service within the meaning of section 766A of the **Corporations Act 2001** of the Commonwealth, or works in connection with the provision of such a service; or
- (b) a legal worker.

29. **Public sector worker**

For the purposes of this Order:

(1) **local government worker** means:

- (a) a Chief Executive Officer within the meaning of the **Local Government Act 2020**;
- (b) a member of Council staff appointed under section 48 of the **Local Government Act 2020**;

(2) **public sector worker** means:

- (a) a Ministerial officer employed under section 98 of the **Public Administration Act 2004**;
- (b) a local government worker;
- (c) a person who is a public sector employee within the meaning of the **Public Administration Act 2004**, except:
 - (i) a person who is a member of the staff of Court Services Victoria within the meaning of the **Court Services Victoria Act 2014**;
 - (ii) a parliamentary officer within the meaning of the **Parliamentary Administration Act 2005**;
 - (iii) a person employed or engaged by the Chief Executive Officer of the Victorian Civil and Administrative Tribunal.

30. **Quarantine accommodation worker**

For the purposes of this Order, **quarantine accommodation worker** means a person who works in connection with quarantine accommodation services that are critical to, and relate to, the Victorian Government's COVID-19 response.

31. **Real estate worker**

For the purposes of this Order:

- (1) **estate agent** has the same meaning as in the **Estate Agents Act 1980**;
- (2) **real estate worker** means an estate agent or any person who works in connection with the provision of services by an estate agent.

32. **Religious worker**

For the purposes of this Order:

- (1) **religious worker** means a person who works at or in connection with a place of worship, but does not include a person who:
 - (a) conducts services of public worship and acknowledgments of faith;
 - (b) performs marriages, funerals and special memorial services according to tradition and ecclesiastical and civil law;
 - (c) visits members of the community in their homes, hospitals and other institutions to provide advice and religious comfort for the purpose of end of life faith reasons;
- (2) **place of worship** has the same meaning as in the **Heritage Act 2017**.

33. Repair and maintenance worker

For the purposes of this Order, **repair and maintenance worker** means a person who works in connection with:

- (1) laundry services;
- (2) dry cleaning services;
- (3) car washing services;
- (4) commercial cleaning service;
- (5) locksmith services;
- (6) roadside assistance services;
- (7) pool and spa maintenance services for commercial pools and spas;
- (8) vehicle and mechanical repair services;
- (9) outdoor maintenance, repairs, and cleaning, including at occupied premises;
- (10) outdoor home installations;
- (11) home solar panel installations that involve outdoor work or in roof cavities with external access;
- (12) critical repairs to any premises where required for emergency or safety.

34. Retail worker

For the purposes of this Order:

- (1) **bottle shop** means an area that is physically attached to a licensed premises where packaged alcohol is sold to be consumed off the premises;
- (2) **club licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (3) **food and drink facility** means a café, restaurant, licensed premises, fast-food store, cafeteria, canteen, winery, food truck or food court;
Note: a food and drink facility includes a food and drink facility at a stadium or arena.
- (4) **general licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (5) **late night licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (6) **licensed premises** means a business characterised as a pub, bar, club, nightclub or hotel that supplies alcohol under a general licence, an on-premises licence, a late night licence, a producer's licence, a club licence, a packaged liquor licence, or a restaurant and café licence;
- (7) **market** means a public market, whether indoor or outdoor, including a food market and includes individual stalls at a market;
- (8) **nightclub** means a facility:
 - (a) to which a late night licence applies; and
 - (b) with a dancefloor; and
 - (c) which does not serve food prepared at the facility for consumption on the premises;
- (9) **on-premises licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (10) **packaged liquor licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (11) **producer's licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (12) **restaurant and café licence** has the same meaning as in the **Liquor Control Reform Act 1998**;

- (13) **retail facility** means a premises, or part of a premises, at which a business operates to provide for the sale or hire of goods by retail, or the provision of services by retail, including but not limited to a:
- (a) market, but only to obtain groceries or fresh food;
 - (b) retail shopping centre;
 - (c) supermarket, grocery store, bakery, butcher, fruit and vegetable store or fishmonger;
 - (d) food and drink facility;
 - (e) post office;
 - (f) news agent;
 - (g) petrol station (including a petrol station that sells groceries);
 - (h) bottle shop;
 - (i) pet store;
 - (j) facility that provides ‘click and collect’ services;
- (14) **retail worker** means a person who works at or in connection with a **retail facility** or a wholesale or distribution facility;
- (15) **retail shopping centre** has the same meaning as in the **Retail Leases Act 2003**.

35. Science and technology worker

For the purposes of this Order, **science and technology worker** means a person who works in connection with scientific and technical research or activities, but only in relation to:

- (1) COVID-19 (e.g. MedTech research regarding vaccines);
- (2) hazard monitoring and resilience;
- (3) biosecurity and public health;
- (4) medical or other research, which is ongoing and requires on site attendance;
- (5) critical scientific experiments, labs and collections.

36. Social and community service worker

For the purposes of this Order, **social and community service worker** means a person who works in connection with:

- (1) disability services;
- (2) services provided to an NDIS participant in any setting;
- (3) child protection services;
- (4) family violence and sexual assault support services;
- (5) homelessness support services;
- (6) public housing support services;
- (7) mental health services;
- (8) aged care services;
- (9) any social services provided or contracted by the government to support members of the community who have a particular need because of family violence, homelessness, illness or a chronic health condition, infirmity, disability, contact with the justice system or other essential support service;
- (10) interpreter, cultural or support services.

37. Transport worker

For the purposes of this Order:

- (1) **transport worker** means a person who performs work in connection with:
 - (a) a bus company;

- (b) a commercial passenger vehicle service;
- (c) a public transport service;
- (2) **bus company** has the same meaning as in **Transport (Compliance and Miscellaneous) Act 1983**;
- (3) **commercial passenger vehicle service** has the same meaning as in the **Commercial Passenger Vehicle Industry Act 2017**;
- (4) **public transport service** has the same meaning as in the **Transport (Compliance and Miscellaneous) Act 1983**.

38. Utility and urban worker

For the purposes of this Order, **utility and urban worker** means a person who works in connection with:

- (1) specialist services at telecommunications stores to support telecommunications as a critical service during the COVID-19 pandemic;
- (2) services to support the ongoing provision and regulation of electricity, gas, water, sewage and waste and recycling services and their maintenance;
- (3) domestic and commercial waste and resource recovery services (including collection, treatment and disposal services and transfer stations), including:
 - (a) electricity services;
 - (b) operation of energy systems;
 - (c) gas services;
 - (d) water supply, sewerage and drainage services;
 - (e) liquid fuels and refinery services;
- (4) the operation of primary clinical waste incinerators by specialised clinical waste workers;
- (5) the operation of carparks for the purposes of supporting workers.

39. Veterinary and pet/animal care worker

For the purposes of this Order, **veterinary and pet/animal care worker** means a person who works:

- (1) in connection with:
 - (a) pet grooming services;
 - (b) veterinary services;
 - (c) animal rescue services;
 - (d) animal health, husbandry or welfare services; or
- (2) at the premises of or in connection with:
 - (a) a nature reserve at which animals are treated and cared for;
 - (b) a zoo.

Division 3 – Other definitions

For the purposes of this Order:

Commonwealth employee has the same meaning as in the **Sex Discrimination Act 1984** of the Commonwealth;

court means:

- (a) the Supreme Court;
- (b) the County Court;
- (c) the Magistrates' Court;

- (d) the Children's Court;
- (e) any Federal Court;

COVID-19 means the contagious disease caused by severe acute respiratory syndrome coronavirus 2;

COVID-19 PCR test means a COVID-19 polymerase chain reaction test;

COVID-19 rapid antigen test means a COVID-19 rapid antigen test;

COVID-19 vaccine means a one dose COVID-19 vaccine or a two dose COVID-19 vaccine;

critical unforeseen circumstance means a circumstance that the employer could not reasonably have foreseen nor planned for which results in a critical need for staff;

diagnosed person has the same meaning as in the **Pandemic (Quarantine, Isolation and Testing) Order**;

disability has the same meaning as it has in the **Disability Service Safeguards Act 2018**;

disability service has the same meaning as in the **Disability Service Safeguards Act 2018**;

emergency situation means a situation where it is reasonably apparent to an employer that medical treatment is necessary, as a matter of urgency to:

- (a) save a person's life; or
- (b) prevent serious damage to a person's health; or
- (c) prevent a person from suffering or continuing to suffer significant pain or distress;

Individual Healthcare Identifier has the same meaning as the healthcare identifier of a healthcare recipient in section 9 of the **Healthcare Identifiers Act 2010** of the Commonwealth;

medical contraindication means one of the following contraindications to the administration of a **COVID-19 vaccine**:

- (a) anaphylaxis after a previous dose;
- (b) anaphylaxis to any component of the vaccine, including polysorbate or polyethylene glycol;
- (c) in relation to AstraZeneca:
 - (i) history of capillary leak syndrome; or
 - (ii) thrombosis with thrombocytopenia occurring after a previous dose;
- (d) in relation to Comirnaty or Spikevax, myocarditis or pericarditis attributed to a previous dose of either Comirnaty or Spikevax;
- (e) where a person is in the process of completing a Federal Department of Health approved COVID-19 vaccine clinical trial;
- (f) the occurrence of any other serious adverse event that has:
 - (i) been attributed to a previous dose of a COVID-19 vaccine by an experienced immunisation provider or medical specialist (and not attributed to any another identifiable cause); and
 - (ii) been reported to State adverse event programs and/or the Therapeutic Goods Administration;

medical practitioner means:

- (a) a general practice registrar on an approved 3GA training placement; or
- (b) a public health physician; or
- (c) an infectious disease physician; or
- (d) a clinical immunologist; or
- (e) a general practitioner who is vocationally registered; or
- (f) a general practitioner who is a fellow of the Royal Australian College of General Practitioners (RACGP); or

- (g) a general practitioner who is a fellow of the Australian College of Rural and Remote Medicine (ACRRM); or
- (h) a paediatrician; or
- (i) a medical practitioner who is a fellow of the Royal Australasian College of Physicians;

NDIS participant has the same meaning as ‘participant’ under the National Disability Insurance Scheme Act 2013 of the Commonwealth;

one dose COVID-19 vaccine means ‘COVID-19 Vaccine Janssen’ (Janssen-Cilag);

pandemic orders in force has the same meaning as in the **Pandemic (Movement and Gathering) Order 2022 (No. 4)** as amended or replaced from time to time;

premises has the same meaning as in the **Public Health and Wellbeing Act 2008** but does not include a worker’s ordinary place of residence;

probable case has the same meaning as in the **Pandemic (Quarantine, Isolation and Testing) Order**;

Quarantine, Isolation and Testing Order means the **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 5)**;

Revoked COVID-19 Mandatory Vaccination (Specified Workers) Order means the **COVID-19 Mandatory Vaccination (Workers) Directions (No. 8)** or the **Pandemic COVID-19 Mandatory Vaccination (Specified Workers) Order 2022 (No. 4)**, or their predecessors;

Revoked Quarantine, Isolation and Testing Order means the **Diagnosed Persons and Close Contacts Directions (No. 35)** or the **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 4)**, or their predecessors;

two dose COVID-19 vaccine means any of the following:

- (a) Vaxzevria (AstraZeneca);
- (b) Comirnaty (Pfizer);
- (c) Spikevax (Moderna);
- (d) Coronavac (Sinovac);
- (e) Covishield (AstraZeneca/Serum Institute of India);
- (f) Covaxin (Bharat Biotech);
- (g) BBIP-CorV (Sinopharm);
- (h) Sputnik V (Gamaleya Research Institute);
- (i) Nuvaxovid (Bioelect on behalf of Novavax).

Dated 25 February 2022

MARTIN FOLEY MP
Minister for Health

Public Health and Wellbeing Act 2008

Section 165AI

GUIDANCE FOR THE PANDEMIC (MOVEMENT AND GATHERING)
ORDER 2022 (No. 4)

This Order requires individuals to take certain actions to reduce the risk of harm caused by COVID-19 by:

- (1) carrying and wearing face coverings in certain settings; and
- (2) limiting interactions with others by restricting gatherings at certain types of events.

Unless an exception applies, a person will be required to wear a face covering:

- (1) in specified indoor spaces; and
- (2) in airports or on an aircraft.

Failure to comply with this Order may result in penalties.

This guidance does not form part of the Pandemic (Movement and Gathering) Order 2022 (No. 4) and is for explanatory purposes only.

Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (MOVEMENT AND GATHERING) ORDER 2022 (No. 4)

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Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (MOVEMENT AND GATHERING) ORDER 2022 (No. 4)

I, Martin Foley, Minister for Health, make the following Order under the **Public Health and Wellbeing Act 2008** in the belief that this Order is reasonably necessary to protect public health throughout Victoria from the serious risk arising from the coronavirus (COVID-19) pandemic disease.

PART 1 – PRELIMINARY**1 Objective**

- (1) The objective of this Order is to address the serious public health risk posed to the State of Victoria by the spread of COVID-19 by requiring everyone in the State of Victoria to carry and wear face coverings in certain settings.
- (2) This Order must be read together with the pandemic orders in force.

2 Citation

This Order may be referred to as the **Pandemic (Movement and Gathering) Order 2022 (No. 4)**.

3 Authorising provisions

This Order is made under section 165AI of the **Public Health and Wellbeing Act 2008**.

4 Commencement and revocation

- (1) This Order commences at 11:59:00 pm on 25 February 2022 and ends at 11:59:00 pm on 12 April 2022.
- (2) The **Pandemic (Movement and Gathering) Order 2021 (No. 3)** is revoked at 11:59:00 pm on 25 February 2022.

5 Definitions

Terms used in this Order have the meanings set out in Schedule 1.

6 Application of Order

This Order applies to everyone present in the whole State of Victoria.

PART 2 – WORK AND FACE COVERING REQUIREMENTS FOR INDIVIDUALS**7 Work**

A person must not perform work outside of the person's ordinary place of residence or enter, or remain on, a work premises to perform work, if the employer of the person or the operator of their work premises, is not permitted to allow the person to do so under:

- (1) the **Open Premises Order**; or
- (2) the **COVID-19 Mandatory Vaccination (Specified Workers) Order**; or
- (3) the **COVID-19 Mandatory Vaccination (Specified Facilities) Order**; or
- (4) the **COVID-19 Mandatory Vaccination (General Workers) Order**.

8 Face covering requirements

- (1) A person must:
 - (a) carry a face covering at all times, except where subclause (2)(a), (2)(b), (2)(c), (2)(d) or (2)(e) applies; and
 - (b) wear a face covering:
 - (i) while in an indoor space:
 - (A) at an education premises that is a primary school or a premises that provides outside school hours care services for students enrolled in a primary school, if the person is a:
 - (1) worker; or

- (2) student in Year 3 or above, up to and including Year 6; or
 - (3) visitor and aged 8 years or above; or
 - (B) at a premises at which a childcare or early childhood service is being provided; or
 - (C) that is a publicly accessible area of a healthcare premises; or
 - (ii) while working in an indoor space:
 - (A) that is a publicly accessible area of:
 - (1) a retail premises or a food and drink premises (including a food court); or
 - (2) an event with more than 30,000 patrons in attendance; or
 - (3) a court or justice centre; or
 - (B) at a prison, police gaol, remand centre, youth residential centre, youth justice centre or post-sentence facility; or
 - (C) in a resident-facing role at a care facility, including when not interacting with residents; or
 - (iii) while visiting a hospital or a care facility; or
 - (iv) while on public transport or in a commercial passenger vehicle or in a vehicle being operated by a licensed tourism operator; or
 - (v) if the person is a diagnosed person, probable case or close contact and is leaving the premises in accordance with the **Quarantine, Isolation and Testing Order**; or
 - (vi) if the person has been tested for COVID-19 and is awaiting the results of that test, except where that test was taken as part of a surveillance or other asymptomatic testing program; or
- Note: the **Additional Industry Obligations Order** sets out the surveillance testing requirements for relevant industries and workers.*
- (vii) where required to do so in accordance with any other pandemic orders in force.

Note 1: face shields on their own do not meet the face covering requirements. For further information, please refer to the Department of Health's guidelines as amended or replaced from time to time by the Victorian Government, available at: www.coronavirus.vic.gov.au/face-masks

Note 2: it is strongly recommended that face coverings be worn in other situations when physical distancing is not possible.

- (2) Subclause (1)(b) does not apply if a person complies with any other requirements under any other pandemic orders in force and:
 - (a) the person is an infant or a child under the age of 8 years except if the person is a student in Year 3 or above, up to and including Year 6, and they are in an indoor space at an education premises that is a primary school or a premises that provides outside school hours care services ; or
 - (b) the person is a prisoner in a prison (either in their cell or common areas), subject to any policies of that prison; or
 - (c) the person is detained in a remand centre, youth residential centre or youth justice centre (either in their room or common areas), subject to any policies of that centre; or
 - (d) the person has a physical or mental health illness or condition, or disability, which makes wearing a face covering unsuitable; or

Examples: persons who have obstructed breathing, a serious skin condition on their face, an intellectual disability, a mental health illness, or who have experienced trauma.

- (e) it is not practicable for the person to comply with subclause (1)(b) because the person is escaping harm or the risk of harm, including harm relating to family violence or violence of another person; or
- (f) the person is communicating with a person who is deaf or hard of hearing and visibility of the mouth is essential for communication; or
- (g) the nature of a person's work or education means that wearing a face covering creates a risk to their health and safety; or
- (h) the nature of a person's work or education means that clear enunciation or visibility of the mouth is essential; or
Examples: teaching, lecturing, broadcasting.
- (i) the person is working by themselves in an enclosed indoor space (unless and until another person enters that indoor space); or
Example: a person working by themselves in a classroom at a primary school after hours.
- (j) the person is a professional sportsperson when training or competing; or
- (k) the person is engaged in any strenuous physical exercise; or
Examples: jogging, running, swimming, cycling.
- (l) the person is riding a bicycle or motorcycle; or
- (m) the person is consuming:
 - (i) medicine; or
 - (ii) food or drink; or
- (n) the person is smoking or vaping (including e-cigarettes) while stationary; or
- (o) the person is undergoing dental or medical care or treatment to the extent that such care or treatment requires that no face covering be worn; or
- (p) the person is receiving a service and it is not reasonably practicable to receive that service wearing a face covering; or
- (q) the person is providing a service and it is not reasonably practicable to provide that service wearing a face covering; or
- (r) the person is asked to remove the face covering to ascertain identity; or
Example: a person may be asked by police, security, bank or post office staff to remove a face covering to ascertain identity or when purchasing alcohol or cigarettes.
- (s) for emergency purposes; or
- (t) when required or authorised by law; or
- (u) when doing so is not safe in all the circumstances.

9 Face covering requirements in airports and on aircraft

- (1) Without limiting clause 8(1)(b), a person in the State of Victoria at an airport or travelling in an aircraft must:
 - (a) carry a face covering at all times, except where subclause (2)(a) or (2)(b) applies; and
 - (b) wear a face covering while in an indoor space at an airport (and at all times while inside an aircraft); and
 - (c) wear a face covering where required to do so in accordance with any other pandemic orders in force.

Note: face shields on their own do not meet the face covering requirements. For further information, please refer to the Department of Health's guidelines as amended or replaced from time to time by the Victorian Government, available at: www.coronavirus.vic.gov.au/face-masks
- (2) Subclauses (1)(b) and (1)(c) do not apply if a person complies with any other requirements under any other pandemic orders in force and:
 - (a) the person is an infant or a child under the age of 12 years; or

- (b) the person has a physical or mental health illness or condition, or disability, which makes wearing a face covering unsuitable; or
Examples: persons who have obstructed breathing, a serious skin condition on their face, an intellectual disability, a mental health illness, or who have experienced trauma.
 - (c) the person is communicating with a person who is deaf or hard of hearing and visibility of the mouth is essential for communication; or
 - (d) the nature of a person's work or education means that wearing a face covering creates a risk to their health and safety; or
 - (e) the nature of a person's work or education means that clear enunciation or visibility of the mouth is essential; or
Examples: teaching, lecturing, broadcasting.
 - (f) the person is consuming food, drink or medicine; or
 - (g) the person is undergoing dental or medical care or treatment to the extent that such care or treatment requires that no face covering be worn; or
 - (h) the person is receiving a service and it is not reasonably practicable to receive that service wearing a face covering; or
 - (i) the person is providing a service and it is not reasonably practicable to provide that service wearing a face covering; or
 - (j) the person is asked to remove the face covering to ascertain identity; or
Examples: a person may be asked by police, security, or airport staff to remove a face covering to ascertain identity or when purchasing alcohol or cigarettes.
 - (k) for emergency purposes; or
 - (l) when required or authorised by law; or
 - (m) when doing so is not safe in all the circumstances.
- (3) An authorised officer may require a person to attest in writing that they have complied with the requirements of subclause (1) to wear a face covering on an aircraft (subject to subclause (2)).

PART 3 – CEREMONIES

10 Worker requirements

- (1) The organiser of a ceremony must not permit any person to work at the ceremonial space unless the person is:
 - (a) fully vaccinated; or
 - (b) an excepted person; or
 - (c) a person who:
 - (i) conducts services of public worship and acknowledgments of faith; or
 - (ii) performs marriages, funerals and special memorial services according to tradition and ecclesiastical and civil law; or
 - (iii) visits members of the community in their homes, hospitals and other institutions to provide advice and religious comfort for the purpose of end of life faith reasons.
- (2) The organiser must collect, record and hold vaccination information about each fully vaccinated person and each excepted person who works at the ceremonial space.
- (3) For the purposes of complying with subclause (1), an organiser is authorised to use any information about a worker that it holds under subclause (2).
- (4) If an organiser is the employer of a fully vaccinated person or an excepted person who works at the premises:
 - (a) the organiser is deemed to have complied with subclause (2) if they hold vaccination information about the person under:
 - (i) the **COVID-19 Mandatory Vaccination (Specified Workers) Order**; or
 - (ii) the **COVID-19 Mandatory Vaccination (Specified Facilities) Order**; or

- (iii) the **COVID-19 Mandatory Vaccination (General Workers) Order**; or
- (iv) the **Open Premises Order**; and
- (b) the organiser is authorised to use that information for the purposes of complying with subclause (1).

PART 3 – OTHER PROVISIONS

11 Relationship with other Orders

- (1) If there is any inconsistency between Parts 2 and 3 of this Order and the **Quarantine, Isolation and Testing Order**, Parts 2 and 3 of this Order are inoperative to the extent of any inconsistency.
- (2) If there is any inconsistency between this Order and any other pandemic order in force or other requirement contained in a **Detention Notice**, this Order is inoperative to the extent of the inconsistency.
- (3) If there is any inconsistency between this Order and a requirement contained in the **Visitors to Hospitals and Care Facilities Order**, this Order is inoperative to the extent of the inconsistency.
- (4) Unless the context otherwise requires, a reference in any pandemic order in force, in any **Detention Notice**, or in any approved form under a pandemic order in force or a **Detention Notice** to:
 - (a) a pandemic order in force or this Order, or a defined term in a pandemic order in force or this Order, will be taken to mean that Order (and hence that defined term) as amended or replaced from time to time; or
 - (b) an earlier version of a particular pandemic order in force or this Order will be taken to be a reference to the current version of that particular pandemic order.

12 Severability

To the extent that any part of this Order is held to be in excess of power or otherwise invalid it is to be taken to be valid to the extent to which it is not in excess of that power.

13 Transitional provisions

- (1) A reference in any pandemic order in force to a Revoked Movement and Gathering Order is taken on and after the commencement of this Order to be a reference to this Order.
- (2) Any act matter or thing that had effect under a Revoked Movement and Gathering Order immediately before it was revoked continues to have effect under this Order.
- (3) Without limiting subclause (2), this Order is subject to any exemption, benefit, requirement or entitlement (however described) to which a Revoked Movement and Gathering Order was subject immediately before it was revoked.
- (4) This clause is subject to any express provision to the contrary in this Order.

PART 4 – PENALTIES

14 Penalties

Section 165BN of the **Public Health and Wellbeing Act 2008** provides:

Failure to comply with pandemic order, direction or other requirement

- (1) A person commits an offence if the person refuses or fails to comply with a pandemic order, or with a direction given to the person, or a requirement made of the person, in the exercise of a pandemic management power.
 - Penalty: In the case of a natural person, 60 penalty units;
 - Penalty: In the case of a body corporate, 300 penalty units.
- (2) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply.

*Note: the **Public Health and Wellbeing Regulations 2019** provide for infringement notices to be served on any person who has refused or failed to comply (without a reasonable excuse) with a pandemic order, or a direction given or a requirement made in the exercise of a pandemic management power. The amount payable pursuant to the infringement notice varies depending on the nature of the failure or refusal and the age of the person.*

SCHEDULE 1 – DEFINITIONS

For the purposes of this Order:

Additional Industry Obligations Order means the **Pandemic (Additional Industry Obligations) Order 2022 (No. 7)** as amended or replaced from time to time;

aircraft means an aircraft that is mainly used for the purpose of, or is engaged, or is intended or likely to be engaged, in a flight wholly within Australia;

airport means an aerodrome at which facilities are available for the arrival or departure of aircraft into or from the State of Victoria;

authorised officer has the same meaning as in the **Public Health and Wellbeing Act 2008**;

bus company has the same meaning as in **Transport (Compliance and Miscellaneous) Act 1983**;

care facility has the same meaning as in the **Visitors to Hospitals and Care Facilities Order**;

ceremonial space means the premises or land on which a ceremony is held;

ceremony means a religious gathering, a wedding or a funeral that is held at any premises or land that is not a private residence or an ‘open premises’ within the meaning of the **Open Premises Order**;

childcare or early childhood service has the same meaning as in the **COVID-19 Mandatory Vaccination (Specified Facilities) Order**;

commercial passenger vehicle has the same meaning as in the **Workplace Order**;

court means any premises in the State of Victoria that is:

- (a) the Supreme Court; or
- (b) the County Court; or
- (c) the Magistrates’ Court; or
- (d) the Children’s Court; or
- (e) any Federal Court; or
- (f) the Coroner’s Court; or
- (g) the Victorian Civil and Administrative Tribunal; or
- (h) any other court or tribunal of Victoria conducting in-person hearings;

COVID-19 means the contagious disease caused by severe acute respiratory syndrome coronavirus 2;

COVID-19 Mandatory Vaccination (General Workers) Order means the **COVID-19 Mandatory Vaccination (General Workers) Order 2022 (No. 3)** as amended or replaced from time to time;

COVID-19 Mandatory Vaccination (Specified Facilities) Order means the **COVID-19 Mandatory Vaccination (Specified Facilities) Order 2022 (No. 6)** as amended or replaced from time to time;

COVID-19 Mandatory Vaccination (Specified Workers) Order means the **COVID-19 Mandatory Vaccination (Specified Workers) Order 2022 (No. 5)** as amended or replaced from time to time;

Detention Notice means a notice given to a person requiring the person to be detained for a specified period under the **Public Health and Wellbeing Act 2008**;

Detention Order means the **Detention Order 2022 (No. 4)** as amended or replaced from time to time;

food and drink premises has the same meaning as in the **Open Premises Order**;

education premises means:

- (a) a school; or

- (b) a school boarding premises; or
- (c) a premises that provides outside school hours care services;

employer has the same meaning as in the **Workplace Order**;

excepted person has the same meaning as in the **Open Premises Order**;

face covering means a fitted face mask that covers the nose and mouth to provide the wearer protection against infection (but does not include a face shield);

fully vaccinated has the same meaning as in the **Open Premises Order**;

healthcare premises means:

- (a) a community health centre, including mental health, child and maternity, and drug and alcohol counselling services centres; or
- (b) a general practice; or
- (c) a COVID-19 related healthcare site, including testing sites, vaccination centres and hotel quarantine premises; or
- (d) a dental surgery and dental practice; or
- (e) a health clinic, including medical specialist and/or allied health professional operated clinics; or
- (f) a diagnostic and medical imaging centre; or
- (g) a premises at which mobile health services are provided; or
- (h) a premises at which blood donation services are provided;

hospital has the same meaning as in the **Visitors to Hospitals and Care Facilities Order**;

indoor space means an area, room or premises that is or are substantially enclosed by a roof and walls that are permanent structures rising either from floor to ceiling or are at least 2.1 metres high, regardless of whether the roof or walls or any part of them are open or closed;

justice centre means a Justice Service Centre as established by the Department of Justice and Community Safety;

licensed tourism operator has the same meaning as in the **Open Premises Order**;

Movement and Gathering Order means the **Pandemic (Movement and Gathering) Order 2022 (No. 4)** as amended or replaced from time to time;

Open Premises Order means the **Pandemic (Open Premises) Order 2022 (No. 5)** as amended or replaced from time to time;

organiser means a person who is primarily responsible for organising a ceremony;

pandemic orders in force means any of the following as amended or replaced from time to time:

- (a) the **Workplace Order**;
- (b) the **Additional Industry Obligations Order**;
- (c) the **Open Premises Order**;
- (d) the **Movement and Gathering Order**;
- (e) the **Victorian Border Crossing Order**;
- (f) the **Visitors to Hospitals and Care Facilities Order**;
- (g) the **Quarantine, Isolation and Testing Order**;
- (h) the **COVID-19 Mandatory Vaccination (General Workers) Order**;
- (i) the **COVID-19 Mandatory Vaccination (Specified Facilities) Order**;
- (j) the **COVID-19 Mandatory Vaccination (Specified Workers) Order**;
- (k) the **Detention Order**;

passenger transport company has the same meaning as in the **Transport (Compliance and Miscellaneous) Act 1983**;

police gaol has the same meaning as in the **Corrections Act 1986**;

post-sentence facility means a facility of the Post Sentence Authority;

premises means:

- (a) a building, or part of a building; and
- (b) any land on which the building is located, other than land that is available for communal use;

prison has the same meaning as in the **Corrections Act 1986**;

prisoner has the same meaning as in the **Corrections Act 1986**;

public transport means a vehicle operated by a passenger transport company or by a bus company in the provision of public transport service;

public transport service has the same meaning as in the **Transport (Compliance and Miscellaneous) Act 1983**;

Quarantine, Isolation and Testing Order means the **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 5)** as amended or replaced from time to time;

real estate has the same meaning as in the **Estate Agents Act 1980**;

remand centre has the same meaning as in the **Children, Youth and Families Act 2005**;

retail premises means a premises that is used wholly or predominantly for the sale or hire of goods by retail, or the retail provision of services;

Revoked Movement and Gathering Order means the **Stay Safe Directions (Victoria) (No. 30)** or the **Pandemic (Movement and Gathering) Order 2021 (No. 3)**, or their predecessors;

school means a registered school as defined in the **Education and Training Reform Act 2006**;

vehicle has the same meaning as in the **Public Health and Wellbeing Act 2008**;

Victorian Border Crossing Order means the **Pandemic (Victorian Border Crossing) Order 2022 (No. 5)** as amended or replaced from time to time;

Visitors to Hospitals and Care Facilities Order means the **Pandemic (Visitors to Hospitals and Care Facilities) Order 2022 (No. 3)** as amended or replaced from time to time;

work premises has the same meaning as in the **Workplace Order**;

worker means any person engaged or employed by either:

- (a) an operator of a premises to work at the premises; or
- (b) an organiser to work at the ceremonial space;

Workplace Order means the **Pandemic (Workplace) Order 2022 (No. 6)** as amended or replaced from time to time;

youth justice centre has the same meaning as in the **Children, Youth and Families Act 2005**;

youth residential centre has the same meaning as in the **Children, Youth and Families Act 2005**.

Dated 25 February 2022

MARTIN FOLEY MP
Minister for Health

Public Health and Wellbeing Act 2008

Section 165AI

GUIDANCE FOR THE PANDEMIC (WORKPLACE) ORDER 2022 (No. 6)

The presence of a person with a positive or probable diagnosis for COVID-19 at a work premises is considered to pose an immediate risk of transmission to persons who attend, or may attend the work premises.

This Order imposes specific obligations on employers to assist in reducing the frequency of outbreaks of COVID-19 in Victorian workplaces.

A worker must self-isolate and not attend a work premises if they have been tested for COVID-19 and they are awaiting the result of that test.

An employer must take reasonable steps to ensure:

- (1) all workers carry and wear a face covering where appropriate; and
- (2) implement a COVIDSafe Plan which addresses health and safety issues arising from COVID-19.

Where the work premises is an open premises, employers must also:

- (1) keep a record of all persons who attend the work premises, including the person's name, date and time, contact number and areas of the work premises the person attended; and
- (2) comply with the Victorian Government QR code system and display appropriate signage for the type of work premises as specified by this Order.

Where the work premises is not an open premises, employers may keep a record of all persons who attend the work premises, including the person's name, date and time, contact number and areas of the work premises the person attended.

This Order specifies the appropriate response of an employer in the circumstance of a symptomatic person or confirmed case of COVID-19 in the work premises.

Failure to comply with this Order may result in penalties.

This guidance does not form part of the Pandemic (Workplace) Order 2022 (No. 6) and is for explanatory purposes only.

Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (WORKPLACE) ORDER 2022 (No. 6)

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Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (WORKPLACE) ORDER 2022 (No. 6)

I, Martin Foley, Minister for Health, make the following Order under the **Public Health and Wellbeing Act 2008** in the belief that this Order is reasonably necessary to protect public health throughout Victoria from the serious risk arising from the coronavirus (COVID-19) pandemic disease.

PART 1 – PRELIMINARY**1. Objective**

- (1) The purpose of this Order is to establish specific obligations on employers and workers in relation to managing the risk associated with COVID-19 transmission in the work premises.
- (2) This Order must be read together with the pandemic orders in force.
- (3) This Order is intended to supplement any obligation an employer may have under the **Occupational Health and Safety Act 2004** and is not intended to derogate from any such obligations.

2. Citation

This Order may be referred to as the **Pandemic (Workplace) Order 2022 (No. 6)**.

3. Authorising Provision

This Order is made under section 165AI of the **Public Health and Wellbeing Act 2008**.

4. Commencement and revocation

- (1) This Order commences at 11:59:00 pm on 25 February 2022 and ends at 11:59:00 pm on 12 April 2022.
- (2) The **Pandemic (Workplace) Order 2022 (No. 5)** is revoked at 11:59:00 pm on 25 February 2022.

5. Definitions

Terms used in the Order have meanings set out in Schedule 1.

6. Application of this Order

This Order applies to the whole State of Victoria.

PART 2 – WORKPLACE ORDERS**Division 1 – Precautionary measures****7. Operation of a work premises**

- (1) Where an employer permits or requires work to be performed at a work premises, the employer must comply with clauses 8 to 13.
- (2) A worker must not attend a work premises if they have undertaken a COVID-19 PCR test or a COVID-19 rapid antigen test and they are awaiting the result of that test except if more than 7 days has passed since the date of the test.

8. Face coverings requirement

- (1) An employer must take reasonable steps to ensure a worker, when working at a work premises:
 - (a) carries a face covering at all times, except where an exception in the **Movement and Gathering Order** applies; and
 - (b) wears a face covering where required to do so in accordance with any other pandemic orders in force, except where an exception in the **Movement and Gathering Order** applies.

Note: face shields on their own do not meet the face covering requirements. Please refer to the Department's guidelines for further information.

- (1A) An employer of an education premises must take all reasonable steps to ensure that each student who physically attends the education premises complies with any requirement to wear a face covering that may apply to the student under the **Movement and Gathering Order**.

9. COVIDSafe Plan

- (1) Subject to subclause (3), an employer must, for each work premises:
- (a) have in place a COVIDSafe Plan, which addresses the health and safety issues arising from COVID-19, including but not limited to:

Note: employers can use the template plan accessible from the following website for guidance: www.coronavirus.vic.gov.au/covidsafe-plan as amended or replaced from time to time by the Victorian Government.

 - (i) where applicable, the employer's process for implementing the record-keeping obligation under clause 10(1);
 - (ii) the appropriate level of PPE to be worn at the work premises;
 - (iii) actions taken by the employer to mitigate the introduction of COVID-19 at the work premises;

Examples: temperature testing, provision and training for PPE use, physical distancing requirements (e.g. closing or reconfiguring common areas such as lunchrooms to support workers remaining 1.5 metres apart at all times).
 - (iv) the processes which the employer has put in place to respond to any symptomatic person or any confirmed case of COVID-19 at the work premises, taking into account the employer's obligations under this Order;
 - (v) an acknowledgement that the employer understands its responsibilities and obligations under this Order; and
 - (b) document and evidence, and require its managers to document and evidence, implementation of the COVIDSafe Plan.
- (2) The employer and the employer's workers must comply with the COVIDSafe Plan.
- (3) An employer is not required to comply with subclause (1):
- (a) for any work premises that have no workers working at that work premises; or
 - (b) in relation to:
 - (i) each individual vehicle that makes up a fleet of two or more vehicles; and

Note 1: despite subparagraph (i), an employer must have a COVIDSafe Plan in relation to a fleet of two or more vehicles.

Note 2: where an employer owns, operates or controls only one vehicle, then it must have a COVIDSafe Plan for that vehicle.

Example: where an employer owns, operates or controls only one vehicle used to provide commercial passenger vehicle services or a vehicle used to provide passenger services, then it must have a COVIDSafe Plan for that vehicle.
 - (ii) vehicles used predominantly by a worker to travel between the work premises and the worker's ordinary place of residence; or

Note: each vehicle used predominantly as a work premises (e.g. food trucks, dental vans) requires a COVIDSafe Plan.
 - (c) in relation to a premises governed by an owners corporation where that premises has:
 - (i) no shared spaces; or
 - (ii) only shared outdoor spaces (such as shared driveways, lawns or gardens).

Note: an owners corporation is required to have a COVIDSafe Plan for all premises where there are shared indoor spaces (for example: hallways, underground carparking facilities, or gyms).

- (4) An employer must:
 - (a) ensure the COVIDSafe Plan is held at the work premises at all times; and
 - (b) immediately present a copy of the COVIDSafe Plan on request to an Authorised Officer; and
 - (c) comply with any direction given by an Authorised Officer or WorkSafe inspector to modify a COVIDSafe Plan, including:
 - (i) following an outbreak of confirmed cases of COVID-19 at a work premises; or
 - (ii) if the Authorised Officer considers that the COVIDSafe Plan is not fit for purpose; and
 - (d) implement any modifications required in accordance with paragraph (c).

10. Record-keeping obligations (records requirement)

- (1) Subject to subclause (4), an employer must keep a record of all persons who attend the work premises if the work premises is an open premises, which includes:
 - (a) the person's first name; and
 - (b) the person's surname; and
 - (c) a contact phone number; and
 - (d) the date and time at which the person attended the work premises; and
 - (e) the areas of the work premises which the person attended.

Note 1: where a venue is not staffed, an employer will have complied with the records requirement if they display instructions in a prominent location that clearly explain how patrons and other visitors to the venue should record their details.

Note 2: where a person does not have a phone number, an employer may comply with the record-keeping requirement by registering that person's contact details using a phone number for the contact most likely to be able to locate the person, such as a known relative, carer, or the phone number of the employer itself.

- (2) Subject to subclauses (3) to (6), in relation to a work premises that is an open premises, an employer must:
 - (a) comply with subclause (1) using the Victorian Government QR code system; and
 - (b) make reasonable efforts to ensure that a person required to record an attendance at the work premises in accordance with paragraph (a) can do so using the Victorian Government QR code system for that purpose even where they do not have access to a personal mobile phone or other device that enables them to do so; and
- Note: compliance with paragraph (b) could include making a terminal (e.g. a tablet or other device) available for persons to register their contact details via the Victorian Government QR code system and staff available to provide assistance to persons to do so.*
- (c) where:
 - (i) it is not reasonably practicable for a person to record an attendance at the open premises using the Victorian Government QR code system; or
 - (ii) there is an access issue that prevents the Victorian Government QR code system from operating,

then the employer must use an alternative record-keeping method to comply with the records requirement; and

Example: where a venue has no internet coverage, such as in a remote location, manual records could be kept and stored electronically by the venue.

- (d) information collected by an employer using an alternative record-keeping method under subclause (2)(c) must be provided by the employer to Service Victoria if requested to do so by the Department or Service Victoria; and

- (e) prominently display signage at each entrance to the open premises so that members of the public can record their attendance using the Victorian Government QR code system; and
- Note: signage may also be displayed nearby to an entrance as well as at the entrance (for example, inside the open premises, in a hallway or waiting room near the entrance) if required to prevent people lining up outside or congregating at the entrance.*
- (f) where the open premises is a food and drink premises, excluding a food and drink premises that is a food court:
- (i) prominently display signage at all points of sale and at all points of service, so that members of the public can record their attendance using the Victorian Government QR code system; and
- Note: open premises to which paragraph (f) applies are required to comply with the signage requirements in paragraph (f) in addition to the signage requirements in paragraph (e).*
- (ii) ensure that a staff member requests all members of the public attending the open premises to record their attendance at:
- (A) an entrance to the open premises; or
- (B) a point of sale; or
- (C) a point of service; and
- Note: a point of sale includes where a customer pays for goods or services. A point of service includes where a worker interacts with a customer other than at a point of sale during their attendance, for example, a waiter attending a table to take an order; or when greeting a customer once they have entered the work premises.*
- (3) Where a person who attends an open premises is unable to check in using the Victorian Government QR code system for the purpose of subclauses (1) or (6), that information may be collected by an employer from another person on behalf of the first person using the Victorian Government QR code system for that purpose.
- (4) An employer is not required to comply with the records requirement in subclause (1):
- (a) in relation to essential support groups and health services if confidentiality is typically required; or
- Example: support groups for alcohol and drugs or family violence typically require confidentiality.*
- (b) in relation to common property areas governed by an owners corporation; or
- (c) in relation to persons receiving contactless ‘click and collect’ services where the transaction does not involve entering any indoor space at a work premises; or
- Example: attending a retail facility where a worker drops the goods into the boot of a customer’s car whilst the customer remains in the car.*
- (d) in relation to takeaway food providers in respect of customers attending the premises for the sole purpose of collecting food at a drive-through window; or
- (e) in relation to emergency workers attending a work premises for the purposes of responding to an emergency where complying with the records requirement is not practicable in the circumstances; or
- (f) in relation to attendances at a work premises for the purposes of police matters (including investigations), and the administration of justice where the person who is the subject of the record requests that their attendance is kept confidential; or
- (g) in relation to workers of, or visitors to premises owned or operated by, intelligence agencies who attend that premises for reasons of national security.
- (5) An employer is not required to comply with subclause (2) in relation to work premises that are:
- (a) premises where pre-ordered goods are being delivered via contactless delivery; or
- Example: a meal delivery service driver attending a premises to drop a meal ordered via an app at the door is not required to check-in at that premises.*

- (b) a private residence attended by workers for the purposes of undertaking work.
Note: this excludes common property areas governed by an owners corporation.
- (6) In handling any information collected under subclause (1), an employer who uses a system other than the Victorian Government QR code system, must:
- (a) not collect personal information unless the information is necessary to meet the requirements outlined in subclause (1); or
- (b) use reasonable endeavours to protect the personal information from use or disclosure, other than in accordance with a request made by an Authorised Officer (or a person assisting an Authorised Officer); and
Note: information should be collected in a way that protects it from being disclosed to other patrons.
Example: where using a paper-based method, a sheet of paper could be placed over previous visitor details on a sheet that records the names.
- (c) use reasonable endeavours to notify the person from whom the personal information is being collected that the primary purpose of collection is for COVID-19 contact tracing, and that their personal information may be collected and stored by the Victorian Government for this purpose; and
- (d) destroy the information as soon as reasonably practicable following 28 days after the attendance at the work premises, unless a statutory requirement permits or requires the personal information to be retained; and
Note: paragraph (a) is intended to apply to employers who use or owners who collect information pursuant to subclauses (1) or (6) using a method other than the Victorian Government QR code system, whether or not:
- (a) the employer also uses or the owner also uses the Victorian Government QR code system to comply with subclauses (1) or (6); or
- (b) the system used by the employer or made available by the owner links to the Victorian Government QR code system.
- (7) In handling any information collected under subclauses (1) or (8), Service Victoria and/or another operator of the Victorian Government QR code system must destroy the information as soon as reasonably practicable following 28 days after the attendance at the work premises unless a statutory requirement permits or requires the personal information to be retained.
- (8) An employer may keep a record of all persons who attend the work premises if the work premises is not an open premises, which includes:
- (a) the person's first name; and
- (b) the person's surname; and
- (c) the person's phone number; and
- (d) the date and time at which the person attended the work premises; and
- (e) the areas of the work premises which the person attended,
- using the Victorian Government QR code system.

11. Signage requirements (signage requirement)

- (1) Where any other pandemic orders in force require a face covering to be worn in a work premises or part of a work premises:
- (a) an employer in relation to that work premises; or
- (b) a person who owns, operates or controls that work premises,
- must display a sign at each public entry advising that each person entering the work premises must wear a face covering, unless an exception under a pandemic order in force applies.

- (2) An employer or a person who owns, operates or controls a work premises, is not required to comply with subclause (1) in relation to a work premises:
 - (a) that is a food and drink premises or a retail premises; or
 - (b) at which an event with 30,000 or more patrons in attendance is being held.

Division 2 – Responding to a Symptomatic Person or a Confirmed COVID-19 Case

12. Responding to a symptomatic person in a work premises

- (1) An employer must not require a worker to perform work at a work premises if the worker is a symptomatic person.
- (2) As soon as practicable after becoming aware of a symptomatic person who has attended a work premises in the period commencing 48 hours prior to the onset of symptoms, an employer must:
 - (a) advise the worker that they are required to comply with the relevant requirements set out in the Testing Requirements for Contacts and Exposed Persons and, where applicable, follow the COVID-19 rapid antigen test procedure; and
 - (b) ensure appropriate records are maintained in accordance with clause 10(1) in order to support contact tracing if the symptomatic person becomes a confirmed case, particularly from the period commencing 48 hours prior to the onset of symptoms in the symptomatic person; and

Note: this will include, for example, rosters and worker details, and details of all visitors to the work premises, to ascertain which persons were present at the work premises and who they may have come into contact with.
 - (c) inform all workers (including the health and safety representative) to be vigilant about the onset of COVID-19 symptoms and advise all workers to comply with the relevant requirements set out in the Testing Requirements for Contacts and Exposed Persons and, where applicable, follow the COVID-19 rapid antigen test procedure if they become symptomatic.

13. Responding to a confirmed case of COVID-19 in a work premises

- (1) A worker who has received a positive result from a COVID-19 PCR test or a COVID-19 rapid antigen test must, as soon as practicable, notify the operator of any work premises at which the diagnosed person or the probable case ordinarily works, if the diagnosed person or the probable case attended an indoor space at the work premises during their Infectious Period.
- (2) As soon as practicable after becoming aware of a diagnosed person or a probable case who has attended the work premises in the Infectious Period, the operator must:
 - (a) to the extent not already completed, direct the diagnosed person or the probable case not to attend the work premises and advise them to self-isolate immediately in accordance with the relevant requirements in the **Quarantine, Isolation and Testing Order** and support the worker in doing so, by either:
 - (i) directing the worker to travel home immediately (and providing support to the worker to do so); or
 - (ii) where the worker is unable to travel home immediately, directing the worker to isolate themselves at the work premises and, whilst doing so, to wear a face covering and remain at least 1.5 metres from any other person at the work premises, until the worker can return home later that day to self-isolate; and

Note: the worker should isolate in a separate room from other persons, where possible.
 - (b) take reasonable steps to notify all workers that are exposed persons at the work premises that they:
 - (i) may have been exposed to COVID-19; and

- (ii) must comply with the relevant requirements set out in the Testing Requirements for Contacts and Exposed Persons and, where applicable, follow the COVID-19 rapid antigen test procedure; and
- (iii) must produce to the operator of the work premises acceptable evidence of a negative result from any COVID-19 test they are required to complete in accordance with the Testing Requirements for Contacts and Exposed Persons before being permitted to return to the work premises; and
- (c) inform all workers (including health and safety representatives) to be vigilant about the onset of COVID-19 symptoms and advise all workers to comply with the relevant requirements set out in the Testing Requirements for Contacts and Exposed Persons and, where applicable, follow the COVID-19 rapid antigen test procedure, if they become symptomatic; and
- (d) put in place appropriate control and/or risk management measures to reduce the risk of spreading COVID-19 at the work premises; and

Note: employers are encouraged to ensure that any risks identified from the confirmed case are addressed in these control measures.

Examples: increasing the implementation and enforcement of control measures with respect to PPE (such as face coverings) and physical distancing.

- (e) where the work premises (or part of the work premises) is closed, not re-open that work premises (or that part of the work premises which was closed) until all of the following have occurred:
 - (i) the employer has complied with all of its obligations under paragraphs (a) to (d); and
 - (ii) the Department has completed all relevant contact tracing.

Note: employers must comply with their obligations under occupational health and safety laws.

- (3) As soon as practicable after becoming aware that at least 5 confirmed cases attended the work premises within a 7 day period, the operator must notify the Department (or other entity nominated by the Department on its website) and:
 - (a) notify it of the actions taken in accordance with subclause (2)(a) to (d); and
 - (b) provide it with a copy of the risk assessment conducted in accordance with subclause (2)(d); and
 - (c) provide it with contact details of any exposed persons (whether or not workers) identified pursuant to subclause (2)(b); and
 - (d) comply with any further directions given by the Department or WorkSafe in relation to closure of the work premises (or part of the work premises) and/or cleaning.

14. Testing requirements for exposed persons

A person who has been notified under clause 13(2)(b) that they are an exposed person at a work premises must:

- (1) comply with the relevant requirements set out in the Testing Requirements for Contacts and Exposed Persons and, where applicable, follow the COVID-19 rapid antigen test procedure; and
- (2) produce to the operator of the work premises acceptable evidence of a negative result from any COVID-19 test they are required to complete in accordance with the Testing Requirements for Contacts and Exposed Persons within 24 hours of receiving the negative result and before returning to the work premises.

Note: the exposed person's parent, guardian or carer may notify the operator of the work premises on behalf of the exposed person, for the purpose of subclause (2).

15. Collection of information by operators of a work premises

- (1) The operator of a work premises must collect, record and store the following information:
 - (a) a list of workers who have been notified under clause 13(2)(b) that they are exposed persons; and
 - (b) any results of tests for COVID-19 of workers who have been notified under clause 13(2)(b) that they are exposed persons, including the acceptable evidence of a negative test result for COVID-19 provided to the operator of the work premises under clause 14(2).
- (2) For the purposes of complying with this clause, an operator of a work premises is authorised to use any information that it holds under subclause (1).

PART 3 – GENERAL PROVISIONS**16. Relationship with other Orders**

If there is any inconsistency between this Order and an Order or other requirement contained in a **Detention Notice**, these Orders are inoperative to the extent of the inconsistency.

17. Severability

To the extent that any part of this Order is held to be in excess of power or otherwise invalid it is intended that it is to be taken to be valid to the extent to which it is not in excess of that power.

18. Transitional provisions

- (1) A reference in any pandemic order in force to a Revoked Workplace Order is taken on and after the commencement of this Order to be a reference to this Order.
- (2) Any act, matter or thing that had effect under a Revoked Workplace Order immediately before it was revoked continues to have effect under this Order.
- (3) Without limiting subclause (2), this Order is subject to any exemption, benefit, requirement or entitlement (however described) to which a Revoked Workplace Order was subject immediately before it was revoked.
- (4) This clause is subject to any express provision to the contrary in this Order.

19. Service Victoria authorisation

- (1) The Service Victoria CEO is authorised to:
 - (a) collect, use and disclose information about the attendance of a person at a work premises, including at a work premises where the employer is not required to record the person's attendance under this Order; and
 - (b) store that information for a period of 28 days after the attendance of the person at the work premises unless a statutory requirement permits or requires the personal information to be retained,that is collected through:
 - (c) the Victorian Government QR code system; or
 - (d) the disclosure of the attendance information by an employer to the Service Victoria CEO that was collected by the employer using an alternative record-keeping method put in place to comply with the records requirement under this Order or a Revoked Workplace Order.

PART 4 – PENALTIES**20. Penalties**

Section 165BN of the **Public Health and Wellbeing Act 2008** provides:

Failure to comply with pandemic order, direction or other requirement

- (1) A person commits an offence if the person refuses or fails to comply with a pandemic order, or with a direction given to the person, or a requirement made of the person, in the exercise of a pandemic management power.

Penalty: In the case of a natural person, 60 penalty units;

Penalty: In the case of a body corporate, 300 penalty units.

- (2) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply.

*Note: the **Public Health and Wellbeing Regulations 2019** provide for infringement notices to be served on any person who has refused or failed to comply (without a reasonable excuse) with a pandemic order, or a direction given or a requirement made in the exercise of a pandemic management power. The amount payable pursuant to the infringement notice varies depending on the nature of the failure or refusal and the age of the person.*

SCHEDULE 1 – DEFINITIONS

For the purposes of this Order:

Additional Industry Obligations Order means the **Pandemic (Additional Industry Obligations) Order 2022 (No. 7)** as amended or replaced from time to time;

Authorised Officer has the same meaning as in the **Public Health and Wellbeing Act 2008**; **commercial passenger vehicle service** has the meaning given in section 4 of the **Commercial Passenger Vehicle Industry Act 2017**;

confirmed case means a diagnosis of COVID-19 in a worker at the work premises from a COVID-19 PCR test or a COVID-19 rapid antigen test and includes a worker who is a diagnosed person or a probable case;

COVID-19 means the contagious disease caused by severe acute respiratory syndrome coronavirus 2;

COVID-19 Mandatory Vaccination (General Workers) Order means the **Pandemic COVID-19 Mandatory Vaccination (General Workers) Order 2022 (No. 3)** as amended or replaced from time to time;

COVID-19 Mandatory Vaccination (Specified Facilities) Order means the **Pandemic COVID-19 Mandatory Vaccination (Specified Facilities) Order 2022 (No. 6)** as amended or replaced from time to time;

COVID-19 Mandatory Vaccination (Specified Workers) Order means the **Pandemic COVID-19 Mandatory Vaccination (Specified Workers) Order 2022 (No. 5)** as amended or replaced from time to time;

COVID-19 PCR test has the same meaning as in the **Quarantine, Isolation and Testing Order**;

COVID-19 rapid antigen test has the same meaning as in the **Quarantine, Isolation and Testing Order**;

COVID-19 rapid antigen test procedure has the same meaning as in the **Quarantine, Isolation and Testing Order**;

COVID-19 symptoms means symptoms consistent with COVID-19, including but not limited to the following:

- (1) a fever ($\geq 37.5^{\circ}\text{C}$) or consistent fever of less than 37.5°C (such as night sweats, chills);
- (2) acute respiratory infection (such as cough, shortness of breath, sore throat);
- (3) loss of smell;
- (4) loss of taste;

COVIDSafe Plan has the meaning in clause 9(1);

Department means the Department of Health;

Detention Notice means a notice given to a person requiring the person to be detained for a specified period;

diagnosed person has the same meaning as in the **Quarantine, Isolation and Testing Order**;

education premises has the same meaning as in the **Movement and Gathering Order**;

emergency has the same meaning as in the **Emergency Management Act 2013**;

emergency worker has the same meaning as in the **Sentencing Act 1991**;

employee includes a person who is self-employed;

employer means a person who owns, operates or controls work premises (or a work premises) and includes a person who is self-employed;

exposed person has the same meaning as in the **Quarantine, Isolation and Testing Order**;

face covering means a fitted face mask that covers the nose and mouth to provide the wearer protection against infection;

food and drink premises has the same meaning as in the **Open Premises Order**;

food court has the same meaning as in the **Liquor Control Reform Act 1998**;

general worker has the same meaning as in the **COVID-19 Mandatory Vaccination (General Workers) Order**;

health and safety representative has the same meaning as in the **Occupational Health and Safety Act 2004**;

indoor space has the same meaning as in the **Open Premises Order**;

Infectious Period has the same meaning as in the **Quarantine, Isolation and Testing Order**;

inspector has the same meaning as in the **Occupational Health and Safety Act 2004**;

Movement and Gathering Order means the **Pandemic (Movement and Gathering) Order 2022 (No. 4)** as amended or replaced from time to time;

open premises has the same meaning as in the **Open Premises Order**;

Open Premises Order means the **Pandemic (Open Premises) Order 2022 (No. 5)** as replaced or amended from time to time;

outbreak has the same meaning as in the **Quarantine, Isolation and Testing Order**;

outdoor space has the same meaning as in the **Open Premises Order**;

owner has the same meaning as in the **Commercial Passenger Vehicle Industry Act 2017**;

owners corporation has the same meaning as in the **Owners Corporations Act 2006**;

pandemic orders in force has the same meaning as in the **Movement and Gathering Order**;

passenger services has the same meaning as in the **Transport Integration Act 2010**;

PPE means personal protective equipment;

premises has the same meaning as in the **Open Premises Order**;

probable case has the same meaning as in the **Quarantine, Isolation and Testing Order**;

Quarantine, Isolation and Testing Order means the **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 5)** as amended or replaced from time to time;

reasonably practicable is to have its ordinary and common sense meaning;

records requirement means the requirements in clause 10;

retail premises has the same meaning as in the **Movement and Gathering Order**;

Revoked Workplace Order means the **Workplace Directions (No. 57)** or the **Pandemic (Workplace) Order 2022 (No. 5)**, or their predecessors;

self-isolate has the same meaning as in the **Quarantine, Isolation and Testing Order**;

self-quarantine has the same meaning as in **Quarantine, Isolation and Testing Order**;

Service Victoria has the same meaning as in the **Service Victoria Act 2018**;

Service Victoria CEO has the same meaning as in the **Service Victoria Act 2018**;

signage requirement has the meaning in clause 11;

Students with Disabilities Transport Program means the program of that name administered by the Department of Education and Training;

symptomatic person means a person that is experiencing one or more COVID-19 symptoms, unless those symptoms are caused by an underlying health condition or medication;

Testing Requirements for Contacts and Exposed Persons means the document titled 'Testing Requirements for Contacts and Exposed Persons' as amended or reissued from time to time by the Secretary of the Department of Health;

vehicle has the same meaning as in the **Open Premises Order**;

Victorian Government QR code system means the digital system provided by the Service Victoria CEO and other parts of the Victorian Government that enables a person to record their attendance;

Visitors to Hospitals and Care Facilities Order means the **Pandemic (Visitors to Hospitals and Care Facilities) Order 2022 (No. 3)** as amended or replaced from time to time;

work premises means a premises in which work is undertaken, including any vehicle whilst being used for work purposes, but excluding a person's ordinary place of residence;

Note: this includes a community facility such as a community centre or community hall, or a public library, or a place of worship, or a home or residential property when a business is operated from that home or residential property.

worker includes employees, subcontractors (and their employees), volunteers and any other person engaged or permitted by an employer to perform work;

WorkSafe means WorkSafe Victoria.

Dated 25 February 2022

MARTIN FOLEY MP
Minister for Health

Public Health and Wellbeing Act 2008
ORDER UNDER SECTION 165CE(2) OF THE
PUBLIC HEALTH AND WELLBEING ACT 2008

Independent Pandemic Management Advisory Committee

I, Hon. Martin Foley MP, Minister for Health, acting under section 165CE(2) of the **Public Health and Wellbeing Act 2008** (the Act), by Order:

Appoint in accordance with section 165CE(2) of the Act the following persons as members of the Independent Pandemic Management Advisory Committee from 28 February 2022 to the earlier of 28 February 2023 or the date on which the relevant pandemic declaration ceases to be in force or is revoked by the Premier (all dates inclusive) to receive the following remuneration:

Name	Title	Remuneration
Penny Armytage	Chair	\$3,500 per full day session
Paris Aristotle	Member	\$1,000 per full day session
Paula Carew	Member	\$1,000 per full day session
Joseph Doyle	Member	\$1,000 per full day session
Belinda Duarte	Member	\$1,000 per full day session
Peter Harcourt	Member	\$1,000 per full day session
Rabea Khan	Member	\$1,000 per full day session
Vivienne Nguyen	Member	N/A
Amanda Rojek	Member	\$1,000 per full day session
Mark Stone	Member	\$1,000 per full day session
Helen Szoke	Member	\$1,000 per full day session

Daily sessional payments are exclusive of superannuation. Superannuation contributions will be paid by the employer in accordance with the Commonwealth's **Superannuation Guarantee (Administration) Act 1992**.

In accordance with section 165CE(7) of the Act, a member of an Independent Pandemic Management Advisory Committee, other than a member who is an employee of the public service, is entitled to receive the fees, travelling and other allowances from time to time fixed by the Minister in respect of their appointment.

Dated 28 February 2022

MARTIN FOLEY MP
Minister for Health

Safety on Public Land Act 2004**DECLARATION OF PUBLIC SAFETY ZONES**

The Secretary to the Department of Environment, Land, Water and Planning makes a Declaration of Public Safety Zone pursuant to section 4(1) of the **Safety on Public Land Act 2004**:

1. Definitions

For the purposes of this declaration:

- (i) 'the Act' means the **Safety on Public Land Act 2004**;
- (ii) 'Buffer' means an area of State forest that extends 150 metres outside the perimeter of any Fire Operations Area;
- (iii) 'Fire Operations' means any activities undertaken on State forest to meet the obligations of the Secretary under section 62(2) of the **Forests Act 1958**, that are:
 - (a) Identified on a Fire Operations Plan or Joint Fuel Management Program; or
 - (b) Ancillary works to the activities identified on a Fire Operations Plan or Joint Fuel Management Program.
- (iv) 'Fire Operations Area' means any area of State forest designated as 'burn', 'planned burn', 'non-burn fuel treatment' or 'Strategic Fuel Break' in any Fire Operations Plan or Joint Fuel Management Program or in any map approved from time to time under a Fire Operations Plan or Joint Fuel Management Program.
- (v) Both 'Fire Operations Plan' and 'Joint Fuel Management Program' means any plan that has been or is:
 - (a) prepared from time to time in accordance with the Code of Practice for Bushfire Management on Public Land prepared from time to time under Part 5 of the **Conservation, Forests and Lands Act 1987**, and
 - (b) issued or published and applies from time to time during the period of this declaration,
related to the role of the Secretary under section 62(2) of the **Forests Act 1958**.
- (vi) 'Public Safety Zone' has the same meaning as in the Act.
- (vii) 'Secretary' means the Secretary to the Department of Environment, Land, Water and Planning.

2. Incorporation of spatial areas by reference

Pursuant to section 4(3) of the Act, this declaration incorporates as a matter any area of State forest designated in any Fire Operations Plan or Joint Fuel Management Program, or in any map approved from time to time under any Fire Operations Plan or Fuel Management Program as 'burn', 'planned burn', 'non-burn fuel treatment' or 'Strategic Fuel Break'.

3. Exclusions

All planned burns (or burns) in Snowy and Tambo Districts within the current Fire Operations Plan or Joint Fuel Management Program, are excluded from this declaration. Noting they may be included in a separate Public Safety Zone Declaration.

4. Declaration of Public Safety Zone and areas to which the declaration applies

Any area of State forest that is a Fire Operations Area or Buffer is declared to be a Public Safety Zone and, pursuant to section 5(1)(a) of the Act, is an area to which this declaration applies.

5. Purpose for which the areas have been declared

Pursuant to section 5(1)(b) of the Act, the purpose for which a Public Safety Zone has been declared are specified as:

- a) fire operations; and
- b) the maintenance of public safety.

6. Period of the declaration

Pursuant to section 5(1)(c) of the Act, the period for which the Public Safety Zones are declared is specified to be the period commencing from 11 March 2022 to 31 August 2022 inclusive.

7. Periods when access is prohibited

For the purposes of section 5(1)(d) of the Act, the period during which access to a Public Safety Zone is prohibited is the period from commencement of Fire Operations in a Public Safety Zone to the cessation of Fire Operations in that Public Safety Zone, as determined by the following:

Fire Operations:

- a) commence or commenced in a Public Safety Zone upon either of the following occurring or having occurred:
 - (i) a notice being displayed on or near that Public Safety Zone in accordance with section 11(1) of the Act,
 - (ii) equipment, machinery, or vehicles for fire operations being present in that Public Safety Zone, and
- b) cease upon a notice of the completion of Fire Operations in that Public Safety Zone being displayed on or near that Public Safety Zone by an employee of the Department of Environment, Land, Water and Planning, Parks Victoria, Melbourne Water or VicForests.

For the purposes of this declaration, Fire Operations can commence and cease more than once in a Public Safety Zone.

8. Activities prohibited

- a) For the purposes of section 5(1)(e) of the Act, the activities that are prohibited in the areas declared to be Public Safety Zones are specified to be:
 - (i) activities that interfere with exempt persons undertaking fire operations.
 - (ii) activities that would expose any person to risks to their health or safety.
- b) In clause 8(a) of this declaration –
 - (i) ‘activity’ includes:
 - (a) entering a Public Safety Zone,
 - (b) remaining in or being present in a Public Safety Zone,
 - (c) walking, riding or driving in a Public Safety Zone,
 - (d) camping or setting up a camp in a Public Safety Zone, and
 - (e) placing an obstruction within a Public Safety Zone.
 - (ii) ‘exempt person’ means any person or class of person specified in:
 - (a) clause 9 of this declaration; and
 - (b) section 9 of the Act.

9. Exempt person or class of person

Pursuant to section 5(2) of the Act, the following persons or classes of person are exempt from the operation of this declaration:

- (a) Employees, agents and contractors of the Department of Environment, Land, Water and Planning, Parks Victoria, Melbourne Water, VicForests, Country Fire Authority and Hancock Victorian Plantations who are trained in Basic Wildfire Awareness or higher, or are accompanied by a person trained in Basic Wildfire Awareness or higher.
- (b) Employees, agents and contractors of the Department of Environment, Land, Water and Planning, Parks Victoria, Melbourne Water and Vic Forests engaged in carrying out their functions.

- (c) Employees, agents, and contractors of the Country Fire Authority, WorkSafe, Environment Protection Authority and the State Emergency Services engaged in carrying out their functions.
- (d) Members of Victoria Police engaged in carrying out their functions.

Dated 7 March 2022

Executed by the Secretary to the Department of Environment,
Land, Water and Planning by being signed by its delegate
CHRIS HARDMAN,
Chief Fire Officer,
pursuant to a delegation, dated 16 October 2019, made under section 11(2) of the
Conservation Forests and Lands Act 1987

Notes:

1. Fire Operations Plan, Joint Fuel Management Program and maps approved in or under these plans are held at the Department of Environment, Land, Water and Planning (DELWP) Regional Offices at Ballarat, Bendigo, Benalla, Geelong, Traralgon and at 8 Nicholson Street, East Melbourne, Victoria 3002 (by appointment with the Senior Fuel Management Coordinator). The maps are also available on the following web site: www.ffm.vic.gov.au/JFMP
2. In addition to the above persons or classes of person exempted under section 5(2), section 9 of the **Safety on Public Land Act 2004** provides that a public safety zone declaration does not apply to the following:
 - the Secretary,
 - an authorised officer,
 - a utility engaged in the carrying out of its functions in a State forest,
 - a transport authority engaged in the carrying out of its functions in a State forest,
 - a person or class of person authorised under section 10 of the **Safety on Public Land Act 2004** to be in the public safety zone.

Water Act 1989

GOULBURN–MURRAY RURAL WATER CORPORATION – WATER EFFICIENCY PROJECT

Notice of Adoption of a Reconfiguration Plan

CG45B RP05

CG46 RP01

MV17 RP03

On 18 February 2022, the Water Efficiency Project Reconfiguration Committee, being a committee established by Goulburn–Murray Rural Water Corporation under the **Water Act 1989**, determined to adopt Reconfiguration Plan CG45B RP05, Reconfiguration Plan CG46 RP01 and Reconfiguration Plan MV17 RP03.

A copy of each Reconfiguration Plan map can be inspected, free of charge, at the Water Efficiency Project website at www.waterefficiencyproject.com.au

FRANK FISSELER
Project Director
Water Efficiency Project
Goulburn–Murray Rural Water Corporation

Water Act 1989**CENTRAL GIPPSLAND REGION WATER CORPORATION –
DECLARATION OF SERVICED PROPERTIES**

Pursuant to section 144 of the **Water Act 1989**, Central Gippsland Region Water Corporation declares the following land to be serviced property for the services listed below on or from the Declaration Date/s listed below.

Address	Service	Subdivision No.	Declaration Date
Currawong Crescent and Boisdale Street, Maffra	Water and Wastewater	PS713644 D	17/02/2022
Carter Street, Stratford	Wastewater	PS827606 B	24/02/2022

Water Act 1989**GREATER WESTERN WATER (PREVIOUSLY CITY WEST WATER AND WESTERN WATER) – DECLARATION OF SERVICED PROPERTIES**

Pursuant to section 144 of the **Water Act 1989**, Greater Western Water (previously City West Water and Western Water) declares the following land to be serviced property for the listed services on or from the Declaration Date/s listed below.

Lot/s	PS Number	Address	Commence Date	Services
1–2	PS735557Y	18 Nelson Street, Darley	28/10/2016	Water/Sewer
1–4	PS815960Y	47 Station Street, Sunbury	5/12/2017	Water/Sewer
1–2	PS903220C	3 Carnegie Court, Gisborne	5/08/2020	Water/Sewer
1–2	PS841720X	32 Bolithos Road, Riddells Creek	23/09/2021	Water/Sewer
S2, 1–2	PS837822N	31 Corinella Road, Woodend	27/01/2022	Water/Sewer
1–11	PS845009T	142 and 144 Barry Street, Romsey	31/01/2022	Water/Sewer
1–2	PS838446K	23 Ormerod Court, Gisborne	1/02/2022	Water/Sewer
1–2	PS845159X	18 Coleraine Drive, Romsey	4/02/2022	Water/Sewer
1–2	PS748053G	2 Anslow Street, Woodend	5/02/2022	Water/Sewer
201–234	PS829574B/S2	Davis Vineyard Estate, Diggers Rest	9/02/2022	Water/Sewer
L250	PS829574B/S21	Davis Vineyard Estate, Diggers Rest	9/02/2022	Water/Sewer
501–536	PS832988D	Winton Estate Stage 5, Deanside	10/02/2022	Water/Sewer
1–9	PS817425M	28 Beckermans Lane, Lancefield	11/02/2022	Water/Sewer
1–12	PS716811U	98 Willowbank Road, Gisborne	11/02/2022	Water/Sewer
13–18	PS831482T/S3	1 Roger Street, Romsey	21/02/2022	Water/Sewer
2401–2432	PS835658K	Stonehill Estate Stage 24a, Maddingley	22/02/2022	Water/Sewer

1201–1247	PS822761Q	Hillgrove Estate Stage 12, Rockbank	24/02/2022	Water/Sewer
1032–1039	PS806375M/S4	Bridgefield Estate Stage 10a, Rockbank	25/02/2022	Water/Sewer
1101–1199, 11101–11107	PS806375M/S5	Bridgefield Estate Stage 11, Rockbank	25/02/2022	Water/Sewer
1–4	PS828253D	4 Herbert Crescent, Sunbury	06/10/2017	Water/Sewer

Water Act 1989

SOUTH EAST WATER – DECLARATION OF SERVICED PROPERTIES

Pursuant to section 144 of the **Water Act 1989**, South East Water declares the following land to be serviced property for the listed services on or from the Declaration Date/s listed below.

Development/Address	Stage/s	Suburb	Service	Subdivision No.	Declaration Date
245 McDonalds Track	–	Lang Lang	Potable Water and Sewerage	PS830359X	10/01/2022
Shelton Park Estate	5	Koo Wee Rup	Potable Water and Sewerage	PS707446S	12/01/2022
Bella Estate	1	Clyde	Potable Water, Recycled Water and Sewerage	PS833945S	12/01/2022
Bella Estate	2	Clyde	Potable Water, Recycled Water and Sewerage	PS833964N	11/01/2022
Meridian Central	29	Clyde North	Potable Water, Recycled Water and Sewerage	Schedule 2	14/01/2022
Lot 3, 1059 Wellington Road	–	Rowville	Sewerage	N/A	25/01/2022
109–115 Homestead Road	2	Berwick	Potable Water and Sewerage	PS835913V	31/01/2022
Smiths Lane Estate	11	Clyde North	Potable Water, Recycled Water and Sewerage	PS837147B	18/01/2022
Clydevale Estate	7B	Clyde North	Potable Water, Recycled Water and Sewerage	PS848739M	24/01/2022

ORDERS IN COUNCIL**Education and Training Reform Act 2006****APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP**

Order in Council

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council, under section 2.6A.7(3)(a) of the **Education and Training Reform Act 2006** appoints Dr Toni Meath as Chairperson of the Victorian Academy of Teaching and Leadership Board from 1 April 2022 until 31 March 2025 (both dates inclusive).

The terms and conditions of the appointment are contained in the attached Schedule.

Dated 8 March 2022

Responsible Minister:

THE HON JAMES MERLINO

Minister for Education

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

Education and Training Reform Act 2006**APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP**

Schedule to the Order in Council

1. Appointment Arrangements

Part time.

2. Period of Appointment

1 April 2022 until 31 March 2025.

3. Duties and responsibilities of the position

The Chairperson will perform the duties of a member of the Board, which under section 2.6A.7(2) of the Act include:

- maintaining responsibility for the management of the affairs of the Academy; and
- exercising any of the powers or functions of the Academy.

4. Termination Arrangements

In accordance with section 2.6A.7(5) of the Act, a member of the Board of the Academy may resign from office by delivering to the Governor in Council a signed letter of resignation. In accordance with section 2.6A.7(6) of the Act, the Governor in Council may at any time remove a member from office.

5. Payment Provisions

The remuneration for the term of appointment is \$33,126 per annum.

6. Superannuation Obligations

Not applicable.

7. Travel and Personal Expenses Arrangements

The appointee is entitled to be reimbursed for all reasonable expenses incurred in accordance with the Victorian Public Service Executive Employment Handbook.

8. Leave Arrangements

Not applicable.

9. Prior Service

Not applicable.

Education and Training Reform Act 2006
APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP

Order in Council

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council, under section 2.6A.7(3)(c) of the **Education and Training Reform Act 2006** appoints Mr Kieren Noonan as the representative of Independent Schools Victoria to the Victorian Academy of Teaching and Leadership Board from 1 April 2022 until 31 March 2025 (both dates inclusive).

The terms and conditions of the appointment(s) are contained in the attached Schedule.

Dated 8 March 2022

Responsible Minister:

THE HON JAMES MERLINO

Minister for Education

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

Education and Training Reform Act 2006
APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP

Schedule to the Order in Council

1. Appointment Arrangements

Part time.

2. Period of Appointment

1 April 2022 until 31 March 2025.

3. Duties and responsibilities of the position

The member will perform the duties of a member of the Board, which under section 2.6A.7(2) of the Act include:

- maintaining responsibility for the management of the affairs of the Academy; and
- exercising any of the powers or functions of the Academy.

4. Termination Arrangements

In accordance with section 2.6A.7(5) of the Act, a member of the Board of the Academy may resign from office by delivering to the Governor in Council a signed letter of resignation. In accordance with section 2.6A.7(6) of the Act, the Governor in Council may at any time remove a member from office.

5. Payment Provisions

The remuneration for the term of appointment is \$16,583 per annum.

6. Superannuation Obligations

Not applicable.

7. Travel and Personal Expenses Arrangements

The appointee is entitled to be reimbursed for all reasonable expenses incurred in accordance with the Victorian Public Service Executive Employment Handbook.

8. Leave Arrangements

Not applicable.

9. Prior Service

Not applicable.

Education and Training Reform Act 2006
APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP

Order in Council

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council, under section 2.6A.7(3)(d) of the **Education and Training Reform Act 2006** appoints Dr Simon Lindsay as the representative of Catholic Education Commission Victoria to the Victorian Academy of Teaching and Leadership Board from 1 April 2022 until 31 March 2025 (both dates inclusive).

The terms and conditions of the appointment(s) are contained in the attached Schedule.

Dated 8 March 2022

Responsible Minister:

THE HON JAMES MERLINO

Minister for Education

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

Education and Training Reform Act 2006
APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP

Schedule to the Order in Council

1. Appointment Arrangements

Part time.

2. Period of Appointment

1 April 2022 until 31 March 2025.

3. Duties and responsibilities of the position

The member will perform the duties of a member of the Board, which under section 2.6A.7(2) of the Act include:

- maintaining responsibility for the management of the affairs of the Academy; and
- exercising any of the powers or functions of the Academy.

4. Termination Arrangements

In accordance with section 2.6A.7(5) of the Act, a member of the Board of the Academy may resign from office by delivering to the Governor in Council a signed letter of resignation. In accordance with section 2.6A.7(6) of the Act, the Governor in Council may at any time remove a member from office.

5. Payment Provisions

The Catholic Education Commission Victoria will receive payment of \$16,583 per annum to support Dr Lindsay's time release.

6. Superannuation Obligations

Not applicable.

7. Travel and Personal Expenses Arrangements

The appointee is entitled to be reimbursed for all reasonable expenses incurred in accordance with the Victorian Public Service Executive Employment Handbook.

8. Leave Arrangements

Not applicable.

9. Prior Service

Not applicable.

Education and Training Reform Act 2006
APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP
Order in Council

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council, under section 2.6A.7(3)(e) of the **Education and Training Reform Act 2006** appoints Ms Terri Lee-Fitzpatrick to the Victorian Academy of Teaching and Leadership Board from 1 April 2022 until 31 March 2025 (both dates inclusive).

The terms and conditions of the appointment(s) are contained in the attached Schedule.

Dated 8 March 2022

Responsible Minister:

THE HON JAMES MERLINO

Minister for Education

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

Education and Training Reform Act 2006
APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP
Schedule to the Order in Council

1. Appointment Arrangements

Part time.

2. Period of Appointment

1 April 2022 until 31 March 2025.

3. Duties and responsibilities of the position

The member will perform the duties of a member of the Board, which under section 2.6A.7(2) of the Act include:

- maintaining responsibility for the management of the affairs of the Academy; and
- exercising any of the powers or functions of the Academy.

4. Termination Arrangements

In accordance with section 2.6A.7(5) of the Act, a member of the Board of the Academy may resign from office by delivering to the Governor in Council a signed letter of resignation. In accordance with section 2.6A.7(6) of the Act, the Governor in Council may at any time remove a member from office.

5. Payment Provisions

There is no remuneration proposed for this appointment, given Ms Lee-Fitzpatrick is an employee of the Department of Education and Training.

6. Superannuation Obligations

Not applicable.

7. Travel and Personal Expenses Arrangements

The appointee is entitled to be reimbursed for all reasonable expenses incurred in accordance with the Victorian Public Service Executive Employment Handbook.

8. Leave Arrangements

Not applicable.

9. Prior Service

Not applicable.

Education and Training Reform Act 2006
APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP

Order in Council

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council, under section 2.6A.7(3)(e) of the **Education and Training Reform Act 2006** appoints Ms Judith Downes to the Victorian Academy of Teaching and Leadership Board from 1 April 2022 until 31 March 2025 (both dates inclusive).

The terms and conditions of the appointment(s) are contained in the attached Schedule.

Dated 8 March 2022

Responsible Minister:

THE HON JAMES MERLINO

Minister for Education

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

Education and Training Reform Act 2006
APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP

Schedule to the Order in Council

1. Appointment Arrangements

Part time.

2. Period of Appointment

1 April 2022 until 31 March 2025.

3. Duties and responsibilities of the position

The member will perform the duties of a member of the Board, which under section 2.6A.7(2) of the Act include:

- maintaining responsibility for the management of the affairs of the Academy; and
- exercising any of the powers or functions of the Academy.

4. Termination Arrangements

In accordance with section 2.6A.7(5) of the Act, a member of the Board of the Academy may resign from office by delivering to the Governor in Council a signed letter of resignation. In accordance with section 2.6A.7(6) of the Act, the Governor in Council may at any time remove a member from office.

5. Payment Provisions

The remuneration for the term of appointment is \$16,583 per annum.

6. Superannuation Obligations

Not applicable.

7. Travel and Personal Expenses Arrangements

The appointee is entitled to be reimbursed for all reasonable expenses incurred in accordance with the Victorian Public Service Executive Employment Handbook.

8. Leave Arrangements

Not applicable.

9. Prior Service

Not applicable.

Education and Training Reform Act 2006
APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP
Order in Council

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council, under section 2.6A.7(3)(e) of the **Education and Training Reform Act 2006** appoints Professor Vivian Ellis to the Victorian Academy of Teaching and Leadership Board from 1 April 2022 until 31 March 2025 (both dates inclusive).

The terms and conditions of the appointment(s) are contained in the attached Schedule.

Dated 8 March 2022

Responsible Minister:

THE HON JAMES MERLINO

Minister for Education

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

Education and Training Reform Act 2006
APPOINTMENTS TO THE VICTORIAN ACADEMY OF
TEACHING AND LEADERSHIP
Schedule to the Order in Council

1. Appointment Arrangements

Part time.

2. Period of Appointment

1 April 2022 until 31 March 2025.

3. Duties and responsibilities of the position

The member will perform the duties of a member of the Board, which under section 2.6A.7(2) of the Act include:

- maintaining responsibility for the management of the affairs of the Academy; and
- exercising any of the powers or functions of the Academy.

4. Termination Arrangements

In accordance with section 2.6A.7(5) of the Act, a member of the Board of the Academy may resign from office by delivering to the Governor in Council a signed letter of resignation. In accordance with section 2.6A.7(6) of the Act, the Governor in Council may at any time remove a member from office.

5. Payment Provisions

The remuneration for the term of appointment is \$16,583 per annum.

6. Superannuation Obligations

Not applicable.

7. Travel and Personal Expenses Arrangements

The appointee is entitled to be reimbursed for all reasonable expenses incurred in accordance with the Victorian Public Service Executive Employment Handbook.

8. Leave Arrangements

Not applicable.

9. Prior Service

Not applicable.

Plant Biosecurity Act 2010**ORDER DECLARING CONTROL AREAS IN VICTORIA TO PREVENT THE ENTRY OF GRAPE PHYLLOXERA FROM OTHER PARTS OF VICTORIA**

Order in Council

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council, under section 19(1) of the **Plant Biosecurity Act 2010**, makes the following Order –

1 Purpose

The purpose of this Order is to declare control areas in Victoria for the purposes of preventing the entry of the pest grape phylloxera into the control areas from other parts of Victoria.

2 Authorising provision

This Order is made under section 19(1) of the **Plant Biosecurity Act 2010**.

3 Commencement

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

4 Revocation

The following orders are revoked –

- (a) *Order declaring a control area in Victoria for the control of grape phylloxera* made under section 19(1) of the **Plant Biosecurity Act 2010** and published in Government Gazette G25 on 23 June 2016 at pages 1565–1567, and
- (b) *Order declaring a control area in the Mornington Peninsula for the control of grape phylloxera* made under section 19(1) of the **Plant Biosecurity Act 2010** and published in Government Gazette G36 on 6 September 2018 at pages 1949–1950.

5 Definitions

In this Order –

filtered juice means the liquid fraction of grape must that has been processed (including but not limited to filtration or centrifugation) to achieve a maximum particle size of 50 microns;

grape phylloxera means the pest *Daktulosphaira vitifoliae* (Fitch);

host material means host plants; and earth material, package or used equipment associated with the cultivation, harvesting, handling, transport or processing of host plants;

host plant means plants and plant products of the genus *Vitis* (excepting a plant in tissue culture), including potted vines, cuttings, rootlings, grapes, juice (excluding filtered juice), grape marc and grape must;

ICA Procedure means a procedure published on the Australian Interstate Quarantine website at www.interstatequarantine.org.au

phylloxera risk zone (PRZ) means any area in Victoria shown as a Phylloxera Risk Zone on the map of Phylloxera Management Zones at: <https://agriculture.vic.gov.au/biosecurity/protecting-victoria/victorian-viticulture-biosecurity/compliance-movement-conditions/phylloxera-management-zones>

6 Declaration of control areas for preventing the entry of grape phylloxera from other parts of Victoria

The following areas are declared to be control areas for the purpose of preventing the entry of grape phylloxera from other parts of Victoria:

- (a) Western Victorian Phylloxera Exclusion Zone, as described in Schedule 1; and
- (b) Mornington Peninsula Phylloxera Exclusion Zone, as described in Schedule 2.

7 Prohibitions, restrictions and requirements to apply in relation to the control area

- (1) The entry of any host material into the areas declared as control areas under Clause 6 from other parts of Victoria, is prohibited.

- (2) Subclause (1) does not apply to –
- (a) table grapes accompanied by a plant health certificate certifying that the grapes are packed for sale as table grapes, with a registered product containing at least 970g/kg anhydrous sodium metabisulphite at the rate specified on the label or in an Australian Pesticides and Veterinary Medicines Authority (APVMA) permit; or
 - (b) cuttings or rootlings from a PRZ which are treated and consigned in accordance with ICA Procedure ICA37 and accompanied by an assurance certificate issued by a person accredited under ICA Procedure ICA37; or
 - (c) wine grapes from a PRZ which are –
 - (i) sourced from a property covered by a Certificate for a Property or Area Freedom issued by Agriculture Victoria after being surveyed by an Inspector during the current growing season and found free of grape phylloxera; and
 - (ii) consigned, transported and received in accordance with ICA Procedure ICA33 and accompanied by an assurance certificate issued by a person accredited under ICA Procedure ICA33; or
 - (d) grape must or unfiltered juice which is consigned, transported and received in accordance with ICA Procedure ICA22 and accompanied by a plant health declaration issued by a person accredited under ICA Procedure ICA22; or
 - (e) host material transferred between areas declared as control areas in Clause 6.

SCHEDULE 1

All land in the State of Victoria to the west of a line commencing at the intersection of the coastline of Victoria and the Yarra River, then in a straight line in a northerly direction to the intersection of the Northern Metropolitan Ring Road and the Hume Freeway, then in a northerly direction along the Hume Freeway to the intersection of the Hume Freeway and Seymour–Tooborac Road, then in a westerly direction along the Seymour–Tooborac Road to the intersection of Seymour–Tooborac Road and the Northern Highway, then in a northerly direction along the Northern Highway to the intersection of the Northern Highway and the Geographical Indication ‘Heathcote’ (Register of Protected Names, 21 August 2002), then in a generally northerly direction along the boundary of the Geographical Indication ‘Heathcote’ to the intersection of the Geographical Indication ‘Heathcote’ and Willoughby Road, then in an easterly direction along Willoughby Road to the intersection of Willoughby Road and the shoreline of Lake Cooper, then in a generally northerly direction along the western shore of Lake Cooper to the intersection of the shore of Lake Cooper and Lake Cooper Road, then in northerly direction along Lake Cooper Road to the intersection of Lake Cooper Road and Henry Road, then in a westerly direction along Henry Road to the intersection of Henry Road and the boundary of the Geographical Indication ‘Heathcote’, then in a generally northerly direction along the boundary of the Geographical Indication ‘Heathcote’ to the intersection of the Geographical Indication ‘Heathcote’ and Quarry Road, then in a northerly direction along Quarry Road, which becomes Echuca–Nanneella Road, to the intersection of Echuca–Nanneella Road and Odea Road, then in a generally north easterly direction along Odea Road to the intersection of Odea Road and the Murray Valley Highway, then in an easterly, then northerly, direction along the Murray Valley Highway to the intersection of the Murray Valley Highway and Centre Road, then in an easterly direction along Centre Road to the intersection of Centre Road and the Goulburn Valley Highway, then in a northerly direction along the Goulburn Valley Highway to the intersection of the Goulburn Valley Highway and Hays Road, then in an easterly direction along Hays Road to the intersection of Hays Road and Labuan Road, then in a northerly direction along Labuan Road to the intersection of Labuan Road and the Murray Valley Highway, then in an easterly direction along the Murray Valley Highway to the intersection of the Murray Valley Highway and Purgatory Road, then in a northerly direction along Purgatory Road to the intersection of Purgatory Road and

Cobram–Koonoomoo Road, then in a north westerly direction along Cobram–Koonoomoo Road to the intersection of Cobram–Koonoomoo Road and the Goulburn Valley Highway, then in a northerly direction along the Goulburn Valley Highway to the intersection of the Goulburn Valley Highway and the Murray River; but excluding the area of land bounded by a line commencing at the intersection of Three Chain Road and Bolgers Lane, then in a southerly direction along Bolgers Lane to the intersection of Bolgers Lane and Rochford Road, then in an easterly direction along Rochford Road to the intersection of Rochford Road and Monument Creek Road, then in a southerly direction along Monument Creek Road to the intersection of Monument Creek Road and Ochiltrees Road, then in an easterly direction along Ochiltrees Road to the intersection of Ochiltrees Road and Lukes Road, then in a northerly direction along Lukes Road to the intersection of Lukes Road and Boundary Road, then in an easterly direction along Boundary Road to the intersection of Boundary Road and Parks Road, then in a northerly direction along Parks Road to the intersection of Parks Road and McMasters Lane, then in a north easterly direction along McMasters Lane to the intersection of McMasters Lane and Three Chain Road, then in a generally westerly direction along Three Chain Road to the point of commencement.

SCHEDULE 2

All land in the State of Victoria bounded by a line commencing at the intersection of the coastline of the State of Victoria and Kackeraboite Creek, then in a southerly direction along Kackeraboite Creek to the intersection of Kackeraboite Creek and Old Mornington Road, then in an easterly direction along Old Mornington Road to the intersection of Old Mornington Road and Nepean Highway, then in a northerly direction along Nepean Highway to the intersection of Nepean Highway and Humphries Road, then in a south easterly direction along Humphries Road to the intersection of Humphries Road and Moorooduc Highway, then in a north easterly direction along Moorooduc Highway to the intersection of Moorooduc Highway and Sages Road, then in a generally easterly direction along Sages Road, which becomes Baxter–Tooradin Road, to the intersection of Baxter–Tooradin Road and Peninsula Link Freeway, then in a northerly direction along Peninsula Link Freeway to the intersection of Peninsula Link Freeway and Golf Links Road, then in a south easterly direction along Golf Links Road to the intersection of Golf Links Road and Warrandyte Road, then in a southerly direction along Warrandyte Road to the intersection of Warrandyte Road and Baxter–Tooradin Road, then in an easterly direction along the Baxter–Tooradin Road to the intersection of Baxter–Tooradin Road and Dandenong–Hastings Road, then in a southerly direction along Dandenong–Hastings Road to the intersection of Dandenong–Hastings Road and South Boundary Road East, then south easterly along South Boundary Road East to the intersection of South Boundary Road East and Tyabb–Tooradin Road, then continuing in a straight line in an easterly direction to the coastline of the State of Victoria, then following the coastline of the State of Victoria in a generally southerly, westerly, then northerly direction to the point of commencement.

Dated 8 March 2022

Responsible Minister:

MARY-ANNE THOMAS MP
Minister for Agriculture

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

Plant Biosecurity Act 2010**ORDER DECLARING CONTROL AREAS IN VICTORIA TO PREVENT THE SPREAD OF GRAPE PHYLLOXERA FROM OTHER PARTS OF VICTORIA**

Order in Council

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council, under section 19(1) of the **Plant Biosecurity Act 2010**, makes the following Order –

1 Purpose

The purpose of this Order is to declare control areas in Victoria for the purposes of preventing the spread of the pest grape phylloxera from the control areas to other parts of Victoria.

2 Authorising provision

This Order is made under section 19(1) of the **Plant Biosecurity Act 2010**.

3 Commencement

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

4 Revocation

The Order made under section 19(1) of the **Plant Biosecurity Act 2010** on 7 July 2020 declaring areas to be control areas for the control of grape phylloxera, and published in Victoria Government Gazette G27 on 9 July 2020 at pages 1352–1357, is **revoked**.

5 Definitions

In this Order –

filtered juice means the liquid fraction of grape must that has been processed (including but not limited to filtration or centrifugation) to achieve a maximum particle size of 50 microns;

grape phylloxera means the pest *Daktulosphaira vitifoliae* (Fitch);

host material means host plants; and earth material, package or used equipment associated with the cultivation, harvesting, handling, transport or processing of host plants;

host plant means plants and plant products of the genus *Vitis* (excepting a plant in tissue culture), including potted vines, cuttings, rootlings, grapes, juice (excluding filtered juice), grape marc and grape must;

ICA Procedure means a procedure published on the Australian Interstate Quarantine website at www.interstatequarantine.org.au;

phylloxera exclusion zone (PEZ) means any area in Victoria shown as a phylloxera exclusion zone on the map of Phylloxera Management Zones at: <https://agriculture.vic.gov.au/biosecurity/protecting-victoria/victorian-viticulture-biosecurity/compliance-movement-conditions/phylloxera-management-zones>;

phylloxera risk zone (PRZ) means any area in Victoria shown as a Phylloxera Risk Zone on the map of Phylloxera Management Zones at: <https://agriculture.vic.gov.au/biosecurity/protecting-victoria/victorian-viticulture-biosecurity/compliance-movement-conditions/phylloxera-management-zones>

6 Declaration of control areas for preventing the spread of grape phylloxera to other parts of Victoria

The following areas are declared to be control areas for the purpose of preventing the spread of grape phylloxera to other parts of Victoria –

- (a) the North East Phylloxera Infested Zone, as described in Schedule 1 to this Order;
- (b) the Nagambie Phylloxera Infested Zone, as described in Schedule 2 to this Order;
- (c) the Upton Phylloxera Infested Zone, as described in Schedule 3 to this Order;
- (d) the Mooroopna Phylloxera Infested Zone, as described in Schedule 4 to this Order;
- (e) the Maroondah Phylloxera Infested Zone, as described in Schedule 5 to this Order;
- (f) the Whitebridge Phylloxera Infested Zone, as described in Schedule 6 to this Order.

7 Prohibitions, restrictions and requirements to apply in a control area

- (1) The removal of any host material from an area declared as a control area under clause 6 is prohibited.
- (2) Subclause (1) does not apply to –
 - (a) table grapes accompanied by a plant health certificate certifying that the grapes are packed for sale as table grapes, with a registered product containing at least 970 g/kg anhydrous sodium metabisulphite at the rate specified on the label or in an Australian Pesticides and Veterinary Medicines Authority (APVMA) permit;
 - (b) grape must or unfiltered juice transferred to a PRZ or PEZ which is consigned, transported and received in accordance with ICA Procedure ICA22 and accompanied by a plant health declaration issued by a person accredited under ICA Procedure ICA22.

SCHEDULE 1 – NORTH EAST PHYLLOXERA INFESTED ZONE

The area of land bounded by a line commencing at the intersection of the boundaries of the parishes of Dueran East, Toombullup and Whitfield South, then in a northerly direction along the western boundary of the parish of Whitfield South to the intersection of the boundaries of the parishes of Whitfield South, Toombullup and Toombullup North, then in a westerly, then northerly, then easterly direction along the southern, western and northern boundaries of the parish of Toombullup North to the intersection of the boundaries of the parishes of Toombullup North, Rothersey and Tatong, then in a generally northerly direction along the western boundaries of the parish of Tatong, Lurg, Winton, Mokoan, Boweya, Boomahnoomoonah and Bundalong to the intersection of the western boundary of the parish of Bundalong and the Murray River, then in a generally easterly direction along the Murray River to the intersection of the Murray River and the eastern boundary of the parish of Wodonga, then in a generally southerly direction along the eastern boundaries of the parishes of Wodonga, Baranduda, Yackandandah and Bruarong to the intersection of the boundaries of the parishes of Bruarong, Kergunyah and Dederang, then in a straight line in a southerly direction to the intersection of Lambert Lane and Mt Jack Track, then in a southerly direction along Mt Jack Track to the intersection of Mt Jack Track and Running Creek Road, then in a westerly direction along Running Creek Road to the intersection of Running Creek Road and Kancoona Gap Track, then in a southerly direction along Kancoona Gap Track to the intersection of Kancoona Gap Track and Link Road, then in a westerly direction along Link Road to the intersection of Link Road and Barker Road, then in a generally southerly direction along Barker Road to the intersection of Barker Road and Rolland Road, then in a straight line in a south easterly direction to the intersection of Kancoona South Road and Havilah Road, then in a south easterly direction along Havilah Road to the intersection of Havilah Road and Mt Porepukah Road, then in a southerly direction along Mt Porepukah Road to the intersection of Mt Porepukah Road and Smart Creek–Tawonga Gap Track, then in a south easterly direction along Smart Creek–Tawonga Gap Track to the intersection of Smart Creek–Tawonga Gap Track and Tawonga Gap Track, then in a southerly direction along Tawonga Gap Track to the intersection of Tawonga Gap Track and Big Flat Track, then in a south easterly direction along Big Flat Track to the intersection of Big Flat Track and Dungey Track, then in a straight line in a southerly direction to the intersection of Razorback Walking Track and Razorback Track, then in a south westerly direction along Razorback Track to the intersection of Razorback Track and Bungalow Spur Walking Track, then in a straight line in a south westerly direction to the intersection of Cobbler Lake Track and Cobbler Lake Track and Abbeyards Road, then in a straight line in a north westerly direction to the intersection of the boundaries of the parishes of Matong North, Dandongadale and Winteriga, then in a generally westerly direction along the southern boundary of the parish of Winteriga to the intersection of the boundaries of the parishes of Winteriga, Matong North and Wabonga, then in a southern, then westerly direction along the eastern, then southern boundary of the parish of Wabonga to the intersection of the parishes of Wabonga, Whitfield South and Cambatong, then in a southerly direction along the western boundary

of the parish of Cambatong to the intersection of the boundaries of the parishes of Cambatong, Dueran East and Merrijig, then in a westerly direction along the northern boundary of the parish of Merrijig to the intersection of the boundaries of the parishes of Merrijig, Dueran East and Gonzaga, then in a southerly, then westerly direction along the eastern then southern boundaries of the parish of Gonzaga to the intersection of the southern boundary of the parish of Gonzaga and Glenroy Road, then in a south westerly direction along Glenroy Road to the intersection of Glenroy Road and Mt Buller Road, then in a westerly direction along Mt Buller Road to the intersection of Mt Buller Road and Scullys Lane, then in a northerly direction along Scullys Lane to the intersection of Scullys Lane and Graves Road, then in a westerly direction along Graves Road to the intersection of Graves Road and Old Tolmie Road, then in a straight line in a north westerly direction to the intersection of Saligari Road and Barwite Road, then in a westerly direction along Barwite Road to the intersection of Barwite Road and Mansfield–Whitfield Road, then in a northerly, then north easterly direction along Mansfield–Whitfield Road to the intersection of the Mansfield–Whitfield Road and the southern boundary of the parish of Toombullup, then in an easterly direction along the southern boundary of the parish of Toombullup to the point of commencement.

SCHEDULE 2 – NAGAMBIE PHYLLOXERA INFESTED ZONE

The area of land bounded by a line commencing at the intersection of the boundaries of the parishes of Wirrate, Whroo and Bailieston, then in an easterly direction along the northern boundary of the parish of Bailieston to the intersection of the parishes of Bailieston, Murchison and Noorilim, then in an easterly, then north easterly direction along the northern boundary of the parish of Noorilim to the intersection of the boundary of the parish of Noorilim and Day Road, then in westerly direction along Day Road to the intersection of Day Road and Murchison–Goulburn Weir Road, then in a northerly direction along Murchison–Goulburn Weir Road to the intersection of Murchison–Goulburn Weir Road and Buffalo Swamp Road, then in a westerly direction along Buffalo Swamp Road to the intersection of Buffalo Swamp Road and Willow Road, then in a northerly direction along Willow Road to the intersection of Willow Road and Bendigo–Murchison Road, then in a south easterly direction along Bendigo–Murchison Road to the intersection of Bendigo–Murchison Road and Stewart Road, then in a northerly direction along Stewart Road to the intersection of Stewart Road and Chinamans Hill Road, then in an easterly direction along Chinamans Hill Road to the intersection of Chinamans Hill Road and Hammond Road, then in a north easterly direction along Hammond Road to the intersection of Hammond Road and McMillan Road, then in an easterly direction along McMillan Road to the intersection of McMillan Road and Murchison–Tatura Road, then in a southerly direction along Murchison–Tatura Road to the intersection of Murchison–Tatura Road and River Road, then in a north easterly direction along River Road to the intersection of River Road and Freestone Road, then in a straight line in a south easterly direction to the intersection of Cassidys Road and Duggans Road, then in a southerly direction along Duggans Road, which becomes Dargalong Road, to the intersection of Dargalong Road and the Goulburn Valley Freeway, then in a south westerly direction along the Goulburn Valley Freeway to the intersection of the Goulburn Valley Freeway and the northern boundary of the parish of Wahring, then in an easterly direction along the northern boundary of the parish of Wahring to the intersection of the boundary of the parishes of Wahring, Dargalong and Bunganail, then in a southerly direction along the eastern boundary of the parish of Wahring to the intersection of the boundaries of the parishes of Wahring, Bunganail, Monea North and Wormangal, then in a southerly then westerly direction along the eastern and southern boundaries of the parish of Wormangal to the intersection of the boundaries of the parishes of Wormangal, Avenel and Tabilk, then in a westerly direction along the southern boundary of the parish of Tabilk to the intersection of the boundary of the parish of Tabilk and the Tocumwal Railway Line, then in a southerly direction along the Tocumwal Railway Line to the intersection of the Tocumwal Railway Line and Aerodrome Road, then in a generally easterly direction along Aerodrome Road to the intersection of Aerodrome Road and Hughes Street, then in a south easterly direction along Hughes Street to the intersection of Hughes Street and Henry Street, then in a westerly direction along Henry Street to the intersection of Henry Street and Lambing Gully Road, then in a southerly direction along Lambing Gully Road to the intersection of Lambing

Gully Road and the Hume Freeway, then in a south westerly direction along the Hume Freeway to the intersection of the Hume Freeway and the northern boundary of the Department of Defence Munitions Depot, then in a westerly direction along the northern boundary of the Department of Defence Munitions Depot to the intersection of northern boundary of the Department of Defence Munitions Depot and Seymour–Avenel Road, then in a southerly direction along Seymour–Avenel Road to the intersection of Seymour–Avenel Road and O’Connors Road, then in a westerly direction along O’Connors Road to the intersection of O’Connors Road and the Tocumwal Railway Line, then in a north westerly direction along the Tocumwal Railway Line to the intersection of the Tocumwal Railway Line and the southern boundary of the parish of Avenel, then in a westerly direction along the southern boundary of the parish of Avenel to the intersection of the boundaries of the parishes of Avenel, Mangalore and Northwood, then in a generally southerly, then westerly, then northerly direction along the eastern, southern and western boundaries of the parish of Northwood to the intersection of the boundaries of the parishes of Northwood, Puckapunyal and Mitchell, then in a generally northerly direction along the western boundary of the parish of Mitchell to the intersection of the parishes of Mitchell, Wirrate and Bailieston, then in a northerly direction along the western boundary of the parish of Bailieston to the point of commencement.

SCHEDULE 3 – UPTON PHYLLOXERA INFESTED ZONE

The area commencing at grid reference 610200 (Longwood North topographic map, 7924-2-N, 2008), then in a straight line in a westerly direction to grid reference 570200, then in a straight line in a southerly direction to grid reference 570180, then in a straight line in a westerly direction to grid reference 520180, then in a straight line in a southerly direction to grid reference 520110 (Longwood South topographic map, 7924-2-S, 2008), then in a straight line in a south easterly direction to grid reference 530090, then in a straight line in a southerly direction to grid reference 530080, then in a straight line in an easterly direction to grid reference 610080, then in a northerly direction to the point of commencement.

SCHEDULE 4 – MOOROOPNA PHYLLOXERA INFESTED ZONE

The area of land bounded by a line commencing at the point where the northern boundary of the Parish of Mooroopna joins with the western boundary of that parish; then easterly along the northern boundary of that parish to the junction with the Goulburn River, then generally southerly along the western bank of the Goulburn River to the junction of the Goulburn River with the southern boundary of the Parish of Toolamba, then westerly along the southern boundary of that parish to the western boundary of that parish; then northerly along the western boundary of that parish and the western boundary of the Parish of Mooroopna to the point of commencement.

SCHEDULE 5 – MAROONDAH PHYLLOXERA INFESTED ZONE

The area of land bounded by a line commencing at the intersection of the Warburton Highway and Mooroolbark Road, then in a south westerly direction along the Maroondah Highway to the intersection of the Maroondah Highway and Plymouth Road, then in a westerly direction along Plymouth Road, which becomes Warranwood Road, to the intersection of Warranwood Road and Wonga Road, then in a north westerly direction along Wonga Road to the intersection of Wonga Road and Croydon Road, then in a north westerly direction along Croydon Road to the intersection of Croydon Road and Ringwood–Warrandyte Road, then in a northerly direction along Ringwood–Warrandyte Road to the intersection of Ringwood–Warrandyte Road and Brumbys Road, then in a north easterly direction along Brumbys Road to the point of termination, then in a straight line in an easterly direction to the intersection of Yarra Road and Holloway Road, then in an easterly direction along Holloway Road to the intersection of Holloway Road and Brushy Park Road, then in a northerly direction along Brushy Park Road to the intersection of Brushy Park Road and Black Springs Road, then in an easterly direction along Black Springs Road to the intersection of Black Springs Road and Stanley Street, then in a northerly direction along Stanley Street to the point of termination, then in a straight line in an easterly direction to the intersection of Edward Road and Switchback Road, then in a northerly direction along Edward Road to the intersection of Edward Road and Coldstream West Road, then in a westerly direction along Coldstream West Road continuing to the Yarra River, then in a generally northerly direction along the Yarra River to the

intersection of the Yarra River and Henley Road, then in a westerly direction along Henley Road to the intersection of Henley Road and Wendy Way, then in a northerly direction along Wendy Way to the intersection of Wendy Way and Skyline Road, then in a northerly direction along Skyline Road to the intersection of Skyline Road and Muir Road, then in a westerly direction along Muir Road to the intersection of Muir Road and Ridge Road, then in a generally westerly direction along Ridge Road to the intersection of Ridge Road and Simpson Road, then in a northerly direction along Simpson Road to the intersection of Simpson Road and Eltham–Yarra Glen Road, then in a westerly direction along Eltham–Yarra Glen Road to the intersection of Eltham–Yarra Glen Road and Clintons Road, then in a generally north westerly direction along Clintons Road to the intersection of Clintons Road and Kangaroo Ground–St Andrews Road, then in a generally northerly direction along Kangaroo Ground–St Andrews Road, to the intersection of the Kangaroo Ground–St Andrews Road and the Heidelberg–Kinglake Road, then in a generally north easterly direction along the Heidelberg–Kinglake Road to the intersection of the Heidelberg–Kinglake Road and Old Kinglake Road, then in a generally south easterly direction along Old Kinglake Road to the intersection of Old Kinglake Road and Steels Creek Road, then in a northerly direction along Steels Creek Road to the intersection of Steels Creek Road and Mt Slide Road, then in a generally northerly direction along Mt Slide Road to the intersection of Mt Slide Road and Healesville–Kinglake Road, then in a generally easterly, then southerly, direction along Healesville–Kinglake Road to the intersection of Healesville–Kinglake Road and Rogers Road, then in a straight line in a south easterly direction to the intersection of Fifteen Road and Donnellys Weir Road, then in a southerly direction along Donnellys Weir Road to the intersection of Donnellys Weir Road and Maroondah Parade, then in a south easterly direction along Maroondah Parade to the intersection of Maroondah Parade and the Maroondah Highway, then in an easterly direction along the Maroondah Highway to the intersection of the Maroondah Highway and Wallace Parade, then in a southerly direction along Wallace Parade to the intersection of Wallace Parade and Mt Riddell Road, then in an easterly direction along Mt Riddell Road to the intersection of Mt Riddell Road and Gibbs Road, then in a southerly direction along Gibbs Road to the intersection of Gibbs Road and Donald Street, then in a westerly direction along Donald Street to the intersection of Donald Street and Don Road, then in a south easterly direction along Don Road to the intersection of Don Road and Toora Crescent, then in a south westerly direction along Toora Crescent to the intersection of Toora Crescent and Badger Creek Road, then in a southerly direction along Badger Creek Road to the intersection of Badger Creek Road and Don Road, then in a southerly direction along Don Road to the intersection of Don Road and Road 48, then in a southerly direction along Road 48 to the intersection of Road 48 and McMahons Road, then in a southerly direction along McMahons Road to the intersection of McMahons Road and Dalry Road, then in an easterly direction along Dalry Road to the intersection of Dalry Road and Don Road, then in a southerly direction along Don Road to the intersection of Don Road and the Yarra River, then in a north easterly direction along the Yarra River to the intersection of the Yarra River and Station Road, then in an easterly direction along Station Road to the intersection of Station Road and the Warburton Highway, then in a southerly direction along the Warburton Highway to the intersection of the Warburton Highway and Britannia Creek Road, then in a south easterly direction along Britannia Creek Road to the intersection of Britannia Creek Road and Silvertop Track, then in a south westerly direction along Silvertop Track to the intersection of Silvertop Track and Britannia Ridge Track, then in a south easterly direction along Britannia Ridge Track to the intersection of Britannia Ridge Track and Ellis Track, then in a south westerly direction along Ellis Track to the intersection of Ellis Track and Tarrango Road, then in a south westerly direction along Tarrango Road to the intersection of Tarrango Road and Yarra Junction–Noojee Road, then in a south easterly direction along Yarra Junction–Noojee Road to the intersection of Yarra Junction–Noojee Road and Mount Beenak Road, then in a southerly direction along Mount Beenak Road to the intersection of Mount Beenak Road and Torbetts Road, then in a westerly direction along Torbetts Road to the intersection of Torbetts Road and Hazeldene Road, then in a south westerly direction along Hazeldene Road to the intersection of Hazeldene Road and Thonemans Road, then in a south easterly direction along Thonemans Road to the intersection of Thonemans Road and Jameson Road, then in a westerly direction along Jameson Road, to the intersection of Jameson Road and Old Mill Road, then in a southerly direction along

Old Mill Road to the intersection of Old Mill Road and Beenak Road, then in a westerly direction along Beenak Road to the intersection of Beenak Road and Hakea Road, then in a southerly, then westerly direction along Hakea Road to the end of Hakea Road and continuing in a straight line in a westerly direction to Gembrook–Launching Place Road, then in a northerly direction along Gembrook–Launching Place Road, to the intersection of Gembrook–Launching Place Road and Thonemans Road, then in a south easterly direction along Thonemans Road to the intersection of Thonemans Road and Libera Road, then in a northerly direction along Libera Road to the intersection of Libera Road and Hoddles Creek, then in a northerly direction along Hoddles Creek to a point due east of the end of Daveys Lane, then in a straight line in a westerly direction to the end of Daveys Lane, then in a westerly direction along Daveys Lane to the intersection of Daveys Lane and Gembrook–Launching Place Road, then in a southerly direction along Gembrook–Launching Place Road to the intersection of Gembrook–Launching Place Road and Lusatia Park Road, then in a north westerly direction along Lusatia Park Road to the intersection of Lusatia Park Road and Sylvia Road, then in a westerly direction along Sylvia Road to the intersection of Sylvia Road and Worley Road, then in a straight line in a westerly direction to the intersection of Bindea Road and Sheepstation Creek Road, then in a northerly direction along Sheepstation Creek Road to the intersection of Sheepstation Creek Road and Healesville–Koo wee rup Road, then in a south westerly direction along Healesville–Koo wee rup Road to the intersection of Healesville–Koo wee rup Road and Parslows Road, then in a north-westerly direction along Parslows Road to the intersection of Parslows Road and Beenak Road, then in a straight line in a westerly direction to the intersection of Wandin Creek Road and Monbulk–Seville Road, then in a south-westerly direction along Monbulk–Seville Road to the intersection of Monbulk–Seville Road and Old Baker Road, then in a north-westerly direction along Old Baker Road to the intersection of Old Baker Road and Queens Road, then in a westerly direction along Queens Road to the intersection of Queens Road and Wandin East Road, then in a northerly direction along Wandin East Road to the intersection of Wandin East Road and Beenak Road, then in a northerly direction along Beenak Road to the intersection of Beenak Road and the Warburton Highway, then in westerly direction along the Warburton Highway to the intersection of the Warburton Highway and Sebire Avenue, then in a northerly direction along Sebire Avenue to the intersection of Sebire Avenue and the Warburton Rail Trail, then in a westerly direction along the Warburton Rail Trail to the intersection of the Warburton Rail Trail and Birmingham Road, then in a westerly direction along Birmingham Road to the intersection of Birmingham Road and Swansea Road, then in a northerly direction along Swansea Road to the intersection of Swansea Road and Hull Road, then in a westerly direction along Hull Road to the intersection of Hull Road and Mooroolbark Road, then in a northerly direction along Mooroolbark Road to the point of commencement.

SCHEDULE 6 – WHITEBRIDGE PHYLLOXERA INFESTED ZONE

The area of land bounded by a line commencing at the intersection of Three Chain Road and Bolgers Lane, then in a southerly direction along Bolgers Lane to the intersection of Bolgers Lane and Rochford Road, then in an easterly direction along Rochford Road to the intersection of Rochford Road and Monument Creek Road, then in a southerly direction along Monument Creek Road to the intersection of Monument Creek Road and Ochiltrees Road, then in an easterly direction along Ochiltrees Road to the intersection of Ochiltrees Road and Lukes Road, then in a northerly direction along Lukes Road to the intersection of Lukes Road and Boundary Road, then in an easterly direction along Boundary Road to the intersection of Boundary Road and Parks Road, then in a northerly direction along Parks Road to the intersection of Parks Road and McMasters Lane, then in a north easterly direction along McMasters Lane to the intersection of McMasters Lane and Three Chain Road, then in a generally westerly direction along Three Chain Road to the point of commencement.

Dated 8 March 2022

Responsible Minister:

MARY-ANNE THOMAS MP

Minister for Agriculture

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

Veterans Act 2005

APPROVAL OF THE TRANSFER OF FUNDS FROM THE WAR WIDOWS GUILD OF AUSTRALIA (VIC) INC WELFARE PATRIOTIC FUND NO W2212 TO AUSTIN HEALTH

Order in Council

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council under section 35(2)(b) of the **Veterans Act 2005**, approves the transfer of the sum of \$250,000.00 from the War Widows Guild of Australia (Vic) Inc Welfare Patriotic Fund to Austin Health, for essential works at the Heidelberg Repatriation Hospital.

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

Dated 8 March 2022

Responsible Minister:

THE HON MELISSA HORNE MP

Minister for Consumer Affairs, Gaming and Liquor Regulation

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

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