



Victoria Government Gazette

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No. G 5 Thursday 5 February 2015

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GENERAL

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The last Special Gazette was No. 20 dated 4 February 2015

The last Periodical Gazette was No. 1 dated 18 June 2014.

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 WEEK 2015 (Monday 9 March 2015)**

Please Note New Deadlines for General Gazette G10/15:

The Victoria Government Gazette (General) for LABOUR DAY week (G10/15) will be published on **Thursday 12 March 2015**.

Copy deadlines:

Private Advertisements	9.30 am on Friday 6 March 2015
Government and Outer Budget Sector Agencies Notices	9.30 am on Tuesday 10 March 2015

Office Hours:

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

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

JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

NOTICE OF RESIGNATION OF PARTNER

In accordance with section 41 of the **Partnership Act 1958**, Matthew James Kinross-Smith hereby provides public notification of his resignation as a partner in the partnership trading as Whyte Just & Moore of 27 Malop Street, Geelong, effective 29 January 2015.

Re: LIONEL EDGAR CHARLES LETTS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 October 2013, are required by the trustees, HSBC Trustee (Singapore) Limited and Angela Teo Bee Luang Mrs Peter Yap, to send particulars to them, care of the undersigned solicitors, by 5 April 2015, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: IOLE FORNITO, late of 7 St Agnes Court, Glenroy, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 August 2014, are required by the trustee, Joseph De Marco, to send particulars to the trustee, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

DE MARCO LAWYERS,
794A Pascoe Vale Road, Glenroy 3046.

Re: HELENE WILHELMINE SZUMINSKI, late of 40 Angus Street, Hadfield, Victoria, retired nurse, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 October 2014, are required by the trustees, Leslie Barrie Constable and Margaret Ojczyk, to send particulars to the trustees, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date

the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

DE MARCO LAWYERS,
794A Pascoe Vale Road, Glenroy 3046.

Re: Estate of JAMES NUTTALL DENHAM, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of JAMES NUTTALL DENHAM, late of Bethlehem Home for The Aged, Taylor Street, Golden Square, Victoria, retired farmer, deceased, who died on 31 October 2013, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 13 April 2015, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

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

ENID BEATRICE DOWNING, late of Apartment 26, 19 Canterbury Road, Canterbury, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 May 2014, are required by the deceased's personal representatives, Russell John Sloan and Ian Parker Sloan, care of their solicitors at the address below, to send particulars to them by 9 April 2015, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

F. R. E. DAWSON & SON,
solicitors for the personal representatives,
5/470 Collins Street, Melbourne 3000.

Re: Estate ROBERTSON CHICK, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 December 2014, are required by the trustee, Noel King, to send particulars to him, care of the undersigned, by 10 April 2015, after

which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

Re: JOHN ALFRED HOGAN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of JOHN ALFRED HOGAN, late of 1 Birch Street, Mount Waverley, Victoria, retired electrical fitter, who died on 16 May 2014, are required by the executor, John Matthew Hogan, to send particulars of their claims to the executor, care of the undermentioned solicitors, by 9 April 2015, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor then has notice.

HENTYS LAWYERS, solicitors,
Level 8, 601 Bourke Street, Melbourne 3000.

Re: Estate of EILEEN ELIZABETH DILLON.

Creditors, next-of-kin and others having claims against the estate of EILEEN ELIZABETH DILLON, late of 450 Waverley Road, Mount Waverley, Victoria, home duties, deceased, who died on 20 October 2014, are requested to send particulars of their claims to the executor, care of the undermentioned lawyers, by 8 April 2015, after which date he will distribute the assets, having regard only to the claims of which he then has notice.

HICKS OAKLEY CHESSELL WILLIAMS, lawyers,
The Central 1, Level 2, Suite 17, 1 Ricketts Road, Mount Waverley, Victoria 3149.

Creditors, next-of-kin and others having claims against the estate of CONCETTA SCHIPANO, late of Embracia in Reservoir, 65A Glasgow Avenue, Reservoir, Victoria, business owner, deceased, who died on 21 September 2014, are required to send particulars of their claims to the executor, Vincent Joseph Juliano, care of the undermentioned solicitors, before the expiration of sixty (60) days of the date of the publication of this notice, after which date the executor will distribute the assets, having regard only to the claims of which he then has notice.

JULIANO LAWYERS,
Level 1, 19–21 Argyle Place South, Carlton, Victoria 3053.

HILDA LILIAN ROBERTS, late of 119 Facey Drive, Tolmie, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 October 2014, are required by the applicant for grant of representation in the estate, Katherine Suzanne Lockey, care of the undermentioned firm of solicitors, to send particulars to her by 17 April 2015, after which date the said applicant may convey and distribute the assets, having regard only to the claims of which she then has notice.

MAL RYAN & GLEN,
solicitors for the applicant,
9 High Street, Mansfield 3722.

Re: THOMAS LEE MEES, late of Mercy Place Aged Care, 22 Verona Lane, East Melbourne, Victoria, barrister.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 September 2014, are required by the personal representative, Peter John Mees, care of Mees Partners, lawyers, 100 Elizabeth Street, Melbourne, Victoria 3000, to send particulars to him, care of the undersigned, by 9 April 2015, after which date the personal representative may distribute the assets, having regard only to the claims of which he then has notice.

MEES PARTNERS, lawyers,
100 Elizabeth Street, Melbourne, Victoria 3000.

Re: PENELOPE SUZANNE TAYLOR, late of 39 Henry Street, Northcote, Victoria, economist.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 March 2014, are required by the trustees, Nigel Cook, Wendy Rosalind Taylor and Elizabeth Cole, care of their solicitors, Northcote Lawyers and Associates, of 118 High Street, Northcote, Victoria, to send particulars to them by 5 April 2015, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

MARJORIE ISABEL BOURKE (in the Will called Marjorie Isobel Bourke), late of Sandhurst Lodge Age Care Services, 20 Herbert Road, Carrum Downs, Victoria, pensioner, deceased.

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

deceased, who died on 15 May 2014, are required by the executor, Lionel Jeffrey Bourke of 369 Hull Road, Mooroolbark, Victoria, retiree, to send particulars of their claims to him, care of the undersigned, by 5 April 2015, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

Re: JAMES WILLIAM MOFFAT, late of Lilley Lodge, 9 Brown Street, Long Gully, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 October 2014, are required by the trustee, Brooke Eloise Moffat, care of Sandhurst Trustees Limited, ACN 004 030 737, of 18 View Street, Bendigo, Victoria, to send particulars to the trustee by 30 April 2015, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

SANDHURST TRUSTEES LIMITED,
18 View Street, Bendigo 3550.

ALBERT EDWARD JOHN TAWHEEL, late of 78 Sackville Street, Kew, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 April 2014, are required by Neville David Taweel and Simon John Marsh, the administrators of the deceased's estate, to send particulars to them, care of the undermentioned lawyers, by 6 April 2015, after which date the administrators may convey or distribute the assets, having regard only to the claims of which they then have notice.

SLADEN LEGAL,
Level 5, 707 Collins Street, Melbourne 3008.

CYRIL NICHOLAS TAWHEEL, late of 78 Sackville Street, Kew, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 June 2012, are required by Neville David Taweel and Simon John Marsh, the administrators of the deceased's estate, to send

particulars to them, care of the undermentioned lawyers, by 6 April 2015, after which date the administrators may convey or distribute the assets, having regard only to the claims of which they then have notice.

SLADEN LEGAL,
Level 5, 707 Collins Street, Melbourne 3008.

ISABEL MARTHA TAWHEEL, late of 78 Sackville Street, Kew, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 February 1989, are required by Neville David Taweel, the administrator of the deceased's estate, to send particulars to him, care of the undermentioned lawyers, by 6 April 2015, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

SLADEN LEGAL,
Level 5, 707 Collins Street, Melbourne 3008.

SHEREFFE TAWHEEL, late of 78 Sackville Street, Kew, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 January 1986, are required by Neville David Taweel, the administrator of the deceased's estate, to send particulars to him, care of the undermentioned lawyers, by 6 April 2015, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

SLADEN LEGAL,
Level 5, 707 Collins Street, Melbourne 3008.

VICTOR GEORGE TAWHEEL, late of Trinity Manor Aged Care, 8-14 Pretoria Street, Balwyn, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 October 2014, are required by Neville David Taweel, the administrator of the deceased's estate, to send particulars to him, care of the undermentioned lawyers, by 6 April 2015, after which date the administrator may convey or distribute the assets, having regard only to the claims of which he then has notice.

SLADEN LEGAL,
Level 5, 707 Collins Street, Melbourne 3008.

BRUCE VINSON BASSETT, late of 34 The Fairway, Hampton Park, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 September 2014, are required by the executor, Jane Nicole Nelms, in the Will called Jane Nelms of 59 McLeod Road, Mount Martha, Victoria, to send particulars to her, care of Stidston Warren Lawyers, by 12 April 2015, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

STIDSTON WARREN LAWYERS,
Suite 1, 10 Blamey Place, Mornington 3931.

Re: ARNOLD SPLATT, late of 2/18–22 Lum Road, Wheelers Hill, Victoria 3150, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 December 2014, are required by the executors, Ian Arnold Splatt, Gayle Ann Madden and David Grant Splatt, to send particulars to them, care of the undermentioned solicitors, by 6 April 2015, after which date the executors may convey and distribute the assets, having regard only to the claims of which they then have notice.

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

Re: The estate of MARIE STEPHANA SULZER (in the Will called Maire Sulzer, also known as Maria Sulzer), late of 25 Pacific Boulevard, Beaumaris, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 31 August 2014, are required by the executors, Albert Charles Sulzer and Anne Moina Sulzer, to send particulars to them, care of the undersigned solicitors, by 8 April 2015, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

ADVERTISEMENT OF AUCTION BY
THE SHERIFF

On Thursday 12 March 2015 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Atef El-Achkar and Roueda Khoder of 43 Rosedale Crescent, Dallas, joint proprietors of an estate in fee simple in the land described on Certificate of Title Volume 08507 Folio 919, upon which is erected a dwelling and known as 43 Rosedale, Crescent, Dallas, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number X106056A), Registered Caveat (Dealing Number AH675385B) affect the said estate and interest. The Sheriff is unable to provide access to this property.

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

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

ADVERTISEMENT OF AUCTION BY
THE SHERIFF

On Thursday 12 March 2015 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Daniel John Brooks of 103 Beach Road, Port Melbourne, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 11160 Folio 373, upon which is erected a dwelling and known as 1 Bear Crescent, Doreen, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AH061515P) and Covenant AH061514R affect the said estate and interest. The Sheriff is unable to provide access to this property.

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

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

ADVERTISEMENT OF AUCTION BY
THE SHERIFF

On Thursday 12 March 2015 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Wiendwosen Shetu of Unit 10, 146 Hyde Street, Yarraville, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 11180 Folio 631, upon which is erected a dwelling and known as 16 Copetone Avenue, Tarneit, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AH038532V), Registered Caveat (Dealing Number AJ929462F), Registered Caveat (Dealing Number AL276418D), Registered Caveat (Dealing Number AL319118G) and Registered Covenant PS626263B, affect the said estate and interest. The Sheriff is unable to provide access to this property.

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

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

ADVERTISEMENT OF AUCTION BY
THE SHERIFF

On Thursday 12 March 2015 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Kon Thiakos of 269 Tyler Street, Preston, as shown on Certificate of Title as Con Thiakos, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 08303 Folio 501, upon which is erected a house and known as 269 Tyler Street, Preston, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AH557968K), Registered Caveat (Dealing Number AH676307S) and Registered Caveat (Dealing Number AK112651Y) affect the said estate and interest. The Sheriff is unable to provide access to this property.

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

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

ADVERTISEMENT OF AUCTION BY
THE SHERIFF

On Thursday 12 March 2015 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Juan Audencial Vicente of 8 Igloo Place, Keilor Downs, as shown on Certificate of Title as Juan Vicente, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 09995 Folio 687, upon which is erected a house and known as 8 Igloo Place, Keilor Downs, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AD777541F), Covenant R293942U and Agreement section 173 **Planning and Environment Act 1987** R093951L affect the said estate and interest. The Sheriff is unable to provide access to this property.

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

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

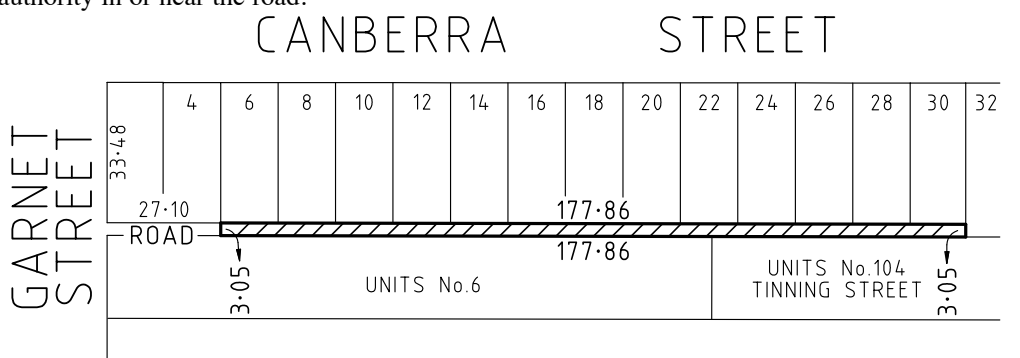
**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

MORELAND CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Moreland City Council has formed the opinion that the road at the rear of 6 to 30 Canberra Street, Brunswick, shown by hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The road is to be sold subject to the right, power or interest held by the Yarra Valley Water Corporation in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.



NERINA DI LORENZO
Chief Executive Officer



GENERAL (AMENDMENT) LOCAL LAW NO. 21 OPEN AIR BURNING

Council proposes to make General (Amendment) Local Law 2015 No. 21, to modify the circumstances under which open air burning ('burning off') can be conducted with a permit for the purpose of fire fuel reduction. The proposed amendment will also enable Council officers to take action in relation to nuisance burning.

The key changes proposed are:

- reduction in minimum land size for open air burning, from 1 acre to 1,600 square metres (0.39 acres). Open air burning will still require a permit and will only be permitted on properties within a Bushfire Management Overlay or Bushfire Prone Area, for fire fuel reduction.
- change in terminology, from acres to square metres.
- introduction of a new provision to enable officers to take action in relation to nuisance burning.
- introduction of a new provision for chimneys, to increase officers' effectiveness in relation to the burning of toxic material in an indoor fireplace.

Many of the existing provisions, which assist in maintaining safe burning practices, will be retained (such as requiring a permit for open air burning on all land types and land sizes, and restricting the hours of burning to between 9 am and 4 pm on a Friday and Saturday).

Copies of the proposed Local Law and the Community Impact Statement are available from the Civic Centre during office hours, and can also be accessed on Council's website at www.frankston.vic.gov.au or by contacting Michael Craighead on 9784 1709.

In accordance with section 223 of the **Local Government Act 1989**, any person who wishes to make a submission in relation to the proposed amendment must do so in writing by Monday 2 March 2015. Submissions should be addressed to Chief Executive Officer, Frankston City Council, PO Box 490, Frankston, Victoria 3199. Any person who lodges a written submission may request to be heard in support of their submission and is entitled to appear in person, or be represented by a person acting on their behalf, before a meeting of Council. Persons lodging a written submission should state whether they wish to be heard by Council. Notice of the meeting date and time will be given to all submitters.

Further information about the proposed amendment can be obtained from Council's Municipal Fire Prevention Officer, Jarred Stevens, on 9784 1917.

DENNIS HOVENDEN
Chief Executive Officer



AMENDMENT TO LOCAL LAW NO. 2 OF 2011 – MUNICIPAL AMENITY AND
LOCAL LAW NO. 3 OF 2011 – ROAD MANAGEMENT AND ASSET PROTECTION

At the Greater Dandenong City Council Ordinary Meeting held on 27 January 2015, Council, under section 119 of the **Local Government Act 1989**, resolved to give public notice of its intention to amend Local Law No. 2 of 2011 – Municipal Amenity and Local Law No. 3 of 2011 – Road Management and Asset Protection.

The purpose of the amendments to Local Law No. 2 is to:

- 1.1 further regulate the storage of shipping containers on residential land
- 1.2 remove a clause dealing with circuses, carnivals and festivals
- 1.3 introduce controls on the management of stormwater discharge from private property
- 1.4 clarify controls on the keeping of animals
- 1.5 making miscellaneous changes
- 1.6 making the Local Law more effective and enforceable.

The purpose of the amendments to Local Law No. 3 is to:

- 1.7 improve regulation of street parties, festivals, processions and other public gatherings
- 1.8 make miscellaneous changes
- 1.9 make the Local Law more effective and enforceable.

Copies of the proposed amendments and an explanatory document can be inspected at the Council customer service centres or at www.greaterdandenong.com

Any person affected by the proposed amendments may make a submission under section 223 of the **Local Government Act 1989**. Submissions must be made in writing and addressed to the Chief Executive Officer, Greater Dandenong City Council, PO Box 200, Dandenong, Victoria 3175. Submissions must be received by 5 pm, 27 February 2015.

Council must make available to the public, upon request, details of all submissions made including details of the person(s) making the submission. Any person who has made a written submission to the Council and requested that they be heard in support of their submission is entitled to appear in person or may be represented by a person acting on their behalf.



Knox City Council

PROPOSED GENERAL PROVISIONS
(MISCELLANEOUS AMENDMENTS)
LOCAL LAW 2015

Notice is given that at a meeting of Knox City Council (Council) held on 27 January 2015, Council proposed the making of a Local Law titled 'General Provisions (Miscellaneous Amendments) Local Law 2015' (the proposed Local Law).

The purpose and general purport of the proposed Local Law is to amend the General Provisions Local Law 2010 to:

- provide for improvements to the management of public places, including parking and use of registered and unregistered vehicles, shopping trolleys, vegetation and fireworks;
- provide for improvements to the management of animals, including animal noise, the feeding of uncaged birds and a failure to register a dog or cat;
- provide for improvements to the management of public amenity, including the use of land to create a nuisance, environmental weeds and open-air burning;
- provide for improvements to the administration of the law to enable impounding of items that are in breach of permit conditions or subject to a notice to comply;
- provide for a new schedule of penalties to be applied in Infringement Notices issued under the **Infringements Act 2006**; and
- incorporate minor changes to definitions, wording and processes.

Copies of the proposed Local Law, Local Law Community Impact Statement, National Competition Policy Assessment and Charter of Human Rights and Responsibilities Assessment are available for inspection at 511 Burwood Highway, Wantirna South, and at www.knox.vic.gov.au

Any person affected by the proposed Local Law may make a written submission until 5 March 2015 which should be addressed to the Governance Manager, Knox City Council,

511 Burwood Highway, Wantirna South 3152. Persons making a submission may request to appear in person or be represented at a meeting at 511 Burwood Highway, Wantirna South, at 5.30 pm on 10 March 2015. All written submissions will become public documents available for inspection.

Council will meet to consider the proposed Local Law 2015 at its Ordinary Meeting on 24 March 2015. Enquiries should be directed to Mr Rhys Thomas, Manager Governance, on 9298 8000.

GRAEME EMONSON
Chief Executive Officer

YARRA RANGES SHIRE COUNCIL

Order 1/2013 Made Under Section 25(2) and 26(2) of the **Domestic Animals Act 1994**

In accordance with section 25(3) and section 26(3) of the **Domestic Animals Act 1994** notice is hereby given that on 14 October 2014 Yarra Ranges Council resolved to make an Order titled 'Order 1/2013 Made Under Section 25(2) and 26(2) of the Domestic Animals Act 1994'.

The Order seeks to regulate the behaviours of dogs and cats and prescribe the places in the municipality where dogs and cats are prohibited and where dogs can be exercised on or off lead. The Order comes into effect on the day it was made. Further information can be obtained by contacting the Council on 1300 368 333, or on the Council's website, www.yarraranges.vic.gov.au

GLENN PATTERSON
Chief Executive Officer

YARRA RANGES SHIRE COUNCIL

Meeting Procedure and Use of Common Seal
Local Law 2015

In accordance with section 119(3) of the **Local Government Act 1989**, notice is hereby given that on 27 January 2015, Yarra Ranges Council resolved to make a local law titled 'Meeting Procedures and Use of Common Seal Local Law 2015'.

The Local Law seeks to define the conduct of Council meetings and comes into effect on the day it was made. Further information can be obtained by contacting the Council on 1300 368 333, or on the Council's website, www.yarraranges.vic.gov.au

GLENN PATTERSON
Chief Executive Officer

Planning and Environment Act 1987
BOROONDARA PLANNING SCHEME

Notice of Preparation of Amendment
 Amendment C208

The Boroondara City Council has prepared Amendment C208 to the Boroondara Planning Scheme.

The Amendment affects land at:

- 203 Doncaster Road, North Balwyn
- 29 and 31 Parkhill Road, Kew
- 7 Leura Grove, Hawthorn East
- 16 Victoria Avenue, Canterbury
- 15 Deepdene Road, Deepdene
- 23–25 and part of 27 (TP 129339C) Canterbury Road, Camberwell
- 46 Rowland Street, Kew.

The Amendment proposes to:

1. amend Boroondara Planning Scheme Maps 4HO, 8HO, 12HO and 13HO by applying the following Heritage Overlays on a permanent basis:
 - HO616 – 203 Doncaster Road, North Balwyn
 - HO619 – 29 and 31 Parkhill Road, Kew
 - HO620 – 7 Leura Grove, Hawthorn East
 - HO614 – 16 Victoria Avenue, Canterbury
 - HO605 – 15 Deepdene Road, Deepdene
 - HO617 – 23–25 and part of 27 (TP 129339C) Canterbury Road, Camberwell
 - HO613 – 46 Rowland Street, Kew; and
2. amend the Schedule to the Heritage Overlay at Clause 43.01 of the Boroondara Planning Scheme to include the above properties in the Heritage Overlay on a permanent basis.

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 Boroondara City Council, Planning Counter, Level 1, 8 Inglesby Road, Camberwell; and at the Department of Environment, Land, Water and Planning website, www.dtpli.vic.gov.au/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority. 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. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is Friday 13 March 2015. A submission must be sent to the Amendment C208, Strategic Planning Department, Boroondara City Council, Private Bag 1, Camberwell, Victoria 3124.

PHILLIP STORER
 Chief Executive Officer
 Boroondara City Council

Planning and Environment Act 1987
BOROONDARA PLANNING SCHEME
 Notice of Preparation of Amendment
 Amendment C214

Boroondara City Council has prepared Amendment C214 to the Boroondara Planning Scheme.

The land affected by the Amendment is:

- part 2–4 Burwood Road, Hawthorn
- 19 Strathalbyn Street, Kew East
- 12 Windella Avenue, Kew East
- part 25–27 Trafalgar Road, Camberwell
- 8 Sir William Street, Kew
- 350–352 Burwood Road, Hawthorn
- part 360 Burwood Road, Hawthorn
- part 10 Clifford Close, Ashburton
- part 18 Symonds Street, Hawthorn East
- 285B High Street, Ashburton
- part 40 Davis Street, Kew
- part 190A–190B Canterbury Road, Canterbury
- part 177–183 Willsmere Road, Kew
- part 533–535 High Street, Kew.

The Amendment proposes to:

- rezone part of 2–4 Burwood Road, Hawthorn, from Neighbourhood Residential Zone 3 (NRZ3) to Public Park and Recreation Zone (PPRZ);
- rezone 19 Strathalbyn Street, Kew East, from General Residential Zone 3 (GRZ3) to Public Park and Recreation Zone (PPRZ);
- rezone part of 12 Windella Avenue, Kew East, from part Neighbourhood Residential Zone 3 (NRZ3) and part General Residential Zone 3 (GRZ3) to Public Park and Recreation Zone (PPRZ);
- amend Planning Scheme Map 13ZN to amend the boundary of the Neighbourhood Residential Zone 3 (NRZ3) and Public Park and Recreation Zone (PPRZ) at 25–27 Trafalgar Road, Camberwell;
- rezone 8 Sir William Street, Kew, from Neighbourhood Residential Zone 3 (NRZ3) to Public Park and Recreation Zone (PPRZ);
- rezone 350–352 Burwood Road, Hawthorn, from Commercial 1 Zone (C1Z) to Public Use Zone 6 (PUZ6) – Local Government;
- rezone part of 360 Burwood Road, Hawthorn, from Commercial 1 Zone (C1Z) to Public Use Zone 6 (PUZ6) – Local Government;
- rezone part of 10 Clifford Close, Ashburton, from Neighbourhood Residential Zone 3 (NRZ3) to Public Park and Recreation Zone (PPRZ);
- rezone part of 18 Symonds Street, Hawthorn East, from Neighbourhood Residential Zone 3 (NRZ3) to Public Park and Recreation Zone (PPRZ);
- rezone 285B High Street, Ashburton, from Public Use Zone 4 – Transport (PUZ4) to Commercial 1 Zone (C1Z);
- rezone part of 40 Davis Street, Kew, from General Residential Zone 1 (GRZ1) to Public Park and Recreation Zone (PPRZ);
- rezone part of 190A–190B Canterbury Road, Canterbury, from Commercial 1 Zone (C1Z) to Public Park and Recreation Zone (PPRZ);
- rezone part of 177–183 Willsmere Road, Kew, from part Public Use Zone 4 (PUZ4) – Transport and part Neighbourhood Residential Zone 3 (NRZ3) to Public Park and Recreation Zone; and

- rezone part of 533–535 High Street, Kew, from part Public Use Zone 6 (PUZ6) – Local Government and part Public Park and Recreation Zone (PPRZ) to General Residential Zone 5 (GRZ5).

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, Boroondara City Council, Planning Counter, Level 1, 8 Inglesby Road, Camberwell 3124; or at the Department of Environment, Land, Water and Planning website, www.dtpli.vic.gov.au/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority. 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. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is 6 March 2015. A submission must be sent to Amendment C214, Strategic Planning Department, Boroondara City Council, Private Bag 1, Camberwell 3124, or to strategic.planning@boroondara.vic.gov.au

PHILLIP STORER
Chief Executive Officer
Boroondara City Council

Planning and Environment Act 1987

CASEY PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C205

The City of Casey has prepared Amendment C205 to the Casey Planning Scheme at the request of Breese Pitt Dixon on behalf of the owners of the Amstel Golf Course.

The land affected by the Amendment is:

- 980–1030 Cranbourne–Frankston Road, Cranbourne;
- 20E Scioto Street, Cranbourne;
- 1–11 Ronneback Walk, Cranbourne;

- 1–14 Nanea Path, Cranbourne;
- 2–14 Aviara Walk, Cranbourne; and
- 23–47 Willow Glen Boulevard, Cranbourne.

The Amendment proposes to rezone the current Amstel Golf Course to facilitate residential development on the site.

Specifically, the Amendment proposes the following changes to the planning scheme:

- Rezoning of the land at 20E Scioto Street, Cranbourne, and parts of the land at 9801000 Cranbourne–Frankston Road, 1–11 Ronneback Walk and 23–25 Willow Glen Boulevard, Cranbourne (Amstel Golf Course), from a Farming Zone – Schedule 2 (FZ2) to a General Residential Zone – Schedule 1 (GRZ1).
- Replace Schedule 12 to the Development Plan Overlay (DPO12) and extend its application to the entire Amstel Golf Course site.
- Amends the Schedule to Clause 52.01 to apply a 20 per cent rate of public open space contribution to the land.

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, City of Casey, Customer Service Centre, Municipal Offices, Magid Drive, Narre Warren; City of Casey, Customer Service Centre, Shop 8 (Bendigo Bank building), Amberly Park Shopping Centre, 101 Seebeck Drive, Narre Warren South; City of Casey, Customer Service Centre, Cranbourne Park Shopping Centre (opposite Post Office), Cranbourne; at the Department of Environment, Land, Water and Planning website, www.dtpli.vic.gov.au/publicinspection; and on the City of Casey website, <http://www.casey.vic.gov.au/building-planning/planning-scheme-and-amendments/on-exhibition-amendments>

Any person who may be affected by the Amendment may make a submission to the planning authority. 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. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is Friday March 6 2015.

A submission must be sent to: Team Leader – City Strategy, City of Casey, PO Box 1000, Narre Warren, Victoria 3805.

Should you have any queries about this Amendment, please contact Council's Strategic Development Department on (03) 9705 5200.

Dated 5 February 2015

DAVID WILKINSON
Manager Strategic Development

Planning and Environment Act 1987
GREATER BENDIGO PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C215

The Greater Bendigo City Council has prepared Amendment C215 to the Greater Bendigo Planning Scheme.

The land affected by the Amendment is:

- land to the north of Sawmill Road, Huntly, that was identified in the 'Huntly Township Plan' but not yet rezoned;
- land bounded by Goynes Road, Buckland, and Saade Street and Montis Lane, Epsom;
- land to the south of Strathfieldsaye Road, Strathfieldsaye, that was identified for residential development in the 'Strathfieldsaye Township Plan' but not yet rezoned;
- land in 'Precinct 6' to the north of the Calder Highway, Maiden Gully; and
- land on the corner of Taylors Lane and Bakers Lane, Strathfieldsaye.

The Amendment proposes to implement the findings of the 'Greater Bendigo Residential Strategy' (2014) into the Local Planning Policy Framework of the Greater Bendigo Planning Scheme and makes a number of zoning and overlay changes resulting from the strategy.

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, the City of Greater Bendigo, at 189–229 Lyttleton Terrace, 15 Hopetoun Street, Bendigo, and 125 High Street, Heathcote; and at the Department of Environment, Land, Water and Planning website, www.dtpli.vic.gov.au/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority. 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. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is 20 March 2015. A submission must be sent to the City of Greater Bendigo at PO Box 733, Bendigo 3555, or by email to strategyunit@bendigo.vic.gov.au

CRAIG NEIMANN
Chief Executive Officer

Planning and Environment Act 1987

GREATER SHEPPARTON PLANNING SCHEME

Notice of Preparation of Amendment Amendment C175

The Greater Shepparton City Council has prepared Amendment C175 to the Greater Shepparton Planning Scheme.

The land affected by the Amendment is 111–125 Numurkah Road, Shepparton, being Lot 1 on PS719913.

The Amendment proposes to rezone the land at 111–125 Numurkah Road, Shepparton, from the General Residential Zone to the Commercial 2 Zone.

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, Greater Shepparton City Council, 90 Welsford Street, Shepparton; at the Department of Environment, Land, Water and Planning website, www.dtpli.vic.gov.au/publicinspection; and at the Greater Shepparton City Council website, www.greatershepparton.com.au

Any person who may be affected by the Amendment may make a submission to the planning authority. 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. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is Monday 9 March 2015. A submission must be sent to the Greater Shepparton City Council, Locked Bag 1000, Shepparton, Victoria 3632.

COLIN KALMS
Manager Planning

Planning and Environment Act 1987 MOONEE VALLEY PLANNING SCHEME

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

Planning and Environment Act 1987 Amendment C150

Planning Permit Application MV/37/2014

The land affected by the Amendment is 1–5 Term Street, Strathmore.

The land affected by the application is 1–5 Term Street, Strathmore.

The Amendment proposes to amend Section 1 of the Schedule to Clause 52.02 of the Moonee Valley Planning Scheme in order to vary a restrictive covenant on the land.

The application is for a permit to use and develop the land for the purpose of a childcare centre.

The person who requested the Amendment is Moonee Valley City Council.

The applicant for the permit is Moonee Valley City Council.

You may inspect the Amendment, the explanatory report about the Amendment, the application, and any documents that support the Amendment and the application, including the proposed permit, free of charge, at the following locations: during office hours, at the office of the planning authority, Moonee Valley City Council, 9 Kellaway Avenue, Moonee Ponds; and at the Department of Environment, Land, Water and Planning website, www.dtpli.vic.gov.au/publicinspection and also on Council's website, www.mvcc.vic.gov.au

Any person who may be affected by the Amendment or by the granting of the permit may make a submission to the planning authority. 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. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is 13 March 2015. A submission must be sent to the: Strategic Planning Department, Moonee Valley City Council, PO Box 126, Moonee Ponds, Victoria 3039.

NEVILLE SMITH
Chief Executive

Planning and Environment Act 1987
WHITEHORSE PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C167

The Whitehorse City Council has prepared Amendment C167 to the Whitehorse Planning Scheme.

The land affected by the Amendment is 35 Hay Street, Box Hill South. The Amendment proposes to introduce Schedule 6 to the General Residential Zone into the Whitehorse Planning Scheme and rezone 35 Hay Street, Box Hill South, from the Special Use Zone (Schedule 2) to the General Residential Zone (Schedule 6).

The Amendment has been made at the request of James Livingston Planning on behalf of Visconti Investments Pty Ltd.

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, Whitehorse City Council, 379 Whitehorse Road, Nunawading; during opening hours, at Whitehorse City Council Service Centres at Box Hill and Forest Hill and libraries in the City of Whitehorse at Blackburn, Box Hill, Nunawading and Vermont South; on Whitehorse City Council's website at: www.whitehorse.vic.gov.au/Planning-Scheme-Amendments.html; or on the Department of Environment, Land, Water and Planning website, www.dtpli.vic.gov.au/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority. 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. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is Friday 6 March 2015. A submission must be sent to: Vanessa Mogg, Strategic Planner, Whitehorse City Council, Locked Bag 2, Nunawading Delivery Centre, Victoria 3131 or email to strategic.planning@whitehorse.vic.gov.au

JEFF GREEN
General Manager City Development
Whitehorse City Council

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 8 April 2015, 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.

ATIENO, Harrison Oballah, late of Unit 2, 58 Albert Road, Hallam, Victoria, deceased, who died on 16 July 2014.

COOK, Clive, late of 48 Bowen Street, Cranbourne, Victoria, deceased, who died on 26 November 2014.

DUNN, Joyce Constance, late of 22 Broadman Close, Box Hill South, Victoria, deceased, who died on 28 October 2014.

O'DWYER, John Joseph, late of Riverside House, 2 River Street, Richmond, Victoria, deceased, who died on 20 November 2014.

RAE, Marjorie, late of Liscombe House, 339 St Helena Road, Saint Helena, Victoria, retired, deceased, who died on 23 September 2014.

WILCOX, Dulcie Joan, late of St Martin's Nursing Home, 304 Roghan Road, Taigum, Queensland, deceased, who died on 14 August 2014.

Dated 28 January 2015

STEWART MacLEOD
Manager

INTERIM EXEMPTION

Application No. H214/2014

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the EO Act) by BAE Systems Australia Defence Pty Ltd (the Applicant).

The application for exemption is to enable the Applicant to discriminate on the grounds of nationality against any member of its Victorian workforce or person wishing to join its Victorian workforce in relation to controlling access to specified technology or technical data for defence-related projects undertaken or to be undertaken by it, to the extent required to enable it to comply with its other statutory obligations and its contractual obligations.

In this exemption –

‘Commission’ means the Victorian Equal Opportunity and Human Rights Commission.

‘Controlled information’ means information (including classified or sensitive information and technical data) to which the security requirements apply.

‘Controlled material’ means material (including equipment, technology, articles and services) to which the security requirements apply.

‘Discriminate’, ‘employee’ and ‘contract worker’ each have the meaning given in the EO Act.

‘Security requirements’ means any of the following –

- (a) requirements made by the Australian government, that government’s Department of Defence or any other department of that government under the Customs (Prohibited Exports) Regulations 1958 (Cth), the Defence Services Manual, or a term or condition of a licence or approval granted under those Regulations or under the **Customs Act 1901** (Cth), including requirements for personal security clearances;
- (b) the requirements of laws of the United States of America, including but not limited to, the International Trafficking in Arms Regulations and the Export Administration Regulations including requirements of any permit, licence or approval granted, or agreement made, under those laws;
- (c) contractual requirements applying to the Applicant and relating to any of the requirements mentioned in paragraph (a) or (b).

‘Specified conduct’ means to discriminate on the ground of the nationality against any member of the Applicant’s Victorian workforce or anyone who wishes to join that workforce, in relation to defence-related projects undertaken or to be undertaken by the Applicant, and only to the extent required to enable the Applicant to comply with the security requirements, and includes but is not limited to the following conduct to the extent that it is required to enable the Applicant to comply with the security requirements –

- (a) requiring members or potential members of the Applicant’s Victorian workforce to provide details of their nationality and country of origin to enable the Applicant to determine whether they are permitted under the security requirements to work on certain defence-related projects or to have access to controlled material or controlled information;
- (b) identifying (by means of a badge, maintenance of a list or otherwise) those in its Victorian workforce permitted by virtue of their nationality to work on certain defence-related projects or have access to related controlled material or controlled information so as to distinguish them from those not so permitted;
- (c) preventing the release of controlled material or controlled information to members of that workforce on the basis of their nationality;
- (d) requiring members of that workforce to execute formal security agreements based on nationality;
- (e) restricting access to controlled material and controlled information connected with certain defence-related projects to particular members of that workforce based on their nationality;
- (f) restricting access to areas of its facilities connected with certain defence-related projects to particular members of its Victorian workforce based on their nationality;
- (g) rejecting applications to join its Victorian workforce in positions relating to certain defence-related projects based on the job applicant’s nationality, and taking into account a person’s nationality in determining who should be offered employment or contract work requiring access to controlled material or controlled information;
- (h) transferring members of its Victorian workforce from certain defence-related projects on the basis that, due to their nationality, the Applicant may not permit them to work on those projects, whether that transfer takes into account existing or changed nationality;
- (i) disclosing information about the nationality of members of its Victorian workforce to –
 - (i) the US Department of State;
 - (ii) the US Department of Commerce;
 - (iii) the US Federal Aviation Authority;
 - (iv) the Australian Department of Defence;
 - (v) any other organisation for which or on whose behalf or at whose request the Applicant undertakes work in respect of which the Applicant has (directly or indirectly) an obligation not to transfer defence-related information to non-Australian citizens.

‘US’ means United States of America.

‘workforce’ of the Applicant means the Applicant’s employees and contract workers.

No exception already applies to the exempt conduct. An interim exemption made on 17 October 2014 will expire on 15 February 2015. In the absence of a further exemption the exempt conduct would amount to prohibited discrimination.

When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter). Arguably, this exemption limits the right to equality and in particular the right to equal and effective protection against discrimination of certain members of the Applicant’s Workforce. I am satisfied that for the purposes of this further interim exemption, the limit imposed by this exemption is reasonable and justified under the Charter.

Upon reading the material filed in support of this application and for the same reasons given in respect of the interim exemption granted on 17 October 2014, the Tribunal is satisfied that it is appropriate to grant a further interim exemption from sections 16, 18, 21, 107 and 182 of the Act to enable the Applicant to engage in the exempt conduct until the application is finally heard and determined. The Tribunal notes that the further interim exemption is required to allow sufficient time for a hearing into the application.

The Tribunal hereby grants an exemption to the Applicant from the operation of sections 16, 18, 21, 107 and 182 of the EO Act to enable the Applicant to engage in the specified conduct.

This exemption is subject to the conditions in the Schedule. The exemption is to remain in force from 16 February 2015 until 19 March 2015.

Dated this 30 January 2015

A. DEA
Member

SCHEDULE OF CONDITIONS TO EXEMPTION NO. A305/2011

1. This exemption applies only to conduct by the Applicant where it has taken all steps reasonably available (including steps that might be taken in negotiating or performing any contract) to avoid the necessity to engage in the specified conduct.
2. Where the specified conduct involves moving a member of the Applicant's Victorian workforce from one project, area or facility to another, the Applicant must, through a duly authorised officer, explain to the person why he or she is being transferred and must otherwise take all reasonable steps to avoid or limit harm or loss to that person which might arise from the transfer.
3. Where the Applicant has a system of badges or security passes to identify those in its Victorian workforce permitted by virtue of their nationality to work on certain defence-related projects or to access related controlled material or controlled information, or levels of access to that material or information, the pass or badge may show a code that indicates the holder's nationality, but not in such a way that a person unfamiliar with the code would be able to identify that nationality.
4. All information relating to security passes or badges, security clearance levels, or access to controlled material or controlled information must be restricted to the Applicant's Manager of Security and Human Resources Manager and their properly appointed nominees on a 'need to know' basis.
5. The Applicant's employment policies must be amended as soon as reasonably possible so as to refer to the terms and conditions of this exemption, and to make it clear that the purpose of requiring information regarding nationality is solely to enable compliance with the security requirements.
6. The Applicant must provide a copy of this exemption to –
 - (a) existing contractors who supply it with contract workers, as soon as is reasonably possible after this exemption commences; and
 - (b) any new contractors who supply it with contract workers, as soon as is reasonably possible after the relevant contract is entered into.
7. The Applicant must report in writing to the Commission and the Tribunal six months after the commencement of this exemption, and every six months thereafter while the exemption is in force detailing in respect of the period to which the report relates, and in respect of the matters covered by this exemption –
 - (a) the steps taken by the Applicant to comply with the EO Act and the terms and conditions of this exemption, including training and education given to its Victorian workforce, compliance audits, and any complaints made under the EO Act;

- (b) the number of applications to join its Victorian workforce rejected under the exemption and whether any (and, if so, how many) were subsequently appointed to other roles;
 - (c) the number of members of its Victorian workforce moved to other projects, areas or facilities under the exemption, and any steps taken to minimise harm or loss to those people arising from the transfers;
 - (d) the number of Victorian workforce vacancies advertised or offered under the exemption.
8. The Tribunal, in determining whether to grant a further exemption, may (as well as other factors) take into account any breach of these conditions and anything in any report under condition 7.

Associations Incorporation Reform Act 2012

SECTION 135

I, Steven Scodella, Operations Manager under the **Associations Incorporation Reform Act 2012** (the Act), under delegation provided by the Registrar, hereby give notice that, pursuant to section 135(3) of the Act, I intend to cancel the incorporation of the incorporated associations mentioned below:

The Growling Frogs Community Centre Inc.; Geelong Combined Leagues Club Inc.; Geelong Customline Club of Victoria Inc.

I further advise that unless a person makes a written objection to cancellation to the Registrar within 28 days of the date of this notice, I intend to cancel the incorporation of the incorporated associations mentioned above.

Dated 5 February 2015

STEVEN SCODELLA
Operations Manager
PO Box 4567
Melbourne, Victoria 3001

Associations Incorporation Reform Act 2012

SUB-SECTION 138

I, Steven Scodella, Operations Manager, under delegation provided by the Registrar, hereby give notice that an application for the voluntary cancellation of incorporation, pursuant to section 136 of the Act, has been received by the Registrar from each of the associations mentioned below:

...And the Red Geranium Inc.; Australian 650 Quarter Sprint Association Inc.; Australian Public Safety League Inc.; Basic Human Needs Inc.; Boiaki Estia, Melbourne Inc.; Border Districts Netball Club Inc.; Bunyip Canteen Inc.; Casey Dressage Club Inc.; Casterton Community Managed Consultancy Inc.; Cavendish Tourism Inc.; Cigar Society of Australia and New Zealand Inc.; Circolo Pensionati Abruzzesi-Abruzzesi Senior Citizens Social Club Inc.; Crazy Sales Social Club Inc.; Creative Compassion for Women Inc.; Creswick Tennis Club Inc.; Croyinda 3 Year Old Kindergarten Inc.; Dandenong Bridge Club Inc.; Doing the Breast We Can Inc.; Fiesta Mexico Community Group Inc.; Friends of the Macedon Ranges Inc.; Goss Theatre Company Inc.; Grovedale Community Centre Inc.; Hastings Literacy Festival Inc.; Hobbyzone Electric Model Aero Club Inc.; Horsham Photographic Group Inc.; Hotham Street Kindergarten Association Inc.; Indochinese Phoenix Ministry Inc.; Insight Insurance Brokers Association Inc.; International Association for Time Use Research Inc.; Kanimbla Association Inc.; Kyabram District Bicycle User's Group Inc.; Livin' the Dream 4x4 Inc.; Macedon Ranges Business Management Services Inc.; Marysville & Triangle Community Association Inc.; Mid Murray Landcare Network Inc.; Millions Against Malaria Inc.; Montgomery Park Children's Centre Inc.; Nangiloc and District Kindergarten Inc.; National Centre for Suicide Prevention Training (Vic) Inc.; Northern Suburbs

Organ Club Inc.; Pegasus Endurance Inc.; Real Life Christian Community Frankston Inc.; Rowville Rampagers Junior Girls Australian Rules Football Club Inc.; Sexually Explicit Licensees Victoria Association Inc.; Shyaw Newspaper Inc.; St. Andrews Kindergarten Ararat Inc.; Strong Drive Kindergarten Inc.; Sunshine Youth Multipurpose Facility Incorporated; Target Staff Social Club Inc.; Teesdale Playgroup Inc.; The Black Lung Theatre Inc.; The Fund for Humanitarian Service Inc.; The Lavoisier Group Inc.; The Noble Park Senior Citizens Centre Inc.; Tongala and District Health Services Inc.; Trick Circus Inc.; Victorian Family Day Care Educators Association Inc.; Victorian Jazz Musicians' Benefit Fund Inc.; Wedderburn Tourism Inc.; Werribee & District Riding Club Inc.; Western Golf Club Inc.; 'Westside' – Sunshine Police Youth and Citizens Club Inc.

I further advise that unless a person makes a written objection to cancellation to the Registrar within 28 days of the date of this notice, I intend to cancel the incorporation of the incorporated associations mentioned above.

Dated 5 February 2015

STEVEN SCODELLA
Operations Manager
PO Box 4567
Melbourne, Victoria 3001

Cemeteries and Crematoria Act 2003

SECTION 40(2)

Declaration that Cemetery Trust Fees are increased

I, Bryan Crampton, as Delegate of the Secretary to the Department of Health and Human Services for the purposes of section 43(2) of the **Cemeteries and Crematoria Act 2003**, declare that all cemetery trust fees of \$50 or more will increase by 1.4 per cent in accordance with movements in the All Groups Consumer Price Index number (for Melbourne) as published by the Australian Bureau of Statistics. This declaration will take effect on 1 July 2015.

Dated 29 January 2015

BRYAN CRAMPTON
Manager
Cemeteries and Crematoria Regulation

Coastal Management Act 1995

NOTICE OF APPROVAL OF MANAGEMENT PLAN

The Bridgewater Bay Foreshore Reserve managed by the Glenelg Shire Council

The Bridgewater Bay Foreshore Master Plan for the Bridgewater Bay Foreshore Reserve managed by Glenelg Shire Council has been approved pursuant to section 32 of the **Coastal Management Act 1995**.

The Master Plan takes effect on the date this notice is published in the Government Gazette.

The Master Plan provides for the management for approximately 7.5 ha of a coastal crown land reserve in the locality of Cape Bridgewater, located west of Portland in the Glenelg Shire.

The management area generally encompasses the narrow strip of foreshore between low water mark and the nearest road (e.g. Bridgewater Road) within Cape Bridgewater.

A copy of the Management Plan may be inspected, free of charge, during office hours, at the office of the Department of Environment, Land, Water and Planning, 78 Henna Street, Warrnambool.

HELEN VAUGHAN
Regional Director
Barwon South West Region
Department of Environment, Land, Water and Planning

Education and Training Reform Act 2006

MINISTERIAL ORDER NO. 808

Arnolds Creek Primary School Council

Constituting Order

A. Purpose

The purpose of this Order is to constitute a school council for Arnolds Creek Primary School.

B. Authorising provisions

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

C. Commencement

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

PART A – CONSTITUTION**1. Incorporation**

A school council is hereby constituted, under section 2.3.2(1) of the **Education and Training Reform Act 2006**, by the name of Arnolds Creek Primary School Council, as a body corporate to exercise and discharge the powers, duties and functions conferred or imposed on it by or under that Act in relation to the Government school No. 5557 named Arnolds Creek Primary School situated at 59 Claresash Boulevard, West Melton, Victoria 3337.

1A. Objectives of the Council

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

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

1B. Functions of the Council

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

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

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

1C. Powers of the Council

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

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

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

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

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

1D. Accountability and executive officer

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

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

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

PART B – GENERAL**2. Regulations**

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

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

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

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

‘DEECD’ means the Department of Education and Early Childhood Development;

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

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

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

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

4. Specific clauses to prevail over general clauses

To the extent that there is any inconsistency between:

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

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

5. Council composition and elections

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

PART C – POWERS**6. Employment**

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

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

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

7. Use of buildings and grounds

- 7.1 The Council may:

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

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

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

8. Council may carry out works

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

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

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

9. Other School Council works

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

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

10. Council may form sub-committee

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

11. Council may delegate powers, duties or functions

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

12. Council may form committees to manage joint facilities

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

13. Delegation to committee

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

14. Council may sell property

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

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

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

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

(a) Must be in writing; and

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

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

14.6 An approval given under clause 14.3 must be:

(a) In writing; and

(b) Given before the property is sold.

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

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

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

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

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

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

15.2 Council may grant lease or licence over preschool land

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

15.3 Fees for preschool programs

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

15.4 Application of, and accounting for, money received

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

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

16. Payment of members

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

17–23. Not used

24. Student dress code

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

- (3) The Council may enter into a contract with any person for the supply of school uniforms for students of the School.

25. Power to purchase

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

26. Children's services

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

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

27. Other powers

27.1 Activities outside School Hours

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

27.2 Fund Raising

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

27.3 Gifts

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

27.4 Hire or use of Equipment

- (1) Definitions

In this clause –

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

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

- (a) the Council has the right to use the equipment; and

- (b) there is no option, right or obligation of the Council or any other person to buy the equipment; and
 - (c) at the end of the contract or licence the School Council has to return the equipment to the other party to the contract or licence.
- (2) The Council may enter into an equipment agreement with another party if the sole or main purpose of entering into the equipment agreement is to benefit the education of students at the School or to assist with the efficient conduct of the School.
- (3) Prior to entering into an equipment agreement the Council must –
- (a) obtain more than one written quotation or tender for the hire or use of the equipment if the annual cost of the hire or use of the equipment is expected to exceed \$1000; and
 - (b) carry out a financial evaluation of the proposal to hire or use the equipment; and
 - (c) ensure that the equipment to be hired or used has appropriate insurance cover, either through the terms of the equipment agreement or by separate cover.
- (4) The Council must not –
- (a) enter into an equipment agreement for a continuous period exceeding four years until the Regional Director has approved the entering into of that equipment agreement; and
 - (b) enter into an equipment agreement for the hire or use of equipment previously owned or operated by the Council or for the purposes of the DEECD, and
 - (c) commit funds of a non-recurrent nature or funds granted for a specific purpose, towards the costs of an equipment agreement until the donor or provider of the funds has consented to that in writing; or
 - (d) enter into an equipment agreement unless it is satisfied that it will be able to meet all the costs of the equipment agreement.

27.5 Reporting

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

27.6 Exclusions

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

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

28. Transport Accident Commission agreements

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

29. Power to provide goods, services or facilities

- (a) Subject to sub-clauses (b) and (c), the Council may, for the purpose of the efficient conduct of the School, enter into arrangements or agreements, for reward or otherwise, to provide or supply goods, services or facilities to other Government schools or other educational institutions.
- (b) Any arrangement or agreement under sub-clause (a) may only be for goods, services or facilities that the Council is empowered under the **Education and Training Reform Act 2006**, the Education and Training Reform Regulations 2007, this Order, or any Ministerial Order made under the **Education and Training Reform Act 2006**, to provide or supply to the School.
- (c) Any arrangement or agreement under sub-clause (a) must comply with any directions issued by the Secretary to the DEECD.

30. Power to purchase by use of purchasing card facilities

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

31. Not used.

32. Trusts

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

PART D – TRANSITIONAL PROVISIONS**33. Transitional provisions**

- 33.1 (a) Subject to sub-clause (b), this clause 33 operates until and inclusive of the date of the declaration of the poll in 2016 (or, if no election is held that year, 1 April of that year);
- (b) Subclause 33.12 operates until and inclusive of the day after the date of the declaration of the poll in 2016 (or, if no election is held that year, 31 March of that year).
- 33.2 Subject to subclause 33.11, during the operation of this clause the Composition and Election provisions, namely clauses 5A to 5V of the School Council Composition and Elections Order (Ministerial Order No. 52), except clauses 5A, 5B.3 (insofar as it defines eligibility for election), 5B.3A (a) and 5R thereof, do not operate.
- 33.3 The School Council shall consist of a total of six members comprising the principal *ex officio* and one other DEECD employee and four parents only.
- 33.4 By ministerial appointment made for the purposes of this clause on the date of this Order the principal *ex officio*, one other DEECD employee, and four parents are appointed as members of the Council from the date this clause takes effect until and inclusive of the date of declaration of the poll in 2016.

- 33.5 The School Council may, prior to the date of the declaration of the poll in 2016 (or, if no election is held that year, 31 March of that year), fill any casual vacancy that occurs in the membership of the School Council, by appointing to the School Council a person who is eligible for election or appointment (as the case may be) to the relevant membership category, provided that any person who fills a vacant position created by a casual vacancy shall only serve the unexpired portion of the vacating member's term of office.
- 33.6 Not used.
- 33.7 A parent appointed under clause 33.4 who does not have a child enrolled at the School at the time of the Notice of Election and Call for Nominations for any School Council election shall cease to be a member of the Council on that date, and a casual vacancy is thereby created.
- 33.8 In the event that the School Council is unable to comply with the quorum provisions of Part 3 of the Education and Training Reform Regulations 2007 owing to the number of casual vacancies in its membership, the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** may fill any casual vacancy that occurs in the membership of the School Council by appointing to the School Council for a term of office that does not extend beyond the unexpired portion of the vacating member's term of office a person who is eligible for election or appointment (as the case may be) to the relevant membership category.
- 33.9 In the event that the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** is satisfied that a School Council member no longer intends to attend School Council meetings, but a casual vacancy has not been created in respect of that member's position on the School Council, the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** may remove the person as a School Council member and appoint to the School Council for a term of office that does not extend beyond the unexpired portion of the vacating member's term of office a person who is eligible for election or appointment (as the case may be) to the relevant membership category.
- 33.10 (a) The School Council may not conduct any School Council meeting unless the quorum provisions of Part 3 of the Education and Training Reform Regulations 2007 are satisfied.
- (b) Subject to clause 33.10(c), the School Council must not decide any matter unless a majority of the School Council members present are not DEECD employees.
- (c) If at any time the membership of the School Council is such that it is impossible for the School Council to decide a matter in accordance with clause 33.10(b), the School Council may nonetheless decide to fill a casual vacancy under clause 33.5 or appoint or co-opt a member under clause 33.4(b) and (c).
- (d) Subject to subclauses 33.10(a), 33.10(b), and 33.10(c), an act or decision of the School Council is not invalid, and the School Council is properly constituted, notwithstanding –
- (i) a vacancy in the office of a member (including a Community member);
 - (ii) a defect or irregularity in or in connection with the appointment or co-option of a member;
 - (iii) a casual vacancy is not filled; or
 - (iv) for any other reason the total number of school council members stated in clause 33.3 has not been appointed.

33.11 The first School Council election must be completed between the 2016 school year commencement date and 31 March 2016 in respect of four Parent member positions and one DEECD employee member positions and the Composition and Election provisions (except clause 5D.3) shall apply to that School Council election.

33.12 The term of office of members of the School Council elected at the School Council election referred to in clause 33.11 shall commence on the day after the date of declaration of the poll in 2016.

This Order is made 21 January 2015

THE HON. JAMES MERLINO, MP
Deputy Premier
Minister for Education

SCHEDULE 1

Arnolds Creek Primary School 6T 4P 2DEECD 0CO

SCHEDULE 2

SCHOOL COUNCIL MEMBERSHIP TABLE

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

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

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

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

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

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

Education and Training Reform Act 2006

MINISTERIAL ORDER NO. 807

Sunshine Special Developmental School Council

1. Objective

The objective of this Order is to terminate the term of office of the current members of the Council and make provision with respect to Council membership until completion of the school council election process in 2015.

2. Authorising Provisions

This Order is made under section 2.3.2(6)(c) and (d) of the **Education and Training Reform Act 2006**.

3. Definitions

In this Order –

‘Constituting Order’ means the Order in Council dated 2 June 1987 constituting the Sunshine Special Developmental School Council, as amended.

‘School Council’ means the Sunshine Special Developmental School Council constituted by the Constituting Order.

4. Commencement

This Order takes effect on the day it is made.

5. Termination of School Council

- (1) Subject to clause 7 and despite anything contrary under the Constituting Order, all members of the Council elected, co-opted or appointed to the Council under the Constituting Order cease to be members of the Council from the date this Order takes effect.
- (2) Any person who was a member of the Council prior to its termination under clause 5(1) is eligible for election, co-option or appointment to the Council from the commencement of 2015 school year, unless the person is ineligible under clause 6.

6. Ineligibility for election to School Council

Any person who has received a letter from the Minister for Education (Minister) or the Minister’s delegate advising that the person is ineligible for election or re-election to the School Council is ineligible for election or re-election for the period of two years from the date this Order takes effect.

7. Transitional Provisions

- (1) This clause operates until and inclusive of the day of the declaration of the poll in 2015.
- (2) During operation of this clause –
 - (a) The membership of the Council comprises – the principal ex officio, Matthew Dunkley, Regional Director and Steven Boyle, Deputy Regional Director, both of South-Western Victoria Region Office, Department of Education and Training, and Ian Claridge;
 - (b) A quorum for a Council meeting held during operation of this clause shall be two members;
 - (c) The Minister or the Minister’s delegate may remove a member of the Council and appoint to the Council as constituted in accordance with this Order at any time;
 - (d) A School Council election, for positions in accordance with the composition requirements of the Constituting Order, must be conducted between commencement of the 2015 school year and 31 March 2015 and the terms of the office will commence on the day after the declaration of the poll in 2015;

- (e) The election under paragraph (d) is to be conducted in accordance with the processes and procedures provided in Ministerial Order 52; and
- (f) Subject to paragraph (e), the School Council is otherwise exempt from the operation of Ministerial Order 52, except for clause 5R.1, until the declaration of the poll in 2015.

This Order is made 23 January 2015

NICHOLAS POLE
Deputy Secretary
Regional Services Group
Delegate

Education and Training Reform Act 2006

MINISTERIAL ORDER NO. 809

Truganina P-9 College Council

Constituting Order

A. Purpose

The purpose of this Order is to constitute a school council for Truganina P-9 College.

B. Authorising provisions

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

C. Commencement

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

PART A – CONSTITUTION**1. Incorporation**

A school council is hereby constituted, under section 2.3.2(1) of the **Education and Training Reform Act 2006**, by the name of Truganina P-9 College Council, as a body corporate to exercise and discharge the powers, duties and functions conferred or imposed on it by or under that Act in relation to the Government school No. 5501 named Truganina P-9 College situated at 55 Clearwood Drive, Truganina, Victoria 3029.

1A. Objectives of the Council

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

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

1B. Functions of the Council

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

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

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

1C. Powers of the Council

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

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

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

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

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

1D. Accountability and executive officer

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

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

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

PART B – GENERAL**2. Regulations**

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

3. Definitions

3.1 In this Order:

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

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

‘DEECD’ means the Department of Education and Early Childhood Development;

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

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

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

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

4. Specific clauses to prevail over general clauses

To the extent that there is any inconsistency between:

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

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

5. Council composition and elections

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

PART C – POWERS**6. Employment**

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

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

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

7. Use of buildings and grounds

- 7.1 The Council may:

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

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

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

8. Council may carry out works

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

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

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

9. Other School Council works

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

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

10. Council may form sub-committee

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

11. Council may delegate powers, duties or functions

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

12. Council may form committees to manage joint facilities

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

13. Delegation to committee

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

14. Council may sell property

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

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

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

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

(a) Must be in writing; and

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

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

14.6 An approval given under clause 14.3 must be:

(a) In writing; and

(b) Given before the property is sold.

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

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

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

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

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

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

15.2 Council may grant lease or licence over preschool land

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

15.3 Fees for preschool programs

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

15.4 Application of, and accounting for, money received

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

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

16. Payment of members

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

17–23. Not used

24. Student dress code

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

- (3) The Council may enter into a contract with any person for the supply of school uniforms for students of the School.

25. Power to purchase

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

26. Children's services

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

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

27. Other powers

27.1 Activities outside School Hours

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

27.2 Fund Raising

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

27.3 Gifts

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

27.4 Hire or use of Equipment

(1) Definitions

In this clause –

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

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

- (a) the Council has the right to use the equipment; and

- (b) there is no option, right or obligation of the Council or any other person to buy the equipment; and
 - (c) at the end of the contract or licence the School Council has to return the equipment to the other party to the contract or licence.
- (2) The Council may enter into an equipment agreement with another party if the sole or main purpose of entering into the equipment agreement is to benefit the education of students at the School or to assist with the efficient conduct of the School.
- (3) Prior to entering into an equipment agreement the Council must –
- (a) obtain more than one written quotation or tender for the hire or use of the equipment if the annual cost of the hire or use of the equipment is expected to exceed \$1000; and
 - (b) carry out a financial evaluation of the proposal to hire or use the equipment; and
 - (c) ensure that the equipment to be hired or used has appropriate insurance cover, either through the terms of the equipment agreement or by separate cover.
- (4) The Council must not –
- (a) enter into an equipment agreement for a continuous period exceeding four years until the Regional Director has approved the entering into of that equipment agreement; and
 - (b) enter into an equipment agreement for the hire or use of equipment previously owned or operated by the Council or for the purposes of the DEECD, and
 - (c) commit funds of a non-recurrent nature or funds granted for a specific purpose, towards the costs of an equipment agreement until the donor or provider of the funds has consented to that in writing; or
 - (d) enter into an equipment agreement unless it is satisfied that it will be able to meet all the costs of the equipment agreement.

27.5 Reporting

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

27.6 Exclusions

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

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

28. Transport Accident Commission agreements

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

29. Power to provide goods, services or facilities

- (a) Subject to sub-clauses (b) and (c), the Council may, for the purpose of the efficient conduct of the School, enter into arrangements or agreements, for reward or otherwise, to provide or supply goods, services or facilities to other Government schools or other educational institutions.
- (b) Any arrangement or agreement under sub-clause (a) may only be for goods, services or facilities that the Council is empowered under the **Education and Training Reform Act 2006**, the Education and Training Reform Regulations 2007, this Order, or any Ministerial Order made under the **Education and Training Reform Act 2006**, to provide or supply to the School.
- (c) Any arrangement or agreement under sub-clause (a) must comply with any directions issued by the Secretary to the DEECD.

30. Power to purchase by use of purchasing card facilities

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

31. Not used.

32. Trusts

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

PART D – TRANSITIONAL PROVISIONS**33. Transitional provisions**

- 33.1 (a) Subject to sub-clause (b), this clause 33 operates until and inclusive of the date of the declaration of the poll in 2016 (or, if no election is held that year, 1 April of that year);
- (b) Subclause 33.12 operates until and inclusive of the day after the date of the declaration of the poll in 2016 (or, if no election is held that year, 31 March of that year).
- 33.2 Subject to subclause 33.11, during the operation of this clause the Composition and Election provisions, namely clauses 5A to 5V of the School Council Composition and Elections Order (Ministerial Order No.52), except clauses 5A, 5B.3 (insofar as it defines eligibility for election), 5B.3A (a) and 5R thereof, do not operate.
- 33.3 The School Council shall consist of a total of seven members comprising the principal *ex officio* and one other DEECD employee, three parent and two community members.
- 33.4 (a) By ministerial appointment made for the purposes of this clause on the date of this Order the principal *ex officio*, one other DEECD employee and one parent are appointed as members of the Council from the date this clause takes effect until and inclusive of the date of declaration of the poll in 2016.

- (b) The School Council may, prior to the date of the declaration of the poll in 2016 (or if no election is held that year, 31 March of that year), appoint up to two persons who are eligible for appointment to the parent member category of the school council for a term of office until and inclusive of the date of the declaration of the poll in 2016 (or if no election is held that year, 31 March of that year).
- 33.5 The School Council may, prior to the date of the declaration of the poll in 2016 (or, if no election is held that year, 31 March of that year), fill any casual vacancy that occurs in the membership of the School Council, by appointing to the School Council a person who is eligible for election or appointment (as the case may be) to the relevant membership category, provided that any person who fills a vacant position created by a casual vacancy shall only serve the unexpired portion of the vacating member's term of office.
- 33.6 Not used.
- 33.7 A parent appointed under clause 33.4 who does not have a child enrolled at the School at the time of the Notice of Election and Call for Nominations for any School Council election shall cease to be a member of the Council on that date, and a casual vacancy is thereby created.
- 33.8 In the event that the School Council is unable to comply with the quorum provisions of Part 3 of the Education and Training Reform Regulations 2007 owing to the number of casual vacancies in its membership, the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** may fill any casual vacancy that occurs in the membership of the School Council by appointing to the School Council for a term of office that does not extend beyond the unexpired portion of the vacating member's term of office a person who is eligible for election or appointment (as the case may be) to the relevant membership category.
- 33.9 In the event that the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** is satisfied that a School Council member no longer intends to attend School Council meetings, but a casual vacancy has not been created in respect of that member's position on the School Council, the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** may remove the person as a School Council member and appoint to the School Council for a term of office that does not extend beyond the unexpired portion of the vacating member's term of office a person who is eligible for election or appointment (as the case may be) to the relevant membership category.
- 33.10 (a) The School Council may not conduct any School Council meeting unless the quorum provisions of Part 3 of the Education and Training Reform Regulations 2007 are satisfied.
- (b) Subject to clause 33.10(c), the School Council must not decide any matter unless a majority of the School Council members present are not DEECD employees.
- (c) If at any time the membership of the School Council is such that it is impossible for the School Council to decide a matter in accordance with clause 33.10(b), the School Council may nonetheless decide to fill a casual vacancy under clause 33.5 or appoint or co-opt a member under clause 33.4(b) and (c).
- (d) Subject to subclauses 33.10(a), 33.10(b), and 33.10(c), an act or decision of the School Council is not invalid, and the School Council is properly constituted, notwithstanding –
- (i) a vacancy in the office of a member (including a Community member);
- (ii) a defect or irregularity in or in connection with the appointment or co-option of a member;

- (iii) a casual vacancy is not filled; or
- (iv) for any other reason the total number of school council members stated in clause 33.3 has not been appointed.

33.11 The first School Council election must be completed between the 2016 school year commencement date and 31 March 2016 in respect of three Parent member positions and one DEECD employee member position and the Composition and Election provisions (except clause 5D.3) shall apply to that School Council election.

33.12 The term of office of members of the School Council elected at the School Council election referred to in clause 33.11 shall commence on the day after the date of declaration of the poll in 2016.

This Order is made 21 January 2015

THE HON. JAMES MERLINO, MP
Deputy Premier
Minister for Education

SCHEDULE 1

Truganina P-9 College 6T 3P 2DEECD 1CO

SCHEDULE 2

SCHOOL COUNCIL MEMBERSHIP TABLE

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

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

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

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

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

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

Education and Training Reform Act 2006

MINISTERIAL ORDER NO. 806

Wyndham Vale Primary School Council

Constituting Order

A. Purpose

The purpose of this Order is to constitute a school council for Wyndham Vale Primary School.

B. Authorising provisions

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

C. Commencement

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

PART A – CONSTITUTION**1. Incorporation**

A school council is hereby constituted, under section 2.3.2(1) of the **Education and Training Reform Act 2006**, by the name of Wyndham Vale Primary School Council, as a body corporate to exercise and discharge the powers, duties and functions conferred or imposed on it by or under that Act in relation to the Government school No. 5549 named Wyndham Vale Primary School situated at 85 Ribblesdale Avenue, Wyndham Vale, Victoria 3024.

1A. Objectives of the Council

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

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

1B. Functions of the Council

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

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

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

1C. Powers of the Council

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

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

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

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

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

1D. Accountability and executive officer

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

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

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

PART B – GENERAL**2. Regulations**

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

3. Definitions

3.1 In this Order:

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

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

‘DEECD’ means the Department of Education and Early Childhood Development;

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

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

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

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

4. Specific clauses to prevail over general clauses

To the extent that there is any inconsistency between:

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

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

5. Council composition and elections

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

PART C – POWERS**6. Employment**

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

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

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

7. Use of buildings and grounds

- 7.1 The Council may:

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

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

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

8. Council may carry out works

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

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

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

9. Other School Council works

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

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

10. Council may form sub-committee

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

11. Council may delegate powers, duties or functions

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

12. Council may form committees to manage joint facilities

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

13. Delegation to committee

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

14. Council may sell property

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

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

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

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

(a) Must be in writing; and

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

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

14.6 An approval given under clause 14.3 must be:

(a) In writing; and

(b) Given before the property is sold.

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

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

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

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

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

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

15.2 Council may grant lease or licence over preschool land

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

15.3 Fees for preschool programs

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

15.4 Application of, and accounting for, money received

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

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

16. Payment of members

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

17–23. Not used

24. Student dress code

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

- (3) The Council may enter into a contract with any person for the supply of school uniforms for students of the School.

25. Power to purchase

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

26. Children's services

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

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

27. Other powers

27.1 Activities outside School Hours

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

27.2 Fund Raising

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

27.3 Gifts

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

27.4 Hire or use of Equipment

(1) Definitions

In this clause –

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

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

- (a) the Council has the right to use the equipment; and

- (b) there is no option, right or obligation of the Council or any other person to buy the equipment; and
 - (c) at the end of the contract or licence the School Council has to return the equipment to the other party to the contract or licence.
- (2) The Council may enter into an equipment agreement with another party if the sole or main purpose of entering into the equipment agreement is to benefit the education of students at the School or to assist with the efficient conduct of the School.
- (3) Prior to entering into an equipment agreement the Council must –
 - (a) obtain more than one written quotation or tender for the hire or use of the equipment if the annual cost of the hire or use of the equipment is expected to exceed \$1000; and
 - (b) carry out a financial evaluation of the proposal to hire or use the equipment; and
 - (c) ensure that the equipment to be hired or used has appropriate insurance cover, either through the terms of the equipment agreement or by separate cover.
- (4) The Council must not –
 - (a) enter into an equipment agreement for a continuous period exceeding four years until the Regional Director has approved the entering into of that equipment agreement; and
 - (b) enter into an equipment agreement for the hire or use of equipment previously owned or operated by the Council or for the purposes of the DEECD, and
 - (c) commit funds of a non-recurrent nature or funds granted for a specific purpose, towards the costs of an equipment agreement until the donor or provider of the funds has consented to that in writing; or
 - (d) enter into an equipment agreement unless it is satisfied that it will be able to meet all the costs of the equipment agreement.

27.5 Reporting

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

27.6 Exclusions

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

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

28. Transport Accident Commission agreements

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

29. Power to provide goods, services or facilities

- (a) Subject to sub-clauses (b) and (c), the Council may, for the purpose of the efficient conduct of the School, enter into arrangements or agreements, for reward or otherwise, to provide or supply goods, services or facilities to other Government schools or other educational institutions.
- (b) Any arrangement or agreement under sub-clause (a) may only be for goods, services or facilities that the Council is empowered under the **Education and Training Reform Act 2006**, the Education and Training Reform Regulations 2007, this Order, or any Ministerial Order made under the **Education and Training Reform Act 2006**, to provide or supply to the School.
- (c) Any arrangement or agreement under sub-clause (a) must comply with any directions issued by the Secretary to the DEECD.

30. Power to purchase by use of purchasing card facilities

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

31. Not used.

32. Trusts

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

PART D – TRANSITIONAL PROVISIONS**33. Transitional provisions**

- 33.1 (a) Subject to sub-clause (b), this clause 33 operates until and inclusive of the date of the declaration of the poll in 2016 (or, if no election is held that year, 1 April of that year);
- (b) Subclause 33.12 operates until and inclusive of the day after the date of the declaration of the poll in 2016 (or, if no election is held that year, 31 March of that year).
- 33.2 Subject to subclause 33.11, during the operation of this clause the Composition and Election provisions, namely clauses 5A to 5V of the School Council Composition and Elections Order (Ministerial Order No.52), except clauses 5A, 5B.3 (insofar as it defines eligibility for election), 5B.3A (a) and 5R thereof, do not operate.
- 33.3 The School Council shall consist of a total of seven members comprising the principal *ex officio* and one other DEECD employee, four parents and one community member.
- 33.4 (a) By ministerial appointment made for the purposes of this clause on the date of this Order the principal *ex officio*, one other DEECD employee, and four parents are appointed as members of the Council from the date this clause takes effect until and inclusive of the date of declaration of the poll in 2016.

- (b) The School Council may, prior to the date of the declaration of the poll in 2016 (or if no election is held that year, 31 March of that year), appoint up to one person who is eligible for appointment to the community member category of the school council for a term of office until and inclusive of the date of the declaration of the poll in 2016 (or if no election is held that year, 31 March of that year).
- 33.5 The School Council may, prior to the date of the declaration of the poll in 2016 (or, if no election is held that year, 31 March of that year), fill any casual vacancy that occurs in the membership of the School Council, by appointing to the School Council a person who is eligible for election or appointment (as the case may be) to the relevant membership category, provided that any person who fills a vacant position created by a casual vacancy shall only serve the unexpired portion of the vacating member's term of office.
- 33.6 Not used.
- 33.7 A parent appointed under clause 33.4 who does not have a child enrolled at the School at the time of the Notice of Election and Call for Nominations for any School Council election shall cease to be a member of the Council on that date, and a casual vacancy is thereby created.
- 33.8 In the event that the School Council is unable to comply with the quorum provisions of Part 3 of the Education and Training Reform Regulations 2007 owing to the number of casual vacancies in its membership, the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** may fill any casual vacancy that occurs in the membership of the School Council by appointing to the School Council for a term of office that does not extend beyond the unexpired portion of the vacating member's term of office a person who is eligible for election or appointment (as the case may be) to the relevant membership category.
- 33.9 In the event that the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** is satisfied that a School Council member no longer intends to attend School Council meetings, but a casual vacancy has not been created in respect of that member's position on the School Council, the Minister administering section 2.3.2 of the **Education and Training Reform Act 2006** may remove the person as a School Council member and appoint to the School Council for a term of office that does not extend beyond the unexpired portion of the vacating member's term of office a person who is eligible for election or appointment (as the case may be) to the relevant membership category.
- 33.10 (a) The School Council may not conduct any School Council meeting unless the quorum provisions of Part 3 of the Education and Training Reform Regulations 2007 are satisfied.
- (b) Subject to clause 33.10(c), the School Council must not decide any matter unless a majority of the School Council members present are not DEECD employees.
- (c) If at any time the membership of the School Council is such that it is impossible for the School Council to decide a matter in accordance with clause 33.10(b), the School Council may nonetheless decide to fill a casual vacancy under clause 33.5 or appoint or co-opt a member under clause 33.4(b) and (c).
- (d) Subject to subclauses 33.10(a), 33.10(b), and 33.10(c), an act or decision of the School Council is not invalid, and the School Council is properly constituted, notwithstanding –
- (i) a vacancy in the office of a member (including a Community member);
 - (ii) a defect or irregularity in or in connection with the appointment or co-optation of a member;

- (iii) a casual vacancy is not filled; or
- (iv) for any other reason the total number of school council members stated in clause 33.3 has not been appointed.

33.11 The first School Council election must be completed between the 2016 school year commencement date and 31 March 2016 in respect of five Parent member positions and two DEECD employee member positions and the Composition and Election provisions (except clause 5D.3) shall apply to that School Council election.

33.12 The term of office of members of the School Council elected at the School Council election referred to in clause 33.11 shall commence on the day after the date of declaration of the poll in 2016.

This Order is made 21 January 2015

THE HON. JAMES MERLINO, MP
Deputy Premier
Minister for Education

SCHEDULE 1

Wyndham Vale Primary School 9T 5P 3DEECD 1CO

SCHEDULE 2

SCHOOL COUNCIL MEMBERSHIP TABLE

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

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

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

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

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

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

Environment Protection Act 1970

WASTE MANAGEMENT POLICY (SHIPS' BALLAST WATER) 2004 AND ENVIRONMENT PROTECTION (SHIPS' BALLAST WATER) REGULATIONS 2006

The Waste Management Policy (Ships' Ballast Water) was declared on 27 April 2004 and printed in Government Gazette No. S100 on 27 April 2004.

The Waste Management Policy (Ships' Ballast Water) incorporates an Environment Protection Authority (EPA) Victoria publication entitled 'Protocol for Environmental Management – Domestic Ballast Water Management in Victorian State Waters (2004) as amended from time to time' ('the protocol'). The protocol is also an applied, adopted or incorporated document in the Environment Protection (Ships' Ballast Water) Regulations 2006.

In accordance with section 32(4) of the **Interpretation of Legislation Act 1984**, notice is given that the protocol has been amended and republished (as EPA Victoria publication 949.6, January 2015). Copies of this incorporated document have been lodged with the Clerks of the Parliament.

A copy of the incorporated document is available for inspection during normal business hours at EPA Victoria, Level 3, 200 Victoria Street, Carlton 3053. For more information, contact EPA Victoria on 1300 372 842. The incorporated document is also available via EPA Victoria's website (www.epa.vic.gov.au).

Flora and Fauna Guarantee Act 1988

NOTICE OF FINAL RECOMMENDATIONS OF THE SCIENTIFIC ADVISORY COMMITTEE

In accordance with section 15 of the **Flora and Fauna Guarantee Act 1988** (the Act), the Scientific Advisory Committee (SAC) has made final recommendations on whether the following nominated items should be supported for listing as threatened under the Act.

Eligibility for listing is outlined in section 11 of the Act and criteria by which the eligibility for listing is determined are outlined in the Flora and Fauna Guarantee Regulations 2011.

Items supported for listing

Item number	Common name	Scientific name	Primary criteria and sub-criteria satisfied
832	McDowall's Galaxias	<i>Galaxias mcdowalli</i>	1.2, 1.2.1, 1.2.2
833	Dargo Galaxias	<i>Galaxias mungadhan</i>	1.2, 1.2.1, 1.2.2
834	Shaw Galaxias	<i>Galaxias gunaikurnai</i>	1.1, 1.2, 1.2.1, 1.2.2
835	Tapered Galaxias	<i>Galaxias lanceolatus</i>	1.2, 1.2.1, 1.2.2
836	West Gippsland Galaxias	<i>Galaxias longifundus</i>	1.1, 1.2, 1.2.1, 1.2.2
837	East Gippsland Galaxias	<i>Galaxias aequipinnis</i>	1.2, 1.2.1, 1.2.2
848	Roundsnout Galaxias	<i>Galaxias terenasus</i>	1.2, 1.2.1, 1.2.2
859	Bacchus Marsh Varnish Wattle	<i>Acacia rostriformis</i>	1.2.1, 1.2.2

Further information on final recommendations

Copies of the Final Recommendation Reports on the above items can be obtained through the Department of Environment, Land, Water and Planning website (www.delwp.vic.gov.au) or Customer Service Centre (136 186).

Food Act 1984

REVOCATION OF REGISTRATION OF A FOOD SAFETY PROGRAM TEMPLATE

I, Dr Milena Canil, as delegate of the Secretary to the Department of Health and Human Services –

- (a) noting that the **Coles Food Safety Plan Version 7** was registered under section 19DB of the **Food Act 1984** (the Act) in a notice published in the Government Gazette on 2 January 2014;
- (b) revoke the registration of that food safety program template under section 19DB of the Act.

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

DR MILENA CANIL
Senior Manager
Food Safety Unit

Food Act 1984

REGISTRATION OF A FOOD SAFETY PROGRAM TEMPLATE

I, Dr Milena Canil, as delegate of the Secretary to the Department of Health and Human Services, under section 19DB of the **Food Act 1984** (the Act) –

- 1. state that the template entitled **Coles Food Safety Plan template Version 8** (the template) is registered for use; and
- 2. specify that this template is suitable for use by food businesses trading as **Coles** carried out at, on or from class 2 food premises.

In this instrument –

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

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

DR MILENA CANIL
Senior Manager
Food Safety Unit

Local Government Act 1989

KNOX CITY COUNCIL – BY-ELECTION

I, Natalie Hutchins MP, Minister for Local Government, hereby fix 25 April 2015, under section 38(1A) of the **Local Government Act 1989**, as the date of an election to be held in accordance with section 38(1) of that Act to fill an extraordinary vacancy in Scott Ward of the Knox City Council.

Dated 2 February 2015

NATALIE HUTCHINS MP
Minister for Local Government

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.

Feature Naming:

Place Name	Naming Authority and Location
Coimadai Memorial Park	Coimadai Avenue of Honour Restoration Association Inc. Located at 732 Coimadai–Diggers Rest Road, Coimadai. For further details see map at www.dtpli.vic.gov.au/namingplaces

Road Naming:

Change Request Number	Road Name	Locality	Proposer and Location
80982	Sullivan Road	Bundalong	Moira Shire Council The road traverses west from the Murray Valley Highway to Montroses Road.

School Naming:

Place Name	Proposer and Location
Truganina P-9 College	Department of Education and Training A new school entity located at 55 Clearwood Drive, Truganina.

Office of Geographic Names

Land Victoria
570 Bourke Street
Melbourne 3000

JOHN E. TULLOCH
Registrar of Geographic Names

Land Acquisition and Compensation Act 1986

FORM 7

S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Casey City Council declares that by this notice it acquires the following interest in the land described as 125 Grices Road, Clyde North, being the whole of the land in Certificate of Title Volume 9329 Folio 578.

Interests Acquired: The estate in fee simple of Patrick John Hoare and Elsie May Hoare and all other interests.

Published with the authority of the Casey City Council.

Dated 5 February 2015

For and on behalf of
Casey City Council
Signed MIKE TYLER
Chief Executive Officer

Land Acquisition and Compensation Act 1986

FORM 7

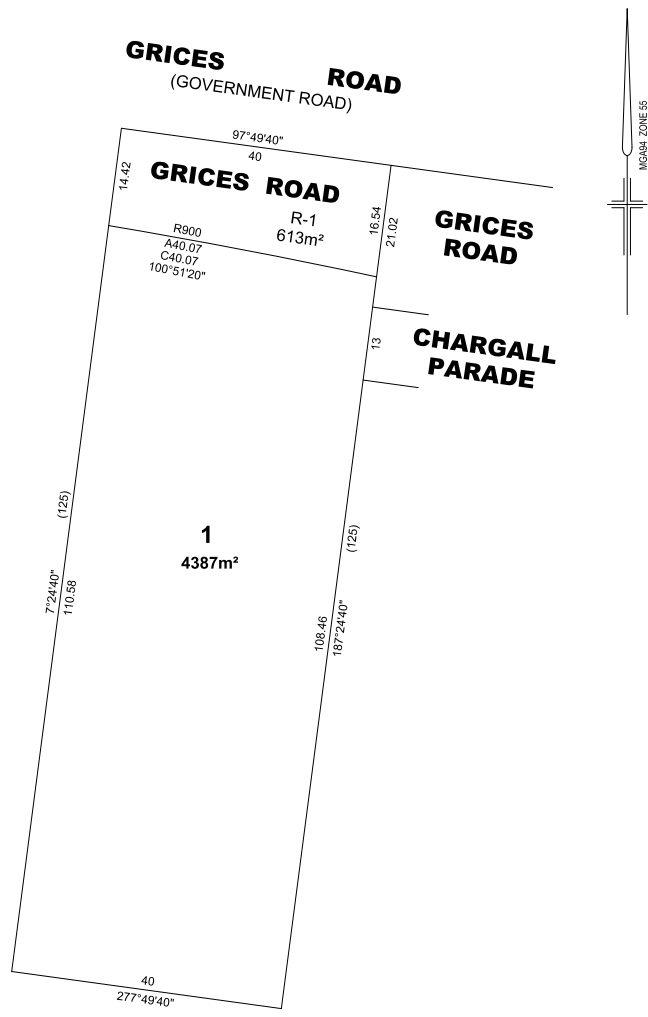
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Casey City Council declares that by this notice it acquires the following interest in the land described as Road R-1 on the plan below being part of the land in Certificate of Title Volume 9320 Folio 510 known as 111 Grices Road, Clyde North.

Interests Acquired: The estate in fee simple of Forbes McDonald Laing and Barbara Caroline Laing and all other interests.



Published with the authority of the Casey City Council.
Dated 5 February 2015

For and on behalf of
Casey City Council
Signed MIKE TYLER
Chief Executive Officer

Plant Biosecurity Act 2010**ORDER DECLARING RESTRICTED AREAS IN VICTORIA FOR
THE CONTROL OF QUEENSLAND FRUIT FLY**

I, Jaala Pulford, Minister for Agriculture, make the following Order:

Dated 26 January 2015

JAALA PULFORD MP
Minister for Agriculture

1 Objective

The objective of this Order is to declare restricted areas for the control of Queensland Fruit Fly in the Yarra Valley in Victoria, and to specify the prohibitions, restrictions and requirements, which are to operate in relation to each area.

2 Authorising Provision

This Order is made under section 32 of the **Plant Biosecurity Act 2010** (the Act).

3 Revocation

The Order made on 3 March 2014 under section 32 of the **Plant Biosecurity Act 2010**, and published in Government Gazette G11 on 13 March 2014 is revoked.

4 Definitions

In this Order –

‘**accreditation program**’ means any program under which a person is permitted to issue an assurance certificate, including any procedures available under the Interstate Certification Assurance (ICA) Scheme;

‘**inspector**’ means a person authorised as an inspector under the Act;

‘**Queensland Fruit Fly**’ means the exotic pest *Bactrocera tryoni* (Froggatt);

‘**Queensland Fruit Fly host produce**’ means any fruit or vegetable, or plant in fruit listed in Schedule 1;

‘**Queensland Fruit Fly host material**’ means any Queensland Fruit Fly host produce or used packaging;

‘**used packaging**’ means any packaging that has contained Queensland Fruit Fly host produce.

5 Restricted areas for the control of Queensland Fruit Fly

Restricted areas for the control of Queensland fruit fly, known as the Yarra Valley Pest Free Places of Production, are declared to be the areas described in Schedule 2.

6 Prohibitions, restrictions and requirements

(1) The movement into any part of the Yarra Valley Pest Free Places of Production of any Queensland Fruit Fly host material is prohibited.

(2) Sub-clause (1) does not apply if the Queensland Fruit Fly host material:

- (a) was grown and packed, or last used, in an area declared as a restricted area under section 32 of the Act for the control of Queensland Fruit Fly including the area known as the Greater Sunraysia Pest Free Area; or
- (b) is accompanied by a plant health certificate issued by an inspector certifying that the material has been treated in a manner approved by the Chief Plant Health Manager; or
- (c) is packed, labelled and certified in accordance with any conditions prescribed by an accreditation program under which the material is certified; or

- (d) is accompanied by a plant health declaration issued by an authorised person declaring that the material has been treated in a manner approved by the Chief Plant Health Manager; or
- (e) is consigned in any other manner approved by the Chief Plant Health Manager.

7 Issuing of Directions

Inspectors are authorised to issue a direction to any owner or occupier of land described in Schedule 2, requiring the owner or occupier to take action to control Queensland Fruit Fly, including stripping Queensland Fruit Fly host produce from plants, and treating or destroying plants.

Schedule 1

Abiu	Eggplant	Orange
Acerola	Feijoa	Passionfruit
Achachairu	Fig	Pawpaw
Apple	Goji Berry	Peach
Apricot	Granadilla	Peacharine
Avocado	Grape	Pear
Babaco	Grapefruit	Pepino
Banana	Grumichama	Persimmon
Black Sapote	Guava	Plum
Blackberry	Hog Plum	Plumcot
Blueberry	Jaboticaba	Pomegranate
Boysenberry	Jackfruit	Prickly Pear
Brazil Cherry	Jew Plum	Pummelo
Breadfruit	Ju Jube	Quince
Caimito (Star Apple)	Kiwifruit	Rambutan
Cape Gooseberry	Lemon	Raspberry
Capsicum	Lime	Rollinia
Carambola (Starfruit)	Loganberry	Santol
Cashew Apple	Longan	Sapodilla
Casimiroa (White Sapote)	Loquat	Shaddock
Cherimoya	Lychee	Soursop
Cherry	Mandarin	Strawberry
Chilli	Mango	Sweetsop (Sugar Apple)
Citron	Mangosteen	Tamarillo
Cocoa Berry	Medlar	Tangelo
Cumquat	Miracle Fruit	Tomato
Custard Apple	Mulberry	Wax Jambu (Rose Apple)
Date	Nashi	
Durian	Nectarine	

Schedule 2

The parcels of land described by Property Title References: Allotment 25B Kinglake; CP104398; CP155484; CP155485; CP162525; CP165900; LP3236 (Lot 6); LP4572 (Lot 1); LP4692 (Lot 4); LP4694 (Lot 11); LP5188; LP6708 (Lot 2); LP45988 (Lot 1); LP55241 (Lot 1); LP61554 (Lot 1); LP64093 (Lot 1); LP73615 (Lots 1, 2, 4, 15); LP84774 (Lot 3); LP97138 (Lot 3); LP97331 (Lot 2); LP99820 (Lot 1); LP111056 (Lot 2); LP123448 (Lot 2); LP142895 (Lot 1); PS118091 (Lot 1); PS322798 (Lots 1, 2); PS327213 (Lots 2, 3); PS332928 (Lot 8); PS347520

(Lot 4); PS418378 (Lot 1); PS419027 (Lot 3); PS424195 (Lot 2); PS431472 (Lot 2); PS441948 (Lot 1); PS446140 (Lot 2); PS519554 (Lots 1, 2); PS544102 (Lot 1); PS613567 (Lot 9); PS616031 (Lot 2); PS618221 (Lot 2); PS700888 (Lot 1); TP99285 (Lot 1); TP129197 (Lot 1); TP161577 (Lot 1); TP172654 (Lot 1); TP253921 (Lot 10); TP343183 (Lot 1); TP383468 (Lot 1); TP429420 (Lot 1); TP535665 (Lot 1); TP562876 (Lot 1); TP587439 (Lot 1); TP599348 (Lot 1); TP599814 (Lot 1); TP618896 (Lot 1); TP663722 (Lot 1); TP827569; TP897424 (Lot 1).

Note: Section 33 of the **Plant Biosecurity Act 2010** provides that a person is guilty of an offence and liable for a penalty not exceeding 60 penalty units in the case of a natural person, and 300 penalty units in the case of a body corporate, for moving any host material from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

Road Safety Act 1986

DECLARATION UNDER SECTION 99B(4) IN RELATION TO NON-ROAD ACTIVITIES ON ROADS WITHIN THE CITY OF GREATER GEELONG FOR IRONMAN 70.3 GEELONG HELD BETWEEN SATURDAY 7 FEBRUARY 2015 AND SUNDAY 8 FEBRUARY 2015

1 Purpose

The purpose of this Declaration is to exempt participants in the IRONMAN 70.3 Geelong from specified provisions of the **Road Safety Act 1986** and regulations under that Act with respect to the Event, which is a non-road activity to be conducted in Geelong.

2 Authorising provision

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

3 Commencement

This notice takes effect on Saturday 7 February 2015 at 7.00 am once the road is declared closed by the event Organiser.

4 Expiry

This notice expires on Sunday 8 February 2015 at 4.30 pm once the road is declared open by the event Organiser.

5 Definitions

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

- a) 'Event' means the IRONMAN 70.3 Geelong, to be held on Saturday 7 February 2015 and finishing on Sunday 8 February 2015; and
- b) 'Participants' means participants in the Event, including officers, members and authorised agents of the IRONMAN 70.3 Geelong, whose presence is reasonably required to ensure the safe conduct of the Event.

6 Declaration

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

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

Road Safety Act 1986

ALL

Road Safety Road Rules 2009

ALL

Road Safety (Vehicles) Regulations 2009

ALL

Table 2

<i>Column 1</i> Highway	<i>Column 2</i> Date and time
<ul style="list-style-type: none"> ● The Esplanade between Glenleith Avenue and Western Beach Road ● Western Beach Road between The Esplanade and Eastern Beach Road ● Eastern Beach between The Esplanade and Ritchie Boulevard ● Ritchie Boulevard 	<p>Saturday 7 February 2015 between the hours of 7.00 am and 11.00 am</p>
<ul style="list-style-type: none"> ● The Esplanade between Glenleith Avenue and Western Beach Road ● Western Beach Road between The Esplanade and Eastern Beach Road ● Eastern Beach between The Esplanade and Ritchie Boulevard ● Ritchie Boulevard ● Bellerine Street between Ritchie Boulevard and Upper Eastern Beach Road ● Upper Eastern Beach Road between Bellerine Street and Hearne Parade ● Podbury Drive between Hearne Parade and Eastern Park Circuit ● Eastern Park Circuit ● Holt Road between Eastern Park Circuit and Geelong–Portarlington Road ● Geelong–Portarlington Road between Normanby Street and Leura Park Estate ● Point Henry Road between Geelong–Portarlington Road and gravel section of Point Henry Road 	<p>Sunday 8 February 2015 between the hours of 6.00 am and 4.30 pm</p>

Dated 21 January 2015

MICHAEL McCARTHY
Acting Executive Director
Roads Corporation

Planning and Environment Act 1987

HUME PLANNING SCHEME

Notice of Approval of Amendment

Amendment C184

The Minister for Planning has approved Amendment C184 to the Hume Planning Scheme.

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

The Amendment changes the Schedule to Clause 61.01 to remove the Minister for Planning as the responsible authority for administering and enforcing Schedule 6 to Clause 37.01 Special Use Zone – Former Greenvale Hospital.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.dtpli.vic.gov.au/publicinspection and free of charge, during office hours, at the offices of the Hume City Council, 1079 Pascoe Vale Road, Broadmeadows, Victoria.

JIM GARD'NER
Executive Director
Statutory Planning and Heritage
Department of Environment, Land, Water and Planning

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

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

5. *Statutory Rule:* Treasury Corporation of Victoria (Prescribed Agencies) Amendment Regulations 2015
- Authorising Act:* Treasury Corporation of Victoria Act 1992
- Date first obtainable:* 2 February 2015
- Code A*
6. *Statutory Rule:* Victorian Civil and Administrative Tribunal (Default Scale of Costs Amendment) Rules 2015
- Authorising Act:* Victorian Civil and Administrative Tribunal Act 1998
- Date first obtainable:* 3 February 2015
- Code A*
-

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