



Victoria Government Gazette

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GENERAL

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As from 10 February 2022

The last Special Gazette was No. 63 dated 9 February 2022.

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

How To Submit Copy

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

Please Note:

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

Copy Deadlines:

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

Government and Outer

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

Office Hours:

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

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

KIM BURNES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

MARGARET FITENI, late of Uniting Age Well, 15 Buffalo Crescent, Manor Lakes, Victoria 3042, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 31 October 2021, are required by the executors, Michael Fiteni, Laurie Fiteni, Maria Spiteri and Reno Fiteni, care of 24B Aitken Street, Gisborne, Victoria 3437, to send particulars of their claims to them by 3 April 2022, after which date the executors may distribute the assets and estate, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 17 December 2021.

Dated 2 February 2022

AITKEN STREET FAMILY LAW, solicitors,
24B Aitken Street, Gisborne, Victoria 3437.
Ph: 03 5428 1976.

DAVID BRAMWELL VAN VLEDDER, late of 13 Timbarra Court, Grovedale, Victoria, sales professional, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 March 2021, are required by the trustees, Lois Muriel Van Vledder and Wendy Anne Edwards, to send particulars of their claims to the trustees, care of the undermentioned legal practitioner, by 21 April 2022, being 70 days from advertisement, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

APTEDS, lawyers,
113 Yarra Street, Geelong 3220.

GLENN PETER EVANS, late of 74 Warrandyte Road, Ringwood, storeperson, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 25 September 2021, are required by the trustee, Kerri Louise Downing, to send particulars of their claims to the undermentioned firm by 16 April 2022, after which date the said trustee may convey or distribute the estate, having regard only to the

claims of which she then has notice. Probate was granted in Victoria on 2 February 2022.

ARGENT LAW,
2 Stawell Street, Richmond, Victoria 3121.
Ph: 03 9571 7444.
Contact: Helen Adoranti.

PEGGY POWELL, late of Amberlea Aged Care Facility, 5 Pearson Road, Drouin, Victoria, laundry worker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 15 November 2021, are required by the trustee, Michael George Powell, to send particulars of their claims to the undermentioned firm by 16 April 2022, after which date the said trustee may convey or distribute the estate, having regard only to the claims of which he then has notice. Probate was granted in Victoria on 1 February 2022.

ARGENT LAW,
2 Stawell Street, Richmond, Victoria 3121.
Ph: 03 9571 7444.
Contact: Helen Adoranti.

AMANDA CATHERINE FERDINANDO, late of Unit 1, 2 Myrtle Street, Bayswater, Victoria 3153, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 28 May 2021, are required by the executor, Craig David Leetham, care of Suite 4, 426 Burwood Highway, Wantirna South, Victoria 3152, to send particulars of their claims to him by 8 May 2022, after which date the executor may distribute the estate, having regard only to the claims of which he then has notice. Probate was granted in Victoria on 8 November 2021.

BALLARDS SOLICITORS PTY LTD,
PO Box 4118, Knox City Centre, Victoria 3152.
Ph: 03 9800 7500.

GIOVANNI DI-FEDERICO, late of 1 Chivers Road, Templestowe, Victoria, concreter, deceased.

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

deceased, who died on 9 June 2021, are required by the executor, Laura-Dana Lucera, care of Suite 2, 261–265 Blackburn Road, Doncaster East, Victoria 3109, to send particulars of their claims to her, within 60 days of the date of this notice, after which date the executor may convey or distribute the assets of the estate, having regard only to the claims of which she then has notice. Probate was granted in Victoria on 13 October 2021.

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

Re: DIANE PATRICIA VLASAK, late of Unit 2, 31–33 Kodre Street, St Albans, Victoria 3021.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 November 2021, are required by the executor, Shaun William Harris, to send particulars of their claim to him, care of the undermentioned solicitors, by 10 April 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which he may then have notice.

DANIEL LAWYERS & ASSOCIATES,
Level 5, 12 Clarke Street, Sunshine 3020

Re: LOUIS ARMAREGO, late of Mercy Aged and Community Care, 67 Cade Way, Parkville, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 October 2021, are required by the trustees, Gary Anthony Armarego and Ashley Warren Armarego, 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: KATHLEEN JEAN FRASER, late of 85 Stanley Road, Keysborough, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 October 2021, are required by the trustee, Peter James Fraser, 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.

JOAN HARROP, late of Swan Hill, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 April 2021, are required by Jennifer Robyn Thomson, the executor of the Will of the deceased, to send particulars of their claims to her, care of the undermentioned solicitor, within 60 days from the date of publication of this notice, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

GARDEN & GREEN LAWYERS,
35 Beveridge Street, Swan Hill, Victoria 3585.

Trustee Act 1958

SECTION 33 NOTICE

Notice to Claimants

PATRICK STEWART LAWSON, late of Unit 5, 223–227 Seventh Street, Mildura, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 November 2020, are required by Equity Trustees Wealth Services Limited, ACN 006 132 332, of Level 1, 575 Bourke Street, Melbourne, Victoria, the executor of the estate of the deceased, to send particulars of their claims by 11 April 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which it then has notice.

HUNT & HUNT,
Level 5, 114 William Street, Melbourne,
Victoria 3000. Ref: 9641138.

Trustee Act 1958**SECTION 33 NOTICE**

Notice to Claimants

JANET IRENE SODING, late of Faversham House, 27 Shierlaw Avenue, Canterbury, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 November 2021, are required by Equity Trustees Wealth Services Limited, ACN 006 132 332, of Level 1, 575 Bourke Street, Melbourne, Victoria, the executor of the estate of the deceased, to send particulars of their claims by 11 April 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which it then has notice.

HUNT & HUNT,
Level 5, 114 William Street, Melbourne,
Victoria 3000. Ref: 9641312.

**NOTICE OF CLAIMANTS UNDER
TRUSTEE ACT 1958**

KEVIN JAMES HOY, late of 62 Luck Street, Eltham, Victoria, sales agent, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 December 2019, are required by the executors, Lynette Frances Allshorn and Barry Lance Allshorn, to send particulars of their claims to the executors, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the executors may convey or distribute the assets, having regard only to the claims of which the executors and his undermentioned solicitors then have notice.

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

OMAR HABIBULLAH, late of 36 Livingston Drive, Rockbank, in the State of Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 17 July 2020, are required by the administrator of the estate, Ayesha Habibullah, care of JDF Legal Pty Ltd, 37 Were Street, Montmorency, Victoria 3094, to send

particulars of their claims to her by 11 April 2022, after which date the administrator may convey or distribute the assets and distribute the estate, having regard only to the claims of which she then has notice. Letters of Administration were granted in Victoria on 3 March 2021.

JDF LEGAL PTY LTD,
37 Were Street, Montmorency, Victoria 3094.
PO Box 216, Montmorency, Victoria 3094.
Ph: 03 9435 9997.
JH:200065. Contact: Justin Hiew.

Re: Estate of DIANNE ELIZABETH IVY WILSON, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of DIANNE ELIZABETH IVY WILSON, late of 165 King George Street, Cohuna, in the State of Victoria, home duties, deceased, who died on 6 October 2021, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 8 April 2022, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

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

Re: WILGA MARGARET MCKAY, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 August 2021, are required by the legal representatives, Euan Malcolm McKay and Jennifer Margaret Melbourne, to send particulars to the legal representatives, care of Moores, Level 1, 5 Burwood Road, Hawthorn, Victoria, by 16 April 2022, after which date the legal representatives may convey or distribute the assets, having regard only to the claims of which the legal representatives have notice.

MOORES,
Level 1, 5 Burwood Road, Hawthorn,
Victoria 3122.

KEVIN JOHN SMITH, late of 918 Buffalo River Road, Buffalo River, Victoria, 3737.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 May 2018, are required by the

personal representatives, Gregory John Smith and Carolyn Grace Lingham, to send particulars to them by 16 April 2022, at the office of their solicitors, Morgan Couzens Legal, PO Box 255, Myrtleford, Victoria 3737, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated 10 February 2022

MYRNA JOYCE SMITH, late of 918 Buffalo River Road, Buffalo River, Victoria 3737.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 December 2018, are required by the personal representatives, Cheryl Maree Sargent, Gregory John Smith, Carolyn Grace Lingham and Bradley James Smith, to send particulars to them by 16 April 2022, at the office of their solicitors, Morgan Couzens Legal, PO Box 255, Myrtleford, Victoria 3737, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated 10 February 2022

GLENYS MARGARET NEATE, late of Opal by the Bay, 185 Racecourse Road, Mount Martha, Victoria 3934, retired stenographer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 22 March 2021, are required by the trustees, Linda Margaret Ricks, Gary Edward Neate and Trevor Anthony Neate, care of 342 Main Street, Mornington, Victoria 3931, to send particulars of their claims to them by 7 April 2022, after which date the trustees may convey or distribute the estate, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 29 September 2021.

Dated 10 February 2022

MORNINGTON LEGAL,
342 Main Street,
PO Box 25, Mornington, Victoria 3931.
Ph: 03 5975 7611. BR:AMS:2210365.
Contact: Bennjamin Reilly.

Re: Estate of BENJAMIN DAVID COOKE, deceased, late of 17–31 Blackburn Road, Doncaster East, Victoria 3109.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 October 2021, are required by the executors of the estate, Jacqueline Holmes and Anne Margaret McFarlane, to send particulars of their claims to them, care of the undermentioned solicitors, by 10 April 2022, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

PARKE LAWYERS,
8 Market Street, Ringwood, Victoria 3134.

Re: Estate of BETTY FLORENCE HUBBARD, deceased, late of 2 Tadjji Close, Croydon North, Victoria 3136.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 August 2021, are required by the executors of the estate, James Christopher Andrew Parke and Allan John Holman, in the Will called Alan John Holman, to send particulars of their claims to them, care of the undermentioned solicitors, by 10 April 2022, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

PARKE LAWYERS,
8 Market Street, Ringwood, Victoria 3134.

IAN CHRISTOPHER SWALLOW, late of Bayswater, Victoria 3153, publisher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 September 2020, are required by the executor, Yvonne Mary Swallow, care of Peter Prior & Co., solicitors, B3/2 Central Avenue, Thornleigh, New South Wales 2120, to send particulars of their claims to her by 14 April 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice. Probate was granted in Victoria on 3 February 2022.

Dated 3 February 2022

PETER PRIOR & CO., solicitors,
PO Box 79, Thornleigh, New South Wales 2120.
Ph: 02 9476 5888. Ref: PC:20200222.

MALCOLM McKENZIE PARK, late of Unit 7, 80–82 Ellendale Road, Noble Park, Victoria, lawyer, retired.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 June 2021, are required by the administrator, Robyn Park, of 65 Backhaus Street, White Hills, Victoria 3550, to send particulars to her by 24 April 2022, after which date the administrator may convey or distribute the assets, having regard only to the claims of which she then has notice.

send particulars to the trustee, in care of the undersigned, by 10 April 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

WILLETT LAWYERS PTY LTD,
PO Box 2196, Spotswood, Victoria 3015.

Re: YVONNE RYAN-ORCHARD, late of 1 Oak Court, Morwell, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 October 2021, are required by Earle Christopher Berenger and Vilma Rochelle Berenger, the trustees of the estate of the deceased, to send particulars of their claims to them, care of the undermentioned lawyers, by 21 April 2022, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

RUSSO PELLICANO CARLEI, lawyers,
43 Atherton Road, Oakleigh, Victoria 3166.

MYRTLE MARY BURKE, late of 22 Alec Crescent, Fawkner, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 February 2021, are required by the personal representative, Nicholas James Galante, care of Schembri & Co. Lawyers of Suite 6, Level 2, 200–202 Buckley Street, Essendon, Victoria 3040, to send particulars of their claims to him by 11 April 2022, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

Re: Estate of CHRISTINE ANN HURWOOD, late of 1 Swan Court, Newport, Victoria, retired teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 May 2021, are required by the trustee, Carl William Hurwood, to

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

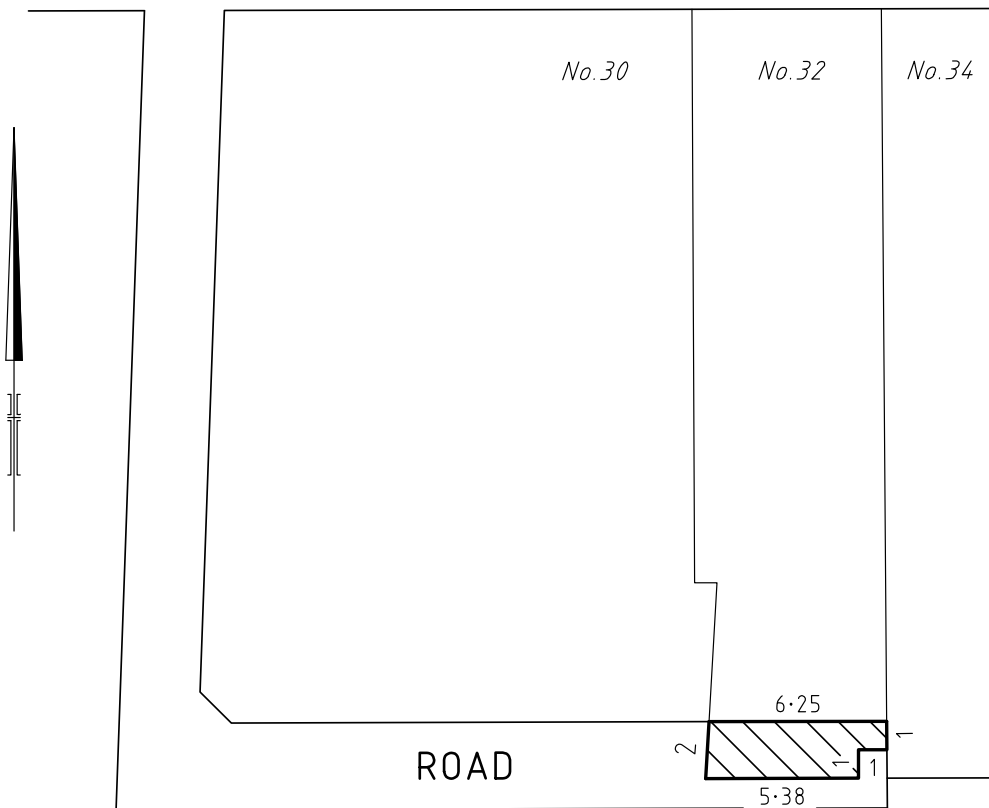


BOROONDARA
City of Harmony

ROAD DISCONTINUANCE

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Boroondara City Council has resolved to discontinue the road at the rear of 32 Connell Street, Hawthorn, shown by hatching on the plan below and to sell the land from the road to the abutting property owners at 32 Connell Street, Hawthorn, by private treaty.

CONNELL STREET



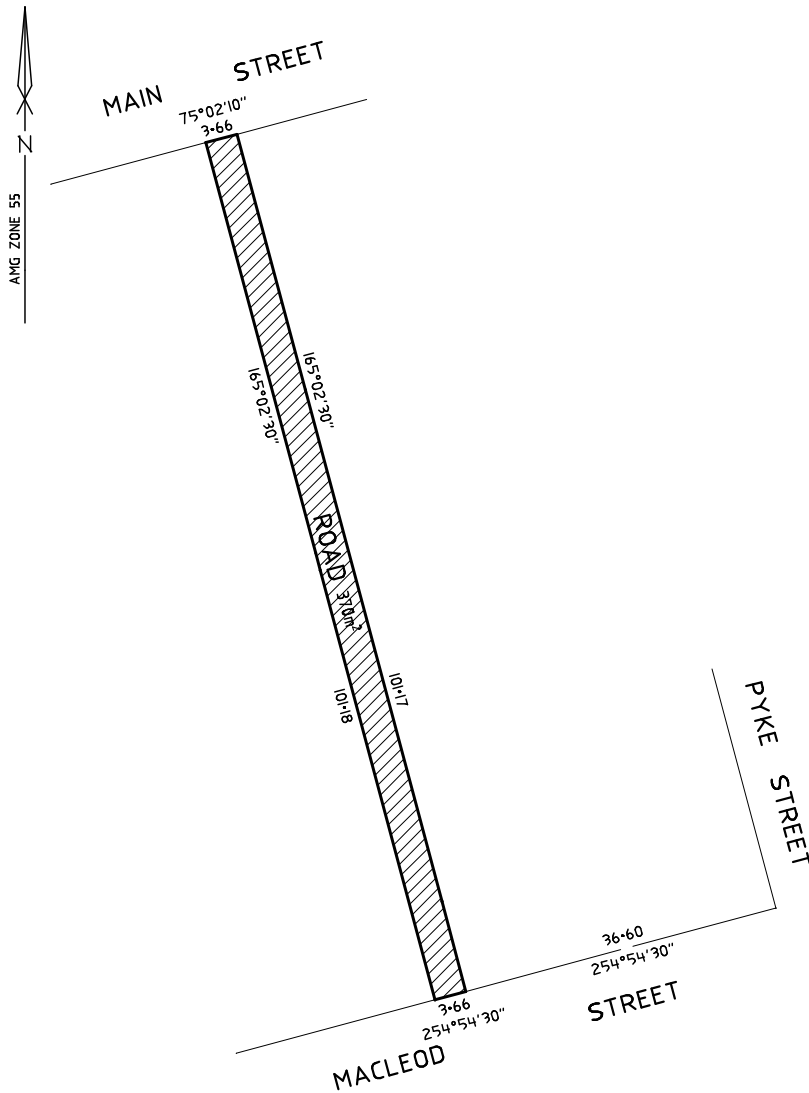
No. 26A CONNELL STREET

PHILLIP STORER
Chief Executive Officer



ROAD DISCONTINUANCE

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the East Gippsland Shire Council, at its unscheduled meeting on 16 December 2021, formed the opinion that the road reserve abutting 259 Main Street, Bairnsdale, and shown hatched on the plan below, is not reasonably required for public use and resolved to discontinue the section of road and sell the section of road reserve by private treaty to the adjoining landowner.



ANTHONY BASFORD
Chief Executive Officer



REGIONAL LIVESTOCK EXCHANGE

Swan Hill Rural City Council have adopted the Regional Livestock Exchange Local Law made under section 71(1) of the **Local Government Act 2020** at the Tuesday 19 October, 2021 Council meeting.

The Swan Hill Regional Livestock Exchange (SHRLE) provides a valuable facility for local producers, buyers and processors to sell and purchase cattle, sheep and goats.

The Local Law is designed to clarify the expectations from Council and any person or company trading through the yards and ensure compliance with legislative and accreditation requirements.

The Local Law comprises several parts:

- roles and responsibilities of SHRLE staff and Selling agents;
- sale days and selling outside those agreed dates;
- behaviours expected from anybody operating within the SHRLE;
- legal obligations and safety;
- incidents and reporting;
- movement of stock within the yards;
- penalties for breaches; and
- template Selling Agent Agreement.

The objectives of this Local Law are to:

- a) provide for the effective administration and management of the Swan Hill Regional Livestock Exchange by formalising the appointment of a Saleyard Manager to manage the Saleyards for Council;
- b) assist in the documentation of procedures and the expectations of Swan Hill Regional Livestock Exchange users such that accreditation to the National Saleyards Quality Accreditation (NSQA) can be achieved;
- c) provide for the setting and collection of fees from Stock Agents and Vendors selling livestock through the Swan Hill Regional Livestock Exchange and to prescribe the level of those fees;
- d) enable the Swan Hill Regional Livestock Exchange Manager to prescribe the days and hours during each day on which sales can be held at the Swan Hill Regional Livestock Exchange;
- e) protect Council assets and facilities at the Swan Hill Regional Livestock Exchange;
- f) promote and enforce appropriate adherence to occupational health and safety practices at the Swan Hill Regional Livestock Exchange;
- g) control and prevent behaviour within the Swan Hill Regional Livestock Exchange which is a nuisance, or which may be detrimental to health and safety;
- h) control the use of the Swan Hill Regional Livestock Exchange at all times;
- i) control the use of dogs at the Swan Hill Regional Livestock Exchange;
- j) regulate smoking and the consumption of alcohol at the Swan Hill Regional Livestock Exchange;
- k) provide for fair and reasonable treatment of animals, and the application of adequate animal husbandry practices at the Swan Hill Regional Livestock Exchange.

The conditions of consent to use the Saleyards are as follows:

An agent proposing to use or operate at the Saleyards shall first obtain the written consent in the form of 'Agent Licence Agreement' (Schedule 3) from the Chief Executive Officer, Swan Hill Rural City Council or his/her delegate.

A consent granted under this clause is conditional on the applicant providing an indemnity to the Council against all suits, actions, proceedings, claims, demands, costs, expenses, losses and damages for which it becomes or may become liable in respect of, or arising out of, any personal injury or loss or damage of property suffered by any persons in connection with the agents use of the Saleyards.

Every agent operating within the Saleyards shall be responsible for the payment to the Council of the dues and fees prescribed and any variations from time to time of these dues and fees.

Use of the Saleyards will include the use of allocated pens, ramps and drafts on regular sale days, and the provision for special sales.

A copy of the local law is available for inspection at the Council's office; and on Council's website, <https://www.swanhill.vic.gov.au/>

Any person requiring further information concerning the Local Law, in the first instance, contact Council's Engineering Department on 5036 2324.

ROSANNE KAVA
Acting Chief Executive Officer

Planning and Environment Act 1987

BANYULE PLANNING SCHEME

Notice of the Preparation of an Amendment Amendment C165bany

Banyule City Council has prepared Amendment C165bany to the Banyule Planning Scheme.

The Amendment applies to 22 heritage places affecting 40 properties within the municipality.

The Amendment seeks to implement the recommendations of the Banyule Heritage Study 2020 (RBA Architects and Conservation Consultants) by applying the Heritage Overlay on a permanent basis to 21 individual heritage places, introduces the Banyule Heritage Study 2020 (RBA Architects and Conservation Consultants) as a background document and introduces Statements of Significance as incorporated documents for the 21 heritage places being added to the Heritage Overlay.

The Amendment also reduces the extent of an existing heritage place HO82 'Taruna House'.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at: the Banyule Council website at shaping.banyule.vic.gov.au/Heritage; and during office hours, at the office of the planning authority, Banyule Customer Service Centre, Level 3, 1 Flintoff Street, Greensborough (above Watermarc); Banyule Customer Service Centre Ivanhoe Library and Cultural Hub, 275 Upper Heidelberg Road, Ivanhoe; or at the Department of Environment, Land, Water and Planning website, www.delwp.vic.gov.au/public-inspection

Any person who may be affected by the Amendment may make a submission to the planning authority about the Amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. The closing date for submissions is Friday 18 March 2022. A submission must be lodged online at shaping.banyule.vic.gov.au/Heritage; or be sent to Strategic Planning, Banyule City Council, PO Box 94, Greensborough, Victoria 3088.

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

ANTHONY CALTHORPE
Strategic Planning and
Urban Design Coordinator
Banyule City Council

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

15 April 2022, after which date State Trustees Limited may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

ABBOT, Andrew Paris, late of Bapcare The Orchards, 107–111 Andersons Creek Road, Doncaster East, Victoria 3109, deceased, who died on 21 July 2021.

CORDIER, Welfit Frans, late of 3/20 Hawson Avenue, Glen Huntly, Victoria 3163, deceased, who died on 13 August 2021.

D'UNIENVILLE, Helen Diana, late of 27 Rosemary Street, Chadstone, Victoria 3148, deceased, who died on 17 October 2021.

ELLIS, Alan Vincent, late of Unit 130, 63 Hanmer Street, Williamstown, Victoria 3016, deceased, who died on 18 May 2021.

GRUNDY, Irene Marjory, late of Vasey RSL Care Brighton East, 709–723 Hawthorn Road, Brighton East, Victoria 3187, deceased, who died on 17 July 2021.

HYDE, Pauline Barbara, late of 4 Errol Close, Aspendale Gardens, Victoria 3195, deceased, who died on 15 June 2020.

McEWEN, John Calveley, late of Room 47, Violet Town Bush Nursing Home, 46 Cowslip Street, Violet Town, Victoria 3669, deceased, who died on 31 March 2021.

MCLAREN, John Scott, late of 3 Buchan Street, Meadow Heights, Victoria 3048, deceased, who died on 19 July 2021.

THOMASON, Brian Ian, late of 32 Stuart Street, The Basin, Victoria 3154, deceased, who died on 28 August 2021. Date of Grant 2 February 2022.

Dated 3 February 2022

Catchment and Land Protection Act 1994

PUBLIC INSPECTION OF THE NORTH CENTRAL REGIONAL CATCHMENT STRATEGY 2021–27 UNDER SCHEDULE 2

In accordance with Schedule 2(5)(2) of the **Catchment and Land Protection Act 1994**, the Secretary (of the Department of Environment, Land, Water and Planning) must ensure an approved regional catchment strategy is available for public inspection. To inspect

the North Central Regional Catchment Strategy 2021–27, visit <https://northcentral.rcs.vic.gov.au/>; or contact the North Central Catchment Management Authority during normal office hours, or online at <https://northcentral.rcs.vic.gov.au/contact/>

Catchment and Land Protection Act 1994

PUBLIC INSPECTION OF THE WIMMERA REGIONAL CATCHMENT STRATEGY 2021–27 UNDER SCHEDULE 2

In accordance with Schedule 2(5)(2) of the **Catchment and Land Protection Act 1994**, the Secretary (of the Department of Environment, Land, Water and Planning) must ensure an approved regional catchment strategy is available for public inspection. To inspect the Wimmera Regional Catchment Strategy 2021–27, visit <https://wimmera.rcs.vic.gov.au/>; or contact the Wimmera Catchment Management Authority during normal office hours, or online at <https://wimmera.rcs.vic.gov.au/contact/>

Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of Cemetery Trust Fees and Charges

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

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

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

The Drouin West Cemetery Trust

The Harrierville Cemetery Trust

The Traralgon Cemetery Trust

Dated 7 February 2022

BRYAN CRAMPTON
Manager

Cemetery Sector Governance Support

Education and Training Reform Act 2006

MINISTERIAL ORDER 1358

Order Amending Ministerial Order No. 1125 –

Procedures for Suspension and Expulsion of Students in Government Schools

The Minister for Education makes the following Order –

1. Title

This Order may be cited as Ministerial Order No. 1358 – Order amending Ministerial Order No. 1125 – Procedures For Suspension and Expulsion of Students in Government Schools.

2. Purpose

This Order amends Ministerial Order No. 1125 – Procedures For Suspension and Expulsion of Students in Government Schools to:

- (a) substitute the reference to ‘Program for Students with Disabilities’ with ‘a student with disability who is identified as receiving substantial or extensive levels of adjustment in the Nationally Consistent Collection of Data on School Students with Disability’;
- (b) align the Ministerial Order with the Department’s policies on school suspension and expulsion;
- (c) include gender neutral pronouns;
- (d) allow for a behaviour support and intervention meeting to be held remotely; and
- (e) align the definition of parent with the **Education and Training Reform Act 2006**.

3. Authorising provisions

This Order is made under sections 2.2.19, 5.10.4 of clause 4 of Schedule 6 to the Act.

4. Commencement

This Order takes effect on the day it is signed.

5. Amendment to Part 1 of Ministerial Order 1125

- (1) In clause 5(1), for the definition of ‘parent’ **substitute** –
‘*parent* has the same meaning as in the **Education and Training Reform Act 2006**;’.

6. Amendment to Part 3 of Ministerial Order 1125

- (1) In clause 8(1) **substitute** ‘he or she’ with ‘they are’.
- (2) In clause 8(2) **substitute** ‘his or her’ with ‘their’.

7. Amendment to Part 4 of Ministerial Order 1125

- (1) In clause 12(1) **substitute** ‘he or she’ with ‘they are’.
- (2) In clause 12(2) **substitute** ‘his or her’ with ‘their’.
- (3) For clause 14(2)(b) **substitute** –
‘(b) a student with disability who is identified as receiving substantial or extensive levels of adjustment in the Nationally Consistent Collection of Data on School Students with Disability;’.
- (4) After clause 14(3) **insert** –
‘(4) Prior to convening a behaviour support and intervention meeting under clause 15, the principal must consider alternative supports and interventions for the student and conduct a thorough investigation in accordance with the Department’s policy on expulsion.’.
- (5) After clause 15(7) **insert** –
‘(8) A behaviour support and intervention meeting may be held remotely when a face-to-face meeting is not possible.’.

(6) For clause 17(1) **substitute** –

‘(1) The Department’s relevant regional office, in collaboration with the principal of the expelling school, must ensure the student is provided with other educational and development opportunities as soon as practicable after the expulsion.’

Dated 3 February 2022

THE HON. JAMES MERLINO MP
Minister for Education

Education and Training Reform Act 2006

MINISTERIAL ORDER NO. 1359

Implementing the Child Safe Standards –
Managing the Risk of Child Abuse in Schools and School Boarding Premises**PART 1 – PRELIMINARY****1. Objective**

- 1.1 The objective of this Order is to specify the matters regarding which:
- a) a person or body applying for registration of a school or school boarding premises; and
 - b) registered schools or registered school boarding premises
- must take action for the purposes of:
- c) embedding a culture of ‘no tolerance’ for child abuse; and
 - d) complying with the Child Safe Standards as gazetted by the Minister for Child Protection; and
 - e) complying with the prescribed minimum standards for the registration of schools in section 4.3.1(6)(d) and school boarding premises in section 4.3.8C(1)(d) of the **Education and Training Reform Act 2006**.

Explanatory note: This Order describes a range of outcomes and actions that schools and school boarding premises must undertake to demonstrate compliance with the Child Safe Standards.

It is important to note that where this Order specifies the creation of a policy, statement, procedure or other document, effective implementation of that policy, statement, procedure or other document is necessary to achieve the outcomes of each Child Safe Standard.

This Order sets the minimum requirements for compliance with the Child Safe Standards for schools and school boarding premises. Schools and school boarding premises are encouraged to consider any additional actions consistent with each clause that will further contribute to the ongoing safety of children and students and the creation of child safe environments.

2. Authorising provisions and commencement

- 2.1 This Order is made under sections 4.3.1(6)(d), 4.3.8C(1)(d) and 5.10.4 of the **Education and Training Reform Act 2006**.
- 2.2 This Order comes into operation on 1 July 2022.

3. Revocation

- 3.1 Ministerial Order 870 – Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises is revoked on 30 June 2022.

4. Definitions

- 4.1 In this Order:

child has the same meaning as in the **Child Wellbeing and Safety Act 2005**.

child-connected work means:

- a) work authorised by the school governing authority and performed by an adult in a school environment while children are present or reasonably expected to be present; or
- b) for the purposes of a school boarding premises, work authorised by the provider of school boarding services in a school boarding premises environment while children are present or reasonably expected to be present.

child-related work has the same meaning as in the **Worker Screening Act 2020**.

child abuse has the same meaning as it has in the **Child Wellbeing and Safety Act 2005**.

Child Safe Standards has the same meaning as it has in the **Child Wellbeing and Safety Act 2005**.

child safety includes matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to suspicions, incidents, disclosures or allegations of child abuse.

ETR Act means the **Education and Training Reform Act 2006** as amended from time to time. **governing body** has the same meaning as it has in the Education and Training Reform Regulations 2017.

proprietor has the same meaning as it has in the Education and Training Reform Regulations 2017.

school boarding environment means any physical, online or virtual space made available or authorised by the school boarding premises governing authority for a child or student boarding at a school boarding premises to use at any time, including:

- a) online or virtual school boarding environments (including email, intranet systems, software applications, collaboration tools, and online services);
- b) other locations provided by the provider of school boarding services or through a third-party provider for a child or student to use including, but not limited to, locations used for:
 - (i) camps;
 - (ii) approved homestay accommodation;
 - (iii) delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school; or
 - (iv) sporting events, excursions, competitions or other events.

school boarding premises governing authority means:

- a) the provider of school boarding services;
- b) the governing body for a school boarding premises (however described) as authorised by the provider of school boarding services or the ETR Act.

Explanatory note: There are a wide range of governance arrangements among providers of school boarding services. Depending on the way a provider of school boarding services is constituted and operated, the governing body for a provider may be an individual, a group of individuals, a board, a body corporate or some other person or entity. The provider of school boarding services may share or assign responsibility for discharging the requirements imposed by the Order, in accordance with the provider's internal governance arrangements.

school boarding premises staff means:

- a) in a Government school boarding premises, an individual working in a school boarding premises environment who is:
 - (i) employed by the school boarding premises governing authority; or
 - (ii) a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school boarding premises governing authority to perform child-related work.
- b) in a non-government school boarding premises, an individual working in a school boarding environment who is:
 - (i) directly engaged or employed by the school boarding premises governing authority;
 - (ii) a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school boarding premises governing authority to perform child-related work; or
 - (iii) a minister of religion, a religious leader or an employee or officer of a religious body associated with the school.

school environment means any of the following physical, online or virtual places, used during or outside school hours:

- a) A campus of the school;
- b) Online or virtual school environments made available or authorised by the school governing authority for use by a child or student (including email, intranet systems, software applications, collaboration tools, and online services); and

- c) Other locations provided by the school or through a third-party provider for a child or student to use including, but not limited to, locations used for:
 - (i) camps;
 - (ii) approved homestay accommodation;
 - (iii) delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school; or
 - (iv) sporting events, excursions, competitions or other events.

school governing authority means:

- a) the proprietor of a school, including a person authorised to act for or on behalf of the proprietor;
- b) the governing body for a school (however described), as authorised by the proprietor of a school or the ETR Act; or
- c) the principal, as authorised by the proprietor of a school, the school governing body, or the ETR Act.

Explanatory note: There are a wide variety of school governance arrangements. Depending on the way a school is constituted and operated, the governing body for a school may be the school board, the school council, or some other person or entity. The school governing authorities may share or assign responsibility for discharging the requirements imposed by this Order, in accordance with the school's internal governance arrangements.

school staff means:

- a) in a Government school, an individual working in a school environment who is:
 - (i) employed under Part 2.4 of the ETR Act in the Government teaching service;
 - (ii) employed under Part 2.3 of the ETR Act; or
 - (iii) a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school governing authority to perform child-related work.
- b) in a non-Government school, an individual working in a school environment who is:
 - (i) directly engaged or employed by a school governing authority;
 - (ii) a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school governing authority to perform child-related work; or
 - (iii) a minister of religion, a religious leader or an employee or officer of a religious body associated with the school.

student means a person who is enrolled at or attends the school or a student at the school boarding premises.

volunteer means a person who performs work without remuneration or reward for the school or school boarding premises in the school environment or school boarding premises environment.

4.2 The following terms have the same meaning as in the ETR Act:

- a) Government school;
- b) Government school boarding premises;
- c) Government teaching service;
- d) non-Government school;
- e) non-Government school boarding premises;
- f) principal;
- g) provider of school boarding services;
- h) registered school;
- i) registered school boarding premises;
- j) school;

- k) school boarding premises;
- l) school boarding services;
- m) secretary.

PART 2 – MINIMUM STANDARDS FOR A CHILD SAFE ENVIRONMENT

5. Culturally safe environments

- 5.1 Schools and school boarding premises must establish culturally safe environments in which the diverse and unique identities and experiences of Aboriginal children, young people and students are respected and valued.
- 5.2 In complying with clause 5.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:
- a) a child or student’s ability to express their culture and enjoy their cultural rights is encouraged and actively supported.
 - b) strategies are embedded within the school or school boarding premises which equip school staff or school boarding premises staff, students, volunteers and the school community or school boarding premises community to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children and students.
 - c) measures are adopted by the school or school boarding premises to ensure racism is identified, confronted and not tolerated, and any instances of racism within the school environment or school boarding premises environment are addressed with appropriate consequences.
 - d) the school or school boarding premises actively supports and facilitates participation and inclusion by Aboriginal children and students and their families.
 - e) all of the policies, procedures, systems and processes of the school or provider of school boarding services, taken together, create a culturally safe and inclusive environment and meet the needs of Aboriginal children and students and their families.
- 5.3 The school governing authority or school boarding premises governing authority must develop and endorse a policy or statement that details the strategies and actions the school or school boarding premises will take to implement clauses 5.1 and 5.2.

Explanatory notes:

1. *The term ‘Aboriginal’ in this Order includes Aboriginal and Torres Strait Islander peoples. It is important to be respectful of how individual children, students, their families and community refer to themselves, and use appropriate language when referring to individuals or communities.*
2. *This clause applies even if there are no children or students at a school or school boarding premises that identify as Aboriginal.*
3. *A statement can take the form of any written record, for example, a documented plan, posted on a website or online communication platform or a statement incorporated into an existing policy or other document.*

6. Child safety and wellbeing is embedded in leadership, governance and culture

- 6.1 Schools and school boarding premises must ensure that child safety and wellbeing is embedded in school or school boarding premises leadership, governance and culture.
- 6.2 In complying with clause 6.1, the school governing authority or school boarding premises governing authority must, at a minimum:
- a) develop, endorse and make publicly available a child safety and wellbeing policy that details:
 - (i) The commitment of the school or provider of school boarding services to child safety;

- (ii) the actions the school or school boarding premises proposes to take to ensure a child safe culture is championed and modelled at all levels of the school or school boarding premises;
- (iii) the governance arrangements in place within the school or school boarding premises for ensuring implementation of the policy at all levels; and
- (iv) the process by which the school governing authority or school boarding premises governing authority will review its child safe practices.

Explanatory notes:

1. *Making a policy or statement publicly available will generally mean to make it available on a public website. Where schools or school boarding premises are unable to publish the policy or statement on a website, the school or school boarding premises should consider how children, students and families can best access policies or statements (for example, through other methods such as an online communications platform or for inspection at the school or school boarding premises. In these circumstances, the school community or school boarding premises community must be provided with sufficient information on how to access the content (for example through regular school newsletter notices or an online parent platform).*
 2. *'Governance arrangements' refers to the specific systems, processes, roles, responsibilities and organisational arrangements that each school or school boarding premises puts in place to operationalise the policy.*
- b) develop, endorse and make publicly available a Child Safety Code of Conduct that:
 - (i) has the objectives of promoting child safety and wellbeing in the school environment or school boarding premises environment;
 - (ii) provides guidelines for school staff, school boarding premises staff and volunteers on expected standards of behaviour in relation to child safety and wellbeing;
 - (iii) takes into account the needs of all children and students and is consistent with any relevant professional or occupational codes of conduct; and
 - (iv) is consistent with the child safety and wellbeing strategies, policies and procedures of the school or provider of school boarding services.
 - c) develop and implement risk management strategies that:
 - (i) focus on preventing, identifying and mitigating risks related to child safety and wellbeing in the school environment or school boarding environment; and
 - (ii) take into account the nature of the school environment or school boarding environment, the activities expected to be conducted in those environments (including the provision of services by contractors or outside organisations), and the characteristics and needs of all children and students expected to be present in those environments.
 - d) if the school governing authority or school boarding premises governing authority identifies risks of child abuse occurring in the school environment or school boarding premises environment, make a record of those risks and the actions that are taken or will be taken to reduce or remove the risks (risk controls and risk treatments).
 - e) as part of its risk management strategy and practices, monitor and review the risks related to child safety and wellbeing annually, including evaluating the effectiveness of the implementation of its risk controls.

Explanatory notes:

1. *School governing authorities or school boarding premises governing authorities may record risks in various ways. Most commonly this would be through a risk register which describes the risks, and the risk mitigation strategies that will be used to manage the risks.*

2. *Different risk controls may be necessary for particular groups of children and students depending on the nature of the risk and the characteristics of children and students affected by the risk.*
 3. *Processes to identify and mitigate risk are covered in various clauses in this Order (see clauses 6.2c, 6.2d, 6.2e, 10.2e, 11.3g, 12.2a and 13.2a). Taken together, these clauses help school staff, school boarding premises staff and volunteers to identify and mitigate risks in school environments and school boarding environments without compromising a child or student's right to privacy, access to information, social connections and learning opportunities consistent with Child Safe Standard 9.*
- f) create, maintain and dispose of records relevant to child safety and wellbeing in accordance with Public Record Office Victoria Recordkeeping Standards, including minimum retention periods.
 - g) develop a policy or statement that details the processes the school or school boarding premises has in place to meet Public Record Office Victoria Recordkeeping Standards.
 - h) ensure that school and school boarding premises staff and volunteers understand their obligations on information sharing and recordkeeping.

7. Child and student empowerment

- 7.1 Schools and school boarding premises must ensure that children, young people and students are empowered about their rights, participate in decisions affecting them and are taken seriously.
- 7.2 In complying with clause 7.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:
 - a) children and students are informed about all of their rights, including to safety, information and participation.
 - b) the importance of friendships is recognised and support from peers is encouraged, to help children and students feel safe and be less isolated.
 - c) staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children and students to express their views, participate in decision-making and raise their concerns.
 - d) schools and school boarding premises have strategies in place to develop a culture that facilitates participation and is responsive to the input of children and students.
 - e) schools and school boarding premises provide opportunities for children and students to participate and are responsive to their contributions to strengthen confidence and engagement.
- 7.3 The school governing authority must ensure students are offered access to sexual abuse prevention programs and to relevant related information in an age-appropriate way.
- 7.4 Where relevant to the setting or context, the school boarding premises governing authority must ensure students are offered access to sexual abuse prevention programs and to relevant related information in an age-appropriate way.
- 7.5 The school governing authority or school boarding premises governing authority must develop curriculum planning documents or other documentation that details the strategies and actions the school or school boarding premises will take to implement clauses 7.1, 7.2, 7.3 and 7.4.

Explanatory note: The Convention on the Rights of the Child provides guidance on children's rights. For further information see: <https://humanrights.gov.au>.

The Department of Education and Training also provides advice on equal opportunity and human rights for students at <https://www2.education.vic.gov.au/pal/equal-opportunity-human-rights-students/policy>.

8. Family engagement

- 8.1 Schools and school boarding premises must ensure that families and communities are informed, and involved in promoting child safety and wellbeing.
- 8.2 In complying with clause 8.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:
- a) families participate in decisions related to child safety and wellbeing which affect their child.
 - b) the school or school boarding premises engages and openly communicates with families and the school community or school boarding premises community about its child safe approach and relevant information is accessible.
 - c) families and the school community or school boarding premises community have a say in the development and review of policies and practices of the school or provider of school boarding services related to child safety and wellbeing.
 - d) families, carers and the school community or school boarding premises community are informed about the operations and governance of the school or school boarding premises related to child safety and wellbeing.
- 8.3 The school governing authority or school boarding premises governing authority must develop a policy, statement or other documentation that details the strategies and actions the school or school boarding premises will take to implement clauses 8.1 and 8.2.

9. Diversity and equity

- 9.1 Schools and school boarding premises must ensure that equity is upheld, and diverse needs respected in policy and practice.
- 9.2 In complying with clause 9.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:
- a) the school or school boarding premises, including staff and volunteers, understands the diverse circumstances of children and students, and provides support and responds to vulnerable children and students.
 - b) children, students, staff, volunteers and the school community or school boarding premises community have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand.
 - c) the school or school boarding premises pays particular attention to the needs of students with disability, students from culturally and linguistically diverse backgrounds, students who are unable to live at home, international students, and lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) students.
 - d) the school or school boarding premises pays particular attention to the needs of Aboriginal students and provides and promotes a culturally safe environment for them.

Explanatory note: There are many ways that school staff or school boarding premises staff can determine if a child or student is vulnerable. Vulnerable children and students may include, but are not limited to, children or students who:

- a) *are deemed vulnerable by a government agency, funded family service or family violence service, or assessed as requiring education and care outside the family home.*
- b) *are identified as vulnerable as a result of a referral from a government agency, funded family service or family violence service, homeless or youth justice service; or mental health or other health service.*
- c) *self-identify or are identified by school staff or school boarding premises staff as a member of a vulnerable cohort (for example Aboriginal children and students; children and students with disability; children and students from culturally and linguistically diverse backgrounds; children and students who are unable to live at home or are in*

out-of-home care; international students; and children and students who are lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+).

Schools and school boarding premises may also need to consider a range of other factors beyond those listed above when determining whether a child or student is vulnerable.

- 9.3 The school governing authority or school boarding premises governing authority must develop and endorse a policy, statement or curriculum document that details the strategies and actions the school or school boarding premises will take to implement clauses 9.1 and 9.2.

10. Suitable staff and volunteers

- 10.1 Schools and school boarding premises must ensure that people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

- 10.2 In complying with clause 10.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:

- a) recruitment advertisements for school staff or school boarding premises staff who will be engaged in child-connected work have a clear statement that sets out:
 - (i) the job's requirements, duties and responsibilities regarding child safety and wellbeing; and
 - (ii) the job occupant's essential or relevant qualifications, experience and attributes in relation to child safety and wellbeing.
- b) all applicants for jobs that involve child-connected work for the school or school boarding premises must be informed about the child safety practices of the school or provider of school boarding services (including the code of conduct).
- c) when engaging volunteers to undertake child-connected work, volunteers are made aware of the child safety and wellbeing policy and child safety code of conduct of the school or provider of school boarding services.
- d) when engaging school staff or school boarding premises staff to perform child-connected work, the school governing authority or school boarding premises governing authority must:
 - (i) sight, verify and record the person's Working with Children clearance, if the person is required to have a clearance in accordance with the **Worker Screening Act 2020**, or any equivalent background check; and
 - (ii) where the person will be engaged in child-related work, collect and record:
 - a. proof of the person's identity;
 - b. information about any essential or relevant professional or other qualifications;
 - c. the person's history of work involving children; and
 - d. references that address the person's suitability for the job and for working with children.

*Explanatory note: Please refer to the **Worker Screening Act 2020** which establishes a process to screen persons engaging or intending to engage in child-related work through a screening check, and also sets out exemptions from that requirement for some volunteers, parents and others.*

The school or provider of school boarding services may need to gather a range of information, including but not limited to a Working with Children clearance and qualifications relevant to the role being performed, to help ensure only suitable people work with children.

Registration with the Victorian Institute of Teaching is an equivalent background check.

- e) when engaging a volunteer to perform child-connected work, the school governing authority or school boarding premises governing authority must:
 - (i) sight, verify and record the person's Working with Children clearance, if the person is required to have a clearance in accordance with the **Worker Screening Act 2020**, or any equivalent background check; and
 - (ii) consider the child safety risks relevant to the volunteer's role and, if reasonable and appropriate, collect and record:
 - a. proof of personal identity;
 - b. information about any essential or relevant professional or other qualifications;
 - c. the person's history of work involving children; and
 - d. references that address the person's suitability for the job and for working with children.
- 10.3 The school governing authority or school boarding premises governing authority need not comply with the requirements in clauses 10.2(d) and 10.2(e) if it has already undertaken these activities in relation to a particular individual within the previous 12 months.
- 10.4 In complying with clause 10.1, the school governing authority or school boarding premises governing authority must ensure that:
 - a) school staff, school boarding premises staff, members of the governing body, and volunteers engaged in child-connected work, receive an induction regarding child safety and wellbeing that is appropriate to the nature of the role, and which includes:
 - (i) information on the child safety code of conduct; and
 - (ii) where relevant to the role, the child safety and wellbeing policy and the procedures for managing complaints and concerns related to child abuse;
 - b) school staff, school boarding premises staff, members of the governing body, and volunteers engaged in child-connected work, are aware of their responsibilities to children and students, information sharing and reporting obligations, and record keeping obligations.
 - c) ongoing supervision and people management of staff and volunteers focuses on child safety and wellbeing.

11. Complaints processes

- 11.1 Schools and school boarding premises must ensure that processes for complaints and concerns are child focused.
- 11.2 In complying with clause 11.1, the school governing authority or school boarding premises governing authority must, at a minimum:
 - a) develop a complaint-handling policy that is made publicly available and that is accessible, child-focused, culturally safe and easily understood by the school community or school boarding premises community, and clearly outlines:
 - (i) the process for making a complaint about the school or school boarding premises or the behaviour of any person within the school or school boarding premises (for example staff, volunteers, contractors, families, children or students);
 - (ii) the roles and responsibilities of leadership, school staff, school boarding premises staff, and volunteers in relation to handling complaints; and
 - (iii) the process for dealing with different types of complaints, breaches of relevant policies or the code of conduct and obligations to act and report.

- b) ensure complaints are taken seriously and responded to promptly and thoroughly.
 - c) have policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and cooperate with law enforcement.
 - d) ensure recordkeeping, reporting, privacy and employment law obligations are met when responding to complaints and concerns.
 - e) have a clear procedure or set of procedures for responding to complaints or concerns relating to child abuse.
- 11.3 The procedures referred to in clause 11.2(e) must:
- a) cover all forms of child abuse.
 - b) be sensitive to the diversity and characteristics of the school community or school boarding premises community.
 - c) be made publicly available.
 - d) be accessible to children, students, staff, volunteers and the school community or school boarding premises community.
 - e) apply to complaints and concerns relating to child abuse made by or in relation to a child or student, school staff, school boarding premises staff, volunteers, contractors, service providers, visitors, or other persons while connected to a school environment or school boarding premises environment.
 - f) identify the roles and responsibilities of school staff or school boarding premises staff and leadership to act and report on complaints and concerns relating to child abuse including:
 - (i) ensuring that the complaint or concern is taken seriously;
 - (ii) promptly and thoroughly managing the response of the school or provider of school boarding services;
 - (iii) responding appropriately to a child or student who raises or is affected by the complaint or concern;
 - (iv) monitoring overall compliance of the school or provider of school boarding services with the procedure; and
 - (v) managing an alternative procedure for responding to the complaint or concern if any person allocated responsibility under clause 11.7(f) cannot perform their role.
 - g) include a statement that fulfilling the roles and responsibilities in the procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.
 - h) clearly describe the actions the school or provider of school boarding services will take to respond to a complaint or concern relating to child abuse, including actions to:
 - (i) report allegations, suspicions or disclosures to relevant authorities, regardless of whether there is a legal obligation to report;
 - (ii) protect any child or student connected to the complaint or concern relating to child abuse until the complaint or concern is resolved; and
 - (iii) make, secure, and retain records of the complaint or concern and the response of the school or provider of school boarding services.
- 11.4 The procedures referred to in clause 11.2(e) must not:
- a) prohibit or discourage school staff, school boarding premises staff or volunteers from reporting a complaint or concern relating to child abuse to a person external to the school or school boarding premises.

- b) state or imply that it is the victim's responsibility to inform the police or other authorities of an allegation relating to child abuse.
- c) require school staff, school boarding premises staff or volunteers to make a judgment about the truth of a complaint or concern relating to child abuse.
- d) prohibit school staff, school boarding premises staff or volunteers from making records in relation to a complaint or concern relating to child abuse.

12. Child safety knowledge, skills and awareness

12.1 Schools and school boarding premises must ensure that staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

12.2 In complying with clause 12.1, the school governing authority or school boarding premises governing authority must, at a minimum:

- a) ensure that, at least annually, school staff or school boarding premises staff engaged in child-connected work receive training and information on child safety that includes:
 - (i) the child safety and wellbeing policy of the school or provider of school boarding services;
 - (ii) the child safety code of conduct of the school or provider of school boarding services;
 - (iii) the procedures referred to in clause 11.2(e);
 - (iv) guidance on recognising indicators of child harm including harm caused by other children and students;
 - (v) guidance on responding effectively to issues of child safety and wellbeing and supporting colleagues who disclose harm;
 - (vi) guidance on how to build culturally safe environments for children and students;
 - (vii) guidance on their information sharing and recordkeeping obligations; and
 - (viii) guidance on how to identify and mitigate child safety and wellbeing risks in the school environment without compromising a child or student's right to privacy, access to information, social connections and learning opportunities.
- b) ensure that volunteers engaged in child-connected work receive training and information that will equip them with the knowledge, skills and awareness required to keep children and students safe and that is appropriate to the nature and responsibilities of their role.
- c) when determining the type of training and information to provide to volunteers in accordance with clause 12.2(b), consider whether or not it is reasonable and necessary to include training and information on:
 - (i) the child safety and wellbeing policy of the school or provider of school boarding services;
 - (ii) the child safety code of conduct of the school or provider of school boarding services;
 - (iii) guidance on how to recognise indicators of child harm including harm caused by other children and students;
 - (iv) guidance on how to respond effectively to issues of child safety and wellbeing and support colleagues who disclose harm;
 - (v) guidance on how they can contribute to building culturally safe environments for children and students;

- (vi) guidance on any obligations they have relating to information sharing and recordkeeping; and
 - (vii) guidance on how to identify and manage child safety risks relevant to the role the volunteer will undertake, without compromising a child or student's right to privacy, access to information, social connections and learning opportunities.
- d) ensure that school staff, school boarding premises staff and volunteers are supported to implement the child safety and wellbeing policy of the school or provider of school boarding services to the extent that it is applicable to their role and responsibilities.
 - e) ensure that, at least annually, appropriate training and guidance is provided to the members of the governing body about:
 - (i) individual and collective obligations and responsibilities for implementing the Child Safe Standards and managing the risk of child abuse;
 - (ii) child safety and wellbeing risks in the school environment or school boarding premises environment; and
 - (iii) the child safety policies, procedures and practices of the school or provider of school boarding services.

13. Child safety in physical and online environments

13.1 Schools and school boarding premises must ensure that physical and online environments promote safety and wellbeing while minimising the opportunity for children, young people and students to be harmed.

13.2 In complying with clause 13.1, the school governing authority or school boarding premises governing authority must, at a minimum:

- a) ensure that the child safety and wellbeing policies, procedures and practices of the school or provider of school boarding services enable school staff, school boarding premises staff, and volunteers to identify and mitigate risks in school environments and school boarding premises environments without compromising a child or student's right to privacy, access to information, social connections and learning opportunities.
- b) develop and endorse a policy or statement on online conduct and online safety that is consistent with the child safety and wellbeing policy and practices and child safety code of conduct of the school or provider of school boarding services.
- c) ensure the procurement policies of the school or provider of school boarding services for facilities and services from third parties ensure the safety of children and students.

Explanatory note: Schools and school boarding premises procure a wide range of goods and services, some of which may be obtained at no cost. Child safe procurement policies apply regardless of the value of the product or service.

14. Review of child safety practices

14.1 Schools and school boarding premises must ensure that implementation of this Order is regularly reviewed and improved.

14.2 In complying with clause 14.1, the school governing authority or school boarding premises governing authority must, at a minimum:

- a) review and evaluate the child safety and wellbeing policies, procedures and practices of the school or provider of school boarding services after any significant child safety incident, or at least every two years, and improve where applicable.

- b) ensure complaints, concerns and safety incidents are analysed to identify causes and systemic failures and inform continuous improvement.
- c) report on the outcomes of relevant reviews to school staff, school boarding premises staff, volunteers, the school community or school boarding premises community, and families and students.

15. Implementation of child safety practices

- 15.1 Schools and school boarding premises must have policies and procedures that document how schools and school boarding premises are safe for children, young people and students.
- 15.2 In complying with clause 15.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:
 - a) that the school or provider of school boarding services implements practices for a child-safe environment in accordance with this Order.
 - b) that the policies and procedures and any other statements and records this Order requires:
 - (i) address all Child Safe Standards;
 - (ii) are understood and implemented by all relevant school staff, school boarding premises staff, the governing body and volunteers;
 - (iii) are championed and modelled by leaders;
 - (iv) are documented and easy to understand; and
 - (v) are informed by best practice models and stakeholder consultation.

This Order is made on 31 January 2022.

THE HON. JAMES MERLINO, MP
Minister for Education

Education and Training Reform Act 2006

**NOTICE OF REVISED GUIDELINES FOR THE APPLICATION FOR THE
REGISTRATION OF NON-SCHOOL SENIOR SECONDARY EDUCATION PROVIDERS
AND REGISTERED NON-SCHOOL SENIOR SECONDARY EDUCATION PROVIDERS**

Section 4.3.11 of the **Education and Training Reform Act 2006** (the Act) provides the criteria for registration which requires a person, body or school to comply the prescribed minimum standards.

Section 4.3.11(3) provides that the Victorian Registration and Qualifications Authority (the Authority) may from time to time issue guidelines about these matters.

The revised guidelines will apply to all applicants seeking the Authority's approval to provide a senior secondary course in a non-school setting, including all VRQA approved non-school senior secondary education providers from 1 January 2022.

JONATHAN KAPLAN
Chief Executive Officer (Director)
Victorian Registration and Qualifications Authority

GUIDELINES FOR NON-SCHOOL SENIOR SECONDARY EDUCATION PROVIDERS: MINIMUM STANDARDS FOR REGISTRATION TO PROVIDE AN ACCREDITED SENIOR SECONDARY COURSE

INTRODUCTION

The Victorian Registration and Qualifications Authority (VRQA) registers providers to deliver the Victorian Certificate of Education (VCE) and/or the Victorian Certificate of Applied Learning (VCAL) in full or single courses in a non-school setting.

The **Education and Training Reform Act 2006** (the Act) lists the minimum standards (officially called the prescribed minimum standards) that senior secondary education providers must satisfy to be and remain registered.

Section 4.3.11 of the Act provides that the VRQA must not register a person, body or school as a senior secondary provider unless the VRQA is satisfied that the school person, body or school meets the relevant standards.

These Guidelines deal with the minimum standards that apply to non-school providers offering an accredited senior secondary course such as the VCE or the VCAL.

About the Guidelines

The Guidelines are issued to provide guidance on the information, documents and other evidence the VRQA will require in order for it to be satisfied that a non-school provider meets the minimum standards.

The Guidelines should be used by a non-school provider:

- seeking registration to deliver an accredited senior secondary course
- seeking registration to deliver an additional accredited senior secondary course.

They are issued pursuant to section 4.3.11(3) of the Act, which empowers the VRQA to issue guidelines on the minimum standards for registration to offer an accredited senior secondary course and the fit and proper person requirements for those involved in the management of a non-school senior secondary providers.

The Guidelines will also be used by the VRQA when conducting reviews of whether a provider continues to satisfy the minimum standards.

They do not replace the need to comply with the minimum standards. Accordingly, the VRQA may in any particular case require additional or different evidence to that set out in these Guidelines.

References to regulations, Ministerial Orders or provisions of an Act are as at the date of these Guidelines. These Guidelines are subject to any amendments to those references.

Registration of education and training providers

The VRQA is responsible for registering:

- all schools
- school boarding premises
- students for home schooling
- senior secondary education providers
- training organisations delivering only in Victoria to domestic students
- overseas secondary student exchange organisations
- registered schools providing courses to overseas students.

The VRQA is responsible for ensuring that these organisations meet the required standards.

The VRQA works in cooperation with the Victorian Curriculum and Assessment Authority (VCAA) to assess applications for registration to deliver the VCE and/or VCAL. The VCAA is registered by the VRQA as a Senior Secondary Awarding Body under Part 4.3.10 of the Act.

Requirements for Registration

The Act requires all providers in Victoria to be registered before they can offer or deliver an accredited senior secondary course. It is an offence under section 4.7.3 of the Act to provide or to offer to provide the VCE or VCAL without being registered by the VRQA.

Applicants seeking registration as a non-school senior secondary provider, or non-school senior secondary providers wishing to extend their senior secondary scope of delivery by adding courses, must first apply to the VCAA for authorisation. Information on authorisation is available at:

- www.vrqa.vic.gov.au

Registration is for a maximum of five years. Providers will need to re-register prior to their expiry date. Registered schools are exempted under section 4.3.12(1A) of the Act from having to re-register every five years.

Providers offering education to students aged 6–17 years

Under section 4.7.1 of the Act, it is an offence to conduct a school unless the school is registered.

Section 1.1.3 defines a school as a place at or from which education is provided to children of compulsory school age (i.e. aged 6–17 years) during normal school hours. Some institutions are excluded from the definition of school, such as: TAFEs; Universities; adult education institutions such as AMES Australia and Adult Careers Education (ACE); some Registered Training Organisations (RTOs).

This also includes an education provider that has at least 85 per cent of its students above the compulsory school age and which the Authority is satisfied has been established for the main purpose of providing education or training to students above the compulsory school age listed in regulation 6 (1)(d)(iii) of the Education and Training Reform Regulations 2017 (ETR Regulations).

Providers offering an accredited senior secondary course will need to check whether they also need to be registered as a school, and have to meet the additional requirements for school registration.

Providers offering courses to students from overseas

Providers offering or proposing to offer courses to students from overseas are regulated by Part 4.5 of the Act and the **Education Services for Overseas Students Act 2000** (Cwlth) (ESOS Act). These Acts impose additional requirements that education institutions must satisfy to offer those courses.

Both Acts require providers to first seek VRQA approval.

If approved, the VRQA may then recommend to the Commonwealth that the provider be registered under the ESOS Act.

If the provider is already registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), evidence of compliance with the National Code must be provided for the relevant senior secondary qualification. The provider will need to take particular note of the requirements pertaining to membership of the Tuition Protection Service

If the provider is intending to deliver a senior secondary course for overseas students, evidence of compliance with the ESOS Act (as amended in 2007) and *The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007* will also need to be provided.

If a registered senior secondary provider wishes to deliver the VCE and/or VCAL to students outside Victoria (including offshore), it must apply to the VCAA for a licence.

Further information for providers seeking approval and registration to offer courses to students from overseas is available at:

- www.vrqa.vic.gov.au/registration/Pages/schcricos.aspx.

Contact the VRQA for further information about registration and/or re-registration as a CRICOS provider.

Requirement to comply with the minimum standards

All senior secondary education providers must comply with each of the minimum standards for registration to provide an accredited senior secondary course set out in Schedule 8 of the ETR Regulations and any other requirements specified in the Act. The VRQA will work with the VCAA, the owner of the VCE and VCAL, to monitor compliance with the minimum standards.

In the event that two or more senior secondary providers share the responsibility for providing an accredited senior secondary course or its components, each provider must have procedures in place to ensure the minimum standards are met. A written agreement must be in place to ensure the relevant responsibilities are managed. In particular, in relation to the requirements of the minimum standard relating to student welfare.

The standards state that if the provider is not the owner of the accredited course, the provider must first obtain the authorisation of the owner of the accredited senior secondary course to provide that course. This requires the provider to apply to the VCAA for approval to offer the VCE or VCAL, before submitting its application to the VRQA.

Complaints about providers

The VRQA will investigate complaints alleging a breach of the minimum standards.

A complainant must first raise their concerns with the provider and allow a reasonable time for the provider to respond.

Information regarding the complaints process is available on the VRQA's website.

The VRQA is not a mediating body but may investigate whether the processes used by the provider were fair and consistent with its stated policies.

The VRQA is also required to investigate a complaint alleging a breach of obligations by a provider in relation to the democratic principles, the availability of information about the provider's performance and the right of a parent or student to access information about the student's achievement (see ETR Regulations).

Details of the relevant obligations are as follows:

- all providers of education and training, both government and non-government, must ensure that their programs and teaching are delivered in a manner that supports and promotes the principles and practice of Australian democracy. These principles include a commitment to elected government, the rule of law, equal rights for all before the law, freedom of religion, freedom of speech and association, and the values of openness and tolerance
- information about the performance of education and training providers should be publicly available
- a school community has the right to information concerning the performance of its school
- a parent or guardian of a student and the student has the right to access information about the student's achievement.

The VRQA may also investigate complaints regarding a breach by a provider of the minimum standards or the child safe standards.

A complainant must first raise the concerns with the relevant person, principal or governing body, which must be given a reasonable time to respond. If not satisfied with the response, the complainant may then write to the VRQA detailing the concerns and asking for an investigation. However, this requirement does not apply if the VRQA is satisfied that there are reasonable grounds for the complainant failing to make a complaint to the relevant person, body or school.

THE MINIMUM STANDARDS**Standard 1****Principles**

1. The programs and teaching of a senior secondary education provider must support and promote the principles and practice of Australian democracy, including a commitment to –
 - a. elected Government; and
 - b. the rule of law; and
 - c. equal rights for all before the law; and
 - d. freedom of religion; and
 - e. freedom of speech and association; and
 - f. the values of openness and tolerance
 2. Nothing in this clause is intended to affect any right accorded to, or compliance with any obligation imposed on, a provider under an enactment of the State or of the Commonwealth.
-

Schedule 8 clause 1 of the Education and Training Reform Regulations 2017

Explanatory notes

The last paragraph of the above standard does not limit the operation of other laws of the State or Commonwealth. For example, section 39 of the **Equal Opportunity Act 2010** allows an education provider to operate wholly or mainly for students of a particular sex, race, religious belief, age or age group, or students with a general or particular disability. This enables a provider established by a particular religious denomination or group of religious denominations to give preference in its enrolment policy to adherents of that denomination(s) or their children. The provider in this scenario would be expected to have written policies surrounding this which are communicated to staff, students, parents and the community.

Evidence guide

There must be evidence in the form of a statement affirming the provider's adherence to the principles and practice of Australian democracy such as might be included in the provider's constitution, prospectus, handbook or policies.

Standard 2**Student learning outcomes**

A senior secondary education provider that provides, or proposes to provide, an accredited senior secondary course must –

- a. deliver the course to the standards established by the awarding body for the qualification; and
 - b. ensure that a student who satisfactorily completes all of the course requirements is entitled to be awarded the registered qualification.
-

Schedule 8 clause 2 of the Education and Training Reform Regulations 2017

Explanatory notes

Providers must be able to demonstrate understanding of the VCAA standards and requirements including the course outlines for VCE and/or VCAL and deliver the course in accordance with those standards and requirements. This evidence needs to be specific to the cohort of senior secondary students to ensure that students understand the course requirements, including the course standards and the timelines in place.

Evidence guide

There must be evidence in the form of:

- sample student learning sequence or plan for the accredited qualification
- procedures and documentation to indicate that staff and students have been provided with current and accurate information about VCAA standards and requirements including course standards, timelines, qualification requirements and the current VCAA *VCE and VCAL Administrative Handbook*.

External providers

There must be evidence in the form of a written agreement, where part or all of the course is delivered by another registered provider which also sets out how the requirements of the student learning outcomes standard will be met (also see clauses 3, 4, 5 and 6 of Schedule 8 of the ETR Regulations).

Standard 3**Student welfare**

1. A senior secondary education provider must have policies and procedures in place that are consistent with any relevant laws and legislation to ensure the care, safety and welfare of students and the provision of opportunities for students with special needs to access the course.
2. If two or more senior secondary education providers share the responsibility for providing an accredited senior secondary course or its components to a student, each of those providers must have procedures in place to identify and satisfy the legal duties owed to the student while the student attends, travels between or undertakes an excursion with the providers.

Schedule 8 clause 3 of the Education and Training Reform Regulations 2017

Explanatory notes

All providers must have policies and procedures to provide students with a safe environment where the risk of harm is minimised and students feel physically and emotionally secure. The policies and procedures must be written in a language that is suitable for the student cohort. All staff must be advised of their obligations under the relevant laws.

Evidence guide**Legislative requirement**

There must be evidence in the form of the provider's policies and procedures with respect to:

- child safe standards
- the duties of care owed to its students
- student welfare
- bullying and harassment, including cyber bullying
- managing complaints or grievances
- the provider's obligations under discrimination and equal opportunity legislation, including the duty to make reasonable adjustments for students with disabilities.

Student safety

There must be evidence in the form of the provider's policies and procedures with respect to the following:

- the Child Safe Standards and requirements of the **Child Wellbeing and Safety Act 2005**
- that it owes all students a duty of care to take reasonable measures to protect them from risks of injury that should have been reasonably foreseen
- that it owes a duty to take reasonable care that any student (and other person) on the premises will not be injured or damaged by reason of the state of the premises or of things done or omitted to be done in relation to the state of the premises

- that it owes a duty to take reasonable precautions to prevent the abuse of a child by an individual associated with the organisation while the child is under the care, supervision or authority of the organisation (from 1 July 2017)
- that greater measures may need to be taken for younger students or students with disabilities
- proper arrangements for on-site supervision of students
- proper arrangements for supervision of students when engaged in off-site activities
- ensuring the safety and welfare of students learning with an external provider
- ensuring all staff understand mandatory reporting, and the failure to disclose offence which commenced on 27 October 2014 and the failure to protect offence which commenced on 1 July 2015. In summary:
 - **the mandatory reporting obligation** is set out in Part 4.4 of the **Children, Youth and Families Act 2005**. Section 184 imposes an obligation on registered teachers and other persons listed in section 182 to make a mandatory report if they form a belief on reasonable grounds that a child is in need of protection on the grounds that the child has suffered, or is likely to suffer, significant harm because of physical injury or sexual abuse, and the child's parents have not protected, or are unlikely to protect, the child from harm of that type
 - **the failure to disclose** offence requires any adult (subject to specific exemptions) who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 to report that information to police. Failure to disclose the information to police is a criminal offence. Further information can be obtained at:
 - www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence
 - **the failure to protect offence** applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that school. A relevant organisation is one that exercises care, supervision or authority over children. A person in a position of authority in a relevant organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so. Further information is available at:
 - www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence.

Student care

There must be evidence in the form of the provider's:

- arrangements for ill students
- policy and procedures for distributing medicine
- current register of staff trained in first aid or a pro forma for a provider applying to register
- records of student medical conditions and management or a pro forma for a provider applying to register.

Additional evidence

There must also be evidence of the provider's:

- accidents and incident register
- first aid policy and procedures
- internet use policy and procedures
- critical incident plan
- emergency management plan which must be reviewed at least annually and immediately after any significant incident.

There must also be evidence of how the provider communicates policies and procedures on the care, safety and welfare of students to staff, students, guardians and parents.

Managing the risk of child abuse

A provider must have policies, procedures, measures and practices in accordance with the Child Safe Standards which commenced on 1 January 2016.

The Standards can be accessed at:

- www.vrqa.vic.gov.au/childsafe

They apply to non-school senior secondary providers due to Schedule 8, clause 3 of the ETR Regulations 2017 and Schedule 1 of the **Child Safety and Wellbeing Act 2005**.

External providers

There must be evidence in the form of a written agreement where part or all of the course is delivered by another registered provider which sets out how duty of care responsibilities will be managed. Areas to be covered include the legal responsibility for students who attend the course. These include but are not limited to:

- monitoring of attendance
- student welfare matters
- Working with Children clearance
- travel between providers
- participation in excursions (also see Standards 3 and 4).

Coronavirus (COVID-19) safety

A provider must have policies and procedures in place to enable it to comply with pandemic orders made by the Minister for Health under the **Public Health and Wellbeing Act 2008** relating to COVID-19.

There must be evidence of the provider's:

- COVIDSafe Plan
- policies and procedures to enable it to comply with any mandatory vaccination requirements for higher education workers including policies and procedures:
 - to ensure all higher education workers are fully vaccinated against coronavirus (COVID-19) by the applicable deadline or hold a valid exemption
 - for the collection, use or disclosure of vaccination information and maintaining records about vaccination status as required by the pandemic orders.

Consistent with the requirement for higher education workers to be vaccinated against coronavirus (COVID-19), the Guidelines require providers to have policies and procedures to ensure their higher education workers are fully vaccinated or are an exempted person.

Consistent with the requirement under the pandemic orders for providers to collect, record and hold vaccination information about a higher education worker, the Guidelines require providers to have policies and procedures for maintaining the currency of records about vaccination status of higher education workers.

The pandemic order typically defines 'higher education worker' to mean a person who works at or in connection with:

- (i) a university
- (ii) a vocational education and training institute
- (iii) a technical and further education institute
- (iv) an adult community and further education institute
- (v) a registered training organisation
- (vi) any other facility undertaking post-compulsory education or training.

Note: the definition is found in the Pandemic COVID-19 Mandatory Vaccination (Specified Workers) Order 2022, as made from time to time.

All providers will already have in place a COVIDSafe Plan. The Guidelines require providers to provide a copy of this to the VRQA at audit or as requested by the VRQA.

Providers should otherwise ensure they comply with all the requirements of the pandemic orders in force from time to time. The current pandemic orders register is found here:

- www.health.vic.gov.au/covid-19/pandemic-order-register

Standard 4

Student records and results

1. A senior secondary education provider must have policies and procedures in place:
 - a. to maintain accurate student records and ensure the integrity of student assessments; and
 - b. if the provider is:
 - i. not the awarding body, to enable compliance with the requirements of the awarding body for the course with regard to the assessment program and the timely provision of student enrolments and results; or
 - ii. also the awarding body, to deal with the assessment program and the timely provision of student enrolments and results,
 - c. to monitor patterns of student participation and completion rates, and the quality of outcomes of students in the registered senior secondary education qualification; and
 - d. to undertake an annual analysis (that is made publicly available) of student participation and completion rates and outcomes.
 2. A senior secondary education provider must prepare and maintain records of student assessments and comply with appropriate requests to provide copies of a student's records to the student or a person authorised by the student to receive the records.
 3. A senior secondary education provider must have processes in place that comply with the requirements of the awarding body for the course for the accurate and timely issuing of qualifications and for the retention, archiving and retrieval of sufficient information about student enrolments and results to enable the re-issue of statements and certificates if required.
-

Schedule 8 clause 4 of the Education and Training Reform Regulations 2017

Explanatory Notes

Evidence needs to demonstrate understanding of the VCAA requirements including the Victorian Assessment Software System (VASS).

The provider must be able to demonstrate that students are correctly enrolled to achieve the requirements for the accredited qualification. It must also show that their records of results are accurate and securely stored.

If two or more providers share the responsibility for providing an accredited senior secondary qualification or its components, there must be arrangements in place to ensure that this standard is met.

Evidence guide

There must be evidence in the form of policies and procedures for:

- assessment
- administration of student records (including an archive period of not less than seven years)
Note: School-assessed coursework, copies of coursework or coursework not returned to students may be destroyed four months after the student is notified of their final result for the unit
- monitoring and analysis of student results (including monitoring and analysis of participation rates, completion rates, student outcomes and access to further education and work after leaving the program). This information needs to be publicly available.

There must be evidence in the form of procedures that:

- maintain the integrity, accuracy and currency of student records
- allow students to check personal details about them which are stored on the VCAA database
- ensure that the personal details of students are held securely to prevent unauthorised access
- allow for the production of eligibility reports for currently enrolled students from VASS (for existing providers)
- demonstrate appropriate learning programs (for new providers).

The provider must supply evidence of:

- technical hardware to support the use of the VASS.

External providers

Where part or all of the course is delivered by another registered provider, there must be evidence in the form of a written agreement, which sets out how the requirements of the student records and results standard will be met (also see Standards 1, 2 and 4).

Standard 5

Teaching and learning

A senior secondary education provider must have:

- a. qualified and competent staff to teach and assess the course; and
- b. suitable teaching resources and physical facilities to provide the course; and
- c. processes to ensure the consistent application of assessment criteria and practices; and
- d. processes to oversee the conduct of assessments of the course including processes to conduct investigations and hearings and, if necessary, amend or cancel assessments.

Schedule 8 clause 5 of the Education and Training Reform Regulations 2017

Qualifications of teachers

Evidence Guide

There must be evidence for non-VET VCE teachers in the form of:

- qualifications, Victorian Institute of Teaching (VIT) registration and other relevant information showing that teachers meet the requirements for the delivery and/or assessment of the qualification
- a statement outlining the process in place for the supervision of a non-VIT registered teacher by a VIT registered teacher

There must be evidence for VCAL and VET teachers in the form of:

- qualifications and other relevant information showing that teachers meet the Australian Quality Training Framework (AQTF) requirements for the delivery and/or assessment of the qualification
- policies and procedures regarding screening, supervision, training and other human resources practices that comply with standard 4 of the child safe standards.

There must be evidence in the form of policy and procedures for the supervision of non-registered staff and volunteers.

There must be a designated person responsible for ensuring overall compliance with the principles and requirements of the accredited senior secondary qualification.

Facilities and Resources

Evidence guide

There must be evidence in the form of:

- access to physical facilities which meet Australian building code standards and regulations as well as occupational health and safety requirements

- physical facilities which are suitable for the delivery of the specific VCE and/or VCAL courses to be provided. This may include, for example, facilities in which to conduct practical work in biology, chemistry, physics, dance, food technology or physical education
- adequate learning resources such as equipment for the courses intended for delivery to ensure that delivery meets all requirements for resources and facilities.

Assessment

Evidence Guide

There must be evidence in the form of:

- procedures for the fair, valid and reliable application of internal assessments
- teaching and learning programs that use the relevant VCAA curriculum and assessment documents as the source of the content and are in accordance with the currently accredited qualification
- written advice to staff and students which provides comprehensive course advice, including VCAA assessment rules and responsibilities
- procedures for establishing and applying decisions about satisfactory completion and delay of satisfactory completion across the course consistent with VCAA guidelines
- policies and procedures which ensure the integrity and authentication of assessments and their compliance with VCAA requirements and administrative guidelines
- documents available to staff to help ensure that they are able to meet course and assessment requirements, including administrative arrangements
- procedures to identify students who require special provision and, where relevant, to enable consistent and fair decisions to be made about appropriate assistance for these students
- policies and procedures to ensure that the provider meets all other requirements in the current VCAA *VCE and VCAL Administrative Handbook*, as applicable
- policies and procedures for any workplace learning arrangements consistent with current VCAA *VCE and VCAL Administrative Handbook* and current Ministerial Orders at:
 - www.education.vic.gov.au/training/providers/rto/Pages/workplacelearn.aspx

External providers

There must be evidence in the form of a written agreement, where part or all of the course is delivered by another registered provider which sets out how the requirements of the teaching and learning standard will be met (also see Standards 1, 2 and 3).

Standard 6

Governance and probity

1. The governance and management of a senior secondary provider must be structured to enable the provider to effectively manage:
 - a. the finances of the provider; and
 - b. the physical environment of each place where the course is offered by the provider; and
 - c. the staff of the provider; and
 - d. the students enrolled in the course offered by the provider.
-

Schedule 8 clause 6 of the Education and Training Reform Regulations 2017

Evidence guide

There must be evidence in the form of:

- policies and procedures that include appropriate provisions for the management of finances, physical environment, staff and students
- the policies and procedures for the effective management of staff and students will include appropriate enrolment agreements with students and employment agreements with staff

- an outline of the governing body's structure, membership, meeting requirements, voting rights and rules governing meetings
 - policies relating to the operation, professional development, review and induction of any governing body and its members
 - a governance charter outlining the key functions and responsibilities of senior managers and the board of management
 - enrolment estimates
 - a business plan, including three-year financial projections, certified by a qualified accountant
 - the rental/leasing arrangements of each delivery site, including council approval (where required).
-
2. A senior secondary education provider must ensure suitable arrangements are in place to enable:
- a. the provider to respond to and supply any information requested by the Authority in regard to matters listed in section 4.3.11(2) of the Act; and
 - b. the provider to comply with any relevant guidelines issued by the Authority under section 4.3.11(3) of the Act; and
 - c. the Authority to conduct an audit on the operation of the person, body or school in relation to the minimum standards.
-

Schedule 8 clause 6 of the Education and Training Reform Regulations 2017

Explanatory notes

This standard requires a provider to ensure suitable arrangements are in place to enable the provider to comply with any relevant guidelines issued by the Authority under section 4.3.11(3) of the Act.

Evidence guide

There must be evidence in the form of policy and procedures that:

- the VRQA will be notified within 10 working days of changes to the name or contact details of the proprietor, principal, or members of the governing body (as the case requires)
- the VRQA will be notified well in advance of any proposed relocation to ensure the provider can be registered at the new delivery site (see evidence required under Standard 5 – Teaching and learning).

There must be evidence in the form of completed and signed declarations (as provided in the application form) by the provider's chief executive officer/principal (for new providers only):

- which declares that the organisation will operate in accordance with the Act and ETR Regulations
- which declares that the information provided in the application is correct.

There must be evidence in the form of policies and procedures to ensure the provider has suitable arrangements in place to enable it to respond to and supply any information requested by the Authority in regard to following matters.

3. In determining whether the person, body or school, any person involved in the management of the person, body or school, or any person involved in the business of the provision of courses by the person, body or school –
 - a. has ever had their registration under Division 3 of Part 4.3 of the Act suspended or cancelled or
 - b. has ever had conditions imposed on their registration under this Division 3 of Part 4.3 or

- c. has ever been convicted of an indictable offence or
- d. has ever become bankrupt or taken the benefit of any law for the relief of bankrupt debtors, or compounded with their creditors or made an assignment of their property for their benefit or
- e. has ever been disqualified from managing corporations under Part 2D.6 of the Corporations Act or
- f. was involved in the provision of courses by another person or body who is covered by paragraph (a) to (e) at the time of the events that gave rise to the relevant prosecution or other action.

Section 4.3.11(2) of the Act

The provider must also have policies and procedures to show it can comply with any relevant guidelines issued by the Authority under section 4.3.11(3) of the Act; and to enable the Authority to conduct an audit on the operation of the provider in relation to the minimum standards.

-
4. If the senior secondary education provider is not the owner of the accredited senior secondary course, the provider must be authorised by the owner of the course to provide that course and must comply with the conditions relating to that authorisation.

Schedule 8 clause 6 of the Education and Training Reform Regulations 2017

Explanatory notes

The provider is not the owner of the accredited course, the provider must first obtain the authorisation of the owner of the accredited senior secondary course to provide that course and education. It requires the provider to apply to the VCAA for approval to offer the VCE or VCAL.

Evidence guide

An application to the VRQA must contain the approval of the VCAA for the application to proceed.

-
5. A senior secondary education provider must not provide instruction in an accredited senior secondary course at a school unless it is a registered school.

Schedule 8 clause 6 of the Education and Training Reform Regulations 2017

Explanatory notes

The above is for noting only.

Education and Training Reform Act 2006

**NOTICE OF REVISED GUIDELINES FOR APPLICANTS SEEKING TO REGISTER
A SCHOOL BOARDING PREMISES AND FOR REGISTERED SCHOOL BOARDING
PREMISES**

Section 4.3.8Z of the **Education and Training Reform Act 2006** (the Act) authorises the Victorian Registration and Qualifications Authority (the Authority) to issue guidelines.

Section 4.3.8Z(4) of the Act requires that any guidelines issued under subsection 4.3.8Z(1) be published as soon as practicable in the Government Gazette.

The revised guidelines apply to all applicants seeking registration from the Authority to operate a school boarding premises and to all VRQA registered school boarding premises from 1 January 2022.

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GUIDELINES TO THE MINIMUM STANDARDS AND REQUIREMENTS FOR SCHOOL BOARDING PREMISES REGISTRATION

In Victoria, all school boarding premises must meet the minimum standards for registration.

The minimum standards provide a foundation for ensuring school boarding premises are safe environments for children.

INTRODUCTION

About the Guidelines

The **Education and Training Reform Act 2006** (the Act) and the Education and Training Reform Regulations 2017 (ETR Regulations) prescribe the minimum standards and other requirements that providers of school boarding services at school boarding premises must comply with to be registered and maintain registration. These regulations came into operation on 18 June 2021.

The *Guidelines to the Minimum Standards and Requirements for School Boarding Premises Registration* (the Guidelines) form part of the legal framework for the registration and regulation of school boarding premises. The Guidelines detail the requirements for demonstrating compliance with the minimum standards for registration of boarding school premises and other requirements under the Act.

The purpose of the school boarding premises regulatory framework is to increase the protection of children in school boarding premises by ensuring school boarding premises meet the child safe standards and prescribed minimum standards.

These Guidelines assist school boarding premises to understand the requirements of the prescribed minimum standards and provide guidance on the evidence required to demonstrate compliance.

These Guidelines should be read in conjunction with other associated VRQA documents, namely:

1. *Guidelines to the Minimum Standards and Requirements for School Registration*
2. *School Financial Capability Assessment Guideline*
3. *Guidelines for the Enrolment of Overseas Students Aged Under 18 Years*
4. *Guidelines for bushfire preparedness – registered schools and school boarding premises*

If a registered school and a registered school boarding premises have the same legal entity and/or proprietor, a school boarding premises does not need to create or maintain two separate sets of documents to meet the requirements in these Guidelines and the *Guidelines to the Minimum Standards and Requirements for School Registration*.

How to read this Guidelines document

For schools

These Guidelines seek to uphold the VRQA's commitment to ensuring schools and school boarding premises are child safe environments whilst minimising the regulatory burden for registered schools. There is significant alignment between the minimum standards and requirements for school registration and the minimum standards and requirements for school boarding premises registration.

To reflect this alignment, this Guidelines document has been designed to clearly show where schools may consider adapting existing policies and procedures to address the minimum standards and requirements for school boarding premises registration.

Requirements where registered schools may consider adapting existing policies and procedures are marked with an ▼ symbol throughout this document.

Levels of alignment between the minimum standards and requirements for school registration and the minimum standards and requirements for school boarding premises registration are also ranked. Alignment is categorised as **significant** or **moderate**.

These categories are offered to help schools understand and plan their compliance activity.

For organisations

Non-school organisations operating a school boarding premises can use this Guidelines document as a resource to understand and meet the requirements for registration and to ensure they have developed and implemented all required policies and procedures.

Who uses the Guidelines?

The Guidelines apply to:

- a. registered schools and other organisations that provide school boarding services at a school boarding premises to local and international school students
- b. organisations seeking to register a new boarding premises for local and/or international school students.

The Guidelines describe the information, documentation and other evidence the VRQA requires for it to be satisfied that the provider of school boarding services at a school boarding premises meets the minimum standards. The Guidelines should be used by:

- a registered school or organisation applying for registration of school boarding premises or a review body applying to register school boarding premises. Catholic and government schools should contact the Catholic Education Commission of Victoria Ltd (CECV) or the Department of Education and Training (DET), for advice, application forms and procedures
- two or more registered school boarding premises proposing to amalgamate
- a provider of school boarding services at a registered school boarding premises seeking to amend its registration
- a registered school boarding premises undergoing review.

The VRQA uses the Guidelines when conducting reviews to determine whether a provider of school boarding services and the school boarding premises continue to satisfy the minimum standards.

The Guidelines do not detail all the evidence a provider of school boarding services at a school boarding premises may need to demonstrate compliance with the minimum standards. The VRQA may request evidence of compliance that is in addition, or different to, that set out in the Guidelines.

References to regulations, Ministerial Orders or provisions of an Act are as at the date of the Guidelines. From time to time there may be amendments to the Act, ETR Regulations or the issuing of new Ministerial Orders. It is the responsibility of providers of registered school boarding premises and those applying for registration to ensure they update practices, policies and procedures to reflect any of these changes.

School boarding premises registration

The ETR Regulations list the information which must be provided as part of an application to register a school boarding premises. The details are provided in Appendix 1.

As detailed in Appendix 1, school boarding premises must be registered as one or more of the following types:

- a non-government school boarding premises
- a government school boarding premises.

Applications to register a school boarding premises need to declare if there is an association with a registered school and if there is any religious or other affiliation or association.

Registering a new school boarding premises

An individual or organisation seeking to register a new school boarding premises applies to the VRQA for registration.

The Guidelines detail the evidence required and should be referred to when completing the application form. Schedule 5A of the ETR Regulations also details the information that is required to be provided to the VRQA in an application for school boarding premises registration.

Registration requirements

Organisations offering or applying to offer school boarding services at a school boarding premises are required to meet the minimum standards set out in Schedule 4A of the ETR Regulations. More information and the guidelines for organisations seeking to offer boarding services and facilities to students is available at:

- www.vrqa.vic.gov.au/schools/Pages/About-school-boarding-premises-regulation.aspx

Review bodies

One of the ways the VRQA may satisfy itself that a school boarding premises continues to comply with the minimum standards is through a review conducted by a VRQA-approved review body.

The VRQA has approved CECV and DET as review bodies responsible for ensuring the ongoing quality assurance of their respective school boarding premises with the minimum standards and other requirements for registration.

Boarding school premises reviews

Once registered, a school boarding premises is reviewed every four to five years by the VRQA or the approved review body. The Act requires a registered school boarding premise to participate in the review and evaluation process, and to provide the VRQA with the necessary evidence required to demonstrate that it is complying with the minimum standards. Where possible the VRQA will conduct concurrent reviews of registered schools and an associated registered school boarding premises.

The VRQA may also open a review of a school boarding premises at any time if it considers it appropriate to do so.

Outcomes of applications and reviews

The VRQA will advise all applicants and providers of school boarding services at school boarding premises of the outcome of their application for registration or review.

Certain decisions made by the VRQA about registration may be reviewed by the Victorian Civil and Administrative Tribunal.

For more information, see:

- www.vrqa.vic.gov.au/schools/Pages/school-reviews.aspx

Complaints about compliance

The VRQA is required to investigate a complaint alleging that a provider of school boarding services at a registered school boarding premises (the provider) has failed to comply with the Act, the ETR Regulations, a Ministerial Order or a condition of its registration or approval.

A complaint must first be raised with the provider. In most cases, under the review body arrangements, complaints about:

- government school boarding premises will be referred to DET
- Catholic schools boarding premises will be referred to CECV
- Independent school boarding premises will be investigated by the VRQA.

Some complaints may result in the VRQA undertaking a general or specific review of the provider's compliance with the minimum standards.

For more information on the VRQA's policy and procedures on complaints, see:

- www.vrqa.vic.gov.au/complaints/Pages/complaints.aspx

THE MINIMUM STANDARDS

Compliance with the *Worker Screening Act 2020*

All people employed at a school boarding premises must meet the requirements of the **Worker Screening Act 2020**.

For schools ▼

There is **significant** alignment between this requirement and the requirement in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Compliance with the Worker Screening Act 2020* in these Guidelines).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises.

Evidence requirements

There must be evidence of:

- a policy and procedure to ensure that all employees and volunteers required to do so by the **Worker Screening Act 2020** have a current Working With Children clearance
- a register recording the details of each employee's, contractor's and volunteer's Working With Children clearance which includes:
 - name
 - card number
 - expiry date
 - procedures for maintaining the register.

Explanatory notes

The **Worker Screening Act 2020** requires all employees, contractors and volunteers to obtain a Working With Children clearance if they are engaged in child-related work.

Child-related work involves contact that is direct and a part of the person's duties.

Some workers may work at both the boarding premises and the affiliated school. If the proprietor of the boarding premises is not the same as the school, a person's Working With Children clearance details will need to be included on both the school's Working With Children register and the boarding premises Working With Children register since the worker has multiple places of work.

If the boarding premises and the school have the same proprietor, a single Working With Children register may be maintained that notes whether that person works in the school, the boarding premises or across both.

For a full list of what constitutes child related work, providers of school boarding services at registered school boarding premises should refer to section 7 of the **Worker Screening Act 2020**.

Teachers currently registered with VIT can use their VIT registration in lieu of obtaining a Working With Children clearance.

A currently registered teacher who is employed or contracted in a non-teaching capacity at a registered school boarding premises will need to comply with the requirements of the **Worker Screening Act 2020**, including notifying the screening unit of other employment.

For more information about who needs to hold a Working With Children clearance, see:

- www.workingwithchildren.vic.gov.au

Regulatory context

The provider of school boarding services at a registered school boarding premises must ensure that the requirements of the **Worker Screening Act 2020** are complied with in respect of all staff at the registered school boarding premises.

Schedule 4A clause 1 of the Education and Training Reform Regulations 2017

Acceptance policy

The provider of school boarding services at a registered school boarding premises must have a clearly defined school boarding acceptance policy that complies with all applicable State and Commonwealth laws.

The provider of school boarding services at a registered school boarding premises established by a particular religious denomination or by a group of religious denominations may give preference to adherents of that religious denomination or denominations or their children.

For schools ▼

There is **moderate** alignment between this requirement and requirements found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Enrolment policy* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises or may choose to develop a stand-alone policy, procedure and acceptance agreement.

Evidence requirements

There must be evidence of:

- policy and procedures which make clear who is eligible for acceptance as a boarding student
- a written acceptance agreement with parents or guardians which complies with all State and Commonwealth laws, including the Australian Consumer Law. The agreement must be publicly available and cover, at a minimum:
 - codes of conduct for students, and parents and guardians
 - boarding services and facilities provided, for example linen or a computer
 - fees, with a clear explanation of the service(s) that fees are payable for and other incidental fees that may become payable
 - the grounds on which the agreement may be terminated by the provider or the student.

Explanatory notes

Schools should consider how their boarding premises acceptance policy aligns to their scope of registration. This means your school boarding premises acceptance policy should state:

- which school or schools the school boarding premises provider is affiliated with (if any)
- religious affiliation (if any)
- the year levels the boarding premises will accept
- whether the boarding premises is single-sex or co-educational
- whether the school(s) using the premises are a specialist or specific purpose.

A school or organisation's school boarding acceptance agreement should clearly explain the accommodation offered, and incidental or additional services that are available to a boarder, and the fees for these services. This means explaining if a boarder will have access to:

- a private or shared bedroom and/or bathroom
- the provision of meals
- laundry or cleaning services
- tutoring
- pastoral care
- communications services
- entertainment
- school holiday services.

A school or organisation's acceptance agreement should link with other relevant policies and procedures. For example:

- codes of conduct
- anti-bullying and harassment
- behaviour management
- the school's enrolment agreement (if applicable).

A school or organisation's school boarding acceptance agreement should also clearly identify the grounds on which an acceptance agreement will be terminated and how this may or may not impact on a student's enrolment at the school (if applicable where the school and boarding premises have the same proprietor or are a related entity).

If the provider of school boarding services is also registered under the **Education Services for Overseas Students Act 2000** (Cwth), the acceptance policy will also need to comply with the requirements of that Act (for example, disclosure of indicative fees for the boarding services, termination of boarding, or refund policies).

Regulatory context

- (1) The provider of school boarding services at a registered school boarding premises must have a clearly defined acceptance policy that complies with all applicable State and Commonwealth laws.
- (2) The provider of school boarding services at a registered school boarding premises established by a particular religious denomination or by a group of religious denominations may have an acceptance policy that gives preference to adherents of that religious denomination or denominations or their children.

Schedule 4A clause 2 of the Education and Training Reform Regulations 2017

Register of students

The provider of school boarding services at a registered school boarding premises must maintain a register of its accepted students that contains prescribed information in relation to each student boarding at the premises.

For schools

There is no alignment between this requirement and any requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration*. However, schools may have existing student management systems that can record this information.

Evidence requirements

There must be evidence of a register recording:

- the student's name, age, date of birth and residential address
- the name and contact details of any parent or legal guardian of the student
- any information relating to the health or wellbeing of the student that the provider should be aware of, including any health issues
- the date of acceptance of the student to board at the premises
- the date that the student ceases to be accepted to board at the premises (if applicable)
- the registered school at which the student is enrolled or attending.

There must be evidence of a policy and procedure for maintaining the currency of the register.

Explanatory notes

The register of boarding students needs to record key information about each accepted student, including personal and health information, contact information for the student's parent or guardian, and the registered school that the student has enrolled in or attends. Examples of health information may include student disabilities (if any), or other conditions affecting the student's physical or mental health including diabetes, asthma, anaphylaxis, allergies, or other health or wellbeing issues that are relevant to the provision of school boarding services to the student.

Regulatory context

The provider of school boarding services at a registered school boarding premises must maintain a register of students that contains the following information in relation to each student boarding at the premises –

- (a) the student's name, age, date of birth and residential address;
- (b) the name and contact details of any parent or guardian of the student;
- (c) any information relating to the health or wellbeing of the student that the provider should be aware of, including any health issues;
- (d) the date of acceptance of the student to board at the premises;
- (e) the date that the student ceases to be accepted to board at the premises (if applicable);
- (f) the registered school at which the student is enrolled or attending.

Schedule 4A clause 3 of the Education and Training Reform Regulations 2017

Record of location of students

The provider of school boarding services at a registered school boarding premises must know where each boarding student is located at specific times of the day or night. The provider must do this by maintaining a record of every boarding student's location at specific times, including any reason, given or apparent, for the absence of any student from the school boarding premises. This will be known as a location register.

For schools

There is no alignment between this requirement and any requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration*.

Evidence requirements

There must be evidence in the form of a record of each student's location at specific times of the day and night. For example, morning, afternoon, mealtimes, evening and when a student is absent. This record must be updated at provider-selected times within each 24-hour period to capture whether a student is:

- on site at the boarding premises
- absent from the boarding premises.

If the student is absent from the boarding premises, the record must show:

- the student's location outside the boarding premises
- the reasons for the absence
- the name and contact details of the person responsible for the student during the absence.

Providers must also have a procedure to make sure the location register is kept up to date.

Explanatory notes

Schools and organisations need to know where their boarding students are to keep them safe.

Absences can be school-related (to attend school or a school event or activity, such as a camp or sporting activities), or non-school related.

Non-school related absences may include when a student returns home over the weekend or school holidays or a parent or guardian consents to their child visiting a friend or relative. This may also be when a student visits another location with friends on a daytrip.

When a student is staying with a relative or friend, record that the parent or guardian of the boarding student has provided their consent to the arrangement. The record should include details of the name and contact details of that relative or friend. If the relative or friend is under 18, the name and contact details of their parent or guardian is required.

A school has additional and differing responsibilities where it has issued a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter to enable the enrolment of an overseas student aged under 18. In these circumstances, a provider must ensure they comply with their obligations under the **Education Services for Overseas Students Act 2000** (ESOS Act), the National Code and the VRQA *Guidelines for the Enrolment of Overseas Students Aged Under 18 Years*.

This includes that a provider must ensure that all of the arrangements to provide or approve appropriate accommodation, support and general welfare for the student, including any service provision by third parties, meet the child safe standards.

Consistent with standard 5.3.2 of the National Code, the provider must ensure that any adults involved in or providing accommodation and welfare arrangements to the student hold a valid Working With Children clearance.

For further information and a copy of the *Guidelines for the Enrolment of Overseas Students Aged Under 18 Years*, see:

- www.vrqa.vic.gov.au/schools/Pages/guidelines-for-international-education.aspx

Regulatory context

For the purposes of section 4.3.8X of the Act, the provider of school boarding services at a registered school boarding premises must –

- (a) maintain the record required to be kept under that section at specified times throughout the day and night; and
- (b) include in the record any reason given or apparent for the absence of any student from the school boarding premises.

Schedule 4A clause 4 of the Education and Training Reform Regulations 2017

Care, safety and welfare of students

A provider of school boarding services at a registered school boarding premises must have policies and procedures to provide students with a safe environment where the risk of harm is minimised and students feel safe.

The provider is responsible for ensuring all staff are aware of their legal obligations and are familiar with all relevant policies and procedures.

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Care, safety and welfare of students* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises.

Evidence requirements

There must be evidence of policies and procedures for:

- the duty of care owed to students including that:
 - it owes all students a duty of care to take reasonable measures to protect them from reasonably foreseeable risks of injury
 - it owes a duty to take reasonable care that any student (and other persons) on the premises will not be injured because of the state of the premises, including things done or omitted to be done to the premises
 - it owes a duty to take reasonable precautions to prevent the abuse of a child by an individual associated with the organisation while the child is under the care, supervision or authority of the organisation
 - different and sometimes greater measures may need to be taken for younger students or students with disabilities to discharge this duty of care
- when it may be necessary to use restrictive interventions to protect the safety of a student and members of the school boarding premises community. Note: government school boarding premises are required to follow DET's policy on Restraint of Students and are not required to have a local policy on restrictive interventions
- managing student wellbeing, including:
 - anti-bullying and harassment, including cyber bullying
 - appropriate arrangements for on-site supervision of students
 - appropriate arrangements for supervision of students when engaged in off-site activities and which include consideration of the risk of bushfire in the activity location (refer to *Emergency Management, including bushfire management* in these Guidelines)
 - arrangements for ill students
 - accident and incident register
 - first aid
 - distributing medicine
 - internet use

- managing complaints and grievances including how the provider's policies and procedures:
 - ensure procedural fairness
 - are accessible to the community of the school boarding premises and are consistent with its acceptance agreement.

There must be evidence of the provider's:

- current register of staff trained in first aid
- records of student medical conditions and management, or a pro forma for a school applying to register
- emergency management plan which must be updated as required, reviewed at least annually and immediately after any significant incident (this plan must be site specific and include local threats, hazards and corresponding response procedures).

There must also be evidence of how the provider communicates policies and procedures on the care, safety and welfare of students to staff, students, parents, guardians and the boarding premises' community.

Explanatory notes

An emergency management plan addresses emergency and critical incidents which include:

- circumstances that pose a critical risk to the health, safety or wellbeing of one or more students or staff
- incidents requiring closure, lockdown, or reduction of number of students or staff attending
- death or serious injury of a student or staff member at the school boarding premises or at another location authorised by the provider, for example, with another provider such as a registered training organisation.

A provider of school boarding services should update the emergency management plan as required throughout the course of the year as activities such as school camps and excursions are approved by the governing body.

Regulatory context

The provider of school boarding services at a registered school boarding premises must ensure that –

- (a) the care, safety and welfare of all students boarding at the premises is in accordance with any applicable State and Commonwealth laws; and
- (b) all staff employed by the provider are advised of their obligations under those laws.

Schedule 4A clause 5 of the Education and Training Reform Regulations 2017

Child safety

There must be evidence of the provider's policies and procedures for ensuring all staff understand:

- mandatory reporting
- the failure to disclose offence
- the failure to protect offence
- the grooming offence under the **Crimes Act 1958** which is included in the definition of child abuse in Ministerial Order No. 870 Child Safe Standards – Managing the risk of child abuse in schools and school boarding premises.

These offences are explained in Appendix 2. For more information about mandatory reporting, the failure to disclose and the failure to protect offence, see:

- www.vic.gov.au/departments/families-fairness-and-housing
- www.justice.vic.gov.au

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Child safety* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises.

Child Safe Standards

A provider of school boarding services at a registered school boarding premises must have developed policies, procedures, measures and practices in accordance with Ministerial Order No. 870 Child Safe Standards – Managing the risk of child abuse in schools and school boarding premises.

Meeting the requirements of the Ministerial Order is the direct responsibility of the provider of school boarding services and its governing authority.

The provider of school boarding services must have clear policies and procedures in place which are appropriate for its cohort of accepted students and consistent with the boarding school's philosophy (refer to *Philosophy of provider of school boarding services* in these Guidelines).

The VRQA has several resources to help boarding schools meet their compliance requirements.

For more information, see:

- www.vrqa.vic.gov.au/schools

For a copy of the Ministerial Order made under section 4.3.8C(1)(d) of the Act, see:

- www.vrqa.vic.gov.au/aboutus/Pages/legal-framework.aspx

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Child Safe Standards* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises. For example, registered schools may consider updating their existing risk register to incorporate the boarding premises and its student cohort.

Regulatory context

The provider of school boarding services at the premises has developed policies, procedures, measures and practices in accordance with a Ministerial Order for managing the risk of child abuse including –

- (i) the implementation of minimum standards for a child safe environment; and
- (ii) responding to allegations of child abuse committed against a child at the premises by an employee or contractor of the provider or a person boarding at the premises or a volunteer or other person connected with the premises.

Section 4.3.8C(1)(d) Education and Training Reform Act 2006**Reportable conduct scheme**

The reportable conduct scheme in Part 5A of the **Child Wellbeing and Safety Act 2005** applies to the provider of school boarding services at a registered boarding premises. Under the reportable conduct scheme, the provider's chief executive officer (however described) is required as the head of organisation to notify the Commission for Children and Young People of all allegations of reportable conduct by workers including volunteers, and to investigate the allegation. If the allegation concerns suspected criminal behaviour Victoria Police must be notified and consulted about the proposed investigation of the allegation.

More information is available at

- www.ccyp.vic.gov.au

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Reportable conduct scheme* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises.

Anaphylaxis management policy

A provider of school boarding services must have developed a policy and have procedures in place for any student at risk of anaphylaxis.

The policy and procedures must be in accordance with Ministerial Order No. 706 Anaphylaxis Management in Victorian schools and school boarding premises.

The VRQA has resources to help schools and organisations. For more information, see:

- www.vrqa.vic.gov.au/schools
For a copy of the Ministerial Order, see:
- www.vrqa.vic.gov.au/aboutus/Pages/legal-framework.aspx

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Anaphylaxis management policy* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises.

Regulatory context

If the provider of school boarding services at the premises has accepted a student to board at the premises and knows, or ought reasonably to know, that the student has been diagnosed as being at risk of anaphylaxis, the provider has developed an anaphylaxis management policy containing matters required by a Ministerial Order to be included in the policy.

Section 4.3.8C(1)(c) of the **Education and Training Reform Act 2006**

Coronavirus (COVID-19) safety

A school boarding premises must have policies and procedures in place to enable it to comply with pandemic orders made by the Minister for Health under the **Public Health and Wellbeing Act 2008** relating to coronavirus (COVID-19).

Evidence requirements

School boarding premises must have:

- a COVIDSafe Plan
- policies and procedures to enable it to comply with any mandatory vaccination requirements for education workers including policies and procedures:
 - to ensure all education workers are fully vaccinated against coronavirus (COVID-19) by the applicable deadline or hold a valid exemption
 - for the collection, use or disclosure of vaccination information and maintaining records about vaccination status as required by the pandemic orders.

Explanatory notes

Consistent with the requirement for education workers to be vaccinated against coronavirus (COVID-19), the Guidelines require school boarding premises to have policies and procedures:

- to ensure their education workers are fully vaccinated by any dates specified in the direction or are an exempted person

- to collect, record and hold vaccination information about an education worker
- for maintaining the currency of records of the vaccination status of education workers.

The definition of ‘education worker’ typically used in the pandemic order is broad and includes:

- (i) any person who is employed by the proprietor of the school boarding premises to work at the premises
- (ii) a person contracted to work at a school boarding premises and who will or may be in close proximity to children, students or staff, whether or not engaged by the proprietor of the school boarding premises – this may include tutors, caterers, IT personnel, NDIS providers and auditors (but does not include delivery personnel)
- (iii) staff of DET who attend the school boarding premises (such as allied health professionals or authorised officers)
- (iv) staff of any other entity who attends a school boarding premises
- (v) volunteers that work in close proximity to children, students or staff (including parent helpers) at the school boarding premises
- (vi) students on placements at the school boarding premises.

Note: the definition is found in the Pandemic COVID-19 Mandatory Vaccination (Specified Facilities) Order 2022, as made from time to time.

All school boarding premises will already have in place a COVIDSafe Plan. The Guidelines require a school boarding premise to provide a copy of this to the VRQA at review or as requested by the VRQA.

School boarding premises should otherwise ensure they comply with all of the requirements of the pandemic orders in force from time to time. The current pandemic orders register is found here:

- www.health.vic.gov.au/covid-19/pandemic-order-register

Regulatory context

The provider of school boarding services at a registered school boarding premises must ensure that –

- (a) the care, safety and welfare of all students boarding at the premises is in accordance with any applicable State and Commonwealth laws; and
- (b) all staff employed by the provider are advised of their obligations under those laws.

Schedule 4A clause 5 of the Education and Training Reform Regulations 2017

Emergency management, including bushfire management

Providers of school boarding services should develop an emergency management plan to cover the care, safety and welfare of students boarding at the premises, including responses to missing or injured boarders, as well as managing emergencies at the premises (not limited to bushfires).

All registered providers of school boarding services are required to meet the *Guidelines for bushfire preparedness – registered schools and school boarding premises*.

These requirements are in addition to the obligations under the minimum standard for the care, safety and welfare of students and the minimum standard relating to buildings, facilities and grounds.

There are additional requirements for schools and school boarding premises listed on the DET’s Bushfire At-Risk Register.

To find out if your school boarding premises is to be placed on the Bushfire At-Risk Register, contact:

- emergency.management@education.vic.gov.au

For more information on bushfire preparedness, see:

- www.vrqa.vic.gov.au/schools

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Emergency bushfire management* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises. In particular, registered schools may consider adapting or expanding their existing emergency management plan to incorporate an emergency management plan for the school boarding premises.

Schools with a boarding premises located at a campus on the Bushfire-At-Risk Register, must develop a separate management plan addressing risks to that premises.

Student behaviour management (discipline)

In accordance with section 4.3.8C(1)(a) of the Act, the policies for student discipline must be based upon principles of procedural fairness and not permit the use of corporal punishment.

The provider of school boarding services at the school boarding premises must have policies, procedures, and practices in relation to student behaviour including policies for student discipline, prohibition of corporal punishment and policies regarding the care, safety and welfare of students, and demonstrate how those policies are communicated to and upheld by staff employed at the premises.

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Student behaviour management (discipline)* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises. However, schools should note that greater measures may be required to discharge a school's duty of care because they are responsible for the 24-hour care, safety and welfare of the students.

Regulatory context

- The Authority must not register a school boarding premises unless the Authority is satisfied that –
- (a) the policies of the provider of school boarding services at the premises relating to the discipline of students who are boarding at the premises are based on principles of procedural fairness and do not permit corporal punishment.

Section 4.3.8C(1)(a) of the **Education and Training Reform Act 2006**

Buildings, facilities and grounds

A registered school boarding premises' buildings, facilities, essential safety measures and grounds must comply with any laws that apply to the registered school boarding premises including local laws and building, planning and occupational health and safety laws.

For schools ▼

There is **moderate** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Buildings, facilities and grounds* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises.

Evidence requirements

There must be evidence of:

- any required permit to operate a school boarding premises on the site
- building and facility compliance with applicable local planning regulations including with the Building Code of Australia, Class 3 or equivalent and the **Public Health and Wellbeing Act 2008**:

- all buildings having an Occupancy Permit or Certificate of Final Inspection, as applicable, including essential safety measures maintenance requirements, displayed in an approved location
- evacuation plans allowing for the safe evacuation of persons using the building in the event of an emergency
- a maintenance schedule for buildings, facilities and grounds
- policy and procedures to ensure the provider complies with the **Occupational Health and Safety Act 2004**.

Explanatory notes

A provider of school boarding services may choose to seek advice from an external agency such as:

- the Victorian WorkCover Authority to establish its compliance with occupational health and safety requirements
- a private or local municipal building surveyor to establish its compliance with relevant building legislation
- the relevant local government authority for matters relating to public health and hygiene.

A school boarding premises on the Bushfire At-Risk Register with an on-site ‘shelter-in-place’ must comply with the *Guidelines for bushfire preparedness – registered schools and school boarding premises*.

A building must comply with the building regulations in force at the time of construction or newer regulations if the building was updated or if a maintenance determination has been issued.

Regulatory context

A registered school boarding premises’ buildings, facilities and grounds must comply with any laws that apply to the registered school boarding premises including local laws and building, planning and occupational health and safety laws.

Schedule 4A clause 6 of the Education and Training Reform Regulations 2017

Governance

Schools and organisations must make sure the provider of school boarding services has a governance structure that allows the provider to discharge its duties to the school boarding premises, including:

- managing its finances
- developing its strategic direction
- fulfilling its legal obligations.

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Governance and probity standards* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises.

If a registered school and a registered school boarding premises are operated by the same legal entity, they should review their existing documents to ensure that they cover the governance and operation of the boarding premises and services. This means examining documents such as:

- constitution
- rules of association
- delegations
- risk register
- governance charter.

Where a school boarding premises is owned and/or operated by a related entity of the school (as that term is defined under the **Corporations Act 2001** (*Cwth*) or an affiliated organisation of a school, evidence must include details of the relationship between the school and that entity.

Evidence requirements

The provider must provide:

- the governance structure of the provider of school boarding services at each school boarding premises, including its constitution or articles of association (however described)
- information about responsible persons (as that term is defined in the ETR Regulations) for the boarding premises (such as the ‘head of boarding’, ‘house master’ or equivalent role to the principal of a school).

For a non-government school, there must be evidence of:

- an outline of the governing body’s structure and membership including details of the experience and expertise of the members of the board or governing body, the name of the proprietor of the school boarding premises and the legal entity type
- details of the member(s) of the company, if the school boarding premises is a company limited by guarantee or incorporated association (e.g. the register of members)
- copies of all delegations from the governing body. For example, financial or non-financial delegations made from the governing body for the school boarding premises to the school principal or person responsible for the operation of the school boarding premises
- the company or association’s constitution or articles of association
- a conflict of interest register for all responsible persons as defined in the ETR Regulations and a plan detailing how any conflict of interest or duty will be managed
- the most recent financial statement for the company or association which must be audited by a registered auditor
- the school boarding premises’ governance charter, outlining the key functions and responsibilities of the school boarding premises board and any subcommittees
- the school boarding premises’ strategic plan
- the school boarding premises’ business plan* which is validated by an independent qualified accountant*, and which must include:
 - enrolment estimates and assumptions
 - five-year financial forecasts.

*The business plan must be validated by an independent qualified accountant who is not employed by or associated with the school or a related entity. The accountant should provide a signed statement that confirms the reasonableness of the business plan and validates any underlying assumptions.

For a government school boarding premises, the Act defines the role and responsibilities of a government school including the role of the school council. DET monitors adherence to this standard by government schools.

Regulatory context

The provider of school boarding services at a registered school boarding premises must structure the governance of a registered school boarding premises to enable –

- (a) the effective development of the strategic direction of the school boarding premises; and
- (b) the effective management of the finances of the provider; and
- (c) the provider to fulfil its legal obligations.

Not-for-profit status

If a registered school and a registered school boarding premises have the same legal entity or proprietor then the school will need to ensure that it doesn't compromise the school's compliance with the not-for-profit requirements under the ETR Regulations.

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Not-for-profit status* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises.

Explanatory notes

For a full explanation of not-for-profit and prohibited agreement arrangements, see:

- **not-for-profit** as per regulation 7 of the ETR Regulations
- **prohibited agreement or arrangement** as per regulation 7A of the ETR Regulations
- not-for-profit status section of *Guidelines to the Minimum Standards and Requirements for School Registration*.

Regulatory context

- (1) A registered school must be a not-for-profit school.
- (2) The proprietor of a registered school must have sufficient controls in place to ensure that school property and assets are not distributed or used for the profit or gain of another person or entity.
- (3) Subclause (2) does not apply in relation to any money (other than government funding) or property of a registered school, which the proprietor of the school –
 - (a) uses to conduct an early learning centre that is a feeder for enrolments to the school; or
 - (b) provides to a person or entity to conduct an early learning centre that is a feeder for enrolments to the school; or
 - (c) uses to conduct a school boarding premises including providing school boarding services at the premises to students enrolled at or attending the registered school, and where those services are not provided for the purposes of profit or gain; or
 - (d) provides to the provider of school boarding services at a school boarding premises to provide those services to students enrolled at or attending the registered school, and where those services are not provided for the purposes of profit or gain.

Schedule 4 clause 17 of the Education and Training Reform Regulations 2017

Probity

In a non-government school boarding premises, every responsible person must be a fit and proper person as outlined in the ETR Regulations.

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Probity* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises. In particular, registered schools which own or operate a boarding premises only need one Fit and Proper Person declaration per responsible person.

Evidence requirements

There must be evidence of a:

- completed Fit and Proper Person declaration from each responsible person
- list of each responsible person, their role and a summary of the qualifications and experience of each person.

Explanatory notes

A responsible person must be a fit and proper person who:

- is able to carry out their responsibilities in relation to the operation of the school boarding premises in compliance with the laws of Victoria, the Commonwealth, another state or a territory relating to the provision of school education
- has not been found guilty of an offence which is (or which would if committed in Victoria) be an indictable offence
- has not been:
 - in the case of an individual, insolvent under administration (for example, declared bankrupt)
 - in the case of a body corporate, is not or has not been an externally administered body corporate
- is not a represented person under the **Guardianship and Administration Act 1986**
- is not in breach of any requirements of the **Worker Screening Act 2020** or has not had their approval revoked or suspended
- has not been the subject of, or associated with, an adverse finding or other action taken by a court, tribunal, commission of inquiry, professional discipline body or regulatory authority (in Victoria or elsewhere) where the adverse finding relates to:
 - dishonest, misleading or deceptive conduct, or
 - non-compliance with a legal obligation relating to the provision of education, or
 - a breach of duty (including a duty of disclosure).

The VRQA may exempt a person from the requirement to comply with Schedule 4A clause 7(5)(b) or (5)(f) if in its opinion it would not be appropriate to exclude that person from being involved in the conduct of the school boarding premises.

When considering whether to grant an exemption the VRQA must have regard to:

- the nature and gravity of the offence or misconduct and its relevance to conducting a school boarding premises
- the period of time since the person committed the offence or engaged in the misconduct
- the punishment imposed for the offence or misconduct
- whether or not the conduct that constituted the offence has been decriminalised or the standards of conduct materially changed since the person engaged in the conduct that constituted the offence or misconduct
- the person's behaviour since committing the offence or engaging in the misconduct
- any information given by the person concerning the person's conduct in relation to the registration of the school boarding premises
- any other matter the VRQA considers relevant.

A notifiable disclosure event is defined in regulation 5 of the ETR Regulations.

The Authority may exempt a person under regulation 71B from the requirements in clause 7(5)(b) and (f).

For the purposes of clause 7(5)(f) an adverse finding or action may include a decision by a registering body to limit, suspend or cancel a registration or permit granted to a responsible person individually, or to a body or entity that the responsible person has been associated with governing.

Regulatory context

In this clause – fit and proper person means a responsible person who –

- (a) is able to carry out the person's responsibilities in relation to the conduct of a registered school boarding premises in compliance with the laws of Victoria, the Commonwealth, another State or a Territory relating to the provision of school boarding services; and

- (b) has not been found guilty of an offence which is, or which would if committed in Victoria be, an indictable offence; and
- (c) has not been –
 - (i) in the case of an individual, insolvent under administration; or
 - (ii) in the case of a body corporate, an externally-administered body corporate; and
- (d) is not a represented person; and
- (e) if the person is given an assessment notice under the **Worker Screening Act 2020** in relation to the school boarding premises, complies with –
 - (i) all requirements under that Act that apply to the person as a holder of an assessment notice; and
 - (ii) all requirements under that Act that apply to the person if the assessment notice is revoked or suspended; and
- (f) has not been the subject of, or associated with, an adverse finding or the subject of action taken by a court, tribunal, commission of inquiry, professional disciplinary body or regulatory authority (in Victoria or elsewhere) if the adverse finding or the action relates to –
 - (i) dishonest, misleading or deceptive conduct; or
 - (ii) non-compliance with a legal obligation relating to the provision of school boarding services; or
 - (iii) a breach of duty (including a duty of disclosure).

Exemption from school boarding premises governance standard –

- (1) The Authority may exempt a person from a requirement in clause 7(5)(b) or (f) of Schedule 4A if the Authority is of the opinion that it would not be appropriate to exclude that person from being involved in the conduct of the school boarding premises.
- (2) For the purposes of subregulation (1), the Authority must have regard to the following matters –
 - (a) the nature and gravity of the particular offence or misconduct, and its relevance to conducting a school boarding premises;
 - (b) the period of time since the person committed the offence or engaged in the misconduct;
 - (c) the punishment imposed for the offence or misconduct;
 - (d) whether or not the offence has been decriminalised or the standards of conduct have materially changed since the person engaged in the conduct that constituted the offence or misconduct;
 - (e) the person's behaviour since the person committed the offence or engaged in the misconduct;
 - (f) any information given by the person to the Authority concerning the person's conduct in relation to the registration of the school boarding premises;
 - (g) any other matter that the Authority considers relevant.
- (3) A person to whom an exemption under subregulation (1) applies is exempt from the requirements in clause 7(5)(b) or (f) of Schedule 4A in accordance with the terms of that exemption (if any).

Schedule 4A clause 7 of the Education and Training Reform Regulations 2017

Regulation 71B of the Education and Training Reform Regulations 2017

Philosophy of provider of school boarding services

The provider of school boarding services at a registered school boarding premises must publish a clear statement of its philosophy and be able to demonstrate how that philosophy is enacted.

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Philosophy* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises. In particular, registered schools may consider incorporating the statement of philosophy for the school boarding premises into the statement of philosophy for the registered school.

Evidence requirements

There must be evidence of:

- a statement of the school boarding services provider's philosophy which includes the vision, mission, values and objectives of the school boarding premises
- a description of how the school boarding services provider enacts its philosophy at the registered school boarding premises
- an outline of where the school boarding services provider has published a statement of its philosophy.

Explanatory notes

A school boarding services provider must have a clear statement of its philosophy and be able to demonstrate how that philosophy is enacted. Requiring a clear statement of philosophy can encourage consideration of how providers might develop healthy organisational cultures that promote the safety and wellbeing of students.

The school boarding services provider's philosophy statement communicates the nature of the school boarding services being offered to current and prospective staff, students, parents and guardians. It provides details of their purpose and a foundation for the school boarding services planning decisions and performance reviews.

The philosophy statement could be contained in the provider's constitution, prospectus, handbook, strategic plan or business plan, or on the website.

Regulatory context

The provider of school boarding services at a registered school boarding premises must publish a clear statement of its philosophy and be able to demonstrate how that philosophy is enacted.

Schedule 4A clause 8 of the Education and Training Reform Regulations 2017

Information on performance of school boarding premises

The provider of school boarding services at a registered school boarding premises must monitor and report to the community of the school boarding premises on its performance as outlined in the ETR Regulations.

For schools ▼

There is **significant** alignment between this requirement and a requirement found in the *Guidelines to the Minimum Standards and Requirements for School Registration* (see *Information about school performance* in that document).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises. In particular, registered schools can include performance information of the school boarding premises in the annual report prepared for the registered school.

Evidence requirements

There must be evidence that the provider of school boarding services makes available to the community of the school boarding premises information concerning the performance of the premises at least once a year. The information must include:

- a report of the financial activities of the school boarding premises

- copies of any other reports that the provider of school boarding services at the registered school boarding premises is required to prepare for the community of the school boarding premises under any funding agreements with the State or the Commonwealth.

Explanatory notes

If the provider of school boarding services at a registered school boarding premises receives government funding in respect of the services provided to students boarding at the premises or for the construction, maintenance or improvement of the premises, the applicable funding agreement might require certain information to be provided to the community. This information must also be included in the annual report to the community required by this standard.

Regulatory context

- (1) The provider of school boarding services at a registered school boarding premises must make available to the community of the school boarding premises information concerning the performance of the premises at least once a year.
- (2) The information must include –
 - (a) a report of the financial activities of the school boarding premises; and
 - (b) copies of any other reports that the provider of school boarding services at the registered school boarding premises is required to prepare for the community of the school boarding premises under any funding agreements with the State or the Commonwealth.

Schedule 4A clause 9 of the Education and Training Reform Regulations 2017

Provider of school boarding services must comply with the Act and Regulations

The provider of school boarding services at a registered school boarding premises must comply with the requirements of the Act and the ETR Regulations.

Evidence requirements

There must be evidence of compliance with the requirements of the Act (including applicable Ministerial Orders), and the Regulations.

Explanatory notes

After the school boarding premises is registered, the provider must ensure their compliance with the Act (including applicable Ministerial Orders), and the Regulations. This includes providing timely information to the VRQA in accordance with the Regulations to update particulars or meet notifiable disclosure requirements, and following the prescribed process for amending the registration of the school boarding premises.

Regulatory context

The provider of school boarding services at a registered school boarding premises must comply with the requirements of the Act and these Regulations.

Schedule 4A clause 10 of the Education and Training Reform Regulations 2017

Provider of school boarding services must comply with conditions of registration

The provider of school boarding services at a registered school boarding premises must comply with any condition imposed on the registration of the premises in accordance with section 4.3.8D or 4.3.8E of the Act. The conditions of registration require participation by the provider and any person involved in the management or operation of the premises in a review or evaluation by the VRQA and, for non-government school boarding premises, the VRQA's monitoring and assessment of the provider's financial viability.

Regulatory context

The provider of school boarding services at a registered school boarding premises must comply with any condition imposed on the registration of the premises by or under the Act.

Schedule 4A clause 11 of the Education and Training Reform Regulations 2017

Provider of school boarding services must have policies, procedures, and suitable arrangements in place

The provider of school boarding services at a registered school boarding premises must have policies and procedures in place that enable it to ensure that the premises and those services comply with the prescribed minimum standards for registration of school boarding premises.

A provider of school boarding services at a registered school boarding premises must have suitable arrangements in place to enable it to comply with any applicable guidelines issued by the Authority under section 4.3.8Z of the Act.

For schools ▼

There is **significant** alignment between this requirement and the minimum standards for registration of schools (Schedule 4 clause 21 of the ETR Regulations).

Schools may consider adapting existing policies and procedures to address these requirements for their boarding premises.

Evidence requirements

There must be evidence of the provider's policies and procedures as required by the minimum standards for registration, and evidence of the provider's internal governance arrangements for:

- (a) maintaining, reviewing, or communicating its policies and procedures as required by or under the Act, including these Guidelines; and
- (b) managing the delivery of services in accordance with its policies and procedures (as amended from time to time).

Additional evidentiary requirements for the provider of school boarding services at a registered school boarding premises may be included in other guidelines issued by the Authority, including financial capability, the provision of education to overseas students aged under 18, and bushfire preparedness.

Regulatory context

- (1) The provider of school boarding services at a registered school boarding premises must have policies and procedures in place that enable it to ensure that the premises and those services comply with the prescribed minimum standards for registration of school boarding premises.
- (2) A provider of school boarding services at a registered school boarding premises must have suitable arrangements in place to enable it to comply with any applicable guidelines issued by the Authority under section 4.3.8Z of the Act.

Schedule 4A clause 12 of the Education and Training Reform Regulations 2017

School boarding services must be provided in accordance with scope of registration

The provider of school boarding services at a registered school boarding premises:

- must provide those services at the school boarding premises
- may provide those services at another place or premises at which the students are participating in a camp or excursion (including outside of Victoria) organised by the provider.

Evidence requirements

There must be evidence that the registered boarding premises is the primary location for the provision of school boarding services to the student.

Where services are provided in other locations, the provider must ensure that the applicable minimum standards of registration continue to be met in respect of those alternative locations.

Explanatory notes

The provider must ensure that the student's primary place of accommodation is at the registered school boarding premises. However, this does not preclude the provider from organising or conducting overnight excursions or camps for its students that occur at other premises, provided such excursions away from the boarding premises are managed in accordance with the provider's

duty of care, and other applicable standards (including location records, student welfare, and Child Safe Standards).

Regulatory context

The provider of school boarding services at a registered school boarding premises –

- (a) must provide those services at the school boarding premises; and
- (b) may provide those services at another place or premises at which the students are participating in a camp or excursion (including outside of Victoria) organised by the provider.

Schedule 4A clause 13 of the Education and Training Reform Regulations 2017

REGISTRATION OF SCHOOL BOARDING PREMISES, INCLUDING AMENDMENT OF REGISTRATION

Particulars and information in application for registration

A provider of school boarding services at a registered school boarding premises must present particulars and information in their application to register school boarding premises, services and facilities. For details of information to be provided at registration please refer to Appendix 1.

Evidence requirements

There must be evidence of providing the information listed in Appendix 1, as required by Schedule 5A of the ETR Regulations. Any changes to particulars and information or any accompanying documentation as required by Schedule 5A in relation to the application must be notified to the Authority within 14 days.

Explanatory notes

The changes required to be notified concern the information or documentation provided as part of the application for registration, as required by Schedule 5A of the ETR Regulations, and any additional information provided to the Authority as needed to assess the applicant's compliance with the minimum standards of registration in section 4.3.8C of the ETR Act and Schedule 4A to the ETR Regulations.

Regulatory context

- (1) For the purposes of section 4.3.8B(3) of the Act, an application to the Authority for registration of a school boarding premises must –
 - (a) subject to subregulation (2), contain all of the particulars and information listed in Schedule 5A; and
 - (b) subject to subregulation (2), must be accompanied by any documentation referred to in Schedule 4A; and
 - (c) be signed –
 - (i) in the case of a Government school boarding premises, by the Secretary; or
 - (ii) in any other case, by the person who proposes to establish and conduct the school boarding premises and provide school boarding services at the premises.
- (2) If any of the particulars, information or documentation set out in clauses 4, 5, 10(c), 12, and 13(a) of Schedule 5A are not known or available at the time the application is made, the particulars, information or documentation must be provided by the applicant as soon as the particulars, information or documentation are known or become available or before the school boarding premises is registered (whichever occurs first).

Regulation 71D of the Education and Training Reform Regulations 2017

Before a school boarding premises is registered, an applicant must notify the Authority of any change to the particulars or information or any accompanying documentation under regulation 71D(1) provided in relation to the application for registration within 14 days after the relevant change.

Regulation 71E of the Education and Training Reform Regulations 2017

Minimum standards for registration

Unless the Authority has granted an exemption in accordance with Division 1 of Part 5A of the ETR Regulations, for the purposes of section 4.3.8C(1)(b) of the Act, the prescribed minimum standards for registration of school boarding premises are set out in Schedule 4A of the ETR Regulations.

Regulatory context

Subject to this Division, for the purposes of section 4.3.8C(1)(b) of the Act, the prescribed minimum standards for registration of school boarding premises are set out in Schedule 4A.

Regulation 71A of the Education and Training Reform Regulations 2017

Timing of application for registration

The provider of school boarding services at a registered school boarding premises must make an application for registration of a school boarding premises in writing no later than 30 June in the preceding year of intended commencement of operation or any later date determined by the VRQA or unless the VRQA considers that there are special circumstances.

Regulatory context

- (1) Subject to subregulation (3), for the purposes of section 4.3.8B(3) of the Act, an application for registration of a school boarding premises must be made to the Authority in writing and no later than –
 - (a) 30 June in the year before the year in which the school boarding premises is intended to commence operation; or
 - (b) a later date in the year referred to in paragraph (a) determined by the Authority.
- (2) The Authority must publish a notice in the Government Gazette of any later date determined by the Authority under subregulation (1)(b) at least 4 weeks before 30 June in the year in which the date applies.
- (3) The Authority may accept an application submitted after the date specified in subregulation (1) if it is satisfied that it is necessary to do so because of the special circumstances of the case.

Section 6.1.44(1) of the Act provides that a premises that was being conducted as a school boarding premises immediately before 18 June 2021 [the commencement of the **Education and Training Reform Amendment (Regulation of Student Accommodation) Act 2020**] is taken to be a registered school boarding premises for the purposes of the Act.

Regulation 71C of the Education and Training Reform Regulations 2017

Exemption from school boarding premises governance standard

The Authority may exempt a person from particular requirements of the fit and proper person assessment in the governance standard if the Authority is of the opinion that it would not be appropriate to exclude that person from being involved in the conduct of the school boarding premises. The particular requirements that may be the subject of exemption concern past criminal offending, and other adverse findings relating to dishonesty, breach of duty or failure to comply with a legal obligation regarding the delivery of school boarding services (clause 7(5)(b) or (f) of Schedule 4A).

When considering whether to grant an exemption the VRQA must have regard to:

- the nature and gravity of the offence or misconduct and its relevance to conducting a school boarding premises
- the period of time since the person committed the offence or engaged in the misconduct
- the punishment imposed for the offence or misconduct
- whether or not the conduct that constituted the offence has been decriminalised or the standards of conduct materially changed since the person engaged in the conduct that constituted the offence or misconduct
- the person's behaviour since committing the offence or engaging in the misconduct

- any information given by the person concerning the person's conduct in relation to the registration of the school boarding premises
- any other matter the VRQA considers relevant.

Regulatory context

- (1) The Authority may exempt a person from a requirement in clause 7(5)(b) or (f) of Schedule 4A if the Authority is of the opinion that it would not be appropriate to exclude that person from being involved in the conduct of the school boarding premises.
- (2) For the purposes of subregulation (1), the Authority must have regard to the following matters –
 - (a) the nature and gravity of the particular offence or misconduct, and its relevance to conducting a school boarding premises;
 - (b) the period of time since the person committed the offence or engaged in the misconduct;
 - (c) the punishment imposed for the offence or misconduct;
 - (d) whether or not the offence has been decriminalised or the standards of conduct have materially changed since the person engaged in the conduct that constituted the offence or misconduct;
 - (e) the person's behaviour since the person committed the offence or engaged in the misconduct;
 - (f) any information given by the person to the Authority concerning the person's conduct in relation to the registration of the school boarding premises;
 - (g) any other matter that the Authority considers relevant.
- (3) A person to whom an exemption under subregulation (1) applies is exempt from the requirements in clause 7(5)(b) or (f) of Schedule 4A in accordance with the terms of that exemption (if any).

Regulation 71B of the Education and Training Reform Regulations 2017

Amending school boarding premises registration

The provider must notify the Authority in writing of significant changes affecting school boarding premises including the name and contact details of any person involved in managing the provider, or changes to the affiliations or associations of the registered school boarding premises within 30 days.

The provider must notify the Authority in writing within 30 days of significant changes affecting school boarding premises including the name and contact details of the provider, or any other change to the information required to be provided to the Authority by the ETR Regulations.

Regulatory context

The provider of school boarding services at a registered school boarding premises must notify the Authority in writing within 30 days after the following:

- (a) any change to the name or contact details of the provider;
- (b) any other material change to particulars or information required to be provided to the Authority under these Regulations (other than the particulars or information required by subclause (4)).

Schedule 4A clause 7(3) of the Education and Training Reform Regulations 2017

Amending non-government school boarding premises registration

The provider must notify the Authority in writing within 30 days of significant changes affecting the non-government school boarding premises including:

- the name and contact details of the provider or any person involved in managing the provider
- changes to the affiliations or associations of the registered school boarding premises
- changes to any other information required to be provided to the Authority by the ETR Regulations
- the occurrence of any notifiable disclosure event.

Regulatory context

The provider of school boarding services at a registered non-government school boarding premises must notify the Authority in writing within 30 days after the following information:

- (a) any change to the name or contact details of each person who is concerned in, or takes part in, the management of the provider;
- (b) any change to the religious or other affiliation or association of the school boarding premises, including with a registered school;
- (c) the occurrence of a notifiable disclosure event.

Schedule 4A clause 7(4) of the Education and Training Reform Regulations 2017

OTHER REQUIREMENTS FOR SCHOOL BOARDING PREMISES REGISTRATION**Reporting to the VRQA**

A provider of school boarding services at a registered school boarding premises, upon request, must provide the VRQA with the information it needs to carry out its responsibilities under the Act and ETR Regulations.

Explanatory notes

Once a school boarding premises is registered, the VRQA may require the provider of school boarding services at a registered school boarding premises or review body to provide a report that:

- enables the VRQA to assess whether the school boarding premises is continuing to comply with the minimum standards or other requirements
- informs the VRQA of any changes to a school boarding premises' details contained in the State Register (including school affiliations)
- contains the information made available by the provider to the community about the performance of the registered school boarding premises (Schedule 4A clause 9)
- provides information about any complaint made about the school's boarding services and facilities and how the provider responded to the complaint.

The VRQA will give the provider or the authorised review body a reasonable time to comply with its request for information. The provider must comply with the request within the time specified. The VRQA's request and the information provided must be in writing, unless the parties agree otherwise.

Regulatory context

- (1) For the purposes of section 4.3.8V(1) of the Act, the provider of school boarding services at a registered school boarding premises, or a person or body authorised by the Authority under section 4.3.8V(2) of the Act, must provide to the Authority a report containing the following –
 - (a) information to show that, and enable the Authority to assess whether, the provider has ensured that the premises and services –
 - (i) continue to comply with each of the prescribed minimum standards for registration of school boarding premises; and
 - (ii) comply with any other requirements of the Act or these Regulations;
 - (b) information to advise the Authority of any changes in the details contained in the State Register relating to the school boarding premises;
 - (c) at the request of the Authority, a copy of the information made available under clause 9 of Schedule 4A.
- (2) For the purposes of section 4.3.8V(1) of the Act, the provider of school boarding services at a registered school boarding premises or a person or body authorised by the Authority under section 4.3.8V(2) of the Act must provide a report to the Authority –
 - (a) in writing, unless the Authority and the reporter otherwise agree; and
 - (b) within a reasonable time specified in the request for the report by the Authority.

Regulation 71J of the Education and Training Reform Regulations 2017

Notice of registration of school boarding premises to be displayed

As required by section 4.3.8W of the Act, a provider of school boarding services at a registered school boarding premises must ensure that there is legibly printed or painted in a conspicuous place near the main entrance to the premises:

- the name of the premises
- the name of the provider
- a statement of the fact that the premises is registered.

APPENDIX 1**Information required for application for registration of a school boarding premises**

The provider of school boarding services must present the VRQA with required information in order to register boarding school services and premises.

Evidence requirements

The provider of school boarding services at a registered school boarding premises must furnish the following particulars, information and documents:

1. The name of the school boarding premises.
2. The address of the school boarding premises.
3. The date of the proposed commencement of operation of the school boarding premises.
4. The age range and number of students to be accepted at the school boarding premises (see note 1).
5. The names and total number of staff and the qualifications of each member of staff of the provider of school boarding services at the school boarding premises (see note 1).
6. The physical facilities (buildings, facilities and grounds) to be provided at the school boarding premises.
7. Any religious or other affiliation or association of the school boarding premises, including with a registered school (note: other affiliations might include linguistic or other kinds of cultural or community affiliations).
8. Whether the school boarding premises will be associated with one of the following types of school –
 - (a) a primary school
 - (b) a secondary school
 - (c) a co-educational school
 - (d) a single-sex school
 - (e) a specific purpose school
 - (f) a specialist school.
9. In the case of two or more registered school boarding premises proposing to amalgamate, the names and addresses of those premises.
10. In the case of a non-government school boarding premises –
 - (a) the full name, postal address, telephone number, and facsimile number or email address of the provider of the school boarding services at the premises
 - (b) if the provider is an incorporated body, the ABN or ACN (see note 2)
 - (c) the full name, postal address, telephone number, and facsimile number or email address of the chair of the governing body of the provider of school boarding services at the school boarding premises (if applicable) (see note 3).
11. Details of the following matters –
 - (a) the policies of the provider of school boarding services at the school boarding premises relating to compliance with the prescribed minimum standards for registration of school boarding premises
 - (b) the philosophy of the provider of school boarding services at the school boarding premises
 - (c) the business plan that relates to the school boarding premises
 - (d) the governance structure of the provider of school boarding services at the school boarding premises, including its constitution or articles of association (however described)
 - (e) the contact person for the application and that person's contact details.

12. The full name, postal address, telephone number, and facsimile number or email address of the chief executive officer (by whatever name called) of the provider of school boarding services at the school boarding premises (if applicable) (see note 3).
13. Documents accompanying the application that –
 - (a) show that the buildings, facilities and grounds of the school boarding premises comply with relevant statutory requirements (see note 4)
 - (b) enable the Authority to assess whether the provider of school boarding services at the school boarding premises is capable of ensuring that the premises and those services meet the prescribed minimum standards for registration of school boarding premises
 - (c) show the policies of the provider of school boarding services at the school boarding premises in relation to student behaviour including policies for student discipline (see note 5).

Notes

1. Under regulation 71D(2), if the details required under clauses 4 and 5 are not available at the time of the application, the details must be provided by the applicant when they are known or before the school boarding premises is registered.
2. In the case of a government school boarding premises, the State of Victoria will be registered as the provider of school boarding services unless otherwise stated.
3. Under regulation 71D(2), if the details required under clauses 10(c) and 12 are not available at the time of the application, the details must be provided by the applicant once the details are known and, in the case of the chair of the governing body of the provider of school boarding services and chief executive officer (by whatever name called) of the provider, before the school boarding premises is registered.
4. Under regulation 71D(2), if the documentation required under clause 13(a) is not available at the time of the application it must be provided when available or at the latest before the school boarding premises is registered.
5. In accordance with section 4.3.8C(1)(a) of the Act, these policies must be based upon principles of procedural fairness and not permit the use of corporal punishment.

APPENDIX 2**Additional minimum standards for government school boarding premises****Student engagement policy**

A provider of school boarding services at a government school boarding premises must develop a policy for student engagement for the students boarding at the premises.

The provider must develop the policy in consultation with, and have regard to the rights and responsibilities of, students boarding at the premises, parents of students and staff of the provider in developing the policy.

Evidence requirements

There must be evidence of:

- the provider's student engagement policy
- adequate consultation by the provider when developing the policy.

Regulatory context

- (1) A provider of school boarding services at a Government school boarding premises must develop a policy for student engagement for the students boarding at the premises.
- (2) The provider must develop the policy in consultation with, and have regard to the rights and responsibilities of, students boarding at the premises, parents of students and staff of the provider in developing the policy.

Regulation 26A of the Education and Training Reform Regulations 2017

Implementation of student engagement policy

- (1) The provider of school boarding services at a government school boarding premises –
 - (a) is responsible for implementing the student engagement policy of the school boarding premises
 - (b) is responsible for determining the nature and extent of the consequences imposed on students boarding at the premises for failure to comply with that policy.
- (2) The provider of school boarding services at a government school boarding premises must ensure that –
 - (a) any consequences that may be imposed on students boarding at the premises in accordance with the student engagement policy are reasonable
 - (b) the student engagement policy is brought to the attention of the students boarding at the premises, their parents and staff of the provider.
- (3) The provider of school boarding services at a government school boarding premises must ensure that the student engagement policy is consistent with –
 - (a) the ETR Regulations
 - (b) any guidelines issued by the Minister under section 4.3.8Z of the Act relating to student engagement.

Evidence requirements

There must be evidence of:

- implementation of the provider's student engagement policy at the registered school boarding premises
- procedures and practices used by the provider to address student non-compliance with the policy that are in accordance with the requirements of the Act, the Regulations, and any applicable Ministerial Order or guidelines regarding student engagement or management of student behaviour including discipline.

Regulatory context

- (1) The provider of school boarding services at a Government school boarding premises –
 - (a) is responsible for implementing the student engagement policy of the school boarding premises; and
 - (b) is responsible for determining the nature and extent of the consequences imposed on students boarding at the premises for failure to comply with that policy.
- (2) The provider of school boarding services at a Government school boarding premises must ensure that –
 - (a) any consequences that may be imposed on students boarding at the premises in accordance with the student engagement policy are reasonable; and
 - (b) the student engagement policy is brought to the attention of the students boarding at the premises, their parents and staff of the provider.
- (3) The provider of school boarding services at a Government school boarding premises must ensure that the student engagement policy is consistent with –
 - (a) these Regulations; and
 - (b) any guidelines issued by the Minister relating to student engagement.

Regulation 26D of the Education and Training Reform Regulations 2017

Corporal punishment not permitted

A member of staff of the provider of school boarding services at a government school boarding premises must not administer corporal punishment to any student who is boarding at the premises. Please refer to *Care safety and welfare of students* and note 4, Appendix 1 in these Guidelines.

Regulatory context

Corporal punishment not permitted –

A member of staff of the provider of school boarding services at a Government school boarding premises must not administer corporal punishment to any student who is boarding at the premises.

The Authority must not register a school boarding premises unless the Authority is satisfied that –

- (a) the policies of the provider of school boarding services at the premises relating to the discipline of students who are boarding at the premises are based on principles of procedural fairness and do not permit corporal punishment.

Regulation 26B of the Education and Training Reform Regulations 2017

Section 4.3.8C (1)(a) of the **Education and Training Reform Act 2006**

Restraint from danger

A member of staff of the provider of school boarding services at a government school boarding premises may take any reasonable action that is immediately required to restrain a student boarding at the premises from acts or behaviour that are dangerous to the member of staff, the student, or any other person.

Regulatory context

A member of staff of the provider of school boarding services at a Government school boarding premises may take any reasonable action that is immediately required to restrain a student boarding at the premises from acts or behaviour that are dangerous to the member of staff, the student, or any other person.

Regulation 26C of the Education and Training Reform Regulations 2017

APPENDIX 3

Definitions

Unless otherwise stated, words or phrases in these Guidelines have the following meaning:

Accommodation services means services that include meal, laundry and cleaning services.

Entity includes a trust.

Governing body – in relation to a government school boarding premises, the school council constituted in relation to the government school at which the students boarding at the school boarding premises are enrolled or attending; or in relation to a non-government school boarding premises, the person or body responsible for the governance or management of the provider of school boarding services at the premises.

Government school boarding premises means a school boarding premises at which school boarding services are provided by or on behalf of a government school.

Mandatory reporting, failure to disclose, failure to protect and grooming –

- the **mandatory reporting obligation** is set out in Part 4.4 of the **Children, Youth and Families Act 2005**. Section 184 imposes an obligation on teachers, principals and other persons listed in section 182, to make a mandatory report if they form a belief on reasonable grounds that a child is in need of protection on the grounds that the child has suffered, or is likely to suffer, significant harm because of physical injury or sexual abuse, and the child's parents have not protected, or are unlikely to protect, the child from harm of that type
- the **failure to disclose offence** requires any adult (subject to specific exemptions) who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16, to report that information to police. Failure to disclose the information to police is a criminal offence. Further information can be obtained at:
 - www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence
- the **failure to protect offence** applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a school will become a victim of a sexual offence committed by an adult associated with that school. A person in a position of authority in the school will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so. Organisations other than schools are also covered by the offence. Further information is available at:
 - www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to
- the **offence of grooming for sexual conduct with a child under the age of 16** is found in section 49M of the **Crimes Act 1958**. That section provides:
 - (1) A person (A) commits an offence if –
 - (a) A is 18 years of age or more; and
 - (b) A communicates, by words or conduct (whether or not a response is made to the communication), with –
 - (i) another person (B) who is a child under the age of 16 years; or
 - (ii) another person (C) under whose care, supervision or authority B is; and
 - (c) A intends that the communication facilitate B engaging or being involved in the commission of a sexual offence by A or by another person who is 18 years of age or more.
 - (2) A person who commits an offence against subsection (1) is liable to level 5 imprisonment (10 years maximum).
 - (3) A does not intend to facilitate B engaging or being involved in the commission of a sexual offence by A or by another person who is 18 years of age or more if,

were the conduct constituting the sexual offence to occur, A or the other person would satisfy an exception, or have a defence, to that sexual offence.

- (4) It is immaterial that some or all of the conduct constituting an offence against subsection (1) occurred outside Victoria, so long as B or C was, or B and C were, in Victoria at the time at which that conduct occurred.
- (5) It is immaterial that B or C was, or B and C were, outside Victoria at the time at which some or all of the conduct constituting an offence against subsection (1) occurred, so long as A was in Victoria at the time that conduct occurred.
- (6) It is immaterial that A, B and C were all outside Victoria at the time at which some or all of the conduct constituting an offence against subsection (1) occurred, so long as A intended that the sexual offence would occur in Victoria.
- (7) In this section –

communication includes an electronic communication within the meaning of the **Electronic Transactions (Victoria) Act 2000**;

sexual offence means –

- (a) an offence against a provision of Subdivision (8A), this Subdivision (other than section 49K(1) or this section), (8C), (8D), (8E), (8F) or (8FA); or
- (b) an attempt to commit an offence covered by paragraph (a); or
- (c) an assault with intent to commit an offence referred to in paragraph (a).

Non-government school boarding premises means a school boarding premises other than a government school boarding premises, including premises at which school boarding services are provided by or on behalf of a non-government school or by a person that is not a school.

Overseas student a person holding a visa under the **Migration Act 1958** of the Commonwealth which allows the person, where expressly or otherwise, to study in Victoria.

Philosophy in relation to a school or school boarding premises, includes the vision, mission and objective of the school or school boarding premises.

Prescribed minimum standards for registration of school boarding premises means the minimum standards prescribed by the regulations under section 4.3.8C(1)(b) of the Act or prescribed by section 4.3.8C(2) of the Act relating to school boarding premises and the school boarding services provided at those premises.

Provider of school boarding services means a person who conducts a school boarding premises including the provision of school boarding services at the premises.

Registered school boarding premises means a school boarding premises registered under Division 1A of Part 4.3 of the Act.

Responsible person in relation to a school boarding premises –

- (i) if the provider of school boarding services at the premises is an individual, that person; or
- (ii) if the provider of school boarding services at the premises is a body corporate, that body corporate and any person who is concerned in, or takes part in, the management of the body corporate; or
- (iii) each person with responsibility in the governance structure of the provider of school boarding services at the premises for managing the provider or its finances, including each member of the governing body of the provider; or
- (iv) any other person who by the person's conduct assumes a position of authority over the governance or management of the provider of school boarding services at the premises.

School boarding premises means a premises at which school boarding services are provided or intended to be provided by a person for a fee or reward but does not include any of the following premises –

- (a) a premises at which accommodation services are provided under homestay arrangements by a person who resides at the premises to no more than three students who are enrolled at or attend or intend to enrol at or attend a registered school
- (b) a premises or place at which camping facilities, including accommodation services, are provided on a short-term basis to students of a registered school who are required by the school to attend the premises or place as part of instruction in a key learning area or an extracurricular activity of the school
- (c) a premises that is prescribed not to be a school boarding premises
- (d) a premises at which accommodation services are provided by a prescribed person or body.

Premises will not fall within the definition of school boarding premises if the accommodation services provided at the premises are not provided for the primary purpose of enabling or facilitating a person to enrol at or attend a registered school. Examples of accommodation services that are not provided primarily for that purpose include the following –

- (a) accommodation services provided by a parent (see the wide definition of parent in section 1.1.3(1) of the Act)
- (b) accommodation services provided at a youth justice centre or a youth residential centre within the meaning of the **Children, Youth and Families Act 2005**
- (c) accommodation services that are provided as part of respite care within the meaning of the **Aged Care Act 1997** of the Commonwealth
- (d) accommodation services that are facilitated, provided or regulated by the Department of Health and Human Services including the following –
 - (i) out of home care services or secure welfare services within the meaning of the **Children, Youth and Families Act 2005**;
 - (ii) accommodation provided at an NDIS dwelling within the meaning of the **Disability Act 2006**;
 - (iii) accommodation that is a residential service within the meaning of the **Disability Act 2006**;
 - (iv) accommodation services provided at a residential care service within the meaning of the **Health Services Act 1988**.

School boarding services means accommodation services provided for the primary purpose of enabling or facilitating a person to enrol at or attend a registered school.

Staff means in relation to a government school boarding premises, the staff employed by the provider of the school boarding services at the premises and other staff.

Student in Division 1A of Part 4.3 of the Act means a person who is enrolled at or who attends a registered school or who intends to enrol at or attend a registered school.

Student engagement policy means in relation to a government school boarding premises, a policy setting out the expectations and aspirations of the provider of school boarding services at the premises in relation to student behaviour, including discipline and strategies to address bullying.

APPENDIX 4**Abbreviations and Acronyms****CECV** – Catholic Education Commission of Victoria Ltd**Cwth** – Commonwealth**CRICOS** – Commonwealth Register of Institutions and Courses for Overseas Students**DET** – Victorian Department of Education and Training**ESOS Act** – Education Services for Overseas Students Act 2000**ETR Act** – Education and Training Reform Act 2006**ETR Regulations** – Education and Training Reform Regulations 2017**VIT** – Victorian Institute of Teaching**VRQA** – Victorian Registration and Qualifications Authority**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:

Change Request Number	Place Name	Location and Authority
	Lindsey Island	Department of Environment, Land, Water and Planning Located at (141.139557, -34.095647)
	Moorabool River	Department of Environment, Land, Water and Planning Located at (144.125242, -37.919342)
	Lake Wahpool	Department of Environment, Land, Water and Planning Located at (142.855563, -35.344616)
	Dellah Island	Department of Environment, Land, Water and Planning Located at (145.140525, -36.778681)
	Wallpoola Island	Department of Environment, Land, Water and Planning Located at (141.792891, -34.133519)
	Vickers Island	Department of Environment, Land, Water and Planning Located at (145.137398, -36.780670)
	Rotmah Island	Department of Environment, Land, Water and Planning Located at (147.725341, -37.976339)
	Halliwells Island	Department of Environment, Land, Water and Planning Located at (145.133427, -36.748136)
	Toupnein Island	Department of Environment, Land, Water and Planning Located at (141.123007, -34.074120)
	Snake Island	Department of Environment, Land, Water and Planning Located at (146.281864, -36.017748)
	Popes Eye	Department of Environment, Land, Water and Planning Located at (144.698263, -38.276355)

	Lawrence Island	Department of Environment, Land, Water and Planning Located at (141.669198, -38.402422)
144050	Eucalyptus Parade Kindergarten	Whittlesea City Council Located at 38 Eucalyptus Parade, Donnybrook For further details see map at www.land.vic.gov.au/place-naming

Road Naming:

Change Request Number	Road Name	Locality	Naming Authority and Location
143713	Calista Drive	Maryborough	Central Goldfields Shire Council The road traverses west off Ross Street.
142863	Gambetta Lane	Germania	Northern Grampians Shire Council The road is located west off the Donald–Stawell Road, 2.7 km north of Granard Park Road.

Geographic Names Victoria

Land Use Victoria

2 Lonsdale Street

Melbourne 3000

CRAIG L. SANDY
Registrar of Geographic Names

Magistrates' Court Act 1989

NOTICE SPECIFYING MAGISTRATE TO THE SPECIALIST FAMILY VIOLENCE COURT DIVISION

Pursuant to section 41A(3) of the **Magistrates' Court Act 1989**, I assign the following magistrates to the Specialist Family Violence Court Division of the Magistrates' Court of Victoria:

Cecily Hollingworth

Patrick Southey

Dated 7 February 2022

JUDGE LISA HANNAN
Chief Magistrate

Public Holidays Act 1993

I, Hon. Jaala Pulford MP, Minister for Small Business, under section 8 of the **Public Holidays Act 1993**, declare –

- Tuesday 1 November 2022 is not a public holiday for the Numurkah District in Moira Shire;
- Wednesday 19 October 2022 is a full day public holiday for the Numurkah District in Moira Shire.

Dated 3 February 2022

HON. JAALA PULFORD MP
Minister for Small Business

HERITAGE
VICTORIA
HERITAGE
VICTORIA
HERITAGE
VICTORIA

Heritage Act 2017

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 2017**, I give notice under section 53 that the Victorian Heritage Register is amended by modifying a place in the Heritage Register:

Number: H0703

Category: Registered Place, Registered Objects Integral to a Registered Place; Registered Archaeological Place

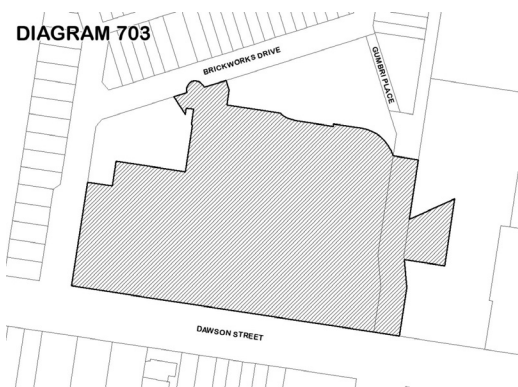
Place: Former Hoffman Brickworks

Location: 72–106 Dawson Street, Brunswick

Municipality: Moreland City

All of the place shown hatched on Diagram 703 held by the Executive Director encompassing all lots and common property on Plan of Subdivision 631815, part of the road reserve of Pottery Court and the objects integral to the place which are listed in an inventory held by the Executive Director.

DIAGRAM 703



Dated 10 February 2022

STEVEN AVERY
Executive Director

**Major Transport Projects
Facilitation Act 2009**

(Section 10)

**DECLARATION OF A MAJOR
TRANSPORT PROJECT**

I, Daniel Andrews, Premier of the State of Victoria, in accordance with section 10(1)(b) of the **Major Transport Projects Facilitation Act 2009** ('the Act'), declare the transport project known as the Car Parks for Commuters Project, Stage 2 – Level Crossing Removal Project to be a declared project to which the Act (other than Parts 3 and 8) applies.

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

Dated 24 January 2022

Responsible Minister
HON. DANIEL ANDREWS MP
Premier of Victoria

**Major Transport Projects
Facilitation Act 2009**

(Section 14)

**APPOINTMENT OF MINISTER TO BE
THE PROJECT MINISTER
FOR A DECLARED PROJECT**

I, Daniel Andrews, Premier of the State of Victoria, in accordance with section 14 of the **Major Transport Projects Facilitation Act 2009**, appoint Ben Carroll, Minister for Public Transport, to be the Project Minister for the Car Parks for Commuters Project, Stage 2 – Level Crossing Removal Project.

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

Dated 24 January 2022

Responsible Minister
HON. DANIEL ANDREWS MP
Premier of Victoria

Marine Safety Act 2010

Section 208(2)

NOTICE OF BOATING ACTIVITY EXCLUSION ZONE

Goulburn Murray Water as the declared waterway manager for Lake Hume hereby gives notice under section 208(2) of the **Marine Safety Act 2010** that all persons and vessels not registered to take part in the Australian Formula Powerboat Grand Prix Round 1 are prohibited from entering and remaining in the following waters.

Waters of Lake Hume – adjacent to Lake Hume Resort in front of Weir Park Boat ramp. Bounded by markers located at approximate coordinates:

NW corner	36°06'03.7"S 147°02'38.5"E
NE corner	36°06'07.2"S 147°03'00.0"E
SW corner	36°06'25.3"S 147°02'27.1"E
SE corner	36°06'28.8"S 147°02'45.6"E

The exclusion zone will be in effect from 7.00 am to 7.00 pm on Saturday 19 February 2022 and Sunday 20 February 2022.

Dated 1 February 2022

SCOTT WICKMAN
General Manager of Water Storage Services
Goulburn Murray Water

Marine Safety Act 2010

Section 208(2)

NOTICE OF BOATING ACTIVITY EXCLUSION ZONE

Corangamite Catchment Management Authority as the declared waterway manager for Barwon River between the Lower Breakwater and Orana Road hereby gives notice under section 208(2) of the **Marine Safety Act 2010** that all persons and vessels not registered to take part in the 2022 Paddle Victoria Canoe Marathon Championships are prohibited from entering and remaining in the following waters.

Waters on the Barwon River between the 100 m mark (west) on the Rowing Mile to Queens Park Road (Queens Park Bridge).

The exclusion zone will be in effect from:

Start date	End date	Start time (include set up and specify am or pm)	End time (include breakdown and specify am or pm)
Saturday 26 March 2022	Saturday 26 March 2022	7.00 am	1.30 pm
Sunday 27 March 2022	Sunday 27 March 2022	7.00 am	12.00 pm

Dated 2 February 2022

BY ORDER OF CORANGAMITE CATCHMENT MANAGEMENT AUTHORITY

Marine Safety Act 2010

Section 208(2)

NOTICE OF BOATING ACTIVITY EXCLUSION ZONE

Parks Victoria as the declared waterway manager for Lake Moodemere hereby gives notice under section 208(2) of the **Marine Safety Act 2010** that all persons and vessels not registered to take part in the Moodemere Slalom Classic are prohibited from entering and remaining in the following waters.

Waters of Lake Moodemere – 180 metres north of the boat ramp to an area delineated by yellow buoys at Picnic Point.

The exclusion zone will be in effect from 8.00 am to 6.00 pm on Saturday 12 and Sunday 13 February 2022.

Dated 2 February 2022

BY ORDER OF PARKS VICTORIA

Marine Safety Act 2010

Section 208(2)

NOTICE OF BOATING ACTIVITY EXCLUSION ZONE

Gannawarra Shire Council as the declared waterway manager for Kangaroo Lake hereby gives notice under section 208(2) of the **Marine Safety Act 2010** that all persons and vessels not registered to take part in the Ski Racing Victoria Point Score Series Race 3 are prohibited from entering and remaining in the following waters.

Waters of Kangaroo Lake – Entire Lake

The exclusion zone will be in effect from 6.30 am – 6.00 pm Saturday 12 February 2022 and 8.00 am – 4.00 pm Sunday 13 February 2022.

Dated 7 February 2022

BY ORDER OF GANNAWARRA SHIRE COUNCIL

Geoff Rollinson

Director Infrastructure and Development



Hindmarsh
Shire Council

Marine Safety Act 2010

Section 208(2)

NOTICE OF BOATING ACTIVITY EXCLUSION ZONE

Hindmarsh Shire Council, as the declared waterway manager for the Wimmera River (within the Shire of Hindmarsh), hereby gives notice under section 208(2) of the **Marine Safety Act 2010** that the waters of the Wimmera River between the Lloyd Street boat ramp to a point 50 metres downstream of the Dimboola Rowing Club ramp are prohibited to all persons and vessels not registered to take part in Dimboola Boating and Ski Club Peter Taylor Memorial Barefoot Waterski Tournament and Night Jump. The exclusion zone takes effect between 9.00 am and 5.00 pm from Saturday 12 February to Wednesday 16 February 2022, 10.00 am to 6.00 pm on Thursday 17 February 2022, and from 6.00 am to 11.30 pm on Friday 18 February, Saturday 19 February and Sunday 20 February 2022.

BY ORDER OF HINDMARSH SHIRE COUNCIL

Port Management Act 1995
PORT MANAGEMENT (LOCAL PORTS) REGULATIONS 2015

Set-aside Determination – Regulation 10

Local Ports of Port Phillip

The Port Management (Local Ports) Regulations 2015 provide that the Port Manager of a local port may make a determination setting aside an area under Regulation 10(1)(c) to prohibit access to an area.

Parks Victoria, as Port Manager for the local port of Port Phillip, has made a determination to prohibit public access to waters surrounding St Kilda Pier as detailed below in Table 1, excluding all individuals involved in the works for the times and periods specified.

Table 1: St Kilda Pier Works

Dates	Prohibited Waters	Works Activity
15 February 2022 to 1 July 2024	<p>Waters surrounding St Kilda Pier at approximate location (WGS84) 37°51.877'S, 144°58.053'E, as marked by exclusion zone buoyage. Exclusion zones are active when buoys are present.</p> <p>Zone A: Waters between the existing pier, extending to 100 m south of the new pier alignment, and approximately 150 m west of the heritage kiosk building, on the outside of the existing rock revetment.</p> <p>Zone B: Waters between the existing rock revetment and marina access arm, excluding the southernmost marina arm.</p> <p>Zone C: Waters 100 m to the north of the existing pier alignment, tapering from the easternmost marina arm, to the existing low landing on the pier approach.</p>	Major works to St Kilda pier involving piling, construction and demolition works.

The active exclusion zone will be marked by lit floating special mark buoys and the use of a buoy line. Buoys will be present every 50 metres outlining the active exclusion zone.

Times and dates are subject to change. Changes to times, durations or days will be advertised on Parks Victoria's website and Notice to Mariners.

This notice has effect from 15 February 2022 to 1 July 2024.

BY ORDER OF PARKS VICTORIA

Safety on Public Land Act 2004

DECLARATION OF PUBLIC SAFETY ZONES

I, Kelly Rash, Deputy Chief Fire Officer – Gippsland, as delegate of the Secretary to the Department of Environment, Land Water and Planning, make the following declaration of public safety zones under section 4(1) of the **Safety on Public Land Act 2004**.

1. Definitions

In this declaration:

- (a) ‘the Act’ means the **Safety on Public Land Act 2004**;
- (b) ‘the declared public safety zone’ means the area declared under Clause 2 of this declaration;
- (c) ‘the Schedule’ means the Schedule to this declaration;

2. Declaration of Public Safety Zones

- (a) The areas of State forest contained within the location coordinates in the Schedule are declared to be public safety zones.
- (b) The extent of the public safety zones are described by the minimum planimetric extent using a North South orientated rectangle that encloses the area bound by:
 - a the south-west limit described by the first two metric coordinates (Easting and Northing); and
 - b the north-east limit described by the next two metric coordinates (Easting and Northing).
- (c) The public safety zones are limited to all areas that contain State forest within an area identified by the coordinates in the Schedule.
- (d) The coordinates in Schedule 1 are provided in Map Grid of Australia (MGA) Universal Transverse Mercator (UTM) Zone number 55. These use the Geodetic Reference System 1980 (GRS80) spheroid.

3. Purpose for which the area has been declared

The purpose for which the declared public safety zones have been declared is for the maintenance of public safety in relation to planned burn operations. These operations include all planned burn preparation, ignition, patrol and rehabilitation works associated within the planned burn area and access tracks.

4. Period of the declaration

The period for which the declared public safety zones are declared is the period commencing from 15 February 2022 and ending on 31 May 2022 inclusive.

5. Activities prohibited

The activities that are prohibited in the declared public safety zones are:

- (a) knowingly entering a declared public safety zone during a period when access is prohibited; and
- (b) knowingly remaining in or being present in a declared public safety zone during a period when access is prohibited.

6. Periods when access is prohibited

Access is prohibited to the declared public safety zone throughout the period of the declaration.

7. Exempt persons or classes of person

Pursuant to section 5(2) of the Act, the following persons or classes of person are exempt from the operation of this declaration:

- (a) Employees, agents and contractors of the Department of Environment, Land Water and Planning engaged in carrying out their functions.

- (b) Employees, agents, volunteers and contractors of the Country Fire Authority engaged in carrying out their functions.
- (c) Employees, agents and contractors of the Metropolitan Fire and Emergency Services Board, Ambulance Victoria, WorkSafe Victoria and Environment Protection Authority Victoria engaged in carrying out their functions.
- (d) Members of the police force of Victoria engaged in carrying out their functions.
- (e) Employees, agents and contractors of the Local Government Areas engaged in carrying out their functions.
- (f) Employees, agents and contractors of the Department of Human Services engaged in carrying out their functions.
- (g) Employees, agents, volunteers and contractors of an Emergency Management Services engaged by the Department of Environment, Land, Water and Planning or the Country Fire Authority to carry out an emergency management functions.
- (h) Employees, agents, volunteers and contractors of Networked Emergency Organisation partners engaged by the Department of Environment, Land, Water and Planning or the Country Fire Authority to carry out their functions.
- (i) Employees, agents and contractors of Water Authorities engaged in carrying out their functions.
- (j) Members of the public using State forest roads as the most practical access to and from private properties surrounding State forest.
- (k) Employees, agents and contractors engaged in accessing and carrying out functions within a prescribed mine, as defined by regulation 5.3.3 of the Occupational Health and Safety Regulations 2007, where both an approved work plan, as defined by section 40 of the **Mineral Resources (Sustainable Development Act 1990)**, and an Emergency plan, prepared in accordance with regulation 5.3.34 of the Occupational Health and Safety Regulations 2007, are in place which address the risk of bushfires.

Dated 31 January 2022

KELLY RASH
Deputy Chief Fire Officer, Gippsland
as delegate of the Secretary of the Department of Environment, Land, Water and Planning

Notes:

1. Maps showing the public safety zones are held at the Department of Environment, Land, Water and Planning (DELWP) Regional office at Traralgon and at 8 Nicholson Street, East Melbourne, Victoria 3002 (by appointment with Regional Fuel Management Coordinator, telephone 136 186). Maps are also available on the following web site: <https://www.ffm.vic.gov.au/permits-and-regulations/closures-of-parks-and-forests>
2. In addition to the above persons or classes of person exempted under section 5(2), section 9 of the **Safety on Public Land Act 2004** provides that a public safety zone declaration does not apply to the following:
 - the Secretary;
 - an authorised officer;
 - a utility engaged in the carrying out of its functions in a State forest;
 - a transport authority engaged in the carrying out of its functions in a State forest;
 - a person or class of person authorised under section 10 of the **Safety on Public Land Act 2004** to be in the public safety zone.

Schedule: Public Safety Zones

Extent of Public Safety Zones							MGA Zone
State Forest, Forest Park or Reserve	Planned Burn Name	Planned Burn Number	South-west limit Easting Northing		North-east limit Easting Northing		
Hartland State Forest	Orbost – Wombat Track	GP-SNO-ORB-0059	613	5816	618	5821	Zone 55
Murrungower State Forest and Bemm State Forest	Cabbage Tree – Emphields Track	GP-SNO-ORB-0064	651	5826	655	5828	Zone 55
State Forest	Marlo – Bushland East	GP-SNO-ORB-0007	636	5815	637	5817	Zone 55
Bemm State Forest and Mount Raymond State Forest	Cabbage Tree – Palm Track	GP-SNO-ORB-0125	644	5819	653	5826	Zone 55
Bonang State Forest	Bonang – Telecom Track	GP-SNO-ORB-0041	649	5887	655	5892	Zone 55
Mount Alfred State Forest	Mount Alfred – Wattle Creek Road	GP-TBO-BAI-0017	535	5829	540	5835	Zone 55
Mount Alfred State Forest	Mount Alfred – Kill Me Dead Creek	GP-TBO-BAI-0007	537	5829	540	5834	Zone 55
Mount Alfred State Forest	Wuk Wuk – Harding Road East	GP-TBO-BAI-0034	536	5825	540	5829	Zone 55
Mount Alfred State Forest	Melwood – Melwood Boundary track	GP-TBO-BAI-0020	542	5822	545	5825	Zone 55
Bullung – Warl State Forest	Clifton Creek – Bark Bucket Creek	GP-TBO-BAI-0024	553	5825	557	5828	Zone 55
Bruthen State Forest	Bruthen – Pipe Dump Road North	GP-TBO-BAI-0155	571	5828	574	5830	Zone 55

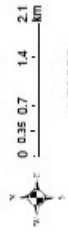
Gurrun – Gurrun – Yarn State Forest	Bruthen – Omaras Road	GP-TBO-BAI-0006	578	5827	578	5830	Zone 55
Gurrun – Gurrun – Yarn State Forest	Bruthen Deadhorse Creek	GP-TBO-NOW-0299	578	5823	584	5828	Zone 55
Colquhoun/ Boyanga Gidi State Forest	Nowa Nowa – Stockyard Break	GP-TBO-NOW-0016	591	5824	595	5827	Zone 55
Colquhoun/ Boyanga Gidi State Forest	Nowa Nowa – Long Hill Track	GP-TBO-NOW-0296	594	5821	596	5823	Zone 55
Hartland State Forest	Tostaree – Old Tostaree Road	GP-TBO-NOW-0288	600	5819	604	5823	Zone 55
Colquhoun/ Boyanga Gidi State Forest	Nowa Nowa – Pettmans Road East	GP-TBO-NOW-0291	588	5817	591	5823	Zone 55
Bullung – Warl State Forest	Mount Taylor – Jones Road	GP-TBO-BAI-0152	554	5823	556	5826	Zone 55
Mount Alfred State Forest	Wuk Wuk – Cox Boundary tk	GP-TBO-BAI-0151	535	5824	541	5826	Zone 55
Colquhoun Regional Park (FFR tenure)	Colquhoun – Tin Shed Track	GP-TBO-NOW-0297	580	5811	583	5815	Zone 55
Colquhoun Regional Park (FFR tenure)	Colquhoun – Oil Bore Road North	GP-TBO-NOW-0292	579	5813	582	5816	Zone 55



Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Bonang - Telecom Track Planned Burn



Legend
Fuel Treatment Areas -
Planned Burns



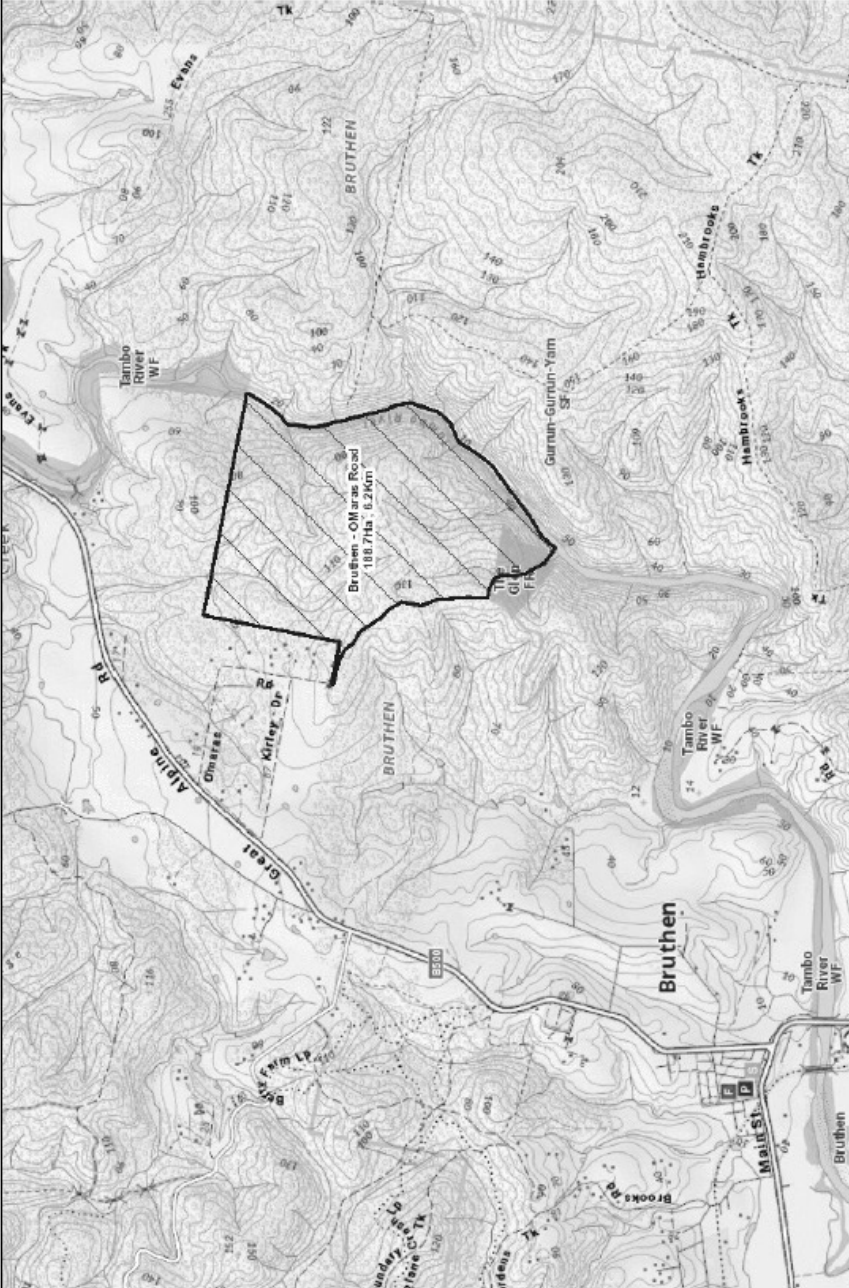
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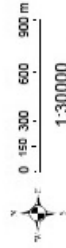
Produced on: Wednesday, 12 January 2022



**Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Bruthen -
Omaras Road Planned Burn**



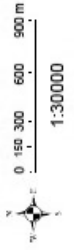
Legend
Fuel Treatment Areas -
Planned Burns



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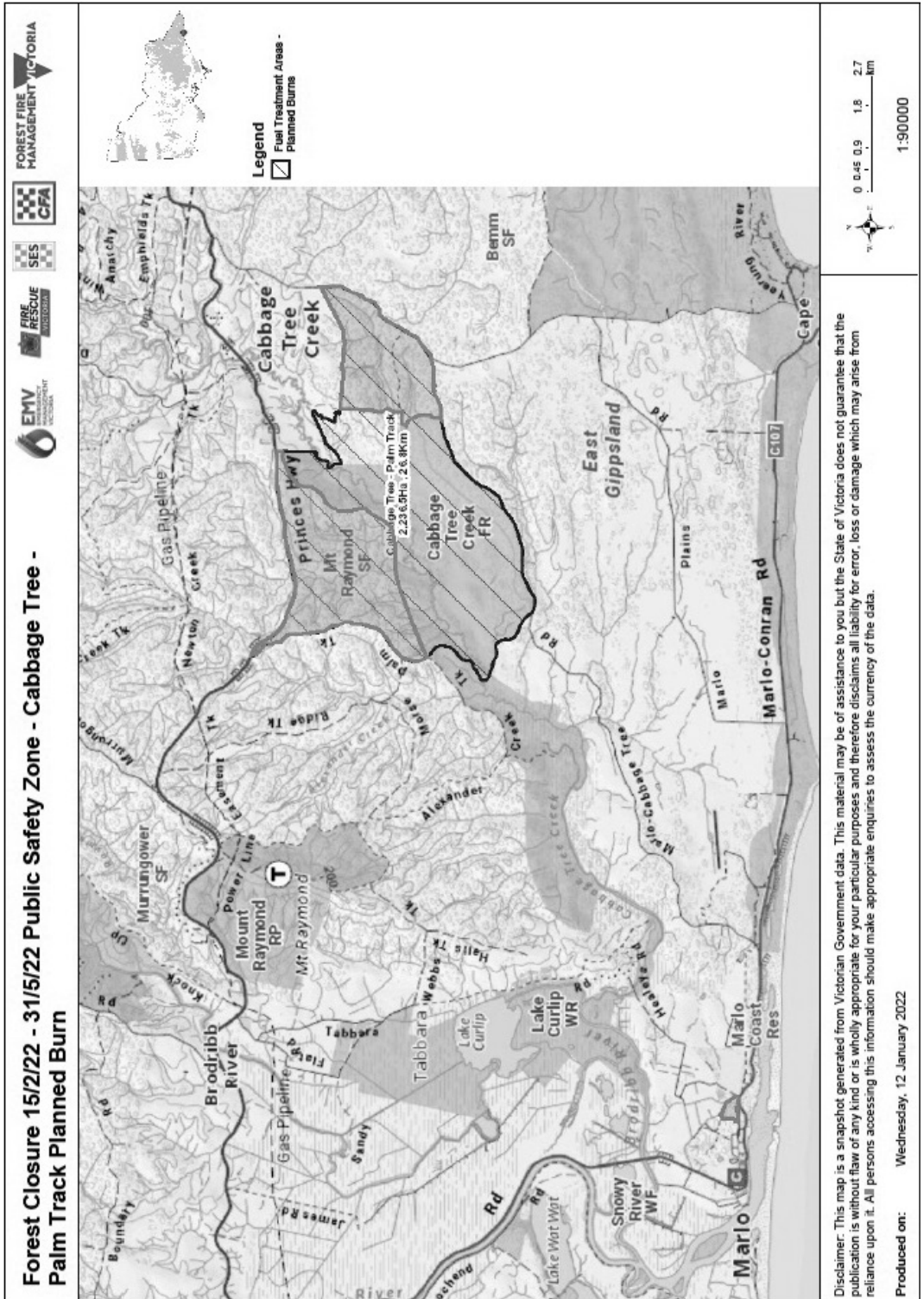
Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Bruthen - Pipe Dump Road North Planned Burn



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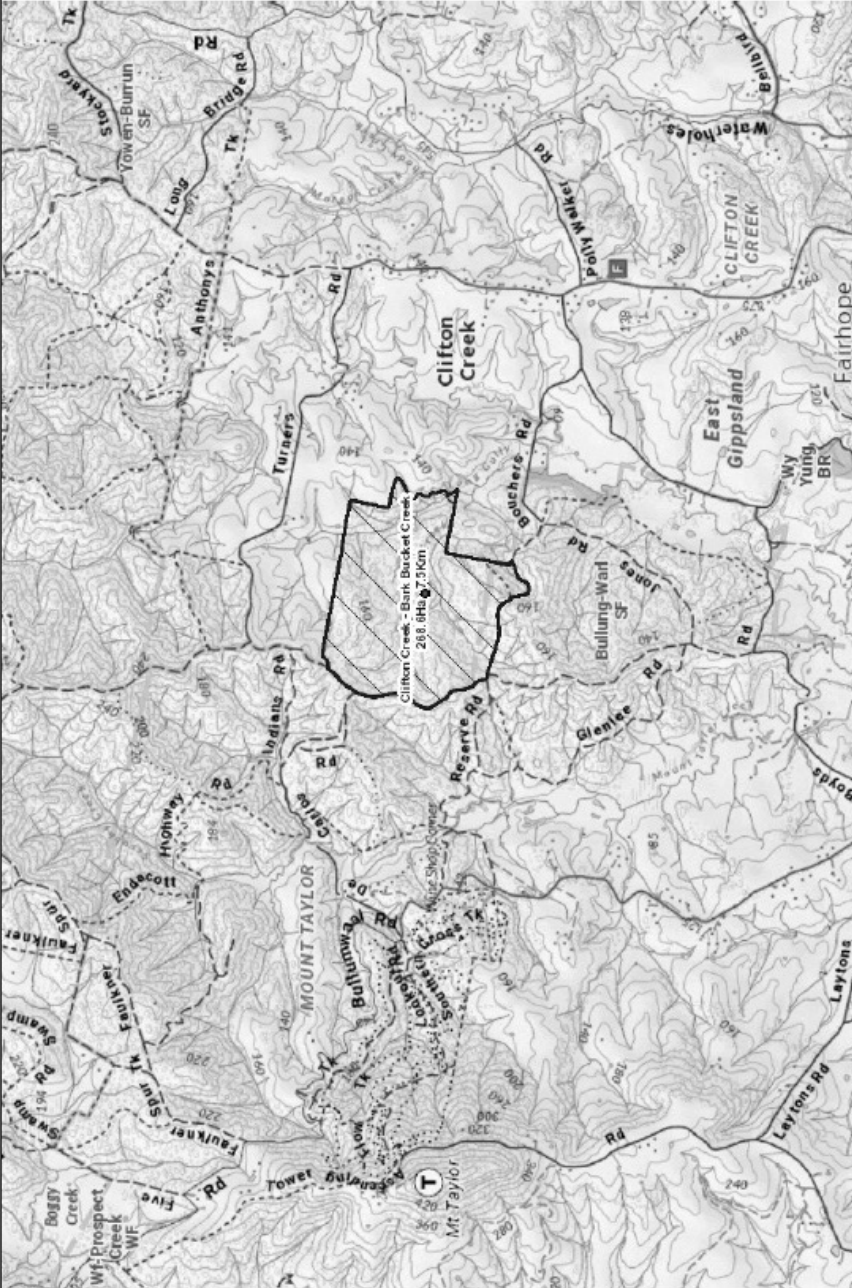
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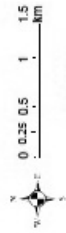




Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Clifton Creek - Bark Bucket Creek Planned Burn



Legend
Fuel Treatment Areas -
Planned Burns

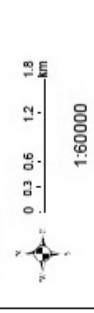


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Produced on: Monday, 17 January 2022

Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Colquhoun - Oil Bore Road North Planned Burn



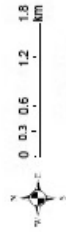
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Produced on: Monday, 17 January 2022

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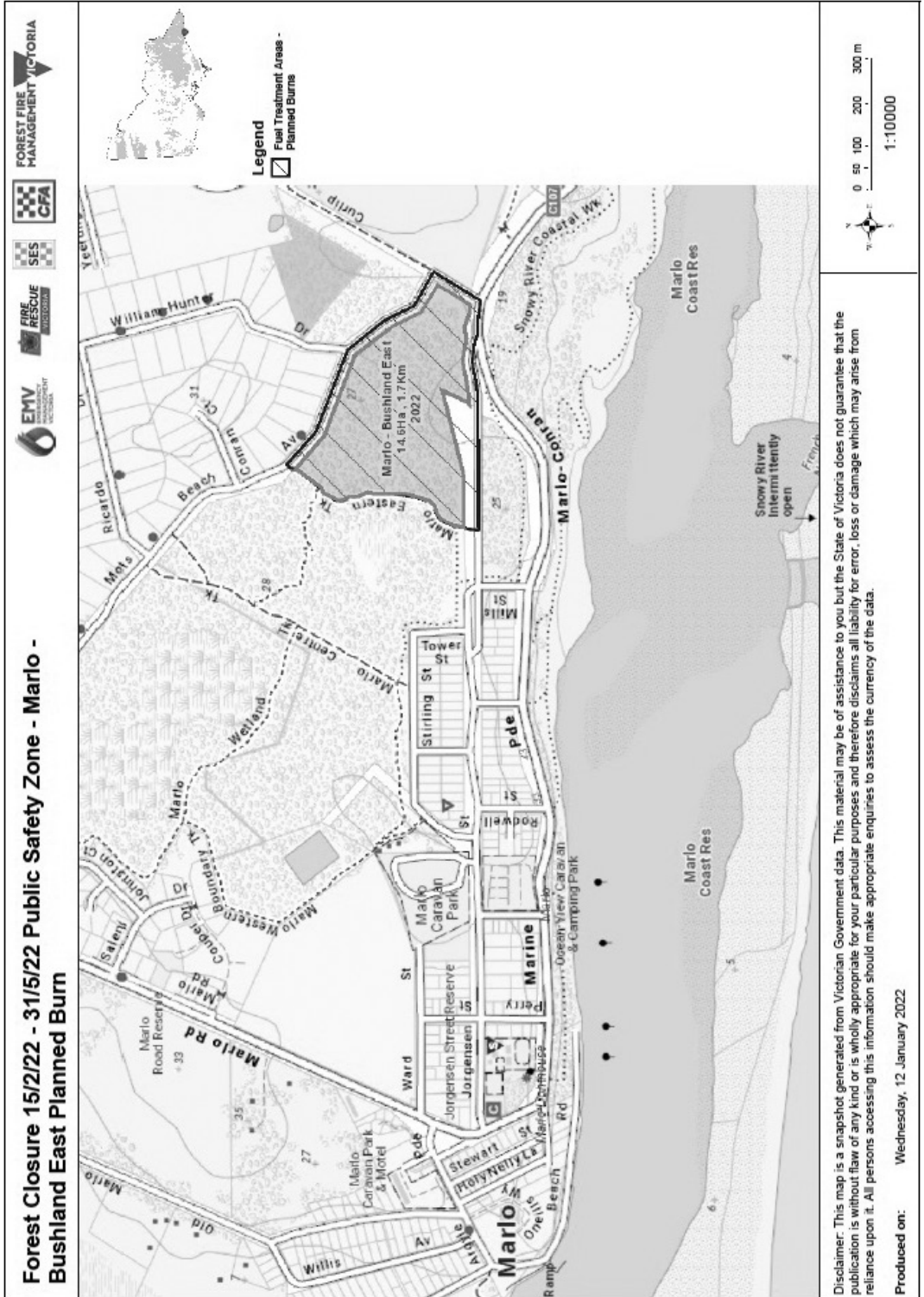
Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Colquhoun - Tin Shed Track Planned Burn



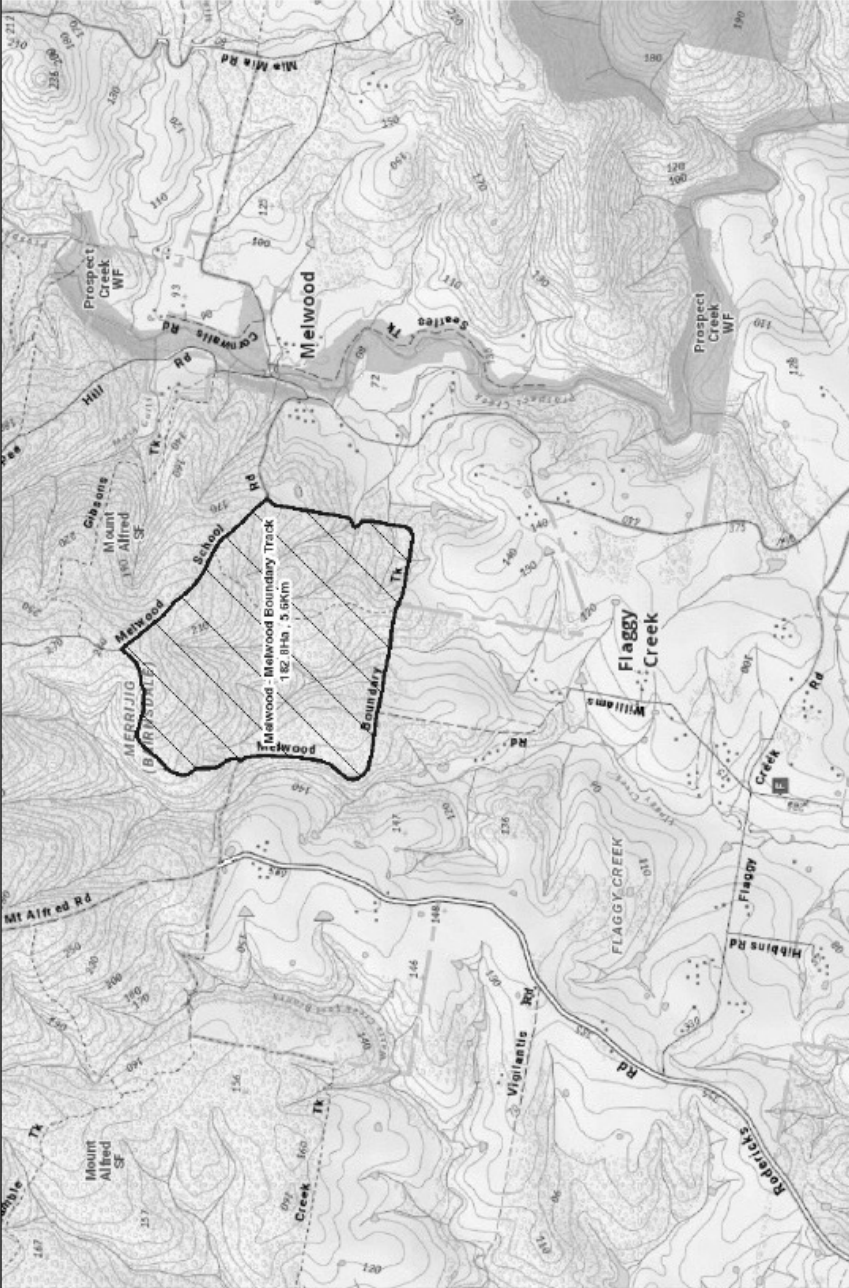
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Produced on: Monday, 17 January 2022



**Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Melwood -
Melwood Boundary Track Planned Burn**



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Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Mount Taylor - Jones Road Planned Burn



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Produced on: Monday, 17 January 2022

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Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Mt Alfred - Kill Me Dead Creek Planned Burn



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Produced on: Wednesday, 12 January 2022

**Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Mt Alfred -
Wattle Creek Rd Planned Burn**

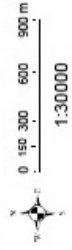


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Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Nowa Nowa - Long Hill Track Planned Burn

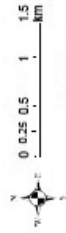


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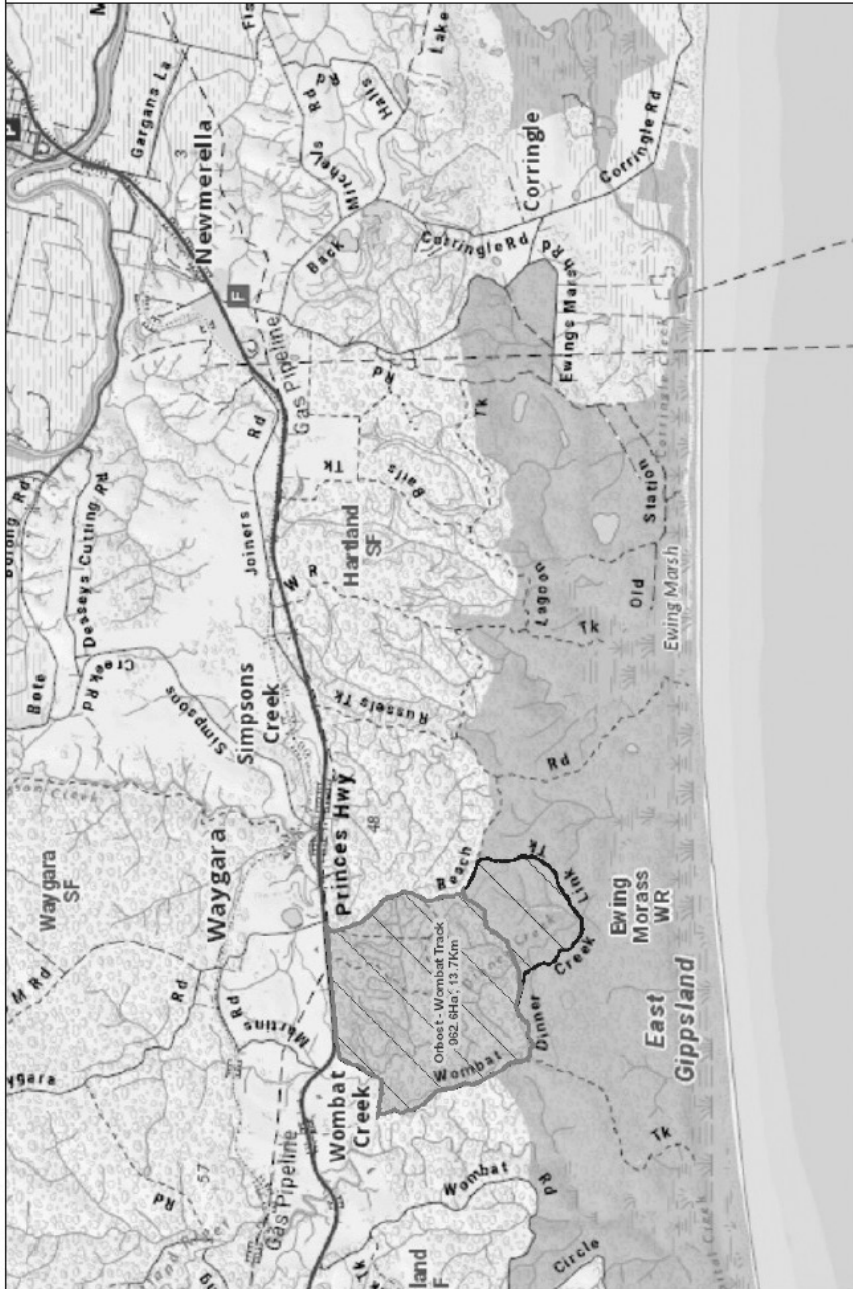
Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Nowa Nowa - Stockyard Break Planned Burn



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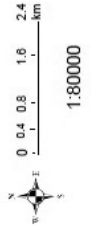
**Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Orboast -
Wombat Track Planned Burn**



Legend
Fuel Treatment Areas -
Planned Burns

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Produced on: Wednesday, 12 January 2022





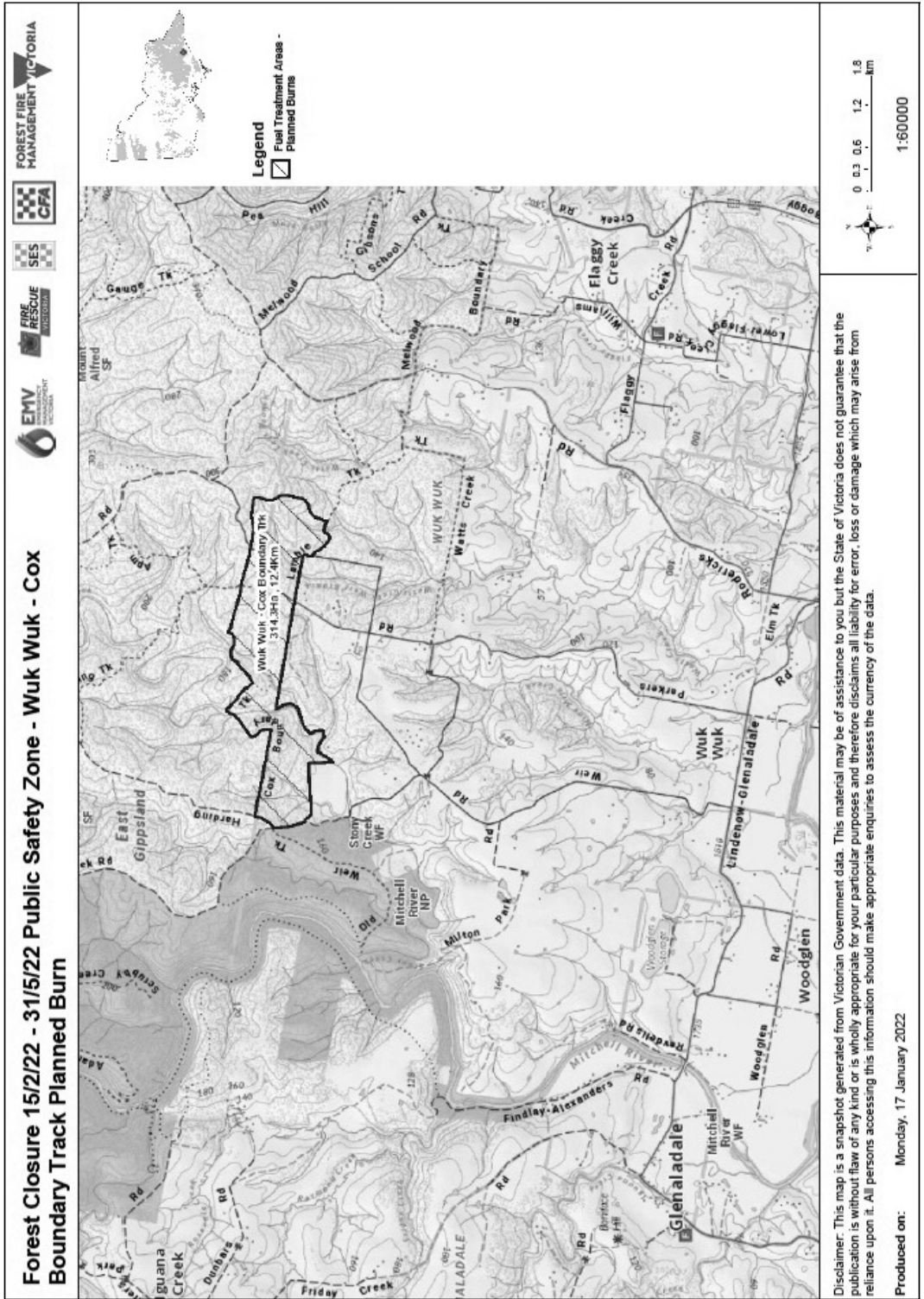
Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Tostaree - Old Tostaree Road Planned Burn



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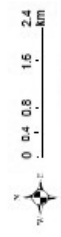


**Forest Closure 15/2/22 - 31/5/22 Public Safety Zone - Wuk Wuk -
Harding Road East Planned Burn**



Legend
 Fuel Treatment Areas -
 Planned Burns

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Produced on: Wednesday, 12 January 2022

Water Act 1989**CENTRAL GIPPSLAND REGION WATER CORPORATION –
DECLARATION OF SERVICED PROPERTIES**

Pursuant to section 144 of the **Water Act 1989**, Central Gippsland Region Water Corporation declares the following land to be serviced property for the services listed below on or from the Declaration Date/s listed below.

Address	Service	Subdivision No.	Declaration Date
Baldwin Road, Walker Crescent and Craven Mews, Traralgon	Water and Sewer	PS826070 X	12/01/2022

Water Act 1989**WANNON WATER****Multiple Services****Declaration of Properties Provided with Water or Sewerage Services**

Notice is hereby given pursuant to section 144 of the **Water Act 1989** that each property listed below has been declared a Serviced Property. The services available, locality and date from which the service was made available is shown under the relevant heading for the listed property.

Water and Sewer Services

Lots 141, 142 and 146, PS 845335E

Warrnambool

5 January 2022

Lots 1 and 2, PS 847941X

Hamilton

18 January 2022

ANDREW JEFFERS
Managing Director



Water Act 1989

NOTICE OF DECLARATION OF SERVICED PROPERTIES DECLARATION NO. 830

Central Highlands Water declares the properties as described below to be serviced properties for the purpose of the **Water Act 1989** on and from Thursday 7 April 2022.

PROPERTY	TOWNS	TYPE
PS813160U Lot 1	Avoca	sewer
PS830211H Lot 1–3 incl.	Avoca	water/sewer
PS815766U Lot 1 and 2	Ballan	water/sewer
LP41035 Lot 7	Ballan	water/sewer
PS735553H Lot 1 and 2	Ballan	water/sewer
PS841514B Lot 1 and 2	Ballarat North	water/sewer
PS837936W/S1 Lot 1 and S2	Brown Hill	water/sewer
PS821451M Lot 1–8 incl.	Buninyong	water/sewer
C/A 11A Sec 83	Canadian	sewer
PS820908W Lot 5–19 incl.	Canadian	water/sewer
PS846877K Lot 1	Clunes	sewer
TP968003G C/A 48 Sec 8	Clunes	water
TP792152R C/A 14 Sec 9	Clunes	water
PS846877K Lot 2 and 3	Clunes	water/sewer
PS845790D Lot 1 and 2	Clunes	water/sewer
PS839926P Lot 1–3 incl.	Creswick	water/sewer
PS843750C Lot 1 and 2	Creswick	water/sewer
PS900755B Lot 1 and 2	Daylesford	water/sewer
PS843748N Lot 1800–1812 incl.	Lucas	water/sewer
PS837956Q Lot 130–152 incl.	Lucas	water/sewer
PS837957N Lot 102–129 incl.	Lucas	water/sewer
PS837958L Lot 75–101 incl.	Lucas	water/sewer
PS844698V Lot 1–26 incl.	Sebastopol	water/sewer
PS807055B Lot 2	Smythes Creek	water/sewer
C/A 8 Sec 46	Smythesdale	water/sewer
PS806198H Lot 1–5 incl.	Soldiers Hill	water/sewer
PS843947G Lot 1 and 2	Wendouree	water/sewer
PS824622U Lot 725–755 incl.	Winter Valley	water/sewer

For more information contact Central Highlands Water on 1800 061 514.

Water Act 1989**GREATER WESTERN WATER (PREVIOUSLY CITY WEST WATER AND WESTERN WATER) – DECLARATION OF SERVICED PROPERTIES**

Pursuant to section 144 of the **Water Act 1989**, Greater Western Water (previously City West Water and Western Water) declares the following land to be serviced property for the listed services on or from the Declaration Date/s listed below.

Lot/s	PS Number	Address	Commence Date	Services
1–2	PS843996S	1967 Western Highway, Rockbank	26/08/1998	Water/Sewer
1–2	PS801800B	13 Glenville Drive, Melton	31/08/2016	Water/Sewer
1–2	PS842763X	44 Stewart Crescent, Rockbank	15/04/2020	Water/Sewer
1–2	PS844866B	12 Bungarra Court, Kurunjang	30/07/2020	Water/Sewer
1–2	PS843679F	2a Standfield Street, Bacchus Marsh	24/09/2020	Water/Sewer
1–2	PS841193U	22 Cromarty Circuit, Darley	27/01/2021	Water/Sewer
1–2	PS848425M	5 Grenville Place, Melton West	12/03/2021	Water/Sewer
1–2	PS846866Q	19 Burke Road, Sunbury	28/04/2021	Water/Sewer
1–2	PS827649G	48 Shoring Road, Diggers Rest	20/08/2021	Water/Sewer
100–160	PS838801R	Majesty Estate Stage 1, Bonniebrook	6/01/2022	Water/Sewer
1–2	PS841005Y	30 Margaret Drive, Bacchus Marsh	6/01/2022	Water/Sewer
381–419	PS838464H	Monument Estate Stage 13, Bonnie Brook	11/01/2022	Water/Sewer
1–2	PS836489B	35 Bawden Road, Woodend	12/01/2022	Water/Sewer
101–132	PS829574B	Davis Vineyard Estate Stage 1, Diggers Rest	12/01/2022	Water/Sewer
1–2	PS837495B	19 Gap Road, Riddells Creek	14/01/2022	Water/Sewer
701–729	PS837659W	Deanside Village Estate Stage 7, Deanside	19/01/2022	Water/Sewer
1101– 1108	PS842541S	Accolade Estate Stage 11a, Rockbank	20/01/2022	Water/Sewer
701–706	PS824084W	Millstone Estate Stage 7a, Strathulloh	24/01/2022	Water/Sewer
1901– 1907	PS746069B	Jacksons Hill Estate Stage 19, Sunbury	25/01/2022	Water/Sewer
1–2	PS846620A	1 Laurel Court, Sunbury	27/01/2022	Water/Sewer
1–2	PS835293A	140 Pioneer Drive, Aintree	23/02/2021	Water/ Recycled Water/Sewer
1–2	PS827652T	615 Wildwood Road, Wildwood	27/09/2007	Water

Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

Notice of Approval of Amendment

Amendment C232ball

The Minister for Planning has approved Amendment C232ball to the Ballarat Planning Scheme.

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

The Amendment facilitates the use of the Ballarat Railway Station Precinct site for limited Industry uses to facilitate economic development and increase tourist visitation numbers to Ballarat by updating the Schedule 16 to the Special Use Zone.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, during office hours, at the offices of Ballarat City Council, 25 Armstrong Street South, Ballarat, and on the Council website at www.ballarat.vic.gov.au

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

BENALLA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C42bena

The Minister for Planning has approved Amendment C42bena to the Benalla Planning Scheme.

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

The Amendment rezones land at Gay Street, Benalla, known as the former Benalla College Oval, from Public Park and Recreation Zone to General Residential Zone – Schedule 1 in the Benalla Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, during office hours, at the offices of the Benalla Rural City Council, 1 Bridge Street East, Benalla, and on the Council website at www.benalla.vic.gov.au

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
FRANKSTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment C141fran

The Minister for Planning has approved Amendment C141fran to the Frankston Planning Scheme.

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

The Amendment replaces the Local Planning Policy Framework of the Frankston Planning Scheme with a new Municipal Planning Strategy at Clause 2, a modified Planning Policy Framework at Clauses 11–19 and a selected number of local schedules to overlays and operational provisions in a manner consistent with changes to the Victoria Planning Provisions introduced by Amendment VC148.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation and, free of charge, at the Frankston City Council website at <https://www.frankston.vic.gov.au/Home> and/or during office hours, at the Frankston City Council, 30 Davey Street, Frankston.

STUART MENZIES
Director, State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
GREATER DANDENONG PLANNING SCHEME
Notice of Approval of Amendment
Amendment C235gdan

The Minister for Planning has approved Amendment C235gdan to the Greater Dandenong Planning Scheme.

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

The Amendment corrects the reference to Schedule 1 to the Green Wedge Zone (GWZ1) and Schedule 1 to the Green Wedge A Zone (GWAZ1) on the Planning Scheme Maps which were not gazetted as part of Amendment C143.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, during office hours, at the offices of Greater Dandenong City Council, 255 Lonsdale Street, Dandenong, and on the Council website at www.greaterdandenong.com

STUART MENZIES
Director, State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
GREATER GEELONG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C399ggee

The Minister for Planning has approved Amendment C399ggee to the Greater Geelong Planning Scheme.

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

The Amendment modifies the incorporated native vegetation precinct plans for the Armstrong Creek Town Centre and Horseshoe Bend precincts to update the methodology used for the calculation of native vegetation offsets; and makes associated modifications to Clause 37.07 Urban Growth Zone Schedule 4 Armstrong Creek Horseshoe Bend Precinct Structure Plan and Schedule 5 Armstrong Creek Town Centre Precinct Structure Plan, the Schedule to Clause 52.16 Native Vegetation Precinct Plan, and the Schedule to Clause 72.04 Documents incorporated in this planning scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, during office hours, at the offices of the Greater Geelong City Council, 100 Brougham Street, Geelong, and can be viewed at the Amendments section of the Council's website at www.geelongaustralia.com.au/amendments/

STUART MENZIES
Director, State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

HEPBURN PLANNING SCHEME

Notice of Approval of Amendment

Amendment C80hepb

The Minister for Planning has approved Amendment C80hepb to the Hepburn Planning Scheme.

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

The Amendment replaces the Local Planning Policy Framework (Municipal Strategic Statement and Local Planning Policies) with a new Municipal Planning Strategy and Planning Policy Framework, implements the Hepburn Planning Scheme Review, February 2020 and implements recent reforms to the Victoria Planning Provisions and the *Ministerial Direction – The Form and Content of Planning Schemes* into the Hepburn Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment and permit documentation. A copy of the Amendment and permit can also be inspected, free of charge, during office hours, at the offices of the Hepburn Shire Council, 76 Vincent Street, Daylesford, and on the Council website at www.hepburn.vic.gov.au

STUART MENZIES
Director, State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

LODDON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C45lodd

The Minister for Planning has approved Amendment C45lodd to the Loddon Planning Scheme.

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

The Amendment replaces the Local Planning Policy Framework of the Loddon Planning Scheme with a new Municipal Planning Strategy at Clause 2 and a modified Planning Policy Framework at Clauses 11–19, corrects errors in a local schedule to a particular provision and replaces a selected number of local schedules to operational provisions, in a manner consistent with changes to the Victoria Planning Provisions introduced by Amendment VC148.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation and, free of charge, at the website of the Loddon Shire Council <https://www.loddon.vic.gov.au/Home> and/or, during office hours, at the offices of the Loddon Shire Council, 41 High Street, Wedderburn, and 37 Peppercorn Way, Serpentine.

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

MARIBYRNONG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C163mari

The Minister for Planning has approved Amendment C163mari to the Maribyrnong Planning Scheme.

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

The Amendment protects trees in the *Maribyrnong Significant Tree Register 2021* on a permanent basis by replacing the interim Schedule 3 to the Environmental Significance Overlay (ESO) with a permanent Schedule 2 to the ESO. It also makes associated changes to the Municipal Strategic Statement.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, during office hours, at the offices of the Maribyrnong City Council, corner Hyde and Napier Streets, Footscray, and on the Council website at www.maribyrnong.vic.gov.au

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

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

Notice of Approval of Amendment

Amendment C163monaPt1

The Minister for Planning has approved Amendment C163monaPt1 to the Monash Planning Scheme.

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

The Amendment makes the following changes to land in the Monash Planning Scheme:

- rezone the existing shops at 277 Huntingdale Road, Chadstone, and 49 Westerfield Drive, Notting Hill, from the General Residential Zone to the Commercial 1 Zone;
- rezone land along the northern boundary with 27 Regent Street, Mount Waverley, from the Public Park and Recreation Zone to the Neighbourhood Residential Zone 2;
- apply the Vegetation Protection Overlay to the northern boundary associated with 27 Regent Street, Mount Waverley;
- rezone land at 12 and 14–16 Dixon Street, Clayton, from the Residential Growth Zone – Schedule 3 to the Public Use Zone 3.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation and, free of charge, during office hours, at the offices of the Monash City Council, 293 Springvale Road, Glen Waverley, and on the Council website at www.monash.vic.gov.au

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987**MOONEE VALLEY PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C194moon

The Minister for Planning has approved Amendment C194moon to the Moonee Valley Planning Scheme.

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

The Amendment introduces the Development Contributions Plan Overlay, applies a new Schedule 1 to Clause 45.06, inserts an incorporated document title ‘Moonee Valley Development Contributions Plan, September 2020’ into the Moonee Valley Planning Scheme and amends the Schedule to Clause 72.03 to include new planning scheme maps.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation and, free of charge, during office hours, at the offices of the Moonee Valley City Council, Moonee Valley, 9 Kellaway Avenue, Moonee Ponds, and on the Council website at www.mvcc.vic.gov.au

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
NILLUMBIK PLANNING SCHEME
Notice of Approval of Amendment
Amendment C137nill

The Minister for Planning has approved Amendment C137nill to the Nillumbik Planning Scheme.

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

The Amendment applies the Heritage Overlay (HO270) to part of 14–26 Browns Lane, Plenty, on an interim basis until 1 December 2022.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, during office hours, at the offices of the Nillumbik Shire Council, Civic Drive, Greensborough, and on the Council's website at www.nillumbik.vic.gov.au

STUART MENZIES
Director, State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
NORTHERN GRAMPPIANS PLANNING SCHEME
Notice of Approval of Amendment
Amendment C60ngra

The Minister for Planning has approved Amendment C60ngra to the Northern Grampians Planning Scheme.

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

The Amendment implements flood controls in Halls Gap in response to the *Halls Gap Planning Scheme Amendment (Water Technology, 2020)*. Specifically, the Amendment: applies the Land Subject to Inundation Overlay Schedule 1 and Floodway Overlay Schedule 1 to land in Halls Gap, amends Schedule 1 to Clause 44.03 (Floodway Overlay) and Schedule 1 to Clause 44.04 (Land Subject to Inundation Overlay) to add reference to 'Halls Gap' in the title of each Schedule, amends Schedule to Clause 72.03 to update list of maps comprising part of the scheme and amends Schedule to Clause 72.08 to list the flood report as a Background Document.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, during office hours, at the offices of the Northern Grampians Shire Council, 59–69 Main Street, Stawell, or at www.ngshire.vic.gov.au

STUART MENZIES
Director, State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
WODONGA PLANNING SCHEME
Notice of Approval of Amendment
Amendment C135wdon

The Minister for Planning has approved Amendment C135wdon to the Wodonga Planning Scheme.

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

The Amendment corrects inconsistencies between Wodonga Planning Scheme zone maps and the approved development plan for the Riverside Estate at Bandiana and Killara.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, during office hours, at the offices of the Wodonga City Council, 104 Hovell Street, Wodonga, and on the Council website at www.wodonga.vic.gov.au

STUART MENZIES
Director, State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
WYNDHAM PLANNING SCHEME
Notice of Approval of Amendment
Amendment C258wynd

The Minister for Planning has approved Amendment C258wynd to the Wyndham Planning Scheme.

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

The Amendment replaces the Local Planning Policy Framework of the Wyndham Planning Scheme with a new Municipal Planning Strategy at Clause 2, a modified Planning Policy Framework at Clauses 11–19 and a selected number of local schedules to overlays and operational provisions in a manner consistent with changes to the Victoria Planning Provisions introduced by Amendment VC148.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, at the Wyndham City Council website at www.wyndham.vic.gov.au and/or during office hours, at the offices of the Wyndham City Council, 45 Princes Highway, Wyndham, Victoria 3030.

STUART MENZIES
Director, State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

YARRA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C191yara

The Minister for Planning has approved Amendment C191yara to the Yarra Planning Scheme.

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

Amendment C191yara implements the recommendations of the Swan Street Activity Centre Built Form Framework and Swan Street Built Form Study Heritage Assessments and Analysis by rezoning properties from the Commercial 2 Zone to Commercial 1 Zone; replaces Design and Development Overlay Schedule 17 with revised schedules 25, 26, 27 and 28 on a permanent basis; updates local policy; corrects a number of mapping errors; applies the Heritage Overlay to 15 properties on a permanent basis and removes the Heritage Overlay from ungraded places and applies the Environmental Audit Overlay to sites being rezoned to Commercial 1 Zone.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, during office hours, at the offices of the Yarra City Council, Richmond Town Hall, 333 Bridge Road, Richmond, or at www.yarracity.vic.gov.au

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

ORDERS IN COUNCIL

Children, Youth and Families Act 2005
ESTABLISHING YOUTH JUSTICE UNITS

Order in Council

The Governor in Council under section 478(d) of the **Children, Youth and Families Act 2005** establishes the following youth justice units:

- (1) Bairnsdale, 108 Macleod Street, Bairnsdale 3875
- (2) Ballarat, 22 Camp Street, Ballarat 3350
- (3) Dandenong, 46–50 Walker Street, Dandenong 3175
- (4) Frankston, G/431 Nepean Highway, Frankston 3199
- (5) Kyneton, 2 Jennings Street, Kyneton 3444
- (6) Lilydale, 23–29 John Street, Lilydale 3140
- (7) Mildura, 59 Madden Avenue, Mildura 3501
- (8) Morwell, 25 Ann Street, Morwell 3840
- (9) Ringwood, 60–62 Maroondah Highway, Ringwood 3140
- (10) Sale, 378 Raymond Street, Sale 3850
- (11) Shepparton, 307–331 Wyndham Street, Shepparton 3630
- (12) Shepparton, 409 Wyndham Street, Shepparton 3630
- (13) Wonthaggi, 7 Korumburra Road, Wonthaggi 3995.

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

Dated: 8 February 2022

Responsible Minister:

THE HON. NATALIE HUTCHINS MP

Minister for Youth Justice

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

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

Notice is hereby given under section 17(3) of the **Subordinate Legislation Act 1994** that the following Statutory Rules were first obtainable from TIMG Bookshop, Level 10, 575 Bourke Street, Melbourne 3000, on the date specified:

6. *Statutory Rule:* Education and Training Reform Amendment Regulations 2022
Authorising Act: Education and Training Reform Act 2006
Date first obtainable: 8 February 2022
Code A
7. *Statutory Rule:* Pollution of Waters by Oil and Noxious Substances Regulations 2022
Authorising Act: Pollution of Waters by Oil and Noxious Substances Act 1986
Date first obtainable: 8 February 2022
Code B
8. *Statutory Rule:* Severe Substance Dependence Treatment Regulations 2022
Authorising Act: Severe Substance Dependence Treatment Act 2010
Date first obtainable: 8 February 2022
Code B
-

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