



Victoria Government Gazette

No. S 111 Monday 31 July 2000
By Authority. Victorian Government Printer

SPECIAL

Melbourne City Link Act 1995

NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ("the Act"), Transurban City Link Limited ACN 070 810 678 (the relevant corporation in relation to the Link road ("Transurban")) hereby fixes tolls which are payable in respect of the use of Rental Cars (as set out herein) on toll zones.

For the purposes of this Notice, the following definitions apply:

Bus is a Motor Vehicle having more than 12 seating positions (including that of the driver);

Car is a Motor Vehicle, other than:

- (a) a Motor Cycle;
- (b) a Light Commercial Vehicle;
- (c) a Heavy Commercial Vehicle; or
- (d) a Taxi;

even if such a Motor Vehicle is towing a trailer or caravan;

Day is a calendar day being a consecutive period of 24 hours commencing at 12 midnight;

Heavy Commercial Vehicle or HCV is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus; or
- (d) a two axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

Light Commercial Vehicle or LCV is a Motor Vehicle, other than a Taxi, which is a two axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

Motor Cycle is a two wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

Motor Vehicle is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheel chair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

Rental Car is a Car that is subject to and used in line with a Rental Car Contract;

Rental Car Contract is an agreement between Transurban and a person in accordance with section 73B of the Act, under which Transurban agrees to register one or more of that person's Rental Cars under Part 4 of the Act;

Taxi is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

the Agreement has the same meaning as in the Act;

the Integration and Facilitation Agreement has the same meaning as in the Act;

Truck is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes; and

vehicle has the same meaning as in the Act.

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table A are payable in respect of the use of vehicles on toll zones for each Day where the vehicle is a Rental Car.

Table A
Toll
\$3.25 per Day

For the avoidance of doubt, this Notice does not set Charge Tolls or Day Tolls for the purpose of the Agreement or the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1) dated 30 June 2000 and published in the Victoria Government Gazette (Special) No. S 98 (pages 7 to 8), dated 30 June 2000 (“the Last Notice”).

This Notice takes effect on 1 August 2000, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 31 July 2000

The common seal of
Transurban City Link Limited
ACN 070 810 678
is fixed to this document by:

G R PHILLIPS
Finance Director
Transurban City Link Limited
(ACN 070 810 678)

P G B O’SHEA
Company Secretary
Transurban City Link Limited
(ACN 070 810 678)

Gazette Services

The *Victorian Government Gazette* (VGG) is published by The Craftsman Press Pty. Ltd. for the State of Victoria and is produced in three editions.

VGG General is published each Thursday and provides information regarding Acts of Parliament and their effective date of operation; Government notices; requests for tenders; as well as contracts accepted. Private Notices are also published.

VGG Special is published any day when required for urgent or special Government notices. VGG Special is made available automatically to subscribers of VGG General.

VGG Periodical is published when required and includes specialised information eg. Medical, Dental, Pharmacist's Registers, etc.

Subscriptions

VGG is available by three subscription services:

The Victoria Government Gazette
 General and Special — \$170.00 each year
 General, Special and Periodical — \$227.00 each year
 Periodical — \$113.00 each year.

Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds will not be given.

All payments should be made payable to
 The Craftsman Press Pty. Ltd.

Subscription enquiries:

The Craftsman Press Pty. Ltd.
 125 Highbury Road, Burwood Vic 3125
 Telephone: (03) 9926 1233
 Fax (03) 9926 1292

The Victoria Government Gazette is published by
 The Craftsman Press Pty. Ltd. with the authority of the
 Government Printer for the State of Victoria

© State of Victoria 2000

ISSN 0819-5471

This publication is copyright. No parts may be reproduced
 by any process except in accordance with the provisions of
 the Copyright Act.

Products and services advertised in this publication are not
 endorsed by The Craftsman Press Pty. Ltd. or the State of
 Victoria and neither of them accepts any responsibility for
 the content or the quality of reproduction. The Craftsman
 Press Pty. Ltd. reserves the right to reject any advertising
 material it considers unsuitable for government
 publication.

Address all inquiries to the Government Printer for the
 State of Victoria

Government Information and Communications Branch

Department of Premier and Cabinet

Level 3, 356 Collins Street

Melbourne 3000

Victoria Australia

Subscriptions

The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood

Victoria, Australia 3125

Telephone enquiries: (03) 9926 1233

Facsimile (03) 9926 1292

Retail Sales

Information Victoria Bookshop

356 Collins Street Melbourne 3000.

Telephone enquiries 1300 366 356

City Graphics

Level 1, 520 Bourke Street

Melbourne 3000

Telephone enquiries (03) 9600 0977

Price Code A