



Victoria Government Gazette

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GENERAL

TABLE OF PROVISIONS

Private Advertisements		Verna A. Cook	2412
Dissolution of Partnership		Warren, Graham & Murphy	2413
Mum's Grapevine	2408	Williams Winter	2413
Autobody Prestige and Belair Car Rental	2408	Wright Smiths	2413
Oil Response Company of Australia	2408	Sales by the Sheriff	
OPEAM Pty Ltd	2408	Joseph Spiteri	2413
Estates of Deceased Persons		Savas Soldatos	2413
B. J. Fennelly & Associates	2408	Jordan Satelmajer	2414
De Marco Lawyers	2408	Filomena Dos Santos	2414
Dwyer Mahon & Robertson	2409	Henry & Eneli Soi Soi	2414
Dwyer & Willett Lawyers	2409	Bannister Bay Pty Ltd	2415
Garden & Green	2409	Antonio Sorace	2415
Gilberthorpes	2409	Christian Burnside	2415
Hartleys Lawyers	2409	Angela Scarpino	2416
Harwood Andrews Lawyers	2409	Jason Leslie & Lisa Karen Ross	2416
Hunt, McCullough, Kollias & Co.	2410	Proclamations	2417
John Keating & Associates	2410	Government and Outer Budget Sector	
John W. Ball & Sons	2410	Agencies Notices	2418
Kempsons Lawyers	2410	Orders in Council	2512
Maddocks	2410	Acts: Crown Land (Reserves);	
Pearce Webster Dugdales	2410	Land;	
Rennick & Gaynor	2411	Land (Miscellaneous Matters);	
Richmond & Bennison	2411	Port Services;	
Roberts Beckwith Partners	2411	Victoria Grants Commission	
Ryan, Mackey & McClelland	2411	Late Notices	
Sandhurst Trustees Ltd	2412	Melbourne Water	2518
Spencer Law Partners	2412		
Stidston & Williams Weblaw	2412		
Van Lierop Lawyers	2412		

Advertisers Please Note

As from 23 October 2008

The last Special Gazette was No. 283 dated 21 October 2008.

The last Periodical Gazette was No. 1 dated 12 June 2008.

How To Submit Copy

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- 1 Treasury Place, Melbourne (behind the Old Treasury Building)
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**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
MELBOURNE CUP HOLIDAY (Tuesday 4 November 2008)**

Please Note:

The Victoria Government Gazette for Melbourne Cup week (G45/08) will be published on **Thursday 6 November 2008**.

Copy deadlines:

Private Advertisements **9.30 am on Friday 31 October 2008**

Government and Outer
Budget Sector Agencies Notices **9.30 am on Monday 3 November 2008**

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

JENNY NOAKES
Government Gazette Officer

VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership that formerly existed between Vicky Bennett and Caroline Taylor, trading under the name of Mum's Grapevine, has been dissolved effective 20 August 2008.

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership between Wayne Bernhard as trustee for Bernhard Investment Trust and Paul Catling as trustee for Catling Investment Trust, conducting business as Autobody Prestige and Belair Car Rental, has been dissolved as of 15 September 2008. Wayne Allan Bernhard continues with the businesses as sole director.

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership between the B. D. & B. M. Cropley Family Trust and the Stanmoore Family Trust, trading as Oil Response Company of Australia, is dissolved effective 30 September 2008. From that date, B. D. & B. M. Cropley Family Trust will continue to operate the oil response part of the business through Oil Response Company of Australia Pty Ltd and the Stanmoore Family Trust will continue to operate the security part of the business through OPEAM Pty Ltd.

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership between the B. D. & B. M. Cropley Family Trust, the Stanmoore Family Trust and Timothy Sean Richards, trading as OPEAM Pty Ltd, is dissolved effective 30 September 2008. From that date, B. D. & B. M. Cropley Family Trust will continue to operate the oil response part of the business through Oil Response Company of Australia Pty Ltd and the Stanmoore Family Trust will continue to operate the security part of the business through OPEAM Pty Ltd.

WAYNE KLARHOFER, of 2 Hewitt Street, Colac, Victoria, fisherman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 August 2007, are required by the administrators to send particulars of their claims to the undermentioned solicitors within two months of this notice, after which date the

administrators will distribute the assets to the persons entitled, having regard only to the claims of which they have notice.

B. J. FENNELLY & ASSOCIATES, lawyers,
1/130 High Street, Belmont, Victoria 3216.

Re: RUPERT LESLIE HOSKING, late of 96 Widford Street, Glenroy, Victoria, retired lab technician, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 April 2008, are required by the trustee, Charles Raymond Hosking, to send particulars to the trustee, care of the undermentioned solicitors within sixty days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: CHARLES ALFRED DAY, late of 2 Howell Street, Crib Point, Victoria, retired general handyman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 June 2008, are required by the trustee, Michael Francis, to send particulars to the trustee, care of the undermentioned solicitors, within sixty days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: PATRICK EARLE ROBERTS, late of 4 Casuarina Court, Pascoe Vale, Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 June 2008, are required by the trustees, Carlisle Patrick Roberts and Joseph De Marco, to send particulars to the trustees, care of the undermentioned solicitors within sixty days from the publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

Re: Estate of JAMES ALLAN McRAE FORRESTER.

Creditors, next-of-kin or others having claims in respect of the estate of JAMES ALLAN McRAE FORRESTER, late of ECU Swan Hill Hospital, Splatt Street, Swan Hill, but formerly of 35 Beveridge Street, Swan Hill, in the State of Victoria, pensioner, deceased, who died on 6 August 2008, are to send particulars of their claim to the executrices, care of the undermentioned legal practitioners, by 3 January 2009, after which the executrices will distribute the assets, having regard only to the claims of which they then have notice.

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

Re: Estate of MARY TERESA MACKAY.

Creditors, next-of-kin or others having claims in respect of the estate of MARY TERESA MACKAY, late of Grandview Lodge Nursing Home, Grandview Street, Wycheproof in the State of Victoria, but formerly of Meridian Road, Chinkapook, married woman, deceased, who died on 5 October 2007, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 3 January 2009, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

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

Re: Estate of ROBERT BRUCE KERR, late of 1172 Balliang Road, Balliang, Victoria, farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 August 2008, are required by the trustees, Margaret Rose Kerr, Andrew John Kerr, Matthew Robert Kerr and Michelle Elizabeth Kerr, to send particulars to the trustees, in care of the undersigned, by 24 December 2008, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

DWYER & WILLETT LAWYERS,
82 The Avenue, Ocean Grove, Victoria 3226.

Re: WANDA MARGOT ROBINSON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 July 2008, are required by the trustees, Vaughan Scott Reeves and Kim Morys Bainbridge, to send particulars to them, care of the undersigned solicitors, by 22 December 2008, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Creditors, next-of-kin and other persons having claims against the estate of EVE MARY GOULD, of 359 Narre Warren North Road, Narre Warren, Victoria, retired person, who died on 23 June 2007, are required by the executor, Lynette Wendy Ward, care of 15 Blackburne Square, Berwick, Victoria 3806, to send particulars of their claims to her at the following address by 22 December 2008, after which date she may convey or distribute the estate, having regard only to the claims of which she then has notice.

GILBERTHORPES, business lawyers,
15 Blackburne Square, Berwick, Victoria 3806.

Re: NOEL RODNEY MALLEY, deceased, late of 436 Ballarat Road, Sunshine, Victoria, airport by-laws officer.

Creditors, next-of-kin and all others having claims in respect of the estate of the deceased, who died on 10 January 2008, are required by the executors, John Raymond Malley and Julia Malley, to send particulars of such claims to their solicitors, Hartleys Lawyers at 461 Ballarat Road (PO Box 227), Sunshine, Victoria 3020, by 8 January 2009, after which date the executors will distribute the assets, having regard only to the claims of which they have notice.

HARTLEYS LAWYERS,
461 Ballarat Road (PO Box 227), Sunshine,
Victoria 3020.

IRMGARD KROLL, late of Amity at Newcomb, 117 Helms Road, Newcomb, Victoria, widowed, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 September 2007, are required by Robert John Jeremiah and the executors of the deceased's estate, to send particulars to them, care of the undermentioned lawyers, by 22 December 2008, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

HARWOOD ANDREWS LAWYERS,
155 Mercer Street, Geelong 3220.

Re: WALTER CHARLES MOCK, late of 14 Roslyn Street, Mount Martha, Victoria, retired orchardist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 October 2007, are required by the trustees, Neville Derrick Mock and Walter Russell Mock, to send particulars to the undermentioned solicitors, by 23 January 2009, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

HUNT, McCULLOUGH, KOLLIAS & CO.,
solicitors,
210 Main Street, Mornington 3931.

Re: Estate of BERYL MARY MURPHY, deceased.

Creditors, next-of-kin and other persons having claims against the estate of BERYL MARY MURPHY, late of Unit 2, 24 Hatfield Street, North Balwyn in the State of Victoria, deceased, who died on 5 September 2008, are required to send particulars of their claims to the executrix, Clare Murphy, care of the undermentioned solicitors, by 29 December 2008, after which date the executrix will distribute the assets, having regard only for the claims of which she has had notice.

JOHN KEATING & ASSOCIATES, solicitors,
191 Greville Street, Prahran 3181.

ELISE HARRY FISCHER, deceased, late of Darnlee Nursing Home, Lansell Road, Toorak, machinist.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 July 2008, are required by the trustee, Russell John Ball of 165 Bouverie Street, Carlton, Victoria, solicitor, to send particulars to him by 16 January 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

JOHN W. BALL & SONS, solicitors,
165 Bouverie Street, Carlton, Victoria 3053.

Re: PAUL WERNER CIESLIK, late of Flat 9, 9 Sandy Bay Road, Hobart, Tasmania, seafarer, deceased, intestate.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died between 20 December 2007 and 27 December 2007, are required by the trustee, Elizabeth Cieslik, to send particulars to the trustee, care of Kempsons Lawyers of 3/116 Hardware Street, Melbourne, by 23 December 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

KEMPSONS LAWYERS,
Level 3, 116 Hardware Street, Melbourne 3000.

Re: AGNES HEATHER GARDINER HALPIN, late of Caladenia Nursing Home, Rutledge Street, Kilmore, Victoria, but formerly of Glenburnie Park, 820 Broadford-Wandong Road, Clonbinane, Victoria, gentlewoman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 January 2008, are required by the trustee, Perpetual Trustees Victoria Limited of Level 28, 360 Collins Street, Melbourne, Victoria 3000, to send particulars to the trustee by 22 December 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MADDOCKS, lawyers,
140 William Street, Melbourne 3000.

Re: MARY ELIZABETH CHAMBERLIN, late of 10 Irymple Avenue, Glen Iris, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 August 2008, are required by the trustees, Arthur John Pearce and Heather Elizabeth Pearce, to send particulars to the trustees, care of the undermentioned solicitors, by 16 December 2008, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

PEARCE WEBSTER DUGDALES, solicitors,
4th Floor, 379 Collins Street, Melbourne 3000.

Re: KEVIN ALEXANDER TOMKINS, late of 39 McLean Street, Morwell, Victoria, retired supervisor, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 30 July 2008, are required by the executor, Daniel Leslie Minogue of 431 Riversdale Road, Hawthorn East, Victoria, solicitor, to send particulars to him, care of the undersigned, by 23 December 2008, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

Re: DENNIS THOMAS VANSTONE, formerly of 6 Dalkeith Court, Frankston, Victoria, but late of 4 Kate Court, Langwarrin, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 February 2008, are required by the trustee, Rita Susanna Vanstone, care of 493 Main Street, Mordialloc, Victoria, to send particulars to the trustee by 22 December 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

Dated 13 October 2008

RICHMOND & BENNISON, solicitors,
493 Main Street, Mordialloc 3195.

Re: LAURENCE STANLEY OATES, late of 2 Barrow Street, Mount Martha, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 July 2008, are required by the trustee, Daryl Rodney Hicks, to send particulars of such claims to him, in care of the undermentioned solicitors, by 23 December 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: NOEL STUART PLYMIN, late of 28 Liddell Drive, Huntfield Heights, South Australia, but formerly of 50 Golfview Road, Christie's Beach, South Australia, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 July 2008, are required by the trustee, Charles Edward Beckwith, to send particulars of such claims to him, in care of the undermentioned solicitors, by 23 December 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: GRACE DAISY TAYLOR, late of Brickendon Lodge, 4 Aynesbury Court, Rosebud West, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 August 2008, are required by the trustee, Charles Edward Beckwith, to send particulars of such claims to him, in care of the undermentioned solicitors, by 23 December 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: BRIAN JOHN TONER, late of 16 Paterson Crescent, Greensborough, Victoria, retired architect, deceased.

Creditors, next-of-kin and all other persons having claims against the estate of the said

deceased are required by Madeline Sophie Toner and Jane Frances Toner, the executors of the estate of the said deceased, to send particulars of such claims to them, care of the undermentioned solicitors, by the date being two calendar months from the date of this advertisement, after which date they will distribute the estate, having regard only to the claims of which they then have notice.

RYAN, MACKEY & McCLELLAND, solicitors,
65 Main Street, Greensborough 3088.

Re: MYRTLE IVY PEARL BURNS, late of 34 Carpenter Street, Kangaroo Flat, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 October 2008, are required by the trustee, Sandhurst Trustees Limited, ACN 004 030 737, of 18 View Street, Bendigo, Victoria, to send particulars to the trustee within two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

SANDHURST TRUSTEES LIMITED,
18 View Street, Bendigo 3550.

Creditors, next-of-kin and others having claims in respect of the Will of EVANGELIA JAKOFCICH, late of Unit 1/25 Gilbertson Street, Essendon, deceased, who died on 17 June 2008, are requested to send particulars of their claims to the executors, Maria Louise Romanic and Christina Jolanda Santalucia, care of the undermentioned legal practitioner, by 23 December 2008, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

SPENCER LAW PARTNERS, solicitors,
Level 1, 280 Spencer Street, Melbourne, Vic.
3000.

ERIC ALBERT CLOSE, late of 23 Glenisla Drive, Mount Martha, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 July 2008, are required by the executor, Sam Stidston, to send particulars to him, care of Stidston & Williams Weblaw, 1/10 Blamey Place, Mornington, by 27 December

2008, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

STIDSTON & WILLIAMS WEBLAW, lawyers,
Suite 1, 10 Blamey Place, Mornington 3931.

KENNETH GEORGE TILLEY, late of 1a Blaxland Avenue, Cranbourne, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 July 2008, are required by the executors, Jacqueline May Camilleri and Barbara Anne May, to send particulars to them, care of Stidston & Williams Weblaw by 27 December 2008, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

STIDSTON & WILLIAMS WEBLAW, lawyers,
Suite 1, 10 Blamey Place, Mornington 3931.

Re: YETTA VALERIE ISOBELLE JOHNSON, late of 8 Broughton Avenue, Croydon, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 August 2008, are required by the executor, Peter Michael Van Lierop, to send particulars to him, care of the undermentioned legal practitioners, by 20 January 2009, after which date he may convey or distribute the assets, having regard only to the claims of which the executor has notice.

VAN LIEROP LAWYERS,
225 Maroondah Highway, Ringwood 3134.

MADGE KATHRENE McCUTCHEON, deceased.

Creditors, next-of-kin and others having claims against the estate of MADGE KATHRENE McCUTCHEON, late of Mayflower Retirement Community, 7 Centre Road, East Brighton, Victoria, widow, deceased, who died on 21 June 2008, are required to send particulars of their claims to the executor, care of the undermentioned solicitor, by 29 December 2008, after which date the executor will proceed to distribute the assets, having regard only to the claims of which she shall then have had notice.

VERNA A. COOK, solicitor,
5/8 St Andrews Street, Brighton 3186.

Estate of PAULINE MARY GOODCHILD, late of Austin Hospital, Heidelberg, Victoria, nurse, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 March 2008, are required by the executor, Neil William Katgert, to send particulars to him, care of Warren, Graham & Murphy, 119 Main Street, Bairnsdale, Victoria 3875, by 16 December 2008, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

ELIZABETH LEAKE, late of 33 Homestead Avenue, Wallington, Victoria, retired, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the abovenamed deceased, who died on 25 July 2008, are required by Elizabeth Barbara Leake and Peter John Anthony Leake, the executors of the Will of the deceased, to send particulars of their claims to the executors, care of the undermentioned solicitors, by 23 December 2008, after which date they will convey or distribute the assets of the estate, having regard only to the claims of which they then have notice.

WILLIAMS WINTER, solicitors,
Level 7, 451 Little Bourke Street,
Melbourne 3000.

Re: MARGARET MARY ARMSTRONG, late of Regis Grange, 1 Wyuna Street, Rosebud West, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 July 2008, are required by the trustee, Kim Syme Price, to send particulars to the trustee, care of the undermentioned solicitors, by 22 December 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

WRIGHT SMITHS, solicitors,
2 Seventh Avenue, Rosebud 3939

Re: NELLIE IRENE CHAPMAN, late of Unit 5, 1559 Point Nepean Road, Rosebud West, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 July 2008, are required by the trustees, Stephen David Webb and Janette Irene Webb, to send particulars to the trustees, care of the undermentioned solicitors, by 22 December 2008, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

WRIGHT SMITHS, solicitors,
2 Seventh Avenue, Rosebud 3939.

In the Supreme Court of the State of Victoria
SALE BY THE SHERIFF
To the Highest Bidder at the
Best Price Offered

On Wednesday 19 November 2008 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Melbourne (unless process be stayed or satisfied).

All the estate and interest (if any) of Joseph Spiteri of Unit 6, 27 Fox Street, St Albans, proprietor of an estate in fee simple in the land described on Certificate of Title Volume 10323 Folio 792 upon which is erected a dwelling known as Unit 6, 27 Fox Street, St Albans.

Owners Corporation Plan No. PS406025W affects the said estate and interest.

Payment Terms – Cash / Eftpos (Debit Cards only, no Credit Cards) / Bank Cheque or Solicitors Trust Account Cheque. Hammer Price Plus 10% GST must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW070043231

K. GRIFFIN
Sheriff's Office
Phone: 9947 1539

In the Supreme Court of the State of Victoria
SALE BY THE SHERIFF

On Wednesday 19 November 2008 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Melbourne (unless process be stayed or satisfied).

All the estate and interest (if any) of Savas Soldatos of 7 Galloway Court, Taylors Lakes,

joint proprietor with Palma Soldatos of an estate in fee simple in the land described on Certificate of Title Volume 10116 Folio 843, upon which is erected a dwelling known as 7 Galloway Court, Taylors Lakes.

Registered Mortgage No. AF342770Y and AF342771W, Caveat No. AF361081R, Caveat No. AF652767H, Covenant In Instrument S619846P affect the said estate and interest.

Payment terms – Cash / Eftpos (Debit Cards only / no Credit Cards) / bank cheque or solicitors trust account cheque. Hammer price plus 10% GST must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements
SW060112695

K. GRIFFIN
Sheriff's Office
Phone: 9947 1539

In the Supreme Court of the State of Victoria
SALE BY THE SHERIFF

On Wednesday 19 November 2008 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Melbourne (unless process be stayed or satisfied).

All the estate and interest (if any) of Jordan Satelmajer aka George Yordan Majer of 20 Palmerston Crescent, Taylors Lakes, as shown on Certificate of Title as George Yordan Majer, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 10380 Folio 926, upon which is erected a dwelling known as 20 Palmerston Crescent, Taylors Lakes.

Registered Mortgage No. X408882S and AB787559V, Covenant W163795G affect the said estate and interest.

Payment terms – Cash / Eftpos (Debit Cards only / no Credit Cards) / bank cheque or solicitors trust account cheque. Hammer price plus 10% GST must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements
SW070106660

K. GRIFFIN
Sheriff's Office
Phone: 9947 1539

In the Supreme Court of the State of Victoria
SALE BY THE SHERIFF

On Wednesday 19 November 2008 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Melbourne (unless process be stayed or satisfied).

All the estate and interest (if any) of Filomena Dos Santos of 20 Colorado Court, Werribee, as shown on Certificate of Title as Filomena Marie Jorge Dos Santos, tenant in common as to 9 of a total of 10 equal undivided shares with Noella Dos Santos-Lee as to 1 of a total of 10 equal undivided shares of an estate in fee simple in the land described on Certificate of Title Volume 10024 Folio 054 upon which is erected a house known 20 Colorado Court, Werribee

Covenant In Instrument No. R500554S affects the said estate and interest.

Payment terms – Cash / Eftpos (Debit Cards only / no Credit Cards) / bank cheque or solicitors trust account cheque. Hammer price plus 10% GST must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements
SW080020055

K. GRIFFIN
Sheriff's Office
Phone: 9947 1539

In the Supreme Court of the State of Victoria
SALE BY THE SHERIFF

On Wednesday 19 November 2008 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Melbourne (unless process be stayed or satisfied).

All the estate and interest (if any) of Henry Soi Soi and Eneli Soi Soi of 20 Byron Court, Narre Warren South, joint proprietors with Maseiga Soi Soi of an estate in fee simple in the land described on Certificate of Title Volume 10424 Folio 465 upon which is erected a dwelling known as 20 Byron Court, Narre Warren South.

Registered Mortgage No. X284613N and Covenant W194790T affects the said estate and interest.

Payment terms – Cash / Eftpos (Debit Cards only / no Credit Cards) / bank cheque or solicitors trust account cheque. Hammer price plus 10% GST must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW080037281

K. GRIFFIN
Sheriff's Office
Phone: 9947 1539

In the Supreme Court of the State of Victoria
SALE BY THE SHERIFF

On Wednesday 19 November 2008 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Melbourne (unless process be stayed or satisfied).

All the estate and interest (if any) of Bannister Bay Pty Ltd of 5 Miles Place, Roxburgh Park, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 09953 Folio 923 upon which is erected a unit known as Unit 4, 506 Nepean Highway, Frankston.

Registered Mortgage No. AB756217B affects the said estate and interest.

Payment terms – Cash / Eftpos (Debit Cards only / no Credit Cards) / bank cheque or solicitors trust account cheque. Hammer price plus 10% GST must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW080009451

K. GRIFFIN
Sheriff's Office
Phone: 9947 1539

In the Supreme Court of the State of Victoria
SALE BY THE SHERIFF

On Wednesday 19 November 2008 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Melbourne (unless process be stayed or satisfied).

All the estate and interest (if any) of Antonio Sorace of 17, 26 Burgess Road, Bayswater North, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 10794 Folio 346 upon which is erected a house known as 17, 26 Burgess Road, Bayswater North.

Registered Mortgage No. AD439369D and Covenant No. 1235667, Covenant No. PS516456D, Covenant No. AD439368F affects the said estate and interest.

Payment terms – Cash / Eftpos (Debit Cards only / no Credit Cards) / bank cheque or solicitors trust account cheque. Hammer price plus 10% GST must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW080028514

K. GRIFFIN
Sheriff's Office
Phone: 9947 1539

In the Supreme Court of the State of Victoria
SALE BY THE SHERIFF

On Wednesday 19 November 2008 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Melbourne (unless process be stayed or satisfied).

All the estate and interest (if any) of Christian Burnside of 4 Beths Street, Bentleigh, as shown on Certificate of Title as Christian Robert Burnside, joint proprietor with Monika Kareen Burnside of an estate in fee simple in the land described on Certificate of Title Volume 10115 Folio 840 upon which is erected a dwelling known as 1040 North Road, Bentleigh East.

Registered Mortgage No. AB183377U and Caveat No. AE807386U, Caveat No. AE923766K, Caveat No. AF121379F affects the said estate and interest.

Payment terms – Cash / Eftpos (Debit Cards only / no Credit Cards) / bank cheque or solicitors trust account cheque. Hammer price plus 10% GST must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW080039393

K. GRIFFIN
Sheriff's Office
Phone: 9947 1539

In the County Court of the State of Victoria
SALE BY THE SHERIFF
To the Highest Bidder at the
Best Price Offered

On Wednesday 12 November 2008 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Melbourne (unless process be stayed or satisfied).

All the estate and interest (if any) of Angela Scarpino of 15 Grand Parade, Epping, joint proprietor with Robert Scarpino of an estate in fee simple in the land described on Certificate of Title Volume 09808 Folio 282 upon which is erected a dwelling known as 15 Grand Parade, Epping.

Registered Mortgage No. U838687J, Mortgage X121645S, Caveat AE691379F, and Caveat AE9326604M, Covenant In Instrument No. P335749B affects the said estate and interest.

Payment terms – Cash / Eftpos (Debit Cards only / no Credit Cards) / bank cheque or solicitors trust account cheque. Hammer price plus 10% GST must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

CW070092701

K. GRIFFIN
Sheriff's Office
Phone: 9947 1539

Payment terms – Cash / Eftpos (Debit Cards only / no Credit Cards) / bank cheque or solicitors trust account cheque. Hammer price plus 10% GST must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

CW070082724

K.GRIFFIN
Sheriff's Office
Phone: 9947 1539

In the County Court of the State of Victoria
SALE BY THE SHERIFF

On Tuesday 18 November 2008 at 11.30 am in the morning at the Sheriff's Office, 76A Macleod Street, Bairnsdale (unless process be stayed or satisfied).

All the estate and interest (if any) of Jason Leslie Ross and Lisa Karen Ross, of 34 Boundary Road, Orbost, joint proprietors of an estate in fee simple in the land described on Certificate of Title Volume 07518 Folio 197 upon which is erected a dwelling known as 34 Boundary Road, Orbost.

Registered Mortgage No. U996642B and Mortgage W377893G affects the said estate and interest.

PROCLAMATIONS

Acts of Parliament

PROCLAMATION

I, David de Kretser, Governor of Victoria, declare that I have today assented in Her Majesty's name to the following Bills:

58/2008 **Abortion Law Reform Act 2008**

59/2008 **Energy Legislation Amendment
(Retail Competition and Other
Matters) Act 2008**

60/2008 **Major Crime (Investigative
Powers) and Other Acts
Amendment Act 2008**

Given under my hand and the seal of Victoria at Melbourne on 22nd October 2008.

(L.S.) DAVID DE KRETSER
 Governor
By His Excellency's Command
 HON JOHN BRUMBY MP
 Premier of Victoria

58/2008 This Act commences on the day after the day on which it receives the Royal Assent.

- 59/2008 (1) This Act (except Part 2, Division 1 of Part 3, section 30(1) and sections 31 to 39) comes into operation on the day after the day on which this Act receives the Royal Assent.
- (2) Part 2 and Division 1 of Part 3 come into operation on 1 January 2009.
- (3) Subject to subsection (6), section 30(1) and sections 31 to 38 come into operation on a day to be proclaimed.
- (4) Subject to subsection (5), section 39 comes into operation on a day to be proclaimed.
- (5) If section 39 does not come into operation before 1 January 2010, that section comes into operation on that day.

(6) If section 30(1) and sections 31 to 38 do not come into operation before 1 July 2010, those provisions come into operation on that day.

60/2008 (1) This Act (other than Division 1 of Part 3) comes into operation on the day after the day on which this Act receives the Royal Assent.

(2) Division 1 of Part 3 comes into operation on the day on which section 104 of the **Police Integrity Act 2008** comes into operation.

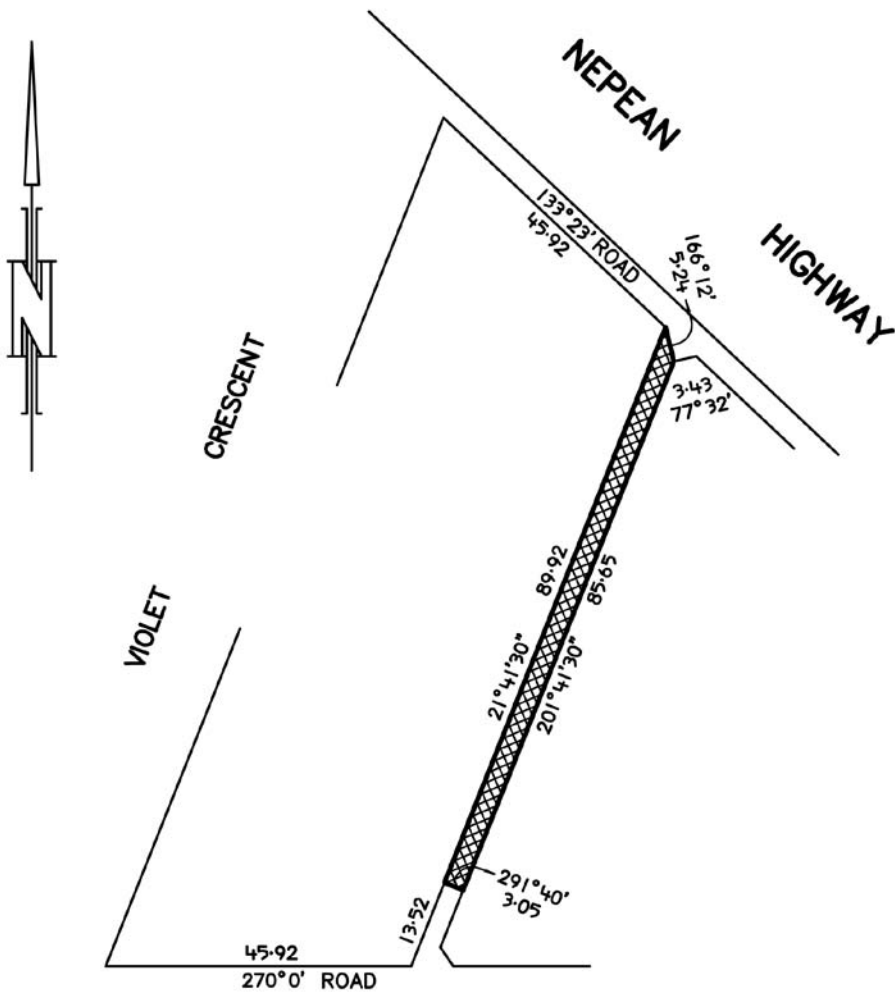
**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

BAYSIDE CITY COUNCIL

Road Discontinuance

Pursuant to Council's delegated authority and acting under clause 3 of schedule 10 to the **Local Government Act 1989**, on 16 September 2008 Bayside City Council resolved to discontinue the road shown cross-hatched on the plan below.

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



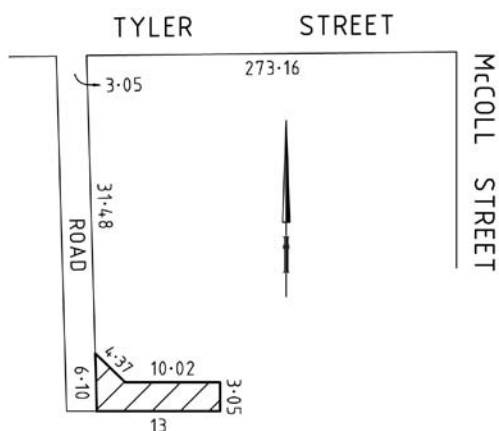
ADRIAN ROBB
Chief Executive Officer

DAREBIN CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Darebin City Council, at its ordinary meeting held on 6 October 2008, formed the opinion that the road at the rear of 229 Tyler Street and 116 Rene Street, Preston, and shown by hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the owners of the adjoining property at 229 Tyler Street, Preston.

The section of road is to be sold subject to the right, power or interest held by the Darebin City Council and Yarra Valley Water Limited in the road in connection with any sewers, drains or pipes under the control of those authorities in or near the road.



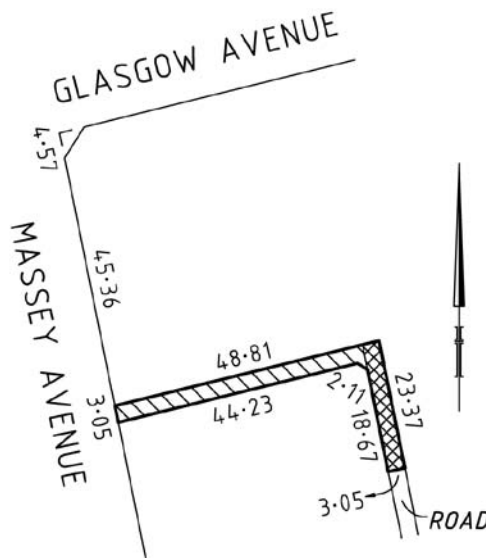
MICHAEL ULBRICK
Chief Executive Officer

DAREBIN CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Darebin City Council, at its ordinary meeting held on 6 October, 2008, formed the opinion that the road adjoining the side and rear of 26 Massey Avenue, Reservoir, and shown by hatching and cross-hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the owners of the adjoining property at 26 Massey Avenue, Reservoir.

The section of road shown cross-hatched is to be sold subject to the right, power or interest held by Darebin City Council in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.



MICHAEL ULBRICK
Chief Executive Officer

DAREBIN CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Darebin City Council, at its ordinary meeting held on 6 October 2008, formed the opinion that the road adjoining 15 and 17 Tovey Street, Reservoir, and shown delineated by the continuous thick black line on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owner at 15A Tovey Street, Reservoir.

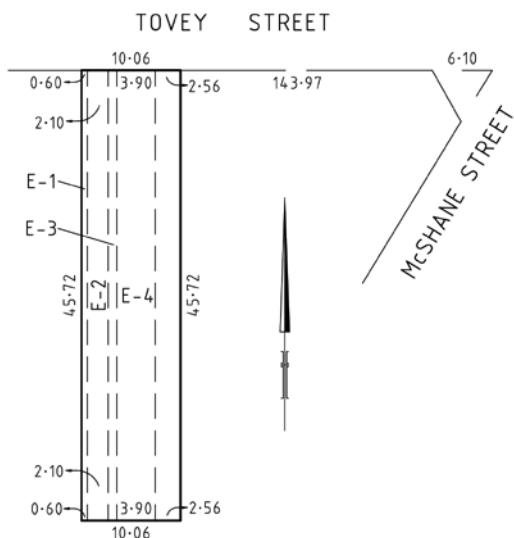
The road is to be sold subject to the right, power or interest held in connection with any sewers, drains, pipes, wires or cables under the control of the following authorities in or near the road:

Land shown marked E-1 on the plan – Alinta AE Ltd.

Land shown marked E-2 on the plan – Alinta AE Ltd and Vic Gas Distribution Pty Ltd.

Land shown marked E-3 on the plan – Alinta AE Ltd, Vic Gas Distribution Pty Ltd and Darebin City Council.

Land shown marked E-4 on the plan – Alinta AE Ltd and Darebin City Council.

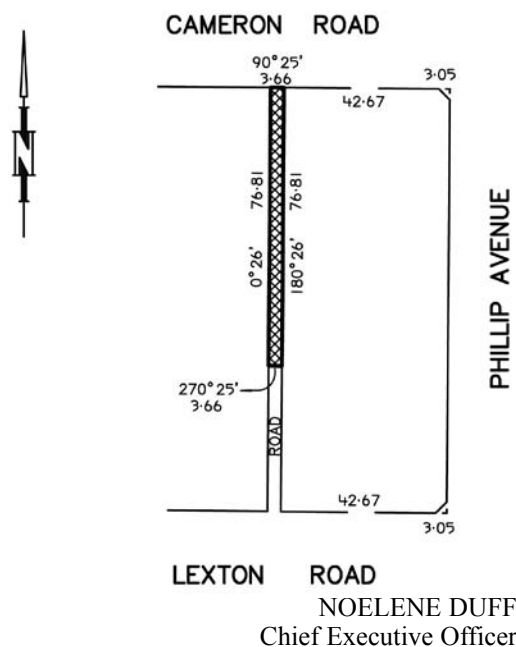


MICHAEL ULBRICK
Chief Executive Officer

WHITEHORSE CITY COUNCIL
Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Whitehorse City Council has formed the opinion that the road at the rear of part 116 to 122 Dorking Road, 1 to 3 Phillip Avenue and abutting 45 and 47 Cameron Road, Box Hill North, as shown cross-hatched on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

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



HINDMARSH LOCAL LAW

Notice is given pursuant to section 119 of the **Local Government Act 1989** (as amended) that the Hindmarsh Shire Council at its Meeting held on 15 October 2008 has resolved to adopt the Hindmarsh Local Law.

The provisions of the proposed Hindmarsh Local Law will deal with:-

- Preliminary
- Camping
- Control of Vehicles
- Livestock
- Environmental Amenity
- Municipal Places
- Use of Recreational Vehicles
- Street Traders and Collectors
- Streets, Roads and Public Places
- Protection of Council Assets
- Applications
- Enforcement.

A copy of the Hindmarsh Local Law can be obtained from the Council Offices, 92 Nelson Street, Nhill, or customer service centres at Dimboola, Jeparit and Rainbow, or by contacting Adelle Bone on 5391 1811.

PETER SMITH
Acting Chief Executive Officer



Declaration by Council of a 'Dog on Lead' Area
Bushland Park, Goulburn Valley Highway,
Seymour

Mitchell Shire Council has declared the area known as Bushland Park, Goulburn Valley Highway, Seymour, as a 'dog on lead' area in accordance with section 26(2)(b)(i) of the **Domestic (Feral and Nuisance) Animals Act 1994**.

All dogs must be effectively restrained by means of a chain, cord or leash whilst in the Bushland Park property. Signs have been erected advising park users of this order.

BILL BRAITHWAITE
Chief Executive Officer



Proposal to Make Local Law –
Consumption of Liquor and Behaviour in
Public Places (Amendment) Local Law No. 12
(2008)

Notice is hereby given in accordance with section 119(2) of the **Local Government Act 1989** that Council proposes to make the Consumption of Liquor and Behaviour in Public Places (Amendment) Local Law No. 12 (2008).

The purpose of this proposed Local Law is:-

- to amend the Consumption of Liquor and Behaviour in Public Places Local Law No. 6 (2005);
- to regulate and control the consumption of alcohol in designated areas within the Municipal District;

- to protect against behaviour which causes detriment to the amenity and environment of the Municipal District; and

- to provide generally for the peace, order and good government of the Municipal District.

The general purport of this proposed Local Law is:-

- to prohibit the possession of sealed containers of liquor in public places during the Australia Day period unless being transported from point of sale to a vehicle or private residence for consumption;
- to amend Schedule 25 of the Local Law to include the foreshore area of Mount Martha Beach South; and
- to amend Clause 9(2) of the Local Law to incorporate Schedules 25 and 26 (Mount Martha Foreshore areas) and Schedules 31 and 32 (Rye Foreshore area) in order to prohibit any person having in their control or possession any liquor in these areas between the hours of 8.00 pm and 8.00 am on the following day.

Copies of the proposed Local Law can be obtained from any of the Shire's Customer Service Offices, the Shire's website at www.mornpen.vic.gov.au or by contacting Mark Howells, Team Leader Governance on 5950 1422.

Any person affected by the proposed Local Law may make a submission in accordance with the provisions of section 223 of the **Local Government Act 1989**. The closing date for submissions is Thursday 20 November 2008.

Submissions should be addressed to the Chief Executive Officer, Mornington Peninsula Shire, Private Bag 1000, Rosebud 3939.

DR MICHAEL KENNEDY
Chief Executive Officer



Amendment of General Local Law 2008
(No. 1)

Notice is hereby given that at a meeting of the Stonnington City Council held on 20 October 2008, Council resolved to amend the General Local Law 2008 (No. 1), pursuant to section 119 of the **Local Government Act 1989**.

The purpose of the amendments to the Local Law are to:

- make administrative corrections to Clause 427 and Clause 432 so that they refer to Clause 427(2)(a) and Clause 427(1)(a) respectively.
- remove from Clause 517, sub-clauses (r) to (z) and add these sub-clauses to Clause 518 (1) as sub-clauses (d) to (l) and renumber sub-clause (aa) to read Clause 517(r).
- amend the entitlement in Clause 801 for keeping of dogs on land without a permit from 2 to 3.
- amend the heading of Clause 802 to read 'Conditions under which an Animal may be Housed'.
- Amend Clause 802(e) to read: 'Subject to Veterinary advice, any animal suffering from an infectious disease communicable to human beings is, if deemed necessary, to be destroyed and disposed'.

The general purport of the amendments to the Local Law are to –

Clauses 427 and 432 – Correct the references to related Clauses.

Clause 517 – Remove the option for the issue of a Permit for certain actions and place these actions within the Restricted Clause 518.

Clause 801 – Increase the entitlement for the keeping of dogs on land without a Permit from 2 to 3.

Clause 802 – Change the heading of the Clause to remove any confusion with the Department of Primary Industry's Code of Practice for the Management of Dogs and Cats in Shelters and Pounds.

Clause 802(e) – Add the requirement of obtaining Veterinary advice in determining if any animal with any communicable disease to human beings is to be destroyed or disposed.

A copy of the amended General Local Law 2008 (No. 1) can be viewed online at www.stonnington.vic.gov.au or inspected at, or, obtained from the Council Service Centres located at Stonnington City Centre, Malvern Town Hall, corner Glenferrie Road and High Street, Malvern, or Prahran Town Hall, corner Greville and Chapel Streets, Prahran, during office hours 8.30 am to 5.00 pm Monday to Friday.

The amendments to the General Local Law 2008 (No. 1) come into effect on the day after the date of notice of amending the Local Law is published in the Victoria Government Gazette.

HADLEY SIDES
Chief Executive Officer

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C108

Authorisation A01045

The Greater Bendigo City Council has prepared Amendment C108 to the Greater Bendigo Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Greater Bendigo City Council as planning authority to prepare the Amendment.

The land affected by the Amendment is all land within the Township of Axedale.

The Amendment proposes to:

- remove the Township Zone (TZ) and replaces it with prescriptive zones, being Residential (R1Z), Business (B1Z) and Low Density Residential (LDRZ);
- rezone land at the rear of the Axedale Primary School from Low Density Residential (LDRZ) to Public Park and Recreation (PPRZ);
- include the Axedale Township strategic framework plan in the Municipal Strategic Statement (MSS);
- include the Axedale Township Structure Plan, 2008 as a Reference Document in the planning scheme;
- include Vegetation Protection Overlays to properties with significant vegetation (VPO2) and roadside remnant vegetation (VPO3);
- include a Significant Landscape Overlay (SLO) – Campaspe River Valley Environs;
- correct an ordinance and mapping anomaly in the Heritage Overlay (HO), for the location of the Axedale Cemetery (HO53);
- correct mapping errors for the Axedale Primary School (PUZ2) and the Uniting Church, 80 High Street, Axedale (SUZ1); and
- remove Development Plan Overlays (DPO3 and DPO4) and replaces them with the Axedale Township strategic framework plan in the Municipal Strategic Statement (MSS) and a Schedule to the Low Density Residential Zone (LDRZ) specifying a minimum subdivision area of 2.0 hectares.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, City of Greater Bendigo, 15 Hopetoun Street, Bendigo; and at the Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority.

The closing date for submissions is 28 November 2008. A submission must be sent to the City of Greater Bendigo, PO Box 733, Bendigo 3552.

CRAIG NEIMANN
Chief Executive

Planning and Environment Act 1987

INDIGO PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C44

Authorisation A001038

The Indigo Shire Council has prepared Amendment C44 to the Indigo Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Indigo Shire Council as planning authority to prepare the Amendment. The Minister also authorised the Indigo Shire Council to approve the Amendment under section 35B of the Act.

The land affected by the Amendment is Part Crown Allotment 56B and part Crown Allotment 30H, Section B10, Back Creek Road, Parish and Township of Yackandandah; and Allotment 2056 (formerly part CA 23A) Parish of Beechworth, Buckland Gap Road, Beechworth.

The Amendment proposes to rezone the subject land on Back Creek Road from Public Use Zone 7 (PUZ7) to Industrial 1 Zone (IN1Z). The Amendment also proposes to rezone the subject land on Buckland Gap Road from Public Conservation and Resource Zone (PCRZ) to Farming Zone (FZ). Both proposed rezonings reflect the existing adjacent zoning.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, during office hours, free of charge, at the office of the planning authority, Indigo Shire Council, 101 Ford Street, Beechworth; at the citizen service centre of the planning authority, Indigo Shire Council, 75 High Street, Yackandandah; and at the Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority.

The closing date for submissions is 24 November 2008. A submission must be sent to the Environment and Development Services Manager, PO Box 75, Yackandandah, Vic. 3749.

SUSAN CHEETHAM
Environment and Development
Services Manager

Planning and Environment Act 1987

LATROBE PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C62

Local Planning Policy Framework (LPPF) and Latrobe Structure Plans

Authorisation A01124

The Latrobe City Council has prepared Amendment C62 to the Latrobe Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Latrobe City Council as planning authority to prepare the Amendment.

The land affected by the Amendment is all land within the municipality.

The Amendment proposes to implement the recommendations of Council's recently completed four year Planning Scheme Review, including a number of strategic planning projects undertaken and adopted by Council as well as state government initiatives, which have informed the proposed changes to the Latrobe Planning Scheme. The Amendment comprises a new LPPF and Municipal Strategic Statement (MSS) which includes new structure plans for Churchill, Moe/Newborough, Morwell and Traralgon.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office and service centres of the planning authority: Latrobe City Council, Corporate Headquarters, 141 Commercial Road, Morwell, Vic. 3840; Moe Service Centre, 44 Albert Street, Moe, Vic. 3825; Traralgon Service Centre, 34–38 Kay Street, Traralgon, Vic. 3844; and at the Department of Planning and Community Development website: www.dpcd.vic.gov.au/planning/publicinspection

Any person who may be affected by the Amendment may make a written submission to the planning authority.

The closing date for submissions is 12 December 2008. A submission must be sent to Lorrae Dukes Strategic Land Use Planning Officer of Latrobe City Council, PO Box 264 Morwell, Vic. 3840.

PAUL BUCKLEY
Chief Executive Officer

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: Moreland Civic Centre, 90 Bell Street, Coburg or www.moreland.vic.gov.au; Brunswick Citizens Service Centre, 233 Sydney Road, Brunswick; and Glenroy Citizen Service Centre, 796N Pascoe Vale Road, Glenroy.

In addition, Amendment documentation and information can be viewed online at: Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection

Submissions should be sent to: Moreland City Council, Strategic Planning Unit, Submission to Amendment C93, Locked Bag 10, Moreland, Vic. 3058.

Submissions must be received by Monday 24 November 2008.

LUKE ENGLISH
Acting Director City Development

Planning and Environment Act 1987

MORELAND PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C93

Authorisation AO1075

The Moreland Council has prepared Amendment C93 to the Moreland Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Moreland City Council as planning authority to prepare the Amendment.

The Amendment affects all land included in the Heritage Overlay.

The Amendment proposes to:

- introduce a local heritage policy at Clause 22.13 in the Local Planning Policy Framework section of the Moreland Planning Scheme;
- amend Clause 21.05–4 Heritage in the Municipal Strategic Statement to reflect the introduction of the local heritage policy; and
- amend Clause 22.07 Advertising Signage to include additional policy statements for signage in heritage places.

Planning and Environment Act 1987

WYNDHAM PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C116

Authorisation A01043

The Wyndham Council has prepared Amendment C116 to the Wyndham Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Wyndham Council as planning authority to prepare the Amendment.

The land affected by the Amendment abuts the northern boundary of Leakes Road from Fitzgerald Road up to and including the land containing the former Melbourne Outfall Sewer and Federation Trail, Laverton North.

The Amendment proposes to introduce a Public Acquisition Overlay (PAO2) into the planning scheme over private land required by VicRoads for the future duplication of Leakes Road in Laverton North.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free

of charge, at the following locations: during office hours, at the office of the planning authority, Wyndham City Council, Civic Centre, 45 Princes Highway, Werribee, Victoria 3030; the Wyndham City Council Website at www.wyndham.vic.gov.au; and at the Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority.

The closing date for submissions is Monday 24 November 2008. A submission must be sent to Mr Dean Ellis, Transport Planner, Wyndham City Council, 45 Princes Highway, Werribee 3030 or email: dean.ellis@wyndham.vic.gov.au

JOHN MOORE
Manager, Strategic Planning

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 24 December 2008, 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.

CACCIATTOLO, Benedetta Joan, also known as Elizabeth Joan Cacciattolo, late of Brighton Road House, 126 Brighton Road, Ripponlea, Victoria 3185, pensioner and who died on 18 July 2008.

DROHAN, Rosalie Isabel, late of Kia-Ora Private Nursing Home, 742 High Street, Reservoir, Victoria 3073, retired and who died on 19 August 2008.

HOWARTH, Ronald Haslam, late of care of Jan Walker, 73 Rosemary Street, Caboolture South, Qld 4510, retired and who died on 15 July 2008.

ILES, Cyril James, late of Amity At Greensborough, 264 Diamond Creek Road, Greensborough, Victoria 3088, who died on 12 August 2008.

LANTSCHIZKIJ, Kostek, also known as Kosta Lant, late of 17 Horsmunden Road, Moorabbin, Victoria 3189, retired and who died on 13 May 2007.

SCHLOSMACHER, Anna Maria Hubertina Theresia, late of 42 Centenary Street, Seaford, Victoria 3198, who died on 17 June 2008.

WEBBER, Lorna Jean, late of Flat 56, 34-40 King William Street, Fitzroy, Victoria 3065, pensioner and who died on 2 August 2008.

Dated 15 October 2008

ROD SKILBEK
Manager
Executor and Trustee Services

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, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 26 December 2008, 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.

CLISDELL, Colin, late of Bay View Aged Care Facility, 1275 Frankston-Dandenong Road, Carrum Downs, Victoria 3201, pensioner and who died on 25 February 2008.

DUNPHY, Esther Theresa, late of Bridgewater Aged Care Facility, 3 Wedgewood Drive, Roxburgh Park, Victoria 3064, pensioner and who died on 1 July 2008.

GRIFFIN, Betty Marie, late of 32 Guilfoyle Avenue, Coburg North, Victoria 3058, pensioner and who died on 25 June 2008.

HOFFMAN, Otto, late of Roxburgh Nursing Centre, 90 Lightwood Crescent, Meadow Heights, Victoria 3048, who died on 28 June 2008.

HRABE, Ladislav, late of 57 Jones Close, Alexander, Victoria 3714, pensioner and who died on 9 March 2008.

KLEIN, Margaret Fay, late of Eden in Lynbrook, 42 Olive Road, Lynbrook, Victoria 3975, retired and who died on 25 July 2008.

LUCAS, Douglas Charles, late of Unit 3/ 43-49 Clowes Street, South Yarra, Victoria 3141, retired and who died on 6 March 2008.

MORGAN, Robert Frank, late of 246 Albion Street, Brunswick, Victoria 3056, pensioner and who died on 19 April 2008.

NIKIC, Ilija, late of Green Gables, 15 Coulstock Street, Epping, Victoria 3076, pensioner and who died on 10 July 2008.

PATON, Murray Thomas, late of Unit 32 Veronica Gardens Retirement Village, 25 Veronica Street, Northcote, Victoria 3070, retired and who died on 18 June 2008.

STOJCEVSKI, Vasko, also known as Bill Stojcevski, late of 117 Perry Street, Fairfield, Victoria 3078, who died on 7 May 2002.

Dated 17 October 2008

ROD SKILBEK
Manager
Executor and Trustee Services

EXEMPTION

Application No. A261/2008

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by Museum Victoria. The application for exemption is to enable the applicant to advertise and employ an Aboriginal or Torres Strait Islander as the only available candidates to be appointed to the position of 'Bunjilaka Project Officer' (the exempt conduct).

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 14, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- The need to establish strong community links to represent Bunjilaka in community, provide opportunities to local indigenous artists, and to provide Melbourne Museum visitors with a culturally authentic experience. Bunjilaka at Melbourne Museum is a leading Aboriginal cultural centre in Victoria which provides Victorians and tourists alike, with an opportunity to experience Indigenous culture and history.
- A further focus of this position is to represent Bunjilaka among the community. Being able to undertake this representative role requires strong community ties and acceptance. Similarly, to develop an exhibition program of local Indigenous artists, strong community links, as well as knowledge and understanding of community protocols and cultural traditions, is essential. It is felt that an Indigenous person is better placed to perform this role.
- Many visitors to Bunjilaka expect to have a culturally authentic experience, as visitors may want to hear Aboriginal people interpret their own culture. Museum Victoria is aiming to meet this expectation.
- Museum Victoria has adopted the 'Indigenous Employment and Career Development Strategy 2005–2008 and Reconciliation Partnership Agreement'. This aims to enhance and promote career development opportunities for Indigenous staff, share knowledge and encourage collaboration with Indigenous communities, and become an employer of choice for Indigenous Australians.
- The designation of this role as being available only to Indigenous applicants is consistent with these aims and is a demonstration of Museum Victoria's commitment to developing and enhancing career opportunities for Indigenous Australians.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 14, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the exempt conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 1 October 2011.

Dated 10 October 2008

HER HONOUR JUDGE HARBISON
Vice President

EXEMPTION

Application No. A362/2007

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** by BAE Systems Australia Limited for exemption from sections 13, 14, 15, 100 and 195 of that Act. The application for exemption is to enable the applicant to discriminate on the grounds of nationality against any member of its Victorian workforce or person wishing to join its Victorian workforce in relation to controlling access to specified technology or technical data for defence-related projects undertaken or to be undertaken by it, to the extent required to enable it to comply with its other statutory obligations and its contractual obligations. Details of the conduct in respect of which the exemption is sought are set out in the application filed with VCAT.

In this exemption –

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

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

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

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

‘EO Act’ means the **Equal Opportunity Act 1995** (Vic.).

‘Security requirements’ means any of the following –

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

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

- (a) requiring members or potential members of the Applicant’s Victorian workforce to provide details of their nationality and country of origin to enable the Applicant to determine whether they are permitted under the security requirements to work on certain defence-related projects or to have access to controlled material or controlled information;
- (b) identifying (by means of a badge, maintenance of a list or otherwise) those in its Victorian workforce permitted by virtue of their nationality to work on certain defence-related projects or have access to related controlled material or controlled information so as to distinguish them from those not so permitted;
- (c) preventing the release of controlled material or controlled information to members of that workforce on the basis of their nationality;
- (d) requiring members of that workforce to execute formal security agreements based on nationality;

- (e) restricting access to controlled material and controlled information connected with certain defence-related projects to particular members of that workforce based on their nationality;
- (f) restricting access to areas of its facilities connected with certain defence-related projects to particular members of its Victorian workforce based on their nationality;
- (g) rejecting applications to join its Victorian workforce in positions relating to certain defence-related projects based on the applicant's nationality, and taking into account a person's nationality in determining who should be offered employment or contract work requiring access to controlled material or controlled information;
- (h) transferring members of its Victorian workforce from certain defence-related projects on the basis that, due to their nationality, the Applicant may not permit them to work on those projects, whether that transfer takes into account existing or changed nationality;
- (i) disclosing information about the nationality of members of its Victorian workforce to –
 - (i) the US Department of State;
 - (ii) the US Department of Commerce;
 - (iii) the US Federal Aviation Authority;
 - (iv) the Australian Department of Defence;
 - (v) any other organisation for which or on whose behalf or at whose request the Applicant undertakes work in respect of which the Applicant has (directly or indirectly) an obligation not to transfer defence-related information to non-Australian citizens.

'US' means United States of America.

'Workforce' of the Applicant means the Applicant's employees and contract workers.

Upon reading the material submitted in support of the application and upon hearing submissions from Ms Eastman of counsel, and for the Reasons for Decision given by the Tribunal on 11 September 2008, the Tribunal is satisfied that it is appropriate to grant to the Applicant an exemption from sections 13, 14, 15, 100 and 195 of the EO Act to enable it to engage in the specified conduct.

The Tribunal hereby grants an exemption to the Applicant from the operation of sections 13, 14, 15, 100 and 195 of the EO Act to enable the Applicant to engage in the specified conduct.

This exemption is subject to the conditions in the Schedule. The exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 22 October 2011.

Dated this 16 October 2008

C. McKENZIE
Deputy President

SCHEDULE OF CONDITIONS TO EXEMPTION NO. A362/2007

- 1 This exemption applies only to conduct by the Applicant where it has taken all steps reasonably available (including steps that might be taken in negotiating or performing any contract) to avoid the necessity to engage in the specified conduct.
- 2 Where the specified conduct involves moving a member of the Applicant's Victorian workforce from one project, area or facility to another, the Applicant must, through a duly authorised officer, explain to the person why he or she is being transferred and must otherwise take all reasonable steps to avoid or limit harm or loss to that person which might arise from the transfer.
- 3 Where the Applicant has a system of badges or security passes to identify those in its Victorian workforce permitted by virtue of their nationality to work on certain defence-related projects or to access related controlled material or controlled information, or levels of access to that material or information, the pass or badge may show a code that indicates the holder's nationality, but not in such a way that a person unfamiliar with the code would be able to identify that nationality.

- 4 All information relating to security passes or badges, security clearance levels, or access to controlled material or controlled information, must be restricted to the Applicant's Manager of Security and Human Resources Manager and their properly appointed nominees on a 'need to know' basis.
- 5 The Applicant's employment policies must be amended as soon as reasonably possible so as to refer to the terms and conditions of this exemption, and to make it clear that the purpose of requiring information regarding nationality is solely to enable compliance with the security requirements.
- 6 The Applicant must provide a copy of this exemption to –
 - (a) existing contractors who supply it with contract workers, as soon as is reasonably possible after this exemption commences; and
 - (b) any new contractors who supply it with contract workers, as soon as is reasonably possible after the relevant contract is entered into.
- 7 The Applicant must report in writing to the Commission and VCAT six months after the commencement of this exemption, and every six months thereafter while the exemption is in force detailing in respect of the period to which the report relates, and in respect of the matters covered by this exemption –
 - (a) the steps taken by the Applicant to comply with the EO Act and the terms and conditions of this exemption, including training and education given to its Victorian workforce, compliance audits, and any complaints made under that Act;
 - (b) the number of applications to join its Victorian workforce rejected under the exemption and whether any (and if so, how many) were subsequently appointed to other roles;
 - (c) the number of members of its Victorian workforce moved to other projects, areas or facilities under the exemption, and any steps taken to minimise harm or loss to those people arising from the transfers;
 - (d) the number of Victorian workforce vacancies advertised or offered under the exemption.
- 8 The Tribunal, in determining whether to renew or revoke this exemption, may (as well as other factors) take into account any breach of these conditions and anything in any report under condition 7.

EXEMPTION

Application No. A265/2008

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by Department of Human Services DHS (Eastern Metropolitan Region). The application for exemption is to enable the applicant to advertise and employ an Aboriginal or Torres Strait Islander for a position within the Department as Aboriginal Planning Officer (APO) (the exempt conduct).

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 14, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- The DHS is the largest Victorian government department. Eastern Metropolitan Region Partnerships & Planning (P&P) operates as a consultancy unit of the DHS. This unit facilitates the rolling out of actions through the Aboriginal Services Plan 2006–2009, 'Walking Together for the Future'. The Plan was launched in 2006. It has a ten (10) year vision and aims to strengthen and build capacity at the local level to improve the social, economic, health and well-being outcomes of Indigenous people in our Region.

- The Aboriginal Community and DHS are working together to implement the Plan by increasing the capacity of DHS EMR and Indigenous Communities and organisations to achieve the 10-year vision of improving the health and well-being outcomes for Indigenous people living in the Region.
- The APO position has a key role in assisting with the implementation of the Plan's activities. It enhances local Aboriginal knowledge through the provision of knowledge and information on Aboriginal culture through a number of formal communication channels. The APO role facilitates the bringing together of Indigenous community members, DHS and mainstream services providers through these mechanisms. These channels include an Aboriginal Reference Group, an internal DHS staffing planning group, a group that brings mainstream service providers together with DHS and an Indigenous workers network.
- DHS has extensive learning and development opportunities that the APO role can develop and can pass on and share within the Aboriginal community.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 14, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the exempt conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 1 October 2011.

Dated 17 October 2008

HER HONOUR JUDGE HARBISON
Vice President

Associations Incorporation Act 1981

SUB-SECTION 36E(5)

Notice is hereby given that the incorporation of the associations mentioned below is cancelled in accordance with section 36E(5) of the **Associations Incorporation Act 1981**.

Red Hill Ramblers Inc.; Taste Alpine Food Group Inc.; St Leonards Retirees Association Inc.; Inner Wheel Club of Maffra Inc.; Moe

Community Education Centre Playgroup Inc.; Friends of Walkerville Inc.; Whittlesea District Junior Netball Association Inc.; Sun Surf and Sand Festival Inc.; Helping Hands for Children (HHC) Inc.; Probus Rendezvous Committee Geelong 2005 Inc.; Launching Place Cricket Club Inc.; Speewa Country Square Dance Association Inc.; The Individuals' Charity Inc.; Bill Woodfull Reserve Sports Association Inc.; Kiwanis Club of Dingley Inc.; Bis-Sport Geelong Inc.; Ex Students Tennis Club Inc.; Karingal Tennis Club Inc.; Help Afghanistan Inc.; Cecilian Singers Inc.; Bright Bootscooters Inc.; Friends of Running Creek Reserve Inc.; Sustainable Events Inc.; Lara Sports and Social Club Inc.; Whittlesea Child Care Inc.; Friends of Riverside Park Inc.; The Basin Progress Association Inc.; St Stephens Tennis Club Caulfield Inc.; Wairane Sun School Farm for Nudists Inc.; The Five Mile Creek Association, Romsey Inc.; Climb for Life Inc.; The Australian Glycoconjugates Group Inc.; Roots + Shoots Association Inc.; Chilwell Playgroup Inc.

Dated 23 October 2008

NEIL TAYLOR
Deputy Registrar of Incorporated Associations
PO Box 4567
Melbourne, Vic. 3001

Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of Cemetery Trust Fees and Charges

I, Pauline Ireland, as Delegate of the Secretary to the Department of Human Services 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 Government Gazette and will be published on the internet.

The Alexandra Cemetery Trust

The Kilmore Cemetery Trust

PAULINE IRELAND
Assistant Director
Food Safety and Regulatory Activities

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ('the Act'), the Minister for Children and Early Childhood Development hereby declares that the Mildura Central Childcare Centre, Licence ID 2433 ('the service') is exempt from the qualified staff members requirements as set out in regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that the proprietor must ensure that whenever children are being cared for or educated by the service:

1. The number of staff members as set out in regulation 24 are caring for or educating the children.
2. No more than one nominated staff member is employed in place of qualified staff.
3. The nominated staff member is undertaking a course to attain a post-secondary early childhood qualification recognised under regulation 25.

This exemption remains in force until 31 December 2008 unless revoked earlier.

Dated 13 October 2008

MAXINE MORAND MP
Minister for Children and
Early Childhood Development

Children's Services Act 1996

I, Peter Dawkins, Secretary, Department of Education and Early Childhood Development, hereby declare under subregulation 26(4) of the Children's Services Regulations 1998 each of the following accredited courses in anaphylaxis management contained in the attached schedule to be recognised training for the purposes of the Children's Services Regulations 1998.

Dated 16 October 2008

PROF PETER DAWKINS
Secretary
Department of Education and Early Childhood Development

SCHEDULE

Recognised Accredited Anaphylaxis Management Courses – Children's Services Regulations 1998

Name of the Course	Accreditation Number	Accrediting Body
Course in Anaphylaxis Awareness	21827VIC	VRQA
First Aid Management of Anaphylaxis	21659VIC	VRQA

County Court Act 1958

COUNTY COURT SITTINGS 2009

Notice is given of the sitting of the County Court of Victoria to be held at each of the undermentioned places to commence on 1 January 2009:

Bairnsdale, Ballarat, Bendigo, Geelong, Hamilton, Horsham, Melbourne, Mildura, Morwell, Sale, Shepparton, Wangaratta, Warrnambool, Wodonga.

MICHAEL ROZENES
Chief Judge
of the County Court of Victoria

Education and Training Reform Act 2006

NOTICE OF MAKING OF ORDER UNDER SECTION 2.3.2

An Order of the Minister for Education was made on 6 October 2008 under sections 2.3.2(1) and 2.3.2(6) of the **Education and Training Reform Act 2006** dissolving Eastona Park Primary School Council and Hobsons Bay Primary School Council, and constituting a school council for a Government school at the corner of Woods Street and Maddox Road, Newport, named Eastona Park/Hobsons Bay Primary School.

BRONWYN PIKE, MP
Minister for Education

Education and Training Reform Act 2006NOTIFICATION OF
CONDITIONS IMPOSED ON
REGISTRATION OF A TEACHER

Pursuant to section 2.6.46 of the **Education and Training Reform Act 2006**, the Victorian Institute of Teaching may find a teacher has engaged in serious misconduct, has been seriously incompetent and/or is not fit to teach and may make a determination pursuant to subsection 2.6.46(2) including impose conditions on the registration of a teacher.

On 9 September 2008, Anthony Crawley, born 15 May 1956, was found unfit to teach.

On 9 September 2008, the Panel determined that Anthony Crawley remain registered as a teacher in Victoria and imposed the following conditions on the registration of Anthony Crawley:

1. That Mr Crawley obtain treatment on a regular basis from a counsellor of his choice for counselling in relation to depression and alcohol and substance dependence for a period of at least 18 months from the date of this decision.
2. That Mr Crawley provide to the Panel three detailed reports from his counsellor by:
 - 1st report: 31 March 2009
 - 2nd report: 30 September 2009
 - 3rd report: 31 March 2010
3. Each report must address the following matters:
 - the dates Mr Crawley has attended for treatment;
 - his understanding of personal and social behaviour that could compromise the professional standing of a teacher, and the profession of teaching;
 - his familiarity with and understanding of the Victorian Institute Code of Ethics and the Code of Conduct;
 - his ability to recognise and deal appropriately with personal stressors; and
 - his development of a repertoire of positive strategies to respond to stressful situations.

The Panel requires a detailed paragraph on each of the dot points identified above and comment on Mr Crawley's progress and his development of personal insight on each of the 4 points. Comment also is required on the likelihood of Mr Crawley re-offending. Such reports must be to the Panel's satisfaction for the conditions to be deemed to be complied with.

4. That Mr Crawley is responsible for the cost of attending treatment and the cost of supplying the reports.
5. That Mr Crawley is to arrange for a registered teacher (either primary or secondary) of at least 5 years experience to act as his professional mentor over the 18 month period. The mentor will through peer support and collegial advice assist Mr Crawley with his professional practice including classroom management strategies and engagement of students.

6. That by 30 September 2009 Mr Crawley is to provide to the Panel a report from his mentor that will attest to Mr Crawley's use of a range of classroom strategies and appropriate curriculum development and delivery.

SUSAN HALLIDAY
Chairperson
Disciplinary Proceedings Committee
Victorian Institute of Teaching

Education and Training Reform Act 2006
NOTIFICATION OF SUSPENSION OF
REGISTRATION TO TEACH

Pursuant to section 2.6.46 of the **Education and Training Reform Act 2006** (the Act), the Victorian Institute of Teaching (the Institute) may find a teacher has engaged in serious misconduct, has been seriously incompetent and/or is not fit to teach and may make a determination pursuant to subsection 2.6.46(2) including suspend the registration of a teacher.

On 15 September 2008, the Panel of the Institute appointed under section 2.6.42 of the Act found Benjamin Andrew Toy, born 2 September 1978, was found guilty of serious misconduct and is unfit to teach for the period of the suspension.

On 15 September 2008, the Panel determined to suspend the registration of Benjamin Andrew Toy from 15 September 2008 until at least 31 December 2008 and impose the following conditions:

1. That Mr Toy undertake counselling with a registered psychologist and provide the Panel with a report from his treating psychologist before 31 December 2008 which indicates that he has successfully addressed emotional issues related to his serious misconduct which impedes his effectiveness as a teacher.
2. That Mr Toy provide the Panel with an undertaking that states that he has a clear and comprehensive understanding of the conduct and behaviour required of a teacher as outlined in the Victorian Institute of Teaching's Code of Ethics and Code of Conduct. That understanding is to be provided in writing.

SUSAN HALLIDAY
Chairperson
Disciplinary Proceedings Committee
Victorian Institute of Teaching

Education and Training Reform Act 2006
NOTIFICATION OF SUSPENSION OF
REGISTRATION TO TEACH

Pursuant to section 2.6.46 of the **Education and Training Reform Act 2006** (the Act), the Victorian Institute of Teaching (the Institute) may find a teacher has engaged in serious misconduct, has been seriously incompetent and/or is not fit to teach and may make a determination pursuant to subsection 2.6.46(2) including suspend the registration of a teacher.

On 29 August 2008, Julie Elizabeth Strahan, born 24 April 1955, was found guilty of serious misconduct.

On 29 August 2008, the Panel determined to suspend the registration of Julie Elizabeth Strahan from 29 August 2008 until 30 June 2009. Julie Elizabeth Strahan is not able to apply to be registered as a teacher in Victoria until 1 July 2009.

This determination was made on 29 August 2008 and is effective from 29 August 2008.

SUSAN HALLIDAY
Chairperson
Disciplinary Proceedings Committee
Victorian Institute of Teaching

Education and Training Reform Act 2006
MINISTERIAL ORDER NO. 132

The Minister for Education makes the following Order:

1. **Purpose**
The purpose of this Order is to fix the annual registration fee payable by registered teachers including those having permission to teach and the fees which must accompany applications under Part 2.6 of the **Education and Training Reform Act 2006**.
2. **Authorising provisions**
This Order is made under sections 2.6.7, 2.6.13, 2.6.21, 2.6.77, 5.2.13 and 5.10.4 and clause 3 of Schedule 6 of the **Education and Training Reform Act 2006**.
3. **Interpretation**
 - (a) References to sections in paragraph 5 of this Order are references to sections in the **Education and Training Reform Act 2006**.
 - (b) 'VIT' means the Victorian Institute of Teaching.

4. Period of fee

The fees in paragraph 5 are fixed for the 12 month period commencing 1 November 2008.

5. Fees

- (a) Application for registration under section 2.6.7 and an application for permission to teach under section 2.6.13 must be accompanied by the following fee:

(i) where the applicant has Victorian qualifications or is seeking registration or permission to teach under a mutual recognition agreement or mutual recognition legislation:	\$49
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(ii) where the applicant has interstate or overseas qualifications:	\$69
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- (b) The following annual registration fee is payable under section 2.6.21:

(i) where the applicant also pays a fee under paragraph 5(a) in the same year as his or her annual registration fee is paid under section 2.6.21, or where the Chief Executive Officer of the VIT or his/her delegate considers the applicant has had a suitable criminal record check in the 5 years preceding the date on which the applicant's annual registration falls due:	\$68
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(ii) in any other case:	\$93
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Dated 3 October 2008

HON BRONWYN PIKE MP
Minister for Education

Geographic Place Names Act 1998

CORRIGENDUM

In the Victoria Government Gazette No. G40, 4 October 2007, page 2268 under **Geographic Place Names Act 1998**, Notice of Registration of Geographic Names, the place name of Chirrup should read Chirrip.

Office of the Registrar of Geographic Names

c/- **LAND VICTORIA**

17th Floor

570 Bourke Street

Melbourne 3000

JOHN E. TULLOCH
Registrar of Geographic Names

Health Professions Registration Act 2005
PHYSIOTHERAPISTS REGISTRATION BOARD OF VICTORIA

Fees Payable to the Board

In accordance with section 140(1)(c) of the **Health Professions Registration Act 2005** the Board has fixed the following fees which will be payable to the Board from 1 December 2008:

Fee	2009
	\$
Renewal of registration by mail	110.00
Renewal of registration via internet	99.00
Additional renewal fee	45.00
Non-practising registration	40.00
General registration	150.00
General registration for a period of less than 3 months	50.00
Specific registration	
Less than 3 months	50.00
Less than 6 months	100.00
12 months	150.00
Endorsement of Registration	
Division 1	160.00
Division 2	210.00
Division 3	210.00
Restoration of registration	150.00
Copy of register	50.00
Copy of register on computer disk	40.00
Extract from register	25.00
Issue of Replacement Certificate	50.00
Issue of Duplicate Annual Practising Certificate	25.00

Dated 2 October 2008

M. E. STRICKLAND
Registrar



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended in that the Heritage Register Number 2167 in the category described as Heritage Place is described as:

Lady Northcote Recreation Camp
1273–1327 Glenmore Road
Glenmore
Moorabool Shire

EXTENT:

1. All the land marked L1 on Diagram 2167 held by the Executive Director, being all of the land known as Crown Allotment A1, Section 9 in the Parish of Gorrockburkghap.
2. All the buildings and structures marked B1–13, and the feature F1 on Diagram 2167 held by the Executive Director.
 - B1 Dining Hall & Kitchen
 - B2 Office
 - B3 Games Room
 - B4 Art and Craft Room
 - B5 Angliss Lodge & Dining Room
 - B6 Manager's Residence
 - B7 House 12
 - B8 House 11
 - B9 House 8
 - B10 House 5
 - B11 Hospital
 - B12 House 2
 - B13 Workshop
 - F1 Bluestone Sewerage System

Dated 23 October 2008

RAY TONKIN
Executive Director

Pipelines Act 2005

SECTION 67

Notice of Minor Alteration to the
Authorised Route of Pipeline Licence 78

On 16 October 2008, the authorised route of Pipeline Licence 78 held by GasNet Australia (Operations) Pty Ltd, ABN 65 083 009 278, was

altered in accordance with Drawing Number A6–78–1.

The description of the authorised route is as follows:–

The route commences at the Brooklyn Compressor Station at the intersection of Old Geelong Road and Jones Road, Brooklyn, and runs to the Derrimut City Gate, then the Rockbank City Gate, then the Melton City Gate, then the Bacchus Marsh City Gate, then the Ballan City Gate, then to the east of the intersection of Racecourse Road and Melbourne Road, Ballan, where it branches into two lines. The first line runs to the Wallace City Gate and terminates at the Ballarat City Gate. The second line runs to the Daylesford City Gate, then the Castlemaine City Gate and terminates at the Bendigo City Gate. As of today the route also includes the construction of a new 150 mm hot tap onto Pipeline T56, the installation of a new 150 mm transfer meter skid and Coriolis CMF meter and the decommissioning of the existing transfer meter and replacement with a pipe pool.

Dated 16 October 2008

DOUG SCENEY
Manager Petroleum Regulation
Delegate of the Minister

Liquor Control Reform Act 1998

**LIQUOR LICENSING POLL –
BALWYN NEIGHBOURHOOD**

In the matter of an application by Narai Thai under the **Liquor Control Reform Act 1998** for an on-premises licence at 296 Whitehorse Road, Balwyn.

The resolution submitted to a poll on Monday 13 October was:

‘That an on-premises licence be granted in the neighbourhood of the premises situated at 296 Whitehorse Road, Balwyn.’

The result of the Narai Thai poll was:

Votes polled for the resolution	771
Votes polled against the resolution	549
Informal votes polled	7
Total votes polled	1,327

S. H. TULLY
Victorian Electoral Commission

Land Acquisition and Compensation Act 1986FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Minister for Environment and Climate Change, the Hon Gavin Jennings MLC (the Minister), declares that by this notice he acquires the following interest in the land described as Lot 36 on Plan of Subdivision 13744, contained in Certificate of Title Volume 8285 Folio 221.

Interest Acquired: That of Ruth Jessie McKeon, and all other interests.

Published with the authority of the Minister.
Dated 23 October 2008

For and on behalf of the Minister
WAYNE MALONE
Group Manager, Public Land Services
Department of Sustainability and Environment

Land Acquisition and Compensation Act 1986FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Minister for Environment and Climate Change, the Hon Gavin Jennings MLC (the Minister), declares that by this notice he acquires the following interest in the land described as 1 on Title Plan 167320K, formerly known as Lot 115 on Plan of Subdivision 13396, contained in Certificate of Title Volume 9221 Folio 540.

Interest Acquired: That of Heather Euphemia Mason, and all other interests.

Published with the authority of the Minister.
Dated 23 October 2008

For and on behalf of the Minister
WAYNE MALONE
Group Manager, Public Land Services
Department of Sustainability and Environment

Land Acquisition and Compensation Act 1986FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Minister for Environment and Climate Change, the Hon Gavin Jennings MLC (the Minister), declares that by this notice he acquires

the following interest in the land described as Lot 136 on Plan of Subdivision 31246, contained in Certificate of Title Volume 8219 Folio 047.

Interest Acquired: That of Richard John Challons, Jadwiga Rita Challons, and all other interests.

Published with the authority of the Minister.
Dated 23 October 2008

For and on behalf of the Minister
WAYNE MALONE
Group Manager, Public Land Services
Department of Sustainability and Environment

Land Acquisition and Compensation Act 1986FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Minister for Environment and Climate Change, the Hon Gavin Jennings MLC (the Minister), declares that by this notice he acquires the following interest in the land described as Lots 75, 76 and 77 on Plan of Subdivision 13396, contained in Certificates of Title Volume 8919 Folios 163, 164 and 165.

Interest Acquired: That of Domenic Colaci, and all other interests.

Published with the authority of the Minister.
Dated 23 October 2008

For and on behalf of the Minister
WAYNE MALONE
Group Manager, Public Land Services
Department of Sustainability and Environment

Land Acquisition and Compensation Act 1986

FORM 1

Ss. 6 and 8(1)
Reg. 7

Notice of Intention to Acquire

TO: James Thomas Walsh and Moira Therese Walsh

AND TO: All or any other interests in the land

The Casey City Council intends to acquire an interest in fee simple of the land shown hatched on the attached plan, being part of the land in Certificate of Title Volume 9221 Folio 178 and known as 169 Pearcedale Road, Pearcedale (Land).

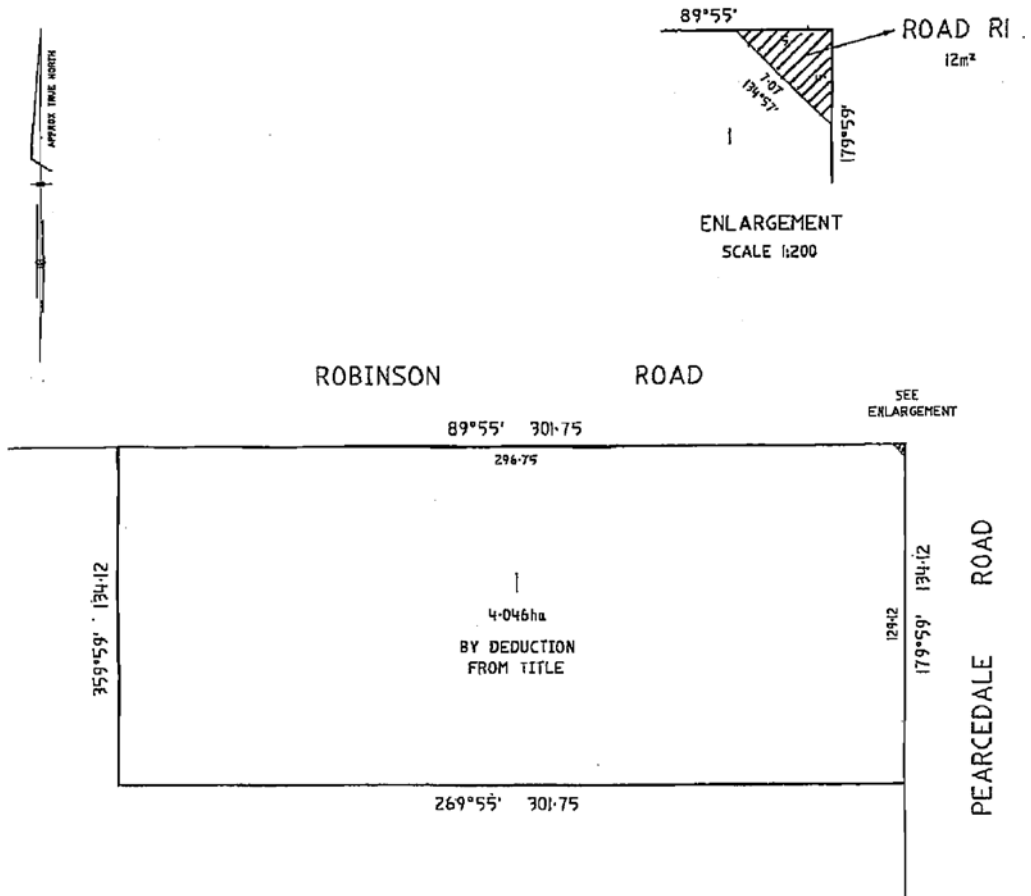
The Casey City Council is of the opinion that the Land is suitable for the purposes of construction of a roundabout at the intersection of Robinsons Road and Pearcedale Road, Pearcedale, as the Land adjoins the intersection of Robinsons Road and Pearcedale Road, Pearcedale, at the most suitable location of the proposed roundabout.

The Land is in a class of land exempted from reservation under section 5 of the **Land Acquisition and Compensation Act 1986**.

At the present time it is expected that the Casey City Council may require possession of the Land on approximately 8 December 2008. This date may change.

The Casey City Council requires you to provide it with information about the following:

1. the name of any other person who has, or you think may have, an interest in the Land (such a person might be a tenant or a mortgagee or a person to whom you have agreed to sell the Land);
2. if you have a current building permit or approval or a planning permit concerning the Land;
3. if you have sold or let or in any other way dealt with the Land or were intending to deal with the Land immediately before you received this notice;
4. if you know of any other person proposing to do any of those things mentioned in paragraph 3; and
5. any other matters of which you are aware which will help the Casey City Council to work out what compensation you should receive for the Land. (This information may include details of any mortgage, lease or other arrangement affecting the Land. If you claim financial loss, please provide financial documents and other records to substantiate all losses. All documents provided will be treated in confidence).



Dated 2 October 2008
For and on behalf of the Casey City Council

Land Acquisition and Compensation Act 1986

FORM 1

Ss. 6 and 8(1)
Reg. 7

Notice of Intention to Acquire

TO: Roy Albert Baker and Leonie Josephine Baker

AND TO: All or any other interests in the land

The Casey City Council intends to acquire an interest in fee simple of the land shown hatched on the attached plan, being part of the land in Certificate of Title Volume 9526 Folio 873 and known as 156 Pearcedale Road, Pearcedale (Land).

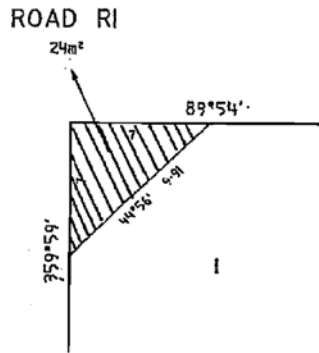
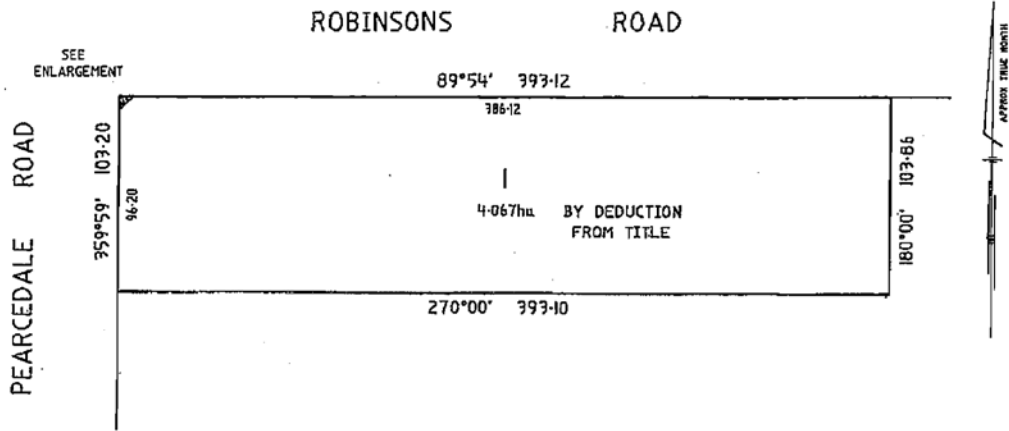
The Casey City Council is of the opinion that the Land is suitable for the purposes of construction of a roundabout at the intersection of Robinsons Road and Pearcedale Road, Pearcedale, as the Land adjoins the intersection of Robinsons Road and Pearcedale Road, Pearcedale, at the most suitable location of the proposed roundabout.

The Land is in a class of land exempted from reservation under section 5 of the **Land Acquisition and Compensation Act 1986**.

At the present time it is expected that the Casey City Council may require possession of the Land on approximately 8 December 2008. This date may change.

The Casey City Council requires you to provide it with information about the following:

1. the name of any other person who has, or you think may have, an interest in the Land (such a person might be a tenant or a mortgagee or a person to whom you have agreed to sell the Land);
2. if you have a current building permit or approval or a planning permit concerning the Land;
3. if you have sold or let or in any other way dealt with the Land or were intending to deal with the Land immediately before you received this notice;
4. if you know of any other person proposing to do any of those things mentioned in paragraph 3; and
5. any other matters of which you are aware which will help the Casey City Council to work out what compensation you should receive for the Land. (This information may include details of any mortgage, lease or other arrangement affecting the Land. If you claim financial loss, please provide financial documents and other records to substantiate all losses. All documents provided will be treated in confidence).



ENLARGEMENT
SCALE 1:200

Dated 2 October 2008
For and on behalf of the Casey City Council

Land Acquisition and Compensation Act 1986

FORM 1

Ss. 6 and 8(1)
Reg. 7

Notice of Intention to Acquire

TO: Brian Reginald Costello and Janice Isabel Costello

AND TO: All or any other interests in the land

The Casey City Council intends to acquire an interest in fee simple of the land shown hatched on the attached plan, being part of the land in Certificate of Title Volume 9363 Folio 019 and known as 885 Robinsons Road, Pearcedale (Land).

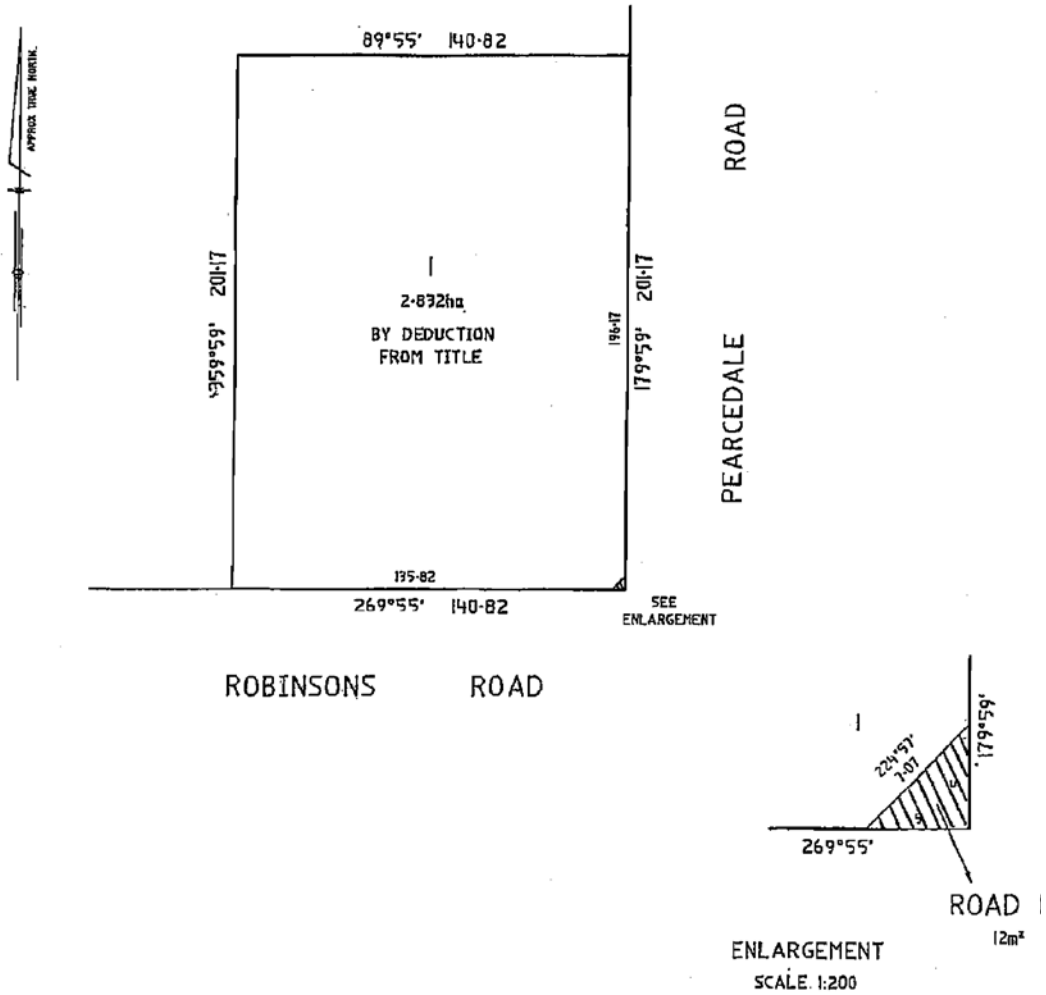
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The Land is in a class of land exempted from reservation under section 5 of the **Land Acquisition and Compensation Act 1986**.

At the present time it is expected that the Casey City Council may require possession of the Land on approximately 8 December 2008. This date may change.

The Casey City Council requires you to provide it with information about the following:

1. the name of any other person who has, or you think may have, an interest in the Land (such a person might be a tenant or a mortgagee or a person to whom you have agreed to sell the Land);
2. if you have a current building permit or approval or a planning permit concerning the Land;
3. if you have sold or let or in any other way dealt with the Land or were intending to deal with the Land immediately before you received this notice;
4. if you know of any other person proposing to do any of those things mentioned in paragraph 3; and
5. any other matters of which you are aware which will help the Casey City Council to work out what compensation you should receive for the Land. (This information may include details of any mortgage, lease or other arrangement affecting the Land. If you claim financial loss, please provide financial documents and other records to substantiate all losses. All documents provided will be treated in confidence).



Dated 2 October 2008
For and on behalf of the Casey City Council

Land Acquisition and Compensation Act 1986

FORM 1

Ss. 6 and 8(1)
Reg. 7

Notice of Intention to Acquire

TO: Frances Joan Smith

AND TO: All or any other interests in the land

The Casey City Council intends to acquire an interest in fee simple of the land shown hatched on the attached plan, being part of the land in Certificate of Title Volume 4241 Folio 058 and known as 795 Robinsons Road, Pearcedale 3912 (Land).

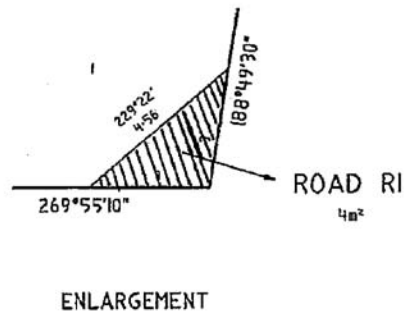
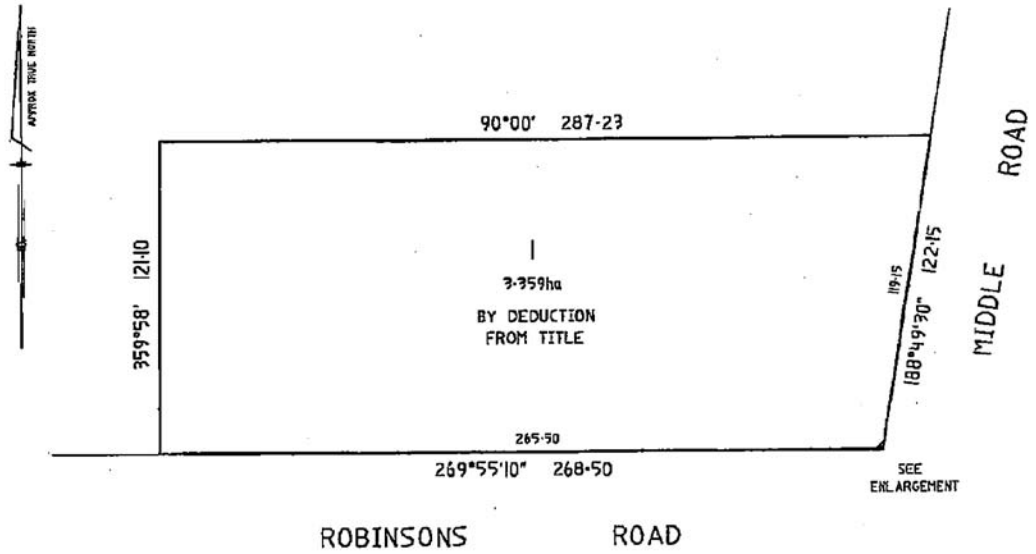
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The Land is in a class of land exempted from reservation under section 5 of the **Land Acquisition and Compensation Act 1986**.

At the present time it is expected that the Casey City Council may require possession of the Land on approximately 8 December 2008. This date may change.

The Casey City Council requires you to provide it with information about the following:

1. the name of any other person who has, or you think may have, an interest in the Land (such a person might be a tenant or a mortgagee or a person to whom you have agreed to sell the Land);
2. if you have a current building permit or approval or a planning permit concerning the Land;
3. if you have sold or let or in any other way dealt with the Land or were intending to deal with the Land immediately before you received this notice;
4. if you know of any other person proposing to do any of those things mentioned in paragraph 3; and
5. any other matters of which you are aware which will help the Casey City Council to work out what compensation you should receive for the Land. (This information may include details of any mortgage, lease or other arrangement affecting the Land. If you claim financial loss, please provide financial documents and other records to substantiate all losses. All documents provided will be treated in confidence).



Dated 2 October 2008

For and on behalf of the Casey City Council

Land Acquisition and Compensation Act 1986

FORM 1

Ss. 6 and 8(1)
Reg. 7

Notice of Intention to Acquire

TO: John Veselauskas

AND TO: All or any other interest in the land

The Casey City Council intends to acquire an interest in fee simple of the land shown hatched on the attached plan, being part of the land in Certificate of Title Volume 5465 Folio 936 and known as 265 Middle Road, Pearcedale (Land).

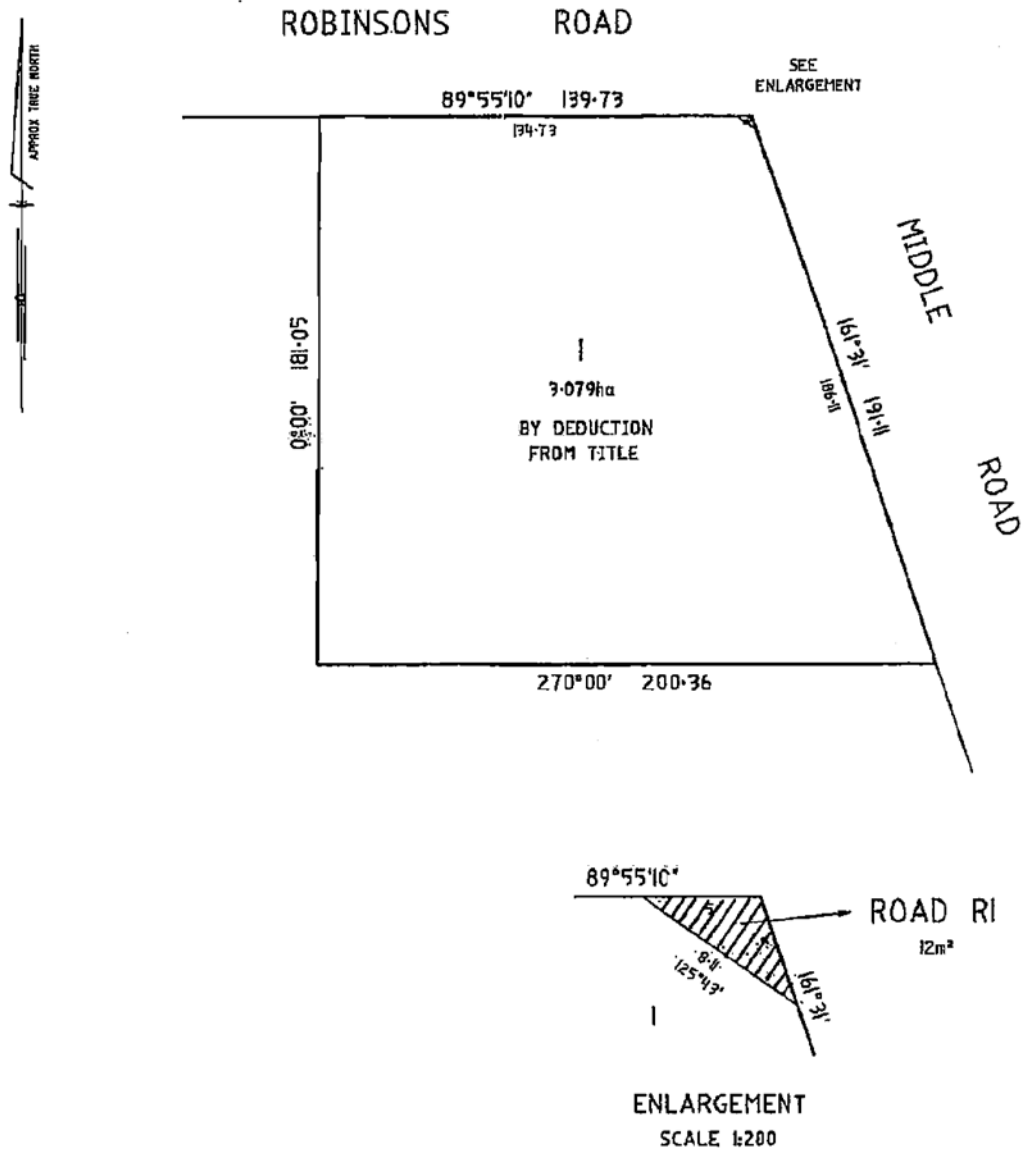
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2. if you have a current building permit or approval or a planning permit concerning the Land;
3. if you have sold or let or in any other way dealt with the Land or were intending to deal with the Land immediately before you received this notice;
4. if you know of any other person proposing to do any of those things mentioned in paragraph 3; and
5. any other matters of which you are aware which will help the Casey City Council to work out what compensation you should receive for the Land. (This information may include details of any mortgage, lease or other arrangement affecting the Land. If you claim financial loss, please provide financial documents and other records to substantiate all losses. All documents provided will be treated in confidence).



Dated 2 October 2008
For and on behalf of the Casey City Council

Land Acquisition and Compensation Act 1986

FORM 1

Ss. 6 and 8(1)
Reg. 7

Notice of Intention to Acquire

TO: Broatch Corporation Pty Ltd

AND TO: All or any other interests in the land

The Casey City Council intends to acquire an interest in fee simple of the land shown hatched on the attached plan, being part of the land in Certificate of Title Volume 9010 Folio 580 and known as 260 Middle Road, Pearcedale (Land).

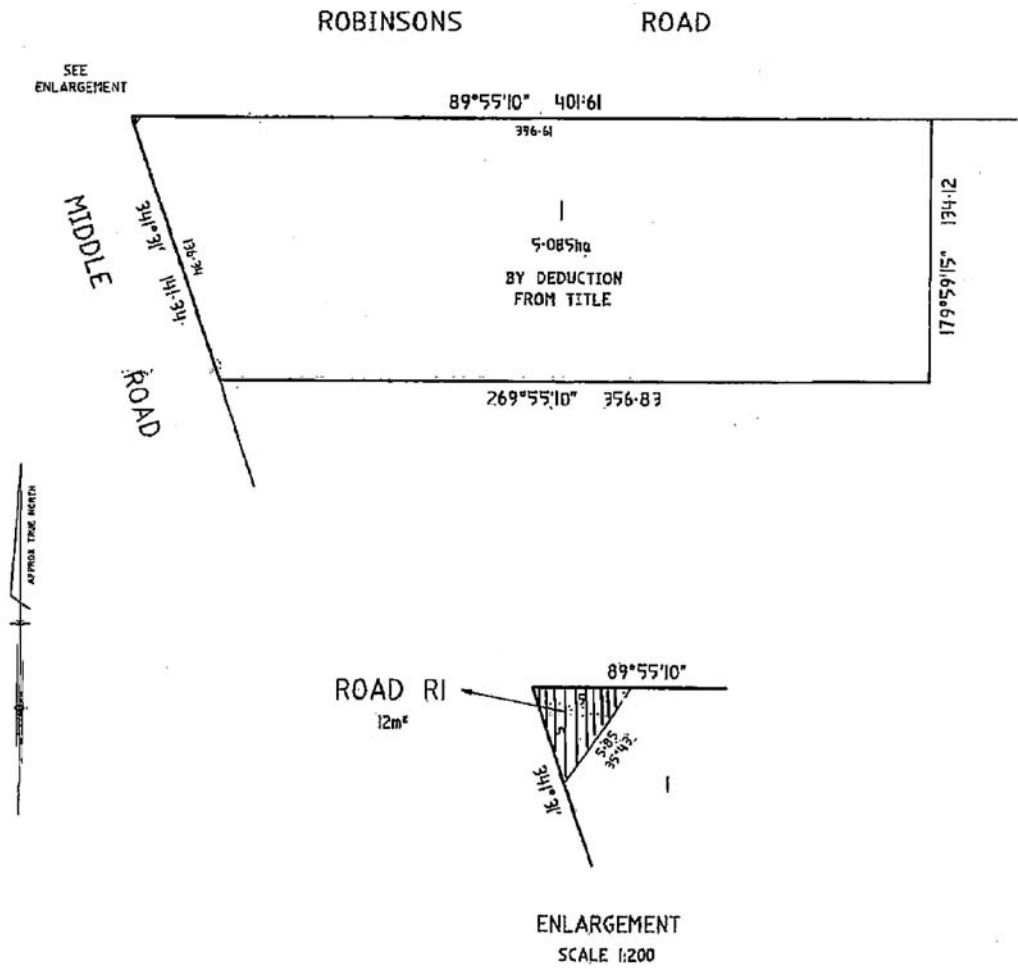
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3. if you have sold or let or in any other way dealt with the Land or were intending to deal with the Land immediately before you received this notice;
4. if you know of any other person proposing to do any of those things mentioned in paragraph 3; and
5. any other matters of which you are aware which will help the Casey City Council to work out what compensation you should receive for the Land. (This information may include details of any mortgage, lease or other arrangement affecting the Land. If you claim financial loss, please provide financial documents and other records to substantiate all losses. All documents provided will be treated in confidence).



Dated 2 October 2008
For and on behalf of the Casey City Council

Private Agents Act 1966NOTICE OF RECEIPT OF APPLICATIONS FOR LICENCES
UNDER THE PROVISIONS OF THE **PRIVATE AGENTS ACT 1966 – 7494**

I, the undersigned, being the Registrar of the Magistrates' Court at Melbourne, hereby give notice that applications, as under, have been lodged for hearing by the said Court on the date specified.

Any person desiring to object to any of such applications must:–

- (a) lodge with me a notice in the prescribed form of his/her objection and of the grounds thereof;
- (b) cause a copy of such notice to be served personally or by post upon the applicant at least three days before the hearing of the application; and
- (c) send or deliver
 - (i) where the objection is not made by the officer in charge of the police district in which the Court is situated – a copy of the notice to such officer; and
 - (ii) where the objection is not made by the Registrar or Deputy Registrar – a copy to the Registrar.

<i>Full Name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
Duyen Thi Chau	Australian Receivables Ltd	363 King Street, Melbourne, Vic. 3000	Commercial Sub-Agents Licence
Gregory D. Trappett	Collections House Ltd	Level 7, 477 Collins Street, Melbourne, Vic.	Commercial Agents Licence
Monisha Jethra	Recoveries Corporation Pty Ltd	Level 7, 505 Little Collins Street, Melbourne 3000	Commercial Sub-Agents Licence
Thomas C. Donlan	Recoveries Corporation Pty Ltd	Level 7, 505 Little Collins Street, Melbourne 3000	Commercial Sub-Agents Licence

Dated at Melbourne 17 October 2008

TREVOR RIPPER
Registrar
Magistrates' Court of Victoria

Project Development and Construction Management Act 1994

FORM 7

S. 21
Reg. 16

Notice of Acquisition

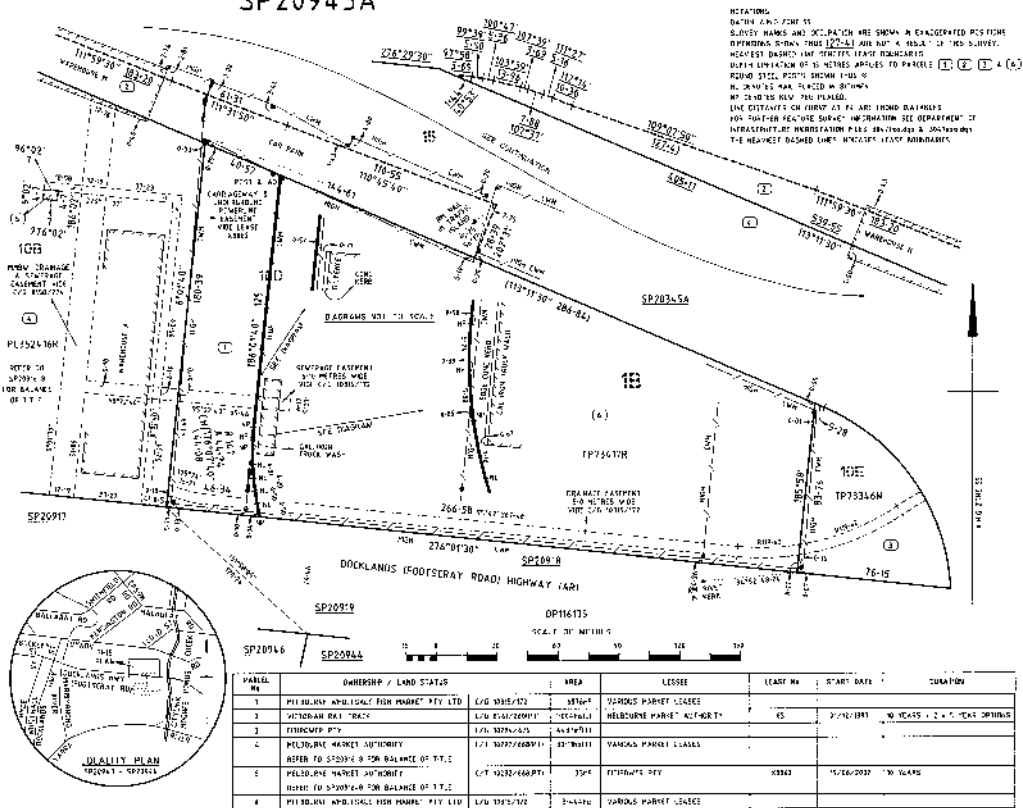
Compulsory Acquisition of Interest in Land

The Executive Director, Infrastructure Projects Division, as delegate for the Secretary to the Department of Transport as facilitating agency, pursuant to section 20(1) of the **Project Development and Construction Management Act 1994** declares that by this notice it acquires the following interest in the land described as Lot 1 on SP20943A and shown on the attached plan (the Land).

Interest Acquired: The freehold interest of the Melbourne Wholesale Fish Markets Pty Limited in the Land, to be severed from Crown Grant Volume 10315 Folio 172.

Published with the authority of the Executive Director, Infrastructure Projects Division as delegate for the Secretary to the Department of Transport as facilitating agency, Level 7, 80 Collins Street, Melbourne, Victoria 3000.

SP20943A



Dated 23 October 2008

For and on behalf of
Secretary to the Department of Transport
FRANK TAIT
Executive Director
Infrastructure Project
Delegate of the Secretary to the Department of Transport
As Facilitating Agency of the Dynon Port Rail Link Project

State Superannuation Act 1988
DECLARATION OF
ELIGIBLE SALARY SACRIFICE
CONTRIBUTORS

I, John Lenders MP, in my capacity as Acting Minister for Finance, WorkCover and the Transport Accident Commission for the State of Victoria, under paragraph (b) of section 3A of the **State Superannuation Act 1988** ('the Act'), by this instrument declare officers governed by the V/line Passenger Regional Network and Access – Rail Service Operations Union Collective Agreement 2007–2009 and the V/line Passenger Regional Network and Access – Infrastructure Union Collective Agreement 2007–2009 and their successor industrial instruments and agreements, who are members of the revised scheme or new scheme (as those terms are defined in the Act), to be eligible salary sacrifice contributors from the date of gazettal of this declaration.

Dated 19 July 2008

JOHN LENDERS MP
Acting Minister for Finance, WorkCover
and the Transport Accident Commission

Transport Superannuation Act 1988
DECLARATION OF
ELIGIBLE SALARY SACRIFICE
CONTRIBUTORS

I, John Lenders MP, in my capacity as Acting Minister for Finance, WorkCover and the Transport Accident Commission for the State of Victoria, under paragraph (b) of section 3A of the **Transport Superannuation Act 1988** ('the Act') by this instrument declare officers governed by the V/line Passenger Regional Network and Access – Rail Service Operations Union Collective Agreement 2007–2009 and the V/line Passenger Regional Network and Access – Infrastructure Union Collective Agreement 2007–2009 and their successor industrial instruments and agreements, who are members of the Transport Superannuation Fund, to be eligible salary sacrifice contributors from the date of gazettal.

Dated 19 July 2008

JOHN LENDERS MP
Acting Minister for Finance, WorkCover
and the Transport Accident Commission

**State Employees
Retirement Benefits Act 1979**
DECLARATION OF
ELIGIBLE SALARY SACRIFICE
CONTRIBUTORS

I, Tim Holding MP, in my capacity as Minister for Finance, WorkCover and the Transport Accident Commission for the State of Victoria, under paragraph (b) of section 2A of the **State Employees Retirement Benefits Act 1979** ('the Act'), by this instrument declare officers governed by the V/line Passenger Regional Network and Access – Rail Service Operations Union Collective Agreement 2007–2009 and the V/line Passenger Regional Network and Access – Infrastructure Union Collective Agreement 2007–2009 and their successor industrial instruments and agreements, who are members of the State Employees Retirement Benefits Scheme, to be eligible salary sacrifice contributors from the date of gazettal of this declaration.

Dated 13 October 2008

TIM HOLDING MP
Minister for Finance, WorkCover
and the Transport Accident Commission

**Emergency Services
Superannuation Act 1986**

DECLARATION OF
ELIGIBLE SALARY SACRIFICE
CONTRIBUTORS

I, Tim Holding MP, in my capacity as Minister for Finance, WorkCover and the Transport Accident Commission for the State of Victoria, under paragraph (b) of section 3A of the **Emergency Services Superannuation Act 1986** ('the Act'), by this instrument declare employees covered by the Country Fire Authority Operations Managers/Operations Officers Enterprise Agreement 2007, and its successor industrial instruments and agreements, who are members of the Emergency Services Superannuation Scheme, to be eligible salary sacrifice contributors from the date of gazettal.

Dated 3 October 2008

TIM HOLDING MP
Minister for Finance, WorkCover
and the Transport Accident Commission

Transport Act 1983

ROADS CORPORATION

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 25 November 2008.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Vehicle Management and Safety, Locked Bag 9000, Kew, Vic. 3101, not later than 20 November 2008.

It will not be necessary for interested parties to appear on the date specified, unless advised in writing.

BA Mack & Co. Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW993, TOW773 and TOW564 which authorises the licensed vehicles to be managed, controlled and operated from a depot situated at 12–14 Enterprise Avenue, Berwick, to change the depot address to 58–62 Enterprise Avenue, Berwick 3806.

Note: These Licences are under consideration for transfer to Haybrand Investments Pty Ltd.
Dated 23 October 2008

DON HOGBEN

Director

Vehicle Management and Safety
Road Safety and Network Access
Roads Corporation

- (d) set out four stages of restrictions on the use of water; and
- (e) specify things which must not be done while each stage of restriction persists; and
- (f) specify principles for considering applications for exemptions from particular restrictions; and
- (g) specify principles for deciding when to lift restrictions; and
- (h) prescribe offences and penalties for the contravention of this by-law; and
- (i) prescribe classes of persons for the purpose of issuing infringement notices.

The by-law formalises the provisions of Stage 3a restrictions as part of the four stages of restrictions.

Copies of the by-law are available at Western Water's office at 36 Macedon Street, Sunbury, or telephone 1300 650 425, during normal business hours, or visit our website: www.westernwater.com.au

Water Act 1989WESTERN REGION
WATER CORPORATION

Water Restriction By-Law 08/01

In accordance with section 287ZI, Western Water hereby gives notice that it has made the by-law, titled Water Restriction By-Law 08/01, pursuant to sections 171, 160 and Part 13B of the **Water Act 1989**. The by-law is made in relation to restrictions and prohibitions on the use of water in the water supply districts of Western Water during declared water restrictions.

The purpose of the by-law is to:

- (a) repeal by-law 05/01; and
- (b) promote the conservation of water; and
- (c) specify when and how a stage of restriction may be imposed; and

Victoria Racing Club Regulations 2006**SCHEDULE OF PROPOSED ADMISSION CHARGES**

The Board of Victoria Racing Club Limited has resolved that the following Schedule of Admission Charges applies for the 2008/2009 racing season.

Victoria Racing Club Limited**General Admission Charges – 2008/2009 Racing Season**

		2008/09
		\$
Non-feature Days:		
Saturday/Public Holiday	– Full	12.00
	– Concession	7.00
	– Student	10.00
Sunday/Midweek	– Full	8.00
	– Concession	5.00
	– Student	6.00
Feature Days:		
Ascot Vale Stakes Day (September Saturday)	– Full	25.00
	– Concession	12.00
	– Student	20.00
Turnbull Stakes Day (October Saturday)	– Full	25.00
	– Concession	12.00
	– Student	20.00
Victoria Derby Day	– Full	60.00
	– Concession	28.00
	– Children	10.00
	– Student	48.00
Melbourne Cup Day	– Full	60.00
	– Concession	28.00
	– Children	10.00
	– Student	48.00
VRC Oaks Day	– Full	55.00
	– Concession	28.00
	– Children	10.00
	– Student	44.00
Emirates Stakes Day	– Full	40.00
	– Concession	16.00
	– Family (2 adults + 2 Children)	65.00
	– Children	Free
	– Student	32.00
New Years Day	– Full	15.00
	– Concession	8.00
	– Student	12.00

Lightening Stakes Day	–	Full	15.00
	–	Concession	8.00
	–	Student	12.00
Super Saturday	–	Full	30.00
	–	Concession	15.00
	–	Student	24.00
Sires Produce Day	–	Full	15.00
	–	Concession	8.00
	–	Student	12.00

The above Schedule was sent to the Minister for Racing on 25 September 2008 pursuant to Regulation 7(5) of the Victoria Racing Club Regulations 2006, has now been reviewed and has not been disallowed.

The above Schedule will come into operation on 1 August 2008.

DALE G. MONTEITH
Chief Executive

Electricity Industry Act 2000

VICTORIA ELECTRICITY STANDARD ELECTRICITY FEED-IN TARIFFS TERMS AND CONDITIONS

In these standard terms and conditions:

We and Us means Victoria Electricity Pty Ltd ACN 100 528 327. You means the person/s taking a supply of electricity or gas from us at the Premises and Your has a corresponding meaning.

You have installed at the Premises and connected to the distribution network ('Network') a Small Renewable Energy Generator ('SREG') and request us to Buyback electricity produced by the SREG (Generation from wind, solar, hydro or biomass).

1. Supply of feed-in energy

- 1.1 You agree to sell and we agree to purchase electricity generated by the SREG and exported from the Premises to the Electricity Network as per the terms and conditions specified in this document.
- 1.2 Your informed consent is required to vary from the provisions listed in these terms and conditions.

2. Commencement date and term

- 2.1 The Commencement date of this Contract is the date that you accept our feed-in offer.
- 2.2 The term will be as specified in this Contract unless this Contract is terminated before the end date.

3. Feed-in Energy charges and payment

We will pay you the Buyback Price as advised to you upon joining with VE, (this rate may be amended from time to time by VE in its absolute discretion and as notified to you). To avoid doubt, the amount we are required to pay to you will be calculated by multiplying the Buyback Price for the amount of electricity exported from the Premises to the Electricity Network during the relevant period; excluding service to property charge and government charges. The rate we pay you shall not be less than the rate you pay VE to buy electricity from VE.

4. Notices

- 4.1 We reserve the right to send invoices and any notices at our own election to either the Premises or to any billing address supplied. Notices and bills shall be deemed to be received:
- i If delivered by post, two (2) business days after the date of posting
 - ii If delivered by fax, on receipt by the sender of a transmission report indicating that the transmission as been made without error.
 - iii If delivered by email, on receipt by the sender of a message confirming delivery.
- 4.2 A notice, consent, document or other communication given by us will be in writing and given by hand, by fax, by mail or by e-mail unless a specific term or condition set out in the Energy Retail Code provides or otherwise contemplates that a notice, consent, document or other communication may be given by us otherwise than in writing.

5. Billing cycle

We will credit you for the electricity supplied under the feed-in contract with the same frequency as you are billed for electricity, which is normally every quarter.

6. Assignment of REC's

- 6.1 You hereby assign to us all rights and interests associated with the electricity generated by the SREG including any renewable energy credits and any other emissions or environmental credits, certificates or benefit.
- 6.2 Where you notified us in writing prior to our commitment to and execution of this contract that you have assigned the benefit of a particular type of credit, certificate or benefit to a third party, clause 6.1 is not applicable in relation to the specified type of credit, certificate or benefit.

7. Actual and estimated feed-in energy readings

- 7.1 Our bill will be based wherever possible on an actual read of the feed-in energy meter.
- 7.2 Unless you give explicit informed consent, we will base a feed-in tariff payment or credit on a reading of your NEM compliant meter that records the supply of electricity from your feed-in energy meter to the distribution system, and, in any event, we will use best endeavours to ensure the meter is read at least once in every 12 month period.
- 7.3 If we are not able to reasonably or reliably base a feed-in tariff payment or credit on a reading of the meter, we will not make a payment or credit unless the relevant distributor estimates the generation in accordance with applicable regulatory instruments,
- 7.4 In the case of residential customers the feed-in energy meter is usually read every 3 months, while some business customers may have their feed-in energy meters read every month. While every attempt is made to ensure that your meter is read on the usual meter reading cycles, the minimum requirement is for best endeavours to ensure that the meter is read at least once in any 12 month period.

8. Adjustments

If we pay, overpay or fail to pay you, we may recover from you or pay to you the relevant amount in accordance with the Energy Retail Code and where necessary will credit the amount on your next bill.

9. Agreed Damages Terms

We will provide details of early termination fees or additional retail charges in our contract with you that may be payable by you if you breach our feed-in energy contract.

10. Review of bill

If you disagree with the feed-in energy payment by us on your bill we will review the bill at your request in line with clause 6.1, 6.2 and 6.3 of the Energy Retail Code. During the review, you must pay that portion of the bill under review that we agree is not in dispute or an amount equal to the average amount of the customer's bills in the previous 12 months (whichever is the lower).

11. Metering

11.1 Upon request from you we will make a request to the relevant distributor to have your SREG connected to the distribution system. We will action this as soon as practicable after receiving all documentation required from you under the **Electricity Safety Act 1998** and all documentation required from you for the distributor to action the connection.

11.2 We will advise you of any costs relating to the connection of your SREG when you request to have your SREG connected by Victoria Electricity; the costs are subject to the specifications of your meter installation. We may amend these costs from time to time upon notification from your distributor that additional meter installation work was required.

12. Access

You will allow us (including our agents and the Distributor) and our equipment safe, unhindered and convenient access to your Premises during, and for a reasonable period of time after termination of the Contract or after expiration of the term, to read the meter, to connect, disconnect or reconnect your supply, to carry out maintenance and test electrical or gas equipment on the distribution system, in the event of an emergency or for safety reasons and to clear vegetation from electricity lines. We will ensure our representative or agent will carry or wear official identification at all times and provide to the customer on request.

13. Meter tests

If you request a test of the feed-in energy meter because you are disputing the bill and the test shows that the meter complies with Applicable Laws and codes, you agree to pay the costs of the test. If the test shows that the meter does not comply with Applicable Laws and codes, you will not be charged for the cost of the meter test and we will amend your bill in accordance with the Energy Retail Code.

14. Disputes

We agree to discuss in good faith and attempt to resolve any dispute between us arising out of this Contract in line with clause 28.1, 28.2 and 28.3 of the Energy Retail Code. If you are not satisfied with our response you may refer the complaint to the Energy & Water Ombudsman of Victoria.

15. Termination, cooling off period and expiration of Feed-in Energy Contracts

15.1 You may terminate a feed-in contract with us without notice. Despite the notice period, the termination does not become effective until:

- i you enter a new feed-in contract with us, the expiry of any cooling-off period in respect of the new feed-in contract;
- ii if the feed-in contract is terminated because you want to enter a feed-in contract with another retailer, the date when the other retailer becomes responsible for the feed-in contract;
- iii if a contract for the supply of electricity to you is terminated with regard to a relevant supply address having been disconnected, the date when you no longer have a right under the Energy Retail Code to be reconnected;
- iv (whichever occurs last); or
- v the premise ceases to be occupied by you.

- 15.2 We may not terminate a feed-in contract with you unless you enter into a new feed-in contract with us, or you transfer to another retailer in respect of the address relevant to the feed-in contract.
- 15.3 If your feed-in contract with us is a fixed term contract:
- i We will notify you of the following information between one and two months before the expiry date:
 - the date that the feed-in contract is due to expire;
 - the options available to you; and
 - the tariff and terms and conditions that will apply after that date if you do not exercise any other option; and
 - ii The feed-in contract with us will continue after the expiry date on the tariff and terms and conditions notified, without further need for written agreement, provided the tariff and terms and conditions have taken effect in accordance with section 40H of the **Electricity Industry Act 2000**.
- 15.4 Where the feed-in contract provides for an amount payable by you if you breach the feed-in contract, it will either state the amount or include a simple basis for determining that amount.

16. Variations for customers on Feed-in Energy Contracts

- 16.1 The tariff and terms and conditions of the feed-in contract with us may only be varied by agreement in writing to the customer.
- 16.2 Your informed consent is required to vary from the provisions listed in these terms and conditions.
- 16.3 We will give you notice of any variation to our tariffs that affects your feed-in contract. The notice will be given as soon as practicable, and in any event no later than the next billing and payment cycle.

17. Energy supply responsibility and our obligations

- 17.1 You acknowledge that the Distributor is responsible for the supply of energy to the meter. The quality, frequency and continuity of supply of energy are subject to a variety of factors, which include accidents, weather and acts of others. Accordingly, we are unable to guarantee the quality, frequency and continuity of supply of energy to you.
- 17.2 If you are a Feed-in Energy Customer you must take reasonable precautions to minimise the risk of loss or damage to any equipment, Premises or business of the Feed-in Energy Electricity Customer which may result from poor quality or reliability of energy supply.

18. Your obligation

- 18.1 You will inform us as soon as possible of any relevant change to contact details.
- 18.2 The Distributor may disconnect, interrupt, reduce, and vary the voltage or frequency of the supply of energy to the meter. You acknowledge that we are not responsible for such disconnection, interruption or reduction in the supply and/or quality of energy, variation in voltage, reduction in gas pressure or frequency of the supply.
- 18.3 At all times, you must ensure that you comply with your connection agreement with the distributor and meet all applicable legal and regulatory requirements, guidelines and Australian standards as may be in force from time to time.
- 18.4 You must not increase the output capacity of the SREG without our prior written consent.

19. Your connection obligation

19.1 You are obliged to ensure that:

- Your actions of equipment or proposed actions of equipment will not adversely affect the distribution network or the meter.
- You will notify us if there is any change of circumstances that may impose a threat to the distribution network or the meter.
- You will not do anything to increase the likelihood of a threat to the distribution network or to the meter.

20. Indemnity

20.1 You must ensure that your actions will not do anything that will cause harm or impose any liability on us.

20.2 You indemnify us for any claims against us, including those from third parties, which arise from your use of energy beyond the meter.

20.3 You indemnify us for any claims against us in the event that you permit energy to leave the Premises and re-enter the distribution network and this gives rise to a claim against us.

20.4 You agree that we will not be liable for any direct or punitive damages including economic loss resulting or arising from the non-performance of this Contract.

21. Liability

To the extent permitted by the Trade Practices Act and the Goods Act, our liability to you for a breach of a condition or warranty is limited in relation to a good or service to the re-supply or payment of the cost of re-supply of the good (or equivalent) or service as implied in the Acts.

22. Privacy and confidentiality

We reserve the right to use your personal information in a manner not inconsistent with our obligations under the **Privacy Act 1988**, the National Privacy Principles or any other relevant laws or guidelines, or in accordance with clause 6 of the Contract, or where any specific approvals have been given on the application form.

23. Provision of other services

23.1 We may advise you of the availability of other services which we, or companies related to us, can provide, until you inform us that you no longer wish to receive such information or material from us.

23.2 On request, we will provide you with reasonable information on any feed-in tariffs we may offer to the customer. The information will be given within 10 business days of your request, and, if requested, in writing.

23.3 We will retain your historical feed-in payment or crediting data for at least two years, even if your contract with us to supply electricity to the distribution system and the your contract to buy electricity from us may have terminated. We will process your request for historical data relating to your feed-in contract in the same manner as a request for historical data relating to a supply of electricity to you under clause 28.2 of the Energy Retail Code.

24. Assignment

We may assign, or otherwise dispose of, the whole or any part of our interest in this Contract to a person who acquires all or a substantial portion of the assets of our business of retailing energy without your prior consent.

25. Force Majeure

The obligations of the parties to this Contract shall be suspended (except the obligation to pay any money owing), if that failure or delay is due to any cause or condition beyond the reasonable control of that party or due to the Distributor, Generator or Producer's inability to supply energy, changes in Applicable Law or changes in government charges. We will meet all obligations as per Clause 18 of the Energy Retail Code.

26. General

- 26.1 This Contract represents the entire Contract between you and us and supersedes all prior arrangements or understandings between you and us.
- 26.2 If any term or clause of this Contract is or becomes invalid or is unenforceable, then the other terms will remain valid and will be unaffected for the duration of this Contract.
- 26.3 If we do not exercise our rights under this Contract it will not constitute a waiver of those rights.
- 26.4 Where an Applicable Law allows any inconsistency with this Contract, you give your explicit informed consent (as defined in the Retail Code) to any such inconsistent terms in this Contract.
- 26.5 This Contract shall be governed and construed in accordance with the laws of the State of Victoria.

Interpretations

Applicable Law means all regulations, codes, statutes, guidelines, licences, legislation, orders in council, tariffs, proclamations, direction or standards applicable to parties in the Victorian region.

Contract means any application form signed by you or verbally agreed by you by way of telephone and whereby you have given us explicit informed consent and the terms and conditions set out in this document.

Distributor in relation to electricity means the holder of the distribution licence of the electricity network to which your premises are connected.

Distribution Code means the Electricity Distribution Code or the Gas Distribution System Code or both, as the context requires.

Energy Law means all rules, regulations, codes, statutes, guidelines, licences, legislation, orders in council, tariffs, proclamations, direction or standards, including the Energy Retail Code that regulate participants of the energy industry in Victoria as varied or replaced from time to time.

Energy Retail Code means the Victorian Energy Retail Code as determined by the Essential Services Commission.

ESC means the Essential Services Commission of Victoria or its successor.

Explicit informed consent means that a customer provides consent i.e. 'opt-in' consent, is informed and is given by a person competent to give it.

Feed-in Tariff means subsidy scheme where the owners of solar power systems receive a guaranteed, fixed price from the utilities for the electricity fed into the grid.

Fixed Term Contract means we have agreed to supply and you have agreed to purchase energy and/or related services for a fixed term.

Force Majeure event means an event outside the control of a retailer or a customer.

Generator means the generator or producer of the electricity supplied to you by us.

GST means Goods and Services Tax as defined in the **Goods and Services Tax Act 1999**.

Network Charges means all charges levied by the Network Operator from time to time in respect of the Premises for use of the distribution network or transmission network.

Outstanding Amounts means money validly owing to us by you.

Premises means the premises specified in your contract with us, or if unspecified where you take supply from us.

Producer means the producer of the gas supplied to you by us.

Related Services means those services that we provide to you in conjunction with the supply of energy including services relating to the connection.

Residential Customer means a customer who purchases energy and/or Related Services principally for personal, domestic or household use.

Retail Charges means the total charges from us to you for energy and related services.

Regulated Charges means all charges, fees and or levies imposed by any regulatory body, government or market operator.

Owner Drivers and Forestry Contractors Act 2005
INDUSTRIAL RELATIONS VICTORIA
DEPARTMENT OF INNOVATION, INDUSTRY & REGIONAL DEVELOPMENT
4.5 Tonne Rigid Vehicle (GVM)
Transport Industry Council Rates and Costs Schedule 2008

Introduction

This Schedule is a general guide only. Owner drivers are strongly advised to seek independent professional accounting advice for their own situation and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

This Rates and Costs Schedule has been revised and is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practical after it is published and then to new owner drivers three days prior to engagement.

The Schedule is intended to assist owner drivers and their hirers to better understand the typical operating costs of an owner driver business and to inform their negotiations.

The Schedule does not set minimum rates that must be paid.

The Schedule sets out a worked example of typical overhead costs for an owner driver supplying a 4.5 Tonne Rigid Vehicle.

The worked example is based on certain assumptions about the business, for example, that the vehicle is 3 years old, is in operation for 8 hours a day and uses a certain number of tyres. The aim of the schedule is to assist owner drivers to:

- better understand their business cost structures and how increases and decreases in different cost items affect overall profitability; and
- calculate their own unique cost model.

This Schedule applies to owner drivers¹ who supply a 4.5 Tonne Rigid Vehicle (4.5 tonne being the weight of the vehicle fully loaded) or similar vehicle.²

The Schedule is structured as follows:

PART 1: FIXED COSTS

Describes typical fixed (or annual) business costs. These are the costs that the business must pay each year regardless of how many kilometres the vehicle travels.

PART 2: VARIABLE COSTS

Describes typical variable business costs. These are the costs (such as fuel and tyres) that vary with how many kilometres are travelled. These are calculated on an hourly basis.

PART 3: PAYMENT FOR LABOUR

Describes the range of rates that are typically paid to employee drivers for performing similar kinds of work, to assist the owner driver to determine what may be a reasonable payment for their own labour.

PART 4: TOTALS

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,840 a year) and excess hours.

The Schedule does not deal with the issue of return on investment, and this would need to be factored in where appropriate. The issue of return on investment is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice.

Key Assumptions

The model set out in Part 2 is based on certain assumptions about the vehicle used, hours of work and the type of business. The assumptions used that have the greatest impact on the figures given are:

Subject	Costing Assumptions
vehicle and finance	<p>The fixed costs are based on:</p> <ul style="list-style-type: none"> ● a vehicle with a current capital value of \$37,657 (being the current average retail value of a 3-year-old vehicle); ● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 8.45% per annum. <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> ● The calculation of the fixed costs assumes the vehicle is in operation for 8 driving hours per day for 230 working days a year. This equals 1,840 hours of operation a year. ● The model spreads fixed operating costs over those 1,840 hours. ● In Part 4, a separate hourly rate for hours over and above the base hours of 1,840 a year is provided. To avoid double counting of fixed costs, this rate only includes variable costs and a return for labour, based on an overtime labour rate.

The cost structure of the individual business will be significantly different if, for example:

- the age, current capital value (or both) of the vehicle is less or more than the above figures;
- other finance arrangements apply (for example, the vehicle is fully owned or is subject to a loan);
- more or fewer hours are worked each year.

Because of these potential variations, great care should be taken in using the indicative figures set out in the cost model, as the costs of the individual business may vary significantly.

To assist owner drivers to calculate their own unique cost model, a blank column is included to calculate the business's own unique costs. This model can be downloaded as an Excel spreadsheet from www.irv.vic.gov.au. The spreadsheet can be used to automatically calculate the effect of changes to cost items, for example: the effect on the business of a new vehicle purchase or the effect of increases in the price of fuel or interest rates. This will allow the owner driver to better plan their business.

Rate Structures

This model calculates the cost of running a typical owner driver business, described as an hourly rate, made up of fixed and variable costs and a payment for the owner driver's labour. The Schedule does not calculate or suggest any particular rate calculation or payment method.

Arrangements for payment for owner drivers in the transport industry vary enormously. They can be paid an hourly rate, a load rate, parcel rate, on the basis of tasks performed, or even kilometres travelled. If an owner driver is paid on such an arrangement, the schedules set out below can be used as a base to calculate the cost to the business of travelling per kilometre, or delivering a particular load. Unions, industry associations or accountants and other professional advisers can assist in this task.

PART 1

Fixed Annual Costs – per year and per hour*Note: All costs are exclusive of GST*

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Vehicle Lease Costs This model is based on a vehicle with a current capital value of \$37,657 (based on typical retail value of a 3-year-old vehicle), and is based on a lease arrangement over a 4 year term with a 25% residual, at 8.45% interest per annum.	\$9,078		Finance arrangements will vary widely depending on: <ul style="list-style-type: none"> • if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or • if the arrangement is a loan, then the purchase price, the amount borrowed and the loan terms will affect cashflow, and depreciation needs to be allowed for.
Registration, Permits and TAC Fees Based on vehicle registration fee of \$172.80 and TAC charge of \$589 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (eg metropolitan Melbourne).	\$762		These fees are current as at 1 July 2007 but may change. Additional licences may be payable for certain types of operations (eg interstate registration, oversize, port security permit, dangerous goods). Additional administration charges may apply to registration fees if they are paid in instalments. TAC charges may be lower if the vehicle is garaged in a medium or low risk area.
Superannuation Self-funded, based on 9% of own labour assumed at \$30,100.	\$2,709		
Insurance Comprehensive Vehicle Based on rate of 3.15% per annum. Based on operator who is over the age of 25, has at least 5 years experience and no claims history. Assumes vehicle is not carrying dangerous goods. Assumes vehicle is travelling intrastate only.	\$1,186		Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (eg refrigerated goods or livestock). Comprehensive vehicle insurance costs may vary depending upon the age and value of the equipment insured, the insurance provider, the amount of any excess payable, the individual's claims history, the age and experience level of the driver and whether the vehicle is carrying dangerous goods.

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.	\$400		The cost of goods in transit insurance may vary depending on the type of goods being transported.
Insurance Personal Sickness and Accident/Income Basic policy, based on 80% of income for 52 weeks, 30 day waiting period. Assumes driver is travelling intrastate only. Assumes driver has no pre-existing conditions. Maximum age limit of 60 years.	\$450		The cost of personal income and accident insurance (also called income protection insurance) will vary depending on the individual's health history, the amount of income insured, the period of time after an accident before benefits are payable and the maximum period over which benefits are paid.
Insurance Public Liability Assumes policy for public liability claims up to \$10 million.	\$405		
Insurance Workers' Compensation Assumed at the rate of 4.698% for the assumed labour rate of the business owner of \$30,100. Assumes vehicle is primarily travelling intrastate.	\$1,414		The rate is current as at 1 October 2007 and is subject to change. The rate charged for workers' compensation insurance may vary depending on whether the vehicle is travelling short or long distances and whether the vehicle is travelling interstate. The rate may also vary depending on the driver's claims history.
Business Administration Costs Includes maintenance of records, preparation of tax returns, mobile phone charges, and sundry business expenses.	\$2,552		Accounting/bookkeeping fees may be lower if the business prepares its own BAS and accounts. Mobile phone charges will vary significantly depending on level of use. Other costs: Professional association fees, accommodation costs, parking fees, bank charges, and other costs should be allowed for where relevant. This example is based on a business that is already up and running, and does not take into account the costs of starting a business (eg registering a company). This figure may also vary depending on contractual conditions.

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Total annual fixed costs	\$18,956		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$10.30		Assumes that the annual fixed costs of the business are spread over 1,840 vehicle operation hours per year.

PART 2

*Variable Costs – per kilometre and per hour**Note: All costs are exclusive of GST*

Variable Costs per kilometre			
Cost items Assumptions Assumes 40,000 km travelled per year	typical cost per km	Your Costs per km	variations in this cost item
Fuel Based on retail diesel fuel cost as at 1 January 2008 of 116.72 cents per litre which is net of GST. Assumes 4.95 km per litre consumed.	23.58 cents		Fuel is the single biggest variable cost and will significantly affect your business. Fuel costs will also vary depending on the age, features and condition of the vehicle.
Tyres Assumes cost of \$525 per tyre.	2.09 cents		Consumption of tyres will vary with the age of vehicle, off-road use, geographic and road conditions, braking frequency and driving techniques and the quality of the tyres used. Cost of tyres will also vary depending on the manufacturer, type of tyre and any discount arrangements.
Servicing, Repairs and Maintenance Based on rate of 6.70 cents per kilometre.	6.70 cents		Repair and maintenance costs will vary significantly with the age and condition of the vehicle. Major repairs may be a one-off major cost in any given year. Significant savings can be made if the business does its own servicing and repairs.
Total variable costs per km	32.37 cents		

Variable Costs per kilometre			
Cost items Assumptions Assumes 40,000 km travelled per year	typical cost per kM	Your Costs per km	variations in this cost item
Total variable costs per driving hour Assumes 22km travelled per hour.	\$7.12		These rates are typical for city driving only. The number of kilometres travelled per hour will vary significantly depending on the routes travelled, whether the work is metropolitan or regional, how often the vehicle stops to load or unload and the nature of the work. Drivers who travel long distance or in the country will need to take this into account for their own calculations.

Note: Citylink tolls: Where directed to take a route using tolls you may incur an additional cost for road tolls.

PART 3

A payment for the owner driver's own labour

The next factor to include in a business cost model is an amount for the business owner's own work (labour) in driving the vehicle and in work such as loading and unloading and tasks necessary in running the business. This Part will provide information to assist owner drivers to determine the amount they can aim to receive as a payment for that labour.

Because an owner driver is a small business (not an employee) the hirer is not legally obliged to pay a minimum wage or rate of pay. However, the wages that are paid to employee drivers are a useful guide to the market for the labour services of driving a vehicle.

Set out below are rates that would typically be paid for driving a vehicle if this work was performed by an employee rather than an owner driver.

These rates will vary over time, and should be used as a general guide only. Unions, industry associations, newspaper job advertisements and other drivers are sources of advice about the going rates in your industry sector.

Typical base and casual rates paid to employee drivers per hour				
	base hourly rate (1)	casual/loaded hourly rate (2) <i>(includes allowance for leave, etc)</i>	overtime rate (3) <i>for the first two hours over 8 per day or 38 hours per week</i>	overtime rate (3) <i>for hours worked over 10 per day or 48 per week</i>
Award hourly rates(4)	\$15.23	\$19.04	\$22.85	\$30.46
Range of rates typically paid in Victoria(5)	\$15.23 to \$17.98	\$19.04 to \$21.85	\$22.85 to \$26.22	\$30.46 to \$34.96

Notes:

- 1 'Base rates' are paid to full time employees, who typically also get four weeks paid annual leave, 10 days paid personal/sick leave a year and shift and penalty rates (for example, an extra 50% loading for overtime or night work).
- 2 'Casual rates' include an additional 25% loading on the base rate. This is compensation for not receiving the paid holidays, personal/sick leave or public holidays that employees enjoy.
- 3 Overtime rates. Employee drivers in Victoria would typically receive payment at overtime rates of hours worked in excess of 38 hours a week. Typically a 50% loading applies for the first two hours of overtime per day or up to 48 hours per week and then a 100% penalty for hours thereafter.
- 4 Award hourly rates. This row sets out the hourly wage for employed drivers, as set under the Transport Workers Award 1998 (Victorian common rule award) for drivers of a 4.5 Tonne GVM Rigid Vehicle. The hourly rates above are accurate as at 1 December 2007, but are varied from time to time by the Australian Fair Pay Commission. You can find information about the most recently published minimum employee rates by visiting www.wagenet.gov.au or contacting your association or union.
- 5 The range of rates in Victoria. This part of the table sets out the range of rates typically paid in Victoria to employee drivers in the transport industry. A range is supplied because the rate paid will vary depending on whether a company is party to a workplace agreement, the particular industry sector, the skill and efficiency of the particular driver and market factors such as whether there is a shortage of drivers in the area.

PART 4

Hourly Totals**A) Hourly total for hours up to 8 hours a day, 1,840 hours a year**

TOTALS			
totals per driving hour	typical costs	your figures	notes
Fixed Costs	\$10.30		Assuming fixed costs spread over 1,840 hours.
Variable Costs	\$7.12		Assuming 22 km travelled per hour.
Labour	\$15.23		This worked example is based on a labour rate of \$15.23 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$32.65		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

B) Total per hour – for hours in excess of 8 hours per day / 1,840 hours a year

This model assumes that the owner driver will recover fixed annual costs over 1,840 driving hours a year. Many owner drivers work longer than these hours, either extra days each week or longer hours each day. This table calculates an hourly rate for those extra hours, using variable and labour costs only, and using an overtime rate of pay.

TOTALS			
totals per driving hour	typical costs	your figures	notes
Variable Costs	\$7.12		Assuming 22 km travelled per hour.
Labour (overtime rates)	\$22.85		This worked example is based on a nominal penalty labour rate of \$22.85 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$29.97		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

In addition to the figures above, owner drivers should where relevant include any amount that they seek as a return on their capital investment. This issue is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice, available from www.irv.vic.gov.au

Note that this is not a prescribed or recommended rate. It is strongly recommended that owner drivers obtain advice on their own individual circumstances and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

Footnotes

- ¹ Owner Driver is defined in the **Owner Drivers and Forestry Contractors Act 2005**. The definition is also affected by the Owner Drivers and Forestry Contractors Regulations 2006 made under the Act.
- ² Rates and Costs Schedules have been published for 1 tonne GVM, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (3 axle), Prime Mover (Bogie drive) and Semi-Trailer (Bogie Drive, 6-axle). Hirers are required to provide owner drivers with the Schedule that most closely relates to the owner driver's vehicle.

Owner Drivers and Forestry Contractors Act 2005
INDUSTRIAL RELATIONS VICTORIA
DEPARTMENT OF INNOVATION, INDUSTRY & REGIONAL DEVELOPMENT
Semi-Trailer (Bogie Drive, 6-axle)
Transport Industry Council Rates and Costs Schedule 2008

Introduction

This Schedule is a general guide only. Owner drivers are strongly advised to seek independent professional accounting advice for their own situation and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

This Rates and Costs Schedule has been revised and is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practical after it is published and then to new owner drivers three days prior to engagement.

The Schedule is intended to assist owner drivers and their hirers to better understand the typical operating costs of an owner driver business and to inform their negotiations.

The Schedule does not set minimum rates that must be paid.

The Schedule sets out a worked example of typical overhead costs for an owner driver supplying a Semi-Trailer (Bogie Drive, 6-axle). The worked example is based on certain assumptions about the business, for example, that the vehicle is 10 years old, is in operation for 8 hours a day and uses a certain number of tyres. The aim of the schedule is to assist owner drivers to:

- better understand their business cost structures and how increases and decreases in different cost items affect overall profitability; and
- calculate their own unique cost model.

This Schedule applies to owner drivers¹ who supply a Semi-Trailer (Bogie Drive, 6-axle) or similar vehicle.²

The Schedule is structured as follows:

PART 1: FIXED COSTS

Describes typical fixed (or annual) business costs. These are the costs that the business must pay each year regardless of how many kilometres the vehicle travels.

PART 2: VARIABLE COSTS

Describes typical variable business costs. These are the costs (such as fuel and tyres) that vary with how many kilometres are travelled. These are calculated on an hourly basis.

PART 3: PAYMENT FOR LABOUR

Describes the range of rates that are typically paid to employee drivers for performing similar kinds of work, to assist the owner driver to determine what may be a reasonable payment for their own labour.

PART 4: TOTALS

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,840 a year) and excess hours.

The Schedule does not deal with the issue of return on investment, and this would need to be factored in where appropriate. The issue of return on investment is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice.

Key Assumptions

The model set out in Part 2 is based on certain assumptions about the vehicle used, hours of work and the type of business. The assumptions used that have the greatest impact on the figures given are:

Subject	Costing assumptions
vehicle and finance	<p>The fixed costs are based on:</p> <ul style="list-style-type: none"> ● a vehicle with a current capital value of \$103,466 (being the current average retail value of a 10-year-old vehicle); ● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 8.45% per annum. <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> ● The calculation of the fixed costs assumes the vehicle is in operation for 8 driving hours per day for 230 working days a year. This equals 1,840 hours of operation a year. ● The model spreads fixed operating costs over those 1,840 hours. ● In Part 4, a separate hourly rate for hours over and above the base hours of 1,840 a year is provided. To avoid double counting of fixed costs, this rate only includes variable costs and a return for labour, based on an overtime labour rate.

The cost structure of the individual business will be significantly different if, for example:

- the age, current capital value (or both) of the vehicle is less or more than the above figures;
- other finance arrangements apply (for example, the vehicle is fully owned or is subject to a loan);
- more or fewer hours are worked each year.

Because of these potential variations, great care should be taken in using the indicative figures set out in the cost model, as the costs of the individual business may vary significantly.

To assist owner drivers to calculate their own unique cost model, a blank column is included to calculate the business's own unique costs. This model can be downloaded as an Excel spreadsheet from www.irv.vic.gov.au. The spreadsheet can be used to automatically calculate the effect of changes to cost items, for example: the effect on the business of a new vehicle purchase or the effect of increases in the price of fuel or interest rates. This will allow the owner driver to better plan their business.

Rate Structures

This model calculates the cost of running a typical owner driver business, described as an hourly rate, made up of fixed and variable costs and a payment for the owner driver's labour. The Schedule does not calculate or suggest any particular rate calculation or payment method.

Arrangements for payment for owner drivers in the transport industry vary enormously. They can be paid an hourly rate, a load rate, parcel rate, on the basis of tasks performed, or even kilometres travelled. If an owner driver is paid on such an arrangement, the schedules set out below can be used as a base to calculate the cost to the business of travelling per kilometre, or delivering a particular load. Unions, industry associations or accountants and other professional advisers can assist in this task.

PART 1

Fixed Annual Costs – per year and per hour**Note: All costs are exclusive of GST**

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Vehicle Lease Costs This model is based on a vehicle with a current capital value of \$103,466 (based on typical retail value of a 10 year old vehicle), and is based on a lease arrangement over a 4 year term with a 25% residual, at 8.45% interest per annum.	\$24,943		Finance arrangements will vary widely depending on: <ul style="list-style-type: none"> ● if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or ● if the arrangement is a loan, then the purchase price, the amount borrowed and the loan terms will affect cash-flow, and depreciation needs to be allowed for.
Registration, Permits and TAC Fees Based on vehicle registration fee of \$4,912 and TAC charge of \$1,632 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (eg metropolitan Melbourne).	\$6,544		These fees are current as at 1 July 2007 but may change. Additional licences may be payable for certain types of operations (eg interstate registration, oversize, port security permit, dangerous goods). Additional administration charges may apply to registration fees if they are paid in instalments. TAC charges may be lower if the vehicle is garaged in a medium or low risk area.
Superannuation Self-funded, based on 9% of own labour assumed at \$31,496.	\$2,835		
Insurance Comprehensive Vehicle Based on rate of 3.15% per annum. Based on operator who is over the age of 25, has at least 5 years experience and no claims history. Assumes vehicle is not carrying dangerous goods. Assumes vehicle is travelling intrastate only.	\$3,259		Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (eg refrigerated goods or livestock). Comprehensive vehicle insurance costs may vary depending upon the age and value of the equipment insured, the insurance provider, the amount of any excess payable, the individual's claims history, the age and experience level of the driver and whether the vehicle is carrying dangerous goods.

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.	\$500		The cost of goods in transit insurance may vary depending on the type of goods being transported.
Insurance Personal Sickness and Accident/Income Basic policy, based on 80% of income for 52 weeks, 30 day waiting period. Assumes driver is travelling intrastate only. Assumes driver has no pre- existing conditions. Maximum age limit of 60 years.	\$450		The cost of personal income and accident insurance (also called income protection insurance) will vary depending on the individual's health history, the amount of income insured, the period of time after an accident before benefits are payable and the maximum period over which benefits are paid.
Insurance Public Liability Assumes policy for public liability claims up to \$10 million.	\$405		
Insurance Workers' Compensation Assumed at the rate of 4.698% for the assumed labour rate of the business owner of \$31,496. Assumes vehicle is primarily travelling intrastate.	\$1,479		The rate is current as at 1 October 2007 and is subject to change. The rate charged for workers' compensation insurance may vary depending on whether the vehicle is travelling short or long distances and whether the vehicle is travelling interstate. The rate may also vary depending on the driver's claims history.
Business Administration Costs Includes maintenance of records, preparation of tax returns, mobile phone charges, and sundry business expenses.	\$2,552		Accounting/bookkeeping fees may be lower if the business prepares its own BAS and accounts. Mobile phone charges will vary significantly depending on level of use. Other costs: Professional association fees, accommodation costs, parking fees, bank charges, and other costs should be allowed for where relevant. This example is based on a business that is already up and running, and does not take into account the costs of starting a business (eg registering a company). This figure may also vary depending on contractual conditions.

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Total annual fixed costs	\$41,335		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$22.46		Assumes that the annual fixed costs of the business are spread over 1,840 vehicle operation hours per year.

PART 2

Variable Costs – per kilometre and per hour*Note: All costs are exclusive of GST*

Variable Costs per kilometre			
Cost items Assumptions Assumes 30,000 km travelled per year	typical cost per km	Your Costs per km	variations in this cost item
Fuel Based on retail diesel fuel cost as at 1 January 2008 of 116.72 cents per litre which is net of GST. Assumes 1.59 km per litre consumed.	73.41 cents		Fuel is the single biggest variable cost and will significantly affect your business. Fuel costs will also vary depending on the age, features and condition of the vehicle.
Tyres Assumes cost of \$799 per tyre.	9.15 cents		Consumption of tyres will vary with the age of vehicle, off-road use, geographic and road conditions, braking frequency and driving techniques and the quality of the tyres used. Cost of tyres will also vary depending on the manufacturer, type of tyre and any discount arrangements.
Servicing, Repairs and Maintenance Based on rate of 34.37 cents per kilometre.	34.37 cents		Repair and maintenance costs will vary significantly with the age and condition of the vehicle. Major repairs may be a one-off major cost in any given year. Significant savings can be made if the business does its own servicing and repairs.
Total variable costs per km	\$1.17		

Variable Costs per kilometre			
Cost items Assumptions Assumes 30,000 km travelled per year	typical cost per kM	Your Costs per km	variations in this cost item
Total variable costs per driving hour Assumes 18km travelled per hour.	\$21.06		These rates are typical for city driving only. The number of kilometres travelled per hour will vary significantly depending on the routes travelled, whether the work is metropolitan or regional, how often the vehicle stops to load or unload and the nature of the work. Drivers who travel long distance or in the country will need to take this into account for their own calculations.

Note: Citylink tolls: Where directed to take a route using tolls you may incur an additional cost for road tolls.

PART 3

A payment for the owner driver's own labour

The next factor to include in a business cost model is an amount for the business owner's own work (labour) in driving the vehicle and in work such as loading and unloading and tasks necessary in running the business. This Part will provide information to assist owner drivers to determine the amount they can aim to receive as a payment for that labour.

Because an owner driver is a small business (not an employee) the hirer is not legally obliged to pay a minimum wage or rate of pay. However, the wages that are paid to employee drivers are a useful guide to the market for the labour services of driving a vehicle.

Set out below are rates that would typically be paid for driving a vehicle if this work was performed by an employee rather than an owner driver.

These rates will vary over time, and should be used as a general guide only. Unions, industry associations, newspaper job advertisements and other drivers are sources of advice about the going rates in your industry sector.

Typical base and casual rates paid to employee drivers per hour				
	base hourly rate (1)	casual/loaded hourly rate (2) <i>(includes allowance for leave, etc)</i>	overtime rate (3) <i>for the first two hours over 8 per day or 38 hours per week</i>	overtime rate (3) <i>for hours worked over 10 per day or 48 per week</i>
Award hourly rates(4)	\$15.94	\$19.92	\$23.91	\$31.88
Range of rates typically paid in Victoria(5)	\$15.94 to \$18.31	\$19.92 to \$21.58	\$23.91 to \$25.90	\$31.88 to \$34.58

Notes:

- 1 'Base rates' are paid to full time employees, who typically also get four weeks paid annual leave, 10 days paid personal/sick leave a year and shift and penalty rates (for example, an extra 50% loading for overtime or night work).
- 2 'Casual rates' include an additional 25% loading on the base rate. This is compensation for not receiving the paid holidays, personal/sick leave or public holidays that employees enjoy.
- 3 Overtime rates. Employee drivers in Victoria would typically receive payment at overtime rates of hours worked in excess of 38 hours a week. Typically a 50% loading applies for the first two hours of overtime per day or up to 48 hours per week and then a 100% penalty for hours thereafter.
- 4 Award hourly rates. This row sets out the hourly wage for employed drivers, as set under the Transport Workers Award 1998 (Victorian common rule award) for drivers of a Semi-Trailer. The hourly rates above are accurate as at 1 December 2007, but are varied from time to time by the Australian Fair Pay Commission. You can find information about the most recently published minimum employee rates by visiting www.wagenet.gov.au or contacting your association or union.
- 5 The range of rates in Victoria. This part of the table sets out the range of rates typically paid in Victoria to employee drivers in the transport industry. A range is supplied because the rate paid will vary depending on whether a company is party to a workplace agreement, the particular industry sector, the skill and efficiency of the particular driver and market factors such as whether there is a shortage of drivers in the area.

PART 4

Hourly Totals**A) Hourly total for hours up to 8 hours a day, 1,840 hours a year**

TOTALS			
totals per driving hour	typical costs	your figures	notes
Fixed Costs	\$22.46		Assuming fixed costs spread over 1,840 hours.
Variable Costs	\$21.06		Assuming 18 km travelled per hour.
Labour	\$15.94		This worked example is based on a labour rate of \$15.94 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$59.46		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

B) Total per hour – for hours in excess of 8 hours per day / 1,840 hours a year

This model assumes that the owner driver will recover fixed annual costs over 1,840 driving hours a year. Many owner drivers work longer than these hours, either extra days each week or longer hours each day. This table calculates an hourly rate for those extra hours, using variable and labour costs only, and using an overtime rate of pay.

TOTALS			
totals per driving hour	typical costs	your figures	notes
Variable Costs	\$21.06		Assuming 18 km travelled per hour.
Labour (overtime rates)	\$23.91		This worked example is based on a nominal penalty labour rate of \$23.91 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$44.97		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

In addition to the figures above, owner drivers should where relevant include any amount that they seek as a return on their capital investment. This issue is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice, available from www.irv.vic.gov.au

Note that this is not a prescribed or recommended rate. It is strongly recommended that owner drivers obtain advice on their own individual circumstances and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

Footnotes

- ¹ Owner Driver is defined in the **Owner Drivers and Forestry Contractors Act 2005**. The definition is also affected by the Owner Drivers and Forestry Contractors Regulations 2006 made under the Act.
- ² Rates and Costs Schedules have been published for 1 tonne GVM, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (3 axle), Prime Mover (Bogie drive) and Semi-Trailer (Bogie Drive, 6-axle). Hirers are required to provide owner drivers with the Schedule that most closely relates to the owner driver's vehicle.

Owner Drivers and Forestry Contractors Act 2005
INDUSTRIAL RELATIONS VICTORIA
DEPARTMENT OF INNOVATION, INDUSTRY & REGIONAL DEVELOPMENT
8 Tonne Rigid Vehicle (GVM)
Transport Industry Council Rates and Costs Schedule 2008

Introduction

This Schedule is a general guide only. Owner drivers are strongly advised to seek independent professional accounting advice for their own situation and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

This Rates and Costs Schedule has been revised and is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practical after it is published and then to new owner drivers three days prior to engagement.

The Schedule is intended to assist owner drivers and their hirers to better understand the typical operating costs of an owner driver business and to inform their negotiations.

The Schedule does not set minimum rates that must be paid.

The Schedule sets out a worked example of typical overhead costs for an owner driver supplying an 8 Tonne GVM Rigid Vehicle. The worked example is based on certain assumptions about the business, for example, that the vehicle is 5 years old, is in operation for 8 hours a day and uses a certain number of tyres. The aim of the schedule is to assist owner drivers to:

- better understand their business cost structures and how increases and decreases in different cost items affect overall profitability; and
- calculate their own unique cost model.

This Schedule applies to owner drivers¹ who supply an 8 Tonne Rigid Vehicle (8 tonne being the weight of the vehicle fully loaded) or similar vehicle.²

The Schedule is structured as follows:

PART 1: FIXED COSTS

Describes typical fixed (or annual) business costs. These are the costs that the business must pay each year regardless of how many kilometres the vehicle travels.

PART 2: VARIABLE COSTS

Describes typical variable business costs. These are the costs (such as fuel and tyres) that vary with how many kilometres are travelled. These are calculated on an hourly basis.

PART 3: PAYMENT FOR LABOUR

Describes the range of rates that are typically paid to employee drivers for performing similar kinds of work, to assist the owner driver to determine what may be a reasonable payment for their own labour.

PART 4: TOTALS

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,840 a year) and excess hours.

The Schedule does not deal with the issue of return on investment, and this would need to be factored in where appropriate. The issue of return on investment is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice.

Key Assumptions

The model set out in Part 2 is based on certain assumptions about the vehicle used, hours of work and the type of business. The assumptions used that have the greatest impact on the figures given are:

Subject	Costing assumptions
vehicle and finance	<p>The fixed costs are based on:</p> <ul style="list-style-type: none"> ● a vehicle with a current capital value of \$57,886 (being the current average retail value of a 5 year old vehicle); ● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 8.45% per annum. <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> ● The calculation of the fixed costs assumes the vehicle is in operation for 8 driving hours per day for 230 working days a year. This equals 1,840 hours of operation a year. ● The model spreads fixed operating costs over those 1,840 hours. ● In Part 4, a separate hourly rate for hours over and above the base hours of 1,840 a year is provided. To avoid double counting of fixed costs, this rate only includes variable costs and a return for labour, based on an overtime labour rate.

The cost structure of the individual business will be significantly different if, for example:

- the age, current capital value (or both) of the vehicle is less or more than the above figures;
- other finance arrangements apply (for example, the vehicle is fully owned or is subject to a loan);
- more or fewer hours are worked each year.

Because of these potential variations, great care should be taken in using the indicative figures set out in the cost model, as the costs of the individual business may vary significantly.

To assist owner drivers to calculate their own unique cost model, a blank column is included to calculate the business's own unique costs. This model can be downloaded as an Excel spreadsheet from www.irv.vic.gov.au. The spreadsheet can be used to automatically calculate the effect of changes to cost items, for example: the effect on the business of a new vehicle purchase or the effect of increases in the price of fuel or interest rates. This will allow the owner driver to better plan their business.

Rate Structures

This model calculates the cost of running a typical owner driver business, described as an hourly rate, made up of fixed and variable costs and a payment for the owner driver's labour. The Schedule does not calculate or suggest any particular rate calculation or payment method.

Arrangements for payment for owner drivers in the transport industry vary enormously. They can be paid an hourly rate, a load rate, parcel rate, on the basis of tasks performed, or even kilometres travelled. If an owner driver is paid on such an arrangement, the schedules set out below can be used as a base to calculate the cost to the business of travelling per kilometre, or delivering a particular load. Unions, industry associations or accountants and other professional advisers can assist in this task.

PART 1

Fixed Annual Costs – per year and per hour*Note: All costs are exclusive of GST*

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
<p>Vehicle Lease Costs This model is based on a vehicle with a current capital value of \$57,886 (based on typical retail value of a 5-year-old vehicle), and is based on a lease arrangement over a 4 year term with a 25% residual, at 8.45% interest per annum.</p>	\$13,955		<p>Finance arrangements will vary widely depending on:</p> <ul style="list-style-type: none"> ● if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or ● if the arrangement is a loan, then the purchase price, the amount borrowed and the loan terms will affect cashflow, and depreciation needs to be allowed for.
<p>Registration, Permits and TAC Fees Based on vehicle registration fee of \$343 and TAC charge of \$589 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (eg metropolitan Melbourne).</p>	\$932		<p>These fees are current as at 1 July 2007 but may change. Additional licences may be payable for certain types of operations (eg interstate registration, oversize, port security permit, dangerous goods). Additional administration charges may apply to registration fees if they are paid in instalments. TAC charges may be lower if the vehicle is garaged in a medium or low risk area.</p>
<p>Superannuation Self-funded, based on 9% of own labour assumed at \$30,103.</p>	\$2,709		
<p>Insurance Comprehensive Vehicle Based on rate of 3.15% per annum. Based on operator who is over the age of 25, has at least 5 years experience and no claims history. Assumes vehicle is not carrying dangerous goods. Assumes vehicle is travelling intrastate only.</p>	\$1,823		<p>Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (eg refrigerated goods or livestock). Comprehensive vehicle insurance costs may vary depending upon the age and value of the equipment insured, the insurance provider, the amount of any excess payable, the individual's claims history, the age and experience level of the driver and whether the vehicle is carrying dangerous goods.</p>

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.	\$400		The cost of goods in transit insurance may vary depending on the type of goods being transported.
Insurance Personal Sickness and Accident/Income Basic policy, based on 80% of income for 52 weeks, 30 day waiting period. Assumes driver is travelling intrastate only. Assumes driver has no pre- existing conditions. Maximum age limit of 60 years.	\$450		The cost of personal income and accident insurance (also called income protection insurance) will vary depending on the individual's health history, the amount of income insured, the period of time after an accident before benefits are payable and the maximum period over which benefits are paid.
Insurance Public Liability Assumes policy for public liability claims up to \$10 million.	\$405		
Insurance Workers' Compensation Assumed at the rate of 4.698% for the assumed labour rate of the business owner of \$30,103. Assumes vehicle is primarily travelling intrastate.	\$1,414		The rate is current as at 1 October 2007 and is subject to change. The rate charged for workers' compensation insurance may vary depending on whether the vehicle is travelling short or long distances and whether the vehicle is travelling interstate. The rate may also vary depending on the driver's claims history.
Business Administration Costs Includes maintenance of records, preparation of tax returns, mobile phone charges, and sundry business expenses.	\$2,552		Accounting/bookkeeping fees may be lower if the business prepares its own BAS and accounts. Mobile phone charges will vary significantly depending on level of use. Other costs: Professional association fees, accommodation costs, parking fees, bank charges, and other costs should be allowed for where relevant. This example is based on a business that is already up and running, and does not take into account the costs of starting a business (eg registering a company). This figure may also vary depending on contractual conditions.

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Total annual fixed costs	\$24,640		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$13.91		Assumes that the annual fixed costs of the business are spread over 1,840 vehicle operation hours per year.

PART 2

Variable Costs – per kilometre and per hour*Note: All costs are exclusive of GST*

Variable Costs per kilometre			
Cost items Assumptions Assumes 35,000 km travelled per year	typical cost per km	Your Costs per km	variations in this cost item
Fuel Based on retail diesel fuel cost as at 1 January 2008 of 116.72 cents per litre which is net of GST. Assumes 4.07 km per litre consumed.	28.68 cents		Fuel is the single biggest variable cost and will significantly affect your business. Fuel costs will also vary depending on the age, features and condition of the vehicle.
Tyres Assumes cost of \$811 per tyre.	4.03 cents		Consumption of tyres will vary with the age of vehicle, off-road use, geographic and road conditions, braking frequency and driving techniques and the quality of the tyres used. Cost of tyres will also vary depending on the manufacturer, type of tyre and any discount arrangements.
Servicing, Repairs and Maintenance Based on rate of 9.07 cents per kilometre.	9.07 cents		Repair and maintenance costs will vary significantly with the age and condition of the vehicle. Major repairs may be a one-off major cost in any given year. Significant savings can be made if the business does its own servicing and repairs.
Total variable costs per km	41.78 cents		

Variable Costs per kilometre			
Cost items Assumptions Assumes 35,000 km travelled per year	typical cost per kM	Your Costs per km	variations in this cost item
Total variable costs per driving hour Assumes 20km travelled per hour.	\$8.36		These rates are typical for city driving only. The number of kilometres travelled per hour will vary significantly depending on the routes travelled, whether the work is metropolitan or regional, how often the vehicle stops to load or unload and the nature of the work. Drivers who travel long distance or in the country will need to take this into account for their own calculations.

Note: Citylink tolls: Where directed to take a route using tolls you may incur an additional cost for road tolls.

PART 3

A payment for the owner driver's own labour

The next factor to include in a business cost model is an amount for the business owner's own work (labour) in driving the vehicle and in work such as loading and unloading and tasks necessary in running the business. This Part will provide information to assist owner drivers to determine the amount they can aim to receive as a payment for that labour.

Because an owner driver is a small business (not an employee) the hirer is not legally obliged to pay a minimum wage or rate of pay. However, the wages that are paid to employee drivers are a useful guide to the market for the labour services of driving a vehicle.

Set out below are rates that would typically be paid for driving a vehicle if this work was performed by an employee rather than an owner driver.

These rates will vary over time, and should be used as a general guide only. Unions, industry associations, newspaper job advertisements and other drivers are sources of advice about the going rates in your industry sector.

Typical base and casual rates paid to employee drivers per hour				
	base hourly rate (1)	casual/loaded hourly rate (2) <i>(includes allowance for leave, etc)</i>	overtime rate (3) <i>for the first two hours over 8 per day or 38 hours per week</i>	overtime rate (3) <i>for hours worked over 10 per day or 48 per week</i>
Award hourly rates(4)	\$15.23	\$19.04	\$22.85	\$30.46
Range of rates typically paid in Victoria(5)	\$15.23 to \$17.77	\$19.04 to \$21.59	\$22.85 to \$25.91	\$30.46 to \$34.54

Notes:

- 1 'Base rates' are paid to full time employees, who typically also get four weeks paid annual leave, 10 days paid personal/sick leave a year and shift and penalty rates (for example, an extra 50% loading for overtime or night work).
- 2 'Casual rates' include an additional 25% loading on the base rate. This is compensation for not receiving the paid holidays, personal/sick leave or public holidays that employees enjoy.
- 3 Overtime rates. Employee drivers in Victoria would typically receive payment at overtime rates of hours worked in excess of 38 hours a week. Typically a 50% loading applies for the first two hours of overtime per day or up to 48 hours per week and then a 100% penalty for hours thereafter.
- 4 Award hourly rates. This row sets out the hourly wage for employed drivers, as set under the Transport Workers Award 1998 (Victorian common rule award) for drivers of a 8 Tonne GVM Rigid Vehicle. The hourly rates above are accurate as at 1 December 2007, but are varied from time to time by the Australian Fair Pay Commission. You can find information about the most recently published minimum employee rates by visiting www.wagenet.gov.au or contacting your association or union.
- 5 The range of rates in Victoria. This part of the table sets out the range of rates typically paid in Victoria to employee drivers in the transport industry. A range is supplied because the rate paid will vary depending on whether a company is party to a workplace agreement, the particular industry sector, the skill and efficiency of the particular driver and market factors such as whether there is a shortage of drivers in the area.

PART 4

Hourly Totals**A) Hourly total for hours up to 8 hours a day, 1,840 hours a year**

TOTALS			
totals per driving hour	typical costs	your figures	notes
Fixed Costs	\$13.91		Assuming fixed costs spread over 1,840 hours.
Variable Costs	8.36		Assuming 20 km travelled per hour.
Labour	\$15.23		This worked example is based on a labour rate of \$18.23 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$37.50		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

B) Total per hour – for hours in excess of 8 hours per day / 1,840 hours a year

This model assumes that the owner driver will recover fixed annual costs over 1,840 driving hours a year. Many owner drivers work longer than these hours, either extra days each week or longer hours each day. This table calculates an hourly rate for those extra hours, using variable and labour costs only, and using an overtime rate of pay.

TOTALS			
totals per driving hour	typical costs	your figures	notes
Variable Costs	\$8.36		Assuming 20 km travelled per hour.
Labour (overtime rates)	\$22.85		This worked example is based on a nominal penalty labour rate of \$22.85 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$31.21		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

In addition to the figures above, owner drivers should where relevant include any amount that they seek as a return on their capital investment. This issue is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice, available from www.irv.vic.gov.au

Note that this is not a prescribed or recommended rate. It is strongly recommended that owner drivers obtain advice on their own individual circumstances and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

Footnotes

- ¹ Owner Driver is defined in the **Owner Drivers and Forestry Contractors Act 2005**. The definition is also affected by the Owner Drivers and Forestry Contractors Regulations 2006 made under the Act.
- ² Rates and Costs Schedules have been published for 1 tonne GVM, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (3 axle), Prime Mover (Bogie drive) and Semi-Trailer (Bogie Drive, 6-axle). Hirers are required to provide owner drivers with the Schedule that most closely relates to the owner driver's vehicle.

Owner Drivers and Forestry Contractors Act 2005
INDUSTRIAL RELATIONS VICTORIA
DEPARTMENT OF INNOVATION, INDUSTRY & REGIONAL DEVELOPMENT
1 Tonne Vehicle (GVM)
Transport Industry Council Rates and Costs Schedule 2008

Introduction

This Schedule is a general guide only. Owner drivers are strongly advised to seek independent professional accounting advice for their own situation and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

This Rates and Costs Schedule has been revised and is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practical after it is published and then to new owner drivers three days prior to engagement.

The Schedule is intended to assist owner drivers and their hirers to better understand the typical operating costs of an owner driver business and to inform their negotiations.

The Schedule does not set minimum rates that must be paid.

The Schedule sets out a worked example of typical overhead costs for an owner driver supplying a 1 Tonne Vehicle. The worked example is based on certain assumptions about the business, for example, that the vehicle is 2 years old, is in operation for 8 hours a day and uses a certain number of tyres. The aim of the schedule is to assist owner drivers to:

- better understand their business cost structures and how increases and decreases in different cost items affect overall profitability; and
- calculate their own unique cost model.

This Schedule applies to owner drivers¹ who supply a 1 Tonne Vehicle (1 tonne being the weight of the vehicle fully loaded) or similar vehicle.²

The Schedule is structured as follows:

PART 1: FIXED COSTS

Describes typical fixed (or annual) business costs. These are the costs that the business must pay each year regardless of how many kilometres the vehicle travels.

PART 2: VARIABLE COSTS

Describes typical variable business costs. These are the costs (such as fuel and tyres) that vary with how many kilometres are travelled. These are calculated on an hourly basis.

PART 3: PAYMENT FOR LABOUR

Describes the range of rates that are typically paid to employee drivers for performing similar kinds of work, to assist the owner driver to determine what may be a reasonable payment for their own labour.

PART 4: TOTALS

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,840 a year) and excess hours.

The Schedule does not deal with the issue of return on investment, and this would need to be factored in where appropriate. The issue of return on investment is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice.

Key Assumptions

The model set out in Part 2 is based on certain assumptions about the vehicle used, hours of work and the type of business. The assumptions used that have the greatest impact on the figures given are:

Subject	Costing assumptions
vehicle and finance	<p>The fixed costs are based on:</p> <ul style="list-style-type: none"> ● a vehicle with a current capital value of \$19,729 (being the current average retail value of a 2 year old vehicle); ● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 8.45% per annum. <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> ● The calculation of the fixed costs assumes the vehicle is in operation for 8 driving hours per day for 230 working days a year. This equals 1,840 hours of operation a year. ● The model spreads fixed operating costs over those 1,840 hours. ● In Part 4, a separate hourly rate for hours over and above the base hours of 1,840 a year is provided. To avoid double counting of fixed costs, this rate only includes variable costs and a return for labour, based on an overtime labour rate.

The cost structure of the individual business will be significantly different if, for example:

- the age, current capital value (or both) of the vehicle is less or more than the above figures;
- other finance arrangements apply (for example, the vehicle is fully owned or is subject to a loan);
- more or fewer hours are worked each year.

Because of these potential variations, great care should be taken in using the indicative figures set out in the cost model, as the costs of the individual business may vary significantly.

To assist owner drivers to calculate their own unique cost model, a blank column is included to calculate the business's own unique costs. This model can be downloaded as an Excel spreadsheet from www.irv.vic.gov.au. The spreadsheet can be used to automatically calculate the effect of changes to cost items, for example, the effect on the business of a new vehicle purchase or the effect of increases in the price of fuel or interest rates. This will allow the owner driver to better plan their business.

Rate Structures

This model calculates the cost of running a typical owner driver business, described as an hourly rate, made up of fixed and variable costs and a payment for the owner driver's labour. The Schedule does not calculate or suggest any particular rate calculation or payment method.

Arrangements for payment for owner drivers in the transport industry vary enormously. They can be paid an hourly rate, a load rate, parcel rate, on the basis of tasks performed, or even kilometres travelled. If an owner driver is paid on such an arrangement, the schedules set out below can be used as a base to calculate the cost to the business of travelling per kilometre, or delivering a particular load. Unions, industry associations or accountants and other professional advisers can assist in this task.

PART 1

Fixed Annual Costs – per year and per hour*Note: All costs are exclusive of GST*

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Vehicle Lease Costs This model is based on a vehicle with a current capital value of \$19,729 (based on typical retail value of a 2 year old vehicle), and is based on a lease arrangement over a 4 year term with a 25% residual, at 8.45% interest per annum.	\$4,756		Finance arrangements will vary widely depending on: <ul style="list-style-type: none"> ● if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or ● if the arrangement is a loan, then the purchase price, the amount borrowed and the loan terms will affect cashflow, and depreciation needs to be allowed for.
Registration, Permits and TAC Fees Based on vehicle registration fee of \$172 and TAC charge of \$343 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (eg metropolitan Melbourne).	\$515		These fees are current as at 1 July 2007 but may change. Additional licences may be payable for certain types of operations (eg interstate registration, oversize, port security permit, dangerous goods). Additional administration charges may apply to registration fees if they are paid in instalments. TAC charges may be lower if the vehicle is garaged in a medium or low risk area.
Superannuation Self-funded, based on 9% of own labour assumed at \$29,702.	\$2,673		
Insurance Comprehensive Vehicle Based on rate of 3.15% per annum. Based on operator who is over the age of 25, has at least 5 years experience and no claims history. Assumes vehicle is not carrying dangerous goods. Assumes vehicle is travelling intrastate only.	\$621		Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (eg refrigerated goods or livestock). Comprehensive vehicle insurance costs may vary depending upon the age and value of the equipment insured, the insurance provider, the amount of any excess payable, the individual's claims history, the age and experience level of the driver and whether the vehicle is carrying dangerous goods.

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.	\$400		The cost of goods in transit insurance may vary depending on the type of goods being transported.
Insurance Personal Sickness and Accident/Income Basic policy, based on 80% of income for 52 weeks, 30 day waiting period. Assumes driver is travelling intrastate only. Assumes driver has no pre- existing conditions. Maximum age limit of 60 years.	\$450		The cost of personal income and accident insurance (also called income protection insurance) will vary depending on the individual's health history, the amount of income insured, the period of time after an accident before benefits are payable and the maximum period over which benefits are paid.
Insurance Public Liability Assumes policy for public liability claims up to \$10 million.	\$405		
Insurance Workers' Compensation Assumed at the rate of 4.698% for the assumed labour rate of the business owner of \$29,702. Assumes vehicle is primarily travelling intrastate.	\$1,395		The rate is current as at 1 October 2007 and is subject to change. The rate charged for workers' compensation insurance may vary depending on whether the vehicle is travelling short or long distances and whether the vehicle is travelling interstate. The rate may also vary depending on the driver's claims history. Note: It is not uncommon for hirers of this type of vehicle for hirers to pay workers' compensation premiums on behalf of the owner driver. Drivers are advised to consult their hirer about this cost.

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Business Administration Costs Includes maintenance of records, preparation of tax returns, mobile phone charges, and sundry business expenses.	\$2,552		Accounting/bookkeeping fees may be lower if the business prepares its own BAS and accounts. Mobile phone charges will vary significantly depending on level of use. Other costs: Professional association fees, accommodation costs, parking fees, bank charges, and other costs should be allowed for where relevant. This example is based on a business that is already up and running, and does not take into account the costs of starting a business (eg registering a company). This figure may also vary depending on contractual conditions.
Total annual fixed costs	\$13,767		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$7.48		Assumes that the annual fixed costs of the business are spread over 1,840 vehicle operation hours per year.

PART 2

Variable Costs – per kilometre and per hour*Note: All costs are exclusive of GST*

Variable Costs per kilometre			
Cost items Assumptions Assumes 40,000 km travelled per year	typical cost per km	Your Costs per km	variations in this cost item
Fuel Based on retail diesel fuel cost as at 1 January 2008 of 116.72 cents per litre which is net of GST. Assumes 5.49 km per litre consumed.	21.26 cents		Fuel is the single biggest variable cost and will significantly affect your business. Fuel costs will also vary depending on the age, features and condition of the vehicle.

Variable Costs per kilometre			
Cost items Assumptions Assumes 40,000 km travelled per year	typical cost per kM	Your Costs per km	variations in this cost item
Tyres Assumes cost of \$246 per tyre.	0.88 cents		Consumption of tyres will vary with the age of vehicle, off-road use, geographic and road conditions, braking frequency and driving techniques and the quality of the tyres used. Cost of tyres will also vary depending on the manufacturer, type of tyre and any discount arrangements.
Servicing, Repairs and Maintenance Based on rate of 3.52 cents per kilometre.	3.52 cents		Repair and maintenance costs will vary significantly with the age and condition of the vehicle. Major repairs may be a one-off major cost in any given year. Significant savings can be made if the business does its own servicing and repairs.
Total variable costs per km	25.66 cents		
Total variable costs per driving hour Assumes 25km travelled per hour.	\$6.42		These rates are typical for city driving only. The number of kilometres travelled per hour will vary significantly depending on the routes travelled, whether the work is metropolitan or regional, how often the vehicle stops to load or unload and the nature of the work. Drivers who travel long distance or in the country will need to take this into account for their own calculations.

Note: Citylink tolls: Where directed to take a route using tolls you may incur an additional cost for road tolls.

PART 3

A payment for the owner driver's own labour

The next factor to include in a business cost model is an amount for the business owner's own work (labour) in driving the vehicle and in work such as loading and unloading and tasks necessary in running the business. This Part will provide information to assist owner drivers to determine the amount they can aim to receive as a payment for that labour.

Because an owner driver is a small business (not an employee) the hirer is not legally obliged to pay a minimum wage or rate of pay. However, the wages that are paid to employee drivers are a useful guide to the market for the labour services of driving a vehicle.

Set out below are rates that would typically be paid for driving a vehicle if this work was performed by an employee rather than an owner driver.

These rates will vary over time, and should be used as a general guide only. Unions, industry associations, newspaper job advertisements and other drivers are sources of advice about the going rates in your industry sector.

Typical base and casual rates paid to employee drivers per hour				
	base hourly rate (1)	casual/loaded hourly rate (2) <i>(includes allowance for leave, etc)</i>	overtime rate (3) <i>for the first two hours over 8 per day or 38 hours per week</i>	overtime rate (3) <i>for hours worked over 10 per day or 48 per week</i>
Award hourly rates(4)	\$15.03	\$18.79	\$22.55	\$30.06
Range of rates typically paid in Victoria(5)	\$15.03 to \$17.28	\$18.79 to \$21.60	\$22.55 to \$25.92	\$30.06 to \$34.56

Notes:

- 1 'Base rates' are paid to full time employees, who typically also get four weeks paid annual leave, 10 days paid personal/sick leave a year and shift and penalty rates (for example, an extra 50% loading for overtime or night work).
- 2 'Casual rates' include an additional 25% loading on the base rate. This is compensation for not receiving the paid holidays, personal/sick leave or public holidays that employees enjoy.
- 3 Overtime rates. Employee drivers in Victoria would typically receive payment at overtime rates of hours worked in excess of 38 hours a week. Typically a 50% loading applies for the first two hours of overtime per day or up to 48 hours per week and then a 100% penalty for hours thereafter.
- 4 Award hourly rates. This row sets out the hourly wage for employed drivers, as set under the Transport Workers Award 1998 (Victorian common rule award) for drivers of a 1 Tonne Van. The hourly rates above are accurate as at 1 December 2007, but are varied from time to time by the Australian Fair Pay Commission. You can find information about the most recently published minimum employee rates by visiting www.wagenet.gov.au or contacting your association or union.
- 5 The range of rates in Victoria. This part of the table sets out the range of rates typically paid in Victoria to employee drivers in the transport industry. A range is supplied because the rate paid will vary depending on whether a company is party to a workplace agreement, the particular industry sector, the skill and efficiency of the particular driver and market factors such as whether there is a shortage of drivers in the area.

PART 4

Hourly Totals**A) Hourly total for hours up to 8 hours a day, 1,840 hours a year**

TOTALS			
totals per driving hour	typical costs	your figures	notes
Fixed Costs	\$7.48		Assuming fixed costs spread over 1,840 hours.
Variable Costs	\$6.42		Assuming 25 km travelled per hour.
Labour	\$15.03		This worked example is based on a labour rate of \$15.03 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$28.93		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

B) Total per hour – for hours in excess of 8 hours per day / 1,840 hours a year

This model assumes that the owner driver will recover fixed annual costs over 1,840 driving hours a year. Many owner drivers work longer than these hours, either extra days each week or longer hours each day. This table calculates an hourly rate for those extra hours, using variable and labour costs only, and using an overtime rate of pay.

TOTALS			
totals per driving hour	typical costs	your figures	notes
Variable Costs	\$6.42		Assuming 25 km travelled per hour.
Labour (overtime rates)	\$22.55		This worked example is based on a nominal penalty labour rate of \$22.55 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$28.97		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

In addition to the figures above, owner drivers should where relevant include any amount that they seek as a return on their capital investment. This issue is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice, available from www.irv.vic.gov.au

Note that this is not a prescribed or recommended rate. It is strongly recommended that owner drivers obtain advice on their own individual circumstances and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

Footnotes

- ¹ Owner Driver is defined in the **Owner Drivers and Forestry Contractors Act 2005**. The definition is also affected by the Owner Drivers and Forestry Contractors Regulations 2006 made under the Act.
 - ² Rates and Costs Schedules have been published for 1 tonne GVM, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (3 axle), Prime Mover (Bogie drive) and Semi-Trailer (Bogie Drive, 6-axle). Hirers are required to provide owner drivers with the Schedule that most closely relates to the owner driver's vehicle.
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Owner Drivers and Forestry Contractors Act 2005INDUSTRIAL RELATIONS VICTORIA
DEPARTMENT OF INNOVATION, INDUSTRY & REGIONAL DEVELOPMENT

Prime Mover (Bogie Drive)

Transport Industry Council Rates and Costs Schedule 2008

Introduction

This Schedule is a general guide only. Owner drivers are strongly advised to seek independent professional accounting advice for their own situation and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

This Rates and Costs Schedule has been revised and is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practical after it is published and then to new owner drivers three days prior to engagement.

The Schedule is intended to assist owner drivers and their hirers to better understand the typical operating costs of an owner driver business and to inform their negotiations.

The Schedule does not set minimum rates that must be paid.

The Schedule sets out a worked example of typical overhead costs for an owner driver supplying a Prime Mover (Bogie Drive). The worked example is based on certain assumptions about the business, for example, that the vehicle is 10 years old, is in operation for 8 hours a day and uses a certain number of tyres. The aim of the schedule is to assist owner drivers to:

- better understand their business cost structures and how increases and decreases in different cost items affect overall profitability; and
- calculate their own unique cost model.

This Schedule applies to owner drivers¹ who supply a Prime Mover or similar vehicle.²

The Schedule is structured as follows:

PART 1: FIXED COSTS

Describes typical fixed (or annual) business costs. These are the costs that the business must pay each year regardless of how many kilometres the vehicle travels.

PART 2: VARIABLE COSTS

Describes typical variable business costs. These are the costs (such as fuel and tyres) that vary with how many kilometres are travelled. These are calculated on an hourly basis.

PART 3: PAYMENT FOR LABOUR

Describes the range of rates that are typically paid to employee drivers for performing similar kinds of work, to assist the owner driver to determine what may be a reasonable payment for their own labour.

PART 4: TOTALS

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,840 a year) and excess hours.

The Schedule does not deal with the issue of return on investment, and this would need to be factored in where appropriate. The issue of return on investment is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice.

Key Assumptions

The model set out in Part 2 is based on certain assumptions about the vehicle used, hours of work and the type of business. The assumptions used that have the greatest impact on the figures given are:

Subject	Costing assumptions
vehicle and finance	<p>The fixed costs are based on:</p> <ul style="list-style-type: none"> ● a vehicle with a current capital value of \$83,050 (being the current average retail value of a 10 year old vehicle); ● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 8.45% per annum. <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> ● The calculation of the fixed costs assumes the vehicle is in operation for 8 driving hours per day for 230 working days a year. This equals 1,840 hours of operation a year. ● The model spreads fixed operating costs over those 1,840 hours. ● In Part 4, a separate hourly rate for hours over and above the base hours of 1,840 a year is provided. To avoid double counting of fixed costs, this rate only includes variable costs and a return for labour, based on an overtime labour rate.

The cost structure of the individual business will be significantly different if, for example:

- the age, current capital value (or both) of the vehicle is less or more than the above figures;
- other finance arrangements apply (for example, the vehicle is fully owned or is subject to a loan);
- more or fewer hours are worked each year.

Because of these potential variations, great care should be taken in using the indicative figures set out in the cost model, as the costs of the individual business may vary significantly.

To assist owner drivers to calculate their own unique cost model, a blank column is included to calculate the business's own unique costs. This model can be downloaded as an Excel spreadsheet from www.irv.vic.gov.au. The spreadsheet can be used to automatically calculate the effect of changes to cost items, for example, the effect on the business of a new vehicle purchase or the effect of increases in the price of fuel or interest rates. This will allow the owner driver to better plan their business.

Rate Structures

This model calculates the cost of running a typical owner driver business, described as an hourly rate, made up of fixed and variable costs and a payment for the owner driver's labour. The Schedule does not calculate or suggest any particular rate calculation or payment method.

Arrangements for payment for owner drivers in the transport industry vary enormously. They can be paid an hourly rate, a load rate, parcel rate, on the basis of tasks performed, or even kilometres travelled. If an owner driver is paid on such an arrangement, the schedules set out below can be used as a base to calculate the cost to the business of travelling per kilometre, or delivering a particular load. Unions, industry associations or accountants and other professional advisers can assist in this task.

PART 1

Fixed Annual Costs – per year and per hour*Note: All costs are exclusive of GST*

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Vehicle Lease Costs This model is based on a vehicle with a current capital value of \$83,050 (based on typical retail value of a 10-year-old vehicle), and is based on a lease arrangement over a 4 year term with a 25% residual, at 8.45% interest per annum.	\$20,022		Finance arrangements will vary widely depending on: <ul style="list-style-type: none"> • if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or • if the arrangement is a loan, then the purchase price, the amount borrowed and the loan terms will affect cashflow, and depreciation needs to be allowed for.
Registration, Permits and TAC Fees Based on vehicle registration fee of \$3,883 and TAC charge of \$1,632 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (eg metropolitan Melbourne).	\$5,515		These fees are current as at 1 July 2007 but may change. Additional licences may be payable for certain types of operations (eg interstate registration, oversize, port security permit, dangerous goods). Additional administration charges may apply to registration fees if they are paid in instalments. TAC charges may be lower if the vehicle is garaged in a medium or low risk area.
Superannuation Self-funded, based on 9% of own labour assumed at \$31,496.	\$2,834		
Insurance Comprehensive Vehicle Based on rate of 3.15% per annum. Based on operator who is over the age of 25, has at least 5 years experience and no claims history. Assumes vehicle is not carrying dangerous goods. Assumes vehicle is travelling intrastate only.	\$2,616		Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (eg refrigerated goods or livestock). Comprehensive vehicle insurance costs may vary depending upon the age and value of the equipment insured, the insurance provider, the amount of any excess payable, the individual's claims history, the age and experience level of the driver and whether the vehicle is carrying dangerous goods.

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.	\$500		The cost of goods in transit insurance may vary depending on the type of goods being transported.
Insurance Personal Sickness and Accident/Income Basic policy, based on 80% of income for 52 weeks, 30 day waiting period. Assumes driver is travelling intrastate only. Assumes driver has no pre-existing conditions. Maximum age limit of 60 years.	\$450		The cost of personal income and accident insurance (also called income protection insurance) will vary depending on the individual's health history, the amount of income insured, the period of time after an accident before benefits are payable and the maximum period over which benefits are paid.
Insurance Public Liability Assumes policy for public liability claims up to \$10 million.	\$405		
Insurance Workers' Compensation Assumed at the rate of 4.698% for the assumed labour rate of the business owner of \$31,496. Assumes vehicle is primarily travelling intrastate.	\$1,480		The rate is current as at 1 October 2007 and is subject to change. The rate charged for workers' compensation insurance may vary depending on whether the vehicle is travelling short or long distances and whether the vehicle is travelling interstate. The rate may also vary depending on the driver's claims history.
Business Administration Costs Includes maintenance of records, preparation of tax returns, mobile phone charges, and sundry business expenses.	\$2,552		Accounting/bookkeeping fees may be lower if the business prepares its own BAS and accounts. Mobile phone charges will vary significantly depending on level of use. Other costs: Professional association fees, accommodation costs, parking fees, bank charges, and other costs should be allowed for where relevant. This example is based on a business that is already up and running, and does not take into account the costs of starting a business (eg registering a company). This figure may also vary depending on contractual conditions.

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Total annual fixed costs	\$36,374		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$19.77		Assumes that the annual fixed costs of the business are spread over 1,840 vehicle operation hours per year.

PART 2

*Variable Costs – per kilometre and per hour**Note: All costs are exclusive of GST*

Variable Costs per kilometre			
Cost items Assumptions Assumes 30,000 km travelled per year	typical cost per km	Your Costs per km	variations in this cost item
Fuel Based on retail diesel fuel cost as at 1 January 2008 of 116.72 cents per litre which is net of GST. Assumes 1.59 km per litre consumed.	73.41 cents		Fuel is the single biggest variable cost and will significantly affect your business. Fuel costs will also vary depending on the age, features and condition of the vehicle.
Tyres Assumes cost of \$753 per tyre.	5.17 cents		Consumption of tyres will vary with the age of vehicle, off-road use, geographic and road conditions, braking frequency and driving techniques and the quality of the tyres used. Cost of tyres will also vary depending on the manufacturer, type of tyre and any discount arrangements.
Servicing, Repairs and Maintenance Based on rate of 27.00 cents per kilometre.	27.00 cents		Repair and maintenance costs will vary significantly with the age and condition of the vehicle. Major repairs may be a one-off major cost in any given year. Significant savings can be made if the business does its own servicing and repairs.
Total variable costs per km	105.58 cents		

Variable Costs per kilometre			
Cost items Assumptions Assumes 30,000 km travelled per year	typical cost per kM	Your Costs per km	variations in this cost item
Total variable costs per driving hour Assumes 18km travelled per hour.	\$19.00		These rates are typical for city driving only. The number of kilometres travelled per hour will vary significantly depending on the routes travelled, whether the work is metropolitan or regional, how often the vehicle stops to load or unload and the nature of the work. Drivers who travel long distance or in the country will need to take this into account for their own calculations.

Note: Citylink tolls: Where directed to take a route using tolls you may incur an additional cost for road tolls.

PART 3

A payment for the owner driver's own labour

The next factor to include in a business cost model is an amount for the business owner's own work (labour) in driving the vehicle and in work such as loading and unloading and tasks necessary in running the business. This Part will provide information to assist owner drivers to determine the amount they can aim to receive as a payment for that labour.

Because an owner driver is a small business (not an employee) the hirer is not legally obliged to pay a minimum wage or rate of pay. However, the wages that are paid to employee drivers are a useful guide to the market for the labour services of driving a vehicle.

Set out below are rates that would typically be paid for driving a vehicle if this work was performed by an employee rather than an owner driver.

These rates will vary over time, and should be used as a general guide only. Unions, industry associations, newspaper job advertisements and other drivers are sources of advice about the going rates in your industry sector.

Typical base and casual rates paid to employee drivers per hour				
	base hourly rate (1)	casual/loaded hourly rate (2) <i>(includes allowance for leave, etc)</i>	overtime rate (3) <i>for the first two hours over 8 per day or 38 hours per week</i>	overtime rate (3) <i>for hours worked over 10 per day or 48 per week</i>
Award hourly rates(4)	\$15.94	\$19.92	\$23.91	\$31.88
Range of rates typically paid in Victoria(5)	\$15.94 to \$18.27	\$19.92 to \$21.58	\$23.91 to \$25.90	\$31.88 to \$34.54

Notes:

- 1 'Base rates' are paid to full time employees, who typically also get four weeks paid annual leave, 10 days paid personal/sick leave a year and shift and penalty rates (for example, an extra 50% loading for overtime or night work).
- 2 'Casual rates' include an additional 25% loading on the base rate. This is compensation for not receiving the paid holidays, personal/sick leave or public holidays that employees enjoy.
- 3 Overtime rates. Employee drivers in Victoria would typically receive payment at overtime rates of hours worked in excess of 38 hours a week. Typically a 50% loading applies for the first two hours of overtime per day or up to 48 hours per week and then a 100% penalty for hours thereafter.
- 4 Award hourly rates. This row sets out the hourly wage for employed drivers, as set under the Transport Workers Award 1998 (Victorian common rule award) for drivers of a Prime Mover (Bogie Drive). The hourly rates above are accurate as at 1 December 2007, but are varied from time to time by the Australian Fair Pay Commission. You can find information about the most recently published minimum employee rates by visiting www.wagenet.gov.au or contacting your association or union.
- 5 The range of rates in Victoria. This part of the table sets out the range of rates typically paid in Victoria to employee drivers in the transport industry. A range is supplied because the rate paid will vary depending on whether a company is party to a workplace agreement, the particular industry sector, the skill and efficiency of the particular driver and market factors such as whether there is a shortage of drivers in the area.

PART 4

Hourly Totals**A) Hourly total for hours up to 8 hours a day, 1,840 hours a year**

TOTALS			
totals per driving hour	typical costs	your figures	notes
Fixed Costs	\$19.77		Assuming fixed costs spread over 1,840 hours.
Variable Costs	\$19.00		Assuming 18 km travelled per hour.
Labour	\$15.94		This worked example is based on a labour rate of \$15.94 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$54.71		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

B) Total per hour – for hours in excess of 8 hours per day / 1,840 hours a year

This model assumes that the owner driver will recover fixed annual costs over 1,840 driving hours a year. Many owner drivers work longer than these hours, either extra days each week or longer hours each day. This table calculates an hourly rate for those extra hours, using variable and labour costs only, and using an overtime rate of pay.

TOTALS			
totals per driving hour	typical costs	your figures	notes
Variable Costs	\$19.00		Assuming 18 km travelled per hour.
Labour (overtime rates)	\$23.91		This worked example is based on a nominal penalty labour rate of \$23.91 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$42.91		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

In addition to the figures above, owner drivers should where relevant include any amount that they seek as a return on their capital investment. This issue is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice, available from www.irv.vic.gov.au

Note that this is not a prescribed or recommended rate. It is strongly recommended that owner drivers obtain advice on their own individual circumstances and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

Footnotes

- ¹ Owner Driver is defined in the **Owner Drivers and Forestry Contractors Act 2005**. The definition is also affected by the Owner Drivers and Forestry Contractors Regulations 2006 made under the Act.
- ² Rates and Costs Schedules have been published for 1 tonne GVM, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (3 axle), Prime Mover (Bogie drive) and Semi-Trailer (Bogie Drive, 6-axle). Hirers are required to provide owner drivers with the Schedule that most closely relates to the owner driver's vehicle.

Owner Drivers and Forestry Contractors Act 2005INDUSTRIAL RELATIONS VICTORIA
DEPARTMENT OF INNOVATION, INDUSTRY & REGIONAL DEVELOPMENT

12 Tonne Rigid Vehicle (GVM) (3-axle)

Transport Industry Council Rates and Costs Schedule 2008

Introduction

This Schedule is a general guide only. Owner drivers are strongly advised to seek independent professional accounting advice for their own situation and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

This Rates and Costs Schedule has been revised and is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practical after it is published and then to new owner drivers three days prior to engagement.

The Schedule is intended to assist owner drivers and their hirers to better understand the typical operating costs of an owner driver business and to inform their negotiations.

The Schedule does not set minimum rates that must be paid.

The Schedule sets out a worked example of typical overhead costs for an owner driver supplying a 12 Tonne Rigid Vehicle.

The worked example is based on certain assumptions about the business, for example, that the vehicle is 8 years old, is in operation for 8 hours a day and uses a certain number of tyres. The aim of the schedule is to assist owner drivers to:

- better understand their business cost structures and how increases and decreases in different cost items affect overall profitability; and
- calculate their own unique cost model.

This Schedule applies to owner drivers¹ who supply a 12 Tonne Rigid Vehicle (3-axle) (12 tonne being the weight of the vehicle fully loaded) or similar vehicle.²

The Schedule is structured as follows:

PART 1: FIXED COSTS

Describes typical fixed (or annual) business costs. These are the costs that the business must pay each year regardless of how many kilometres the vehicle travels.

PART 2: VARIABLE COSTS

Describes typical variable business costs. These are the costs (such as fuel and tyres) that vary with how many kilometres are travelled. These are calculated on an hourly basis.

PART 3: PAYMENT FOR LABOUR

Describes the range of rates that are typically paid to employee drivers for performing similar kinds of work, to assist the owner driver to determine what may be a reasonable payment for their own labour.

PART 4: TOTALS

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,840 a year) and excess hours.

The Schedule does not deal with the issue of return on investment, and this would need to be factored in where appropriate. The issue of return on investment is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice.

Key Assumptions

The model set out in Part 2 is based on certain assumptions about the vehicle used, hours of work and the type of business. The assumptions used that have the greatest impact on the figures given are:

Subject	Costing assumptions
vehicle and finance	<p>The fixed costs are based on:</p> <ul style="list-style-type: none"> ● a vehicle with a current capital value of \$75,625 (being the current average retail value of a 8 year old vehicle); ● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 8.45% per annum. <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> ● The calculation of the fixed costs assumes the vehicle is in operation for 8 driving hours per day for 230 working days a year. This equals 1,840 hours of operation a year. ● The model spreads fixed operating costs over those 1,840 hours. ● In Part 4, a separate hourly rate for hours over and above the base hours of 1,840 a year is provided. To avoid double counting of fixed costs, this rate only includes variable costs and a return for labour, based on an overtime labour rate.

The cost structure of the individual business will be significantly different if, for example:

- the age, current capital value (or both) of the vehicle is less or more than the above figures;
- other finance arrangements apply (for example, the vehicle is fully owned or is subject to a loan);
- more or fewer hours are worked each year.

Because of these potential variations, great care should be taken in using the indicative figures set out in the cost model, as the costs of the individual business may vary significantly.

To assist owner drivers to calculate their own unique cost model, a blank column is included to calculate the business's own unique costs. This model can be downloaded as an Excel spreadsheet from www.irv.vic.gov.au. The spreadsheet can be used to automatically calculate the effect of changes to cost items, for example, the effect on the business of a new vehicle purchase or the effect of increases in the price of fuel or interest rates. This will allow the owner driver to better plan their business.

Rate Structures

This model calculates the cost of running a typical owner driver business, described as an hourly rate, made up of fixed and variable costs and a payment for the owner driver's labour. The Schedule does not calculate or suggest any particular rate calculation or payment method.

Arrangements for payment for owner drivers in the transport industry vary enormously. They can be paid an hourly rate, a load rate, parcel rate, on the basis of tasks performed, or even kilometres travelled. If an owner driver is paid on such an arrangement, the schedules set out below can be used as a base to calculate the cost to the business of travelling per kilometre, or delivering a particular load. Unions, industry associations or accountants and other professional advisers can assist in this task.

PART 1

Fixed Annual Costs – per year and per hour*Note: All costs are exclusive of GST*

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
<p>Vehicle Lease Costs This model is based on a vehicle with a current capital value of \$75,625 (based on typical retail value of a 8 year old vehicle), and is based on a lease arrangement over a 4 year term with a 25% residual, at 8.45% interest per annum.</p>	\$18,231		<p>Finance arrangements will vary widely depending on:</p> <ul style="list-style-type: none"> ● if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or ● if the arrangement is a loan, then the purchase price, the amount borrowed and the loan terms will affect cash-flow, and depreciation needs to be allowed for.
<p>Registration, Permits and TAC Fees Based on vehicle registration fee of \$686 and TAC charge of \$589 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (eg metropolitan Melbourne).</p>	\$1,275		<p>These fees are current as at 1 July 2007 but may change. Additional licences may be payable for certain types of operations (eg interstate registration, oversize, port security permit, dangerous goods). Additional administration charges may apply to registration fees if they are paid in instalments. TAC charges may be lower if the vehicle is garaged in a medium or low risk area.</p>
<p>Superannuation Self-funded, based on 9% of own labour assumed at \$30,700.</p>	\$2,763		
<p>Insurance Comprehensive Vehicle Based on rate of 3.15% per annum. Based on operator who is over the age of 25, has at least 5 years experience and no claims history. Assumes vehicle is not carrying dangerous goods. Assumes vehicle is travelling intrastate only.</p>	\$2,382		<p>Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (eg refrigerated goods or livestock). Comprehensive vehicle insurance costs may vary depending upon the age and value of the equipment insured, the insurance provider, the amount of any excess payable, the individual's claims history, the age and experience level of the driver and whether the vehicle is carrying dangerous goods.</p>

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.	\$400		The cost of goods in transit insurance may vary depending on the type of goods being transported.
Insurance Personal Sickness and Accident/Income Basic policy, based on 80% of income for 52 weeks, 30 day waiting period. Assumes driver is travelling intrastate only. Assumes driver has no pre-existing conditions. Maximum age limit of 60 years.	\$450		The cost of personal income and accident insurance (also called income protection insurance) will vary depending on the individual's health history, the amount of income insured, the period of time after an accident before benefits are payable and the maximum period over which benefits are paid.
Insurance Public Liability Assumes policy for public liability claims up to \$10 million.	\$405		
Insurance Workers' Compensation Assumed at the rate of 4.698% for the assumed labour rate of the business owner of \$30,700. Assumes vehicle is primarily travelling intrastate.	\$1,442		The rate is current as at 1 October 2007 and is subject to change. The rate charged for workers' compensation insurance may vary depending on whether the vehicle is travelling short or long distances and whether the vehicle is travelling interstate. The rate may also vary depending on the driver's claims history.
Business Administration Costs Includes maintenance of records, preparation of tax returns, mobile phone charges, and sundry business expenses.	\$2,552		Accounting/bookkeeping fees may be lower if the business prepares its own BAS and accounts. Mobile phone charges will vary significantly depending on level of use. Other costs: Professional association fees, accommodation costs, parking fees, bank charges, and other costs should be allowed for where relevant. This example is based on a business that is already up and running, and does not take into account the costs of starting a business (eg registering a company). This figure may also vary depending on contractual conditions.

FIXED COSTS			
Cost items Assumptions used in the example	Example: typical cost per year	Your Costs: \$	variations in this cost item
Total annual fixed costs	\$27,240		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$14.80		Assumes that the annual fixed costs of the business are spread over 1,840 vehicle operation hours per year.

PART 2

*Variable Costs – per kilometre and per hour**Note: All costs are exclusive of GST*

Variable Costs per kilometre			
Cost items Assumptions Assumes 35,000 km travelled per year	typical cost per km	Your Costs per km	variations in this cost item
Fuel Based on retail diesel fuel cost as at 1 January 2008 of 116.72 cents per litre which is net of GST. Assumes 3.89 km per litre consumed.	30.01 cents		Fuel is the single biggest variable cost and will significantly affect your business. Fuel costs will also vary depending on the age, features and condition of the vehicle.
Tyres Assumes cost of \$946 per tyre.	5.69 cents		Consumption of tyres will vary with the age of vehicle, off-road use, geographic and road conditions, braking frequency and driving techniques and the quality of the tyres used. Cost of tyres will also vary depending on the manufacturer, type of tyre and any discount arrangements.
Servicing, Repairs and Maintenance Based on rate of 18.27 cents per kilometre.	18.27 cents		Repair and maintenance costs will vary significantly with the age and condition of the vehicle. Major repairs may be a one-off major cost in any given year. Significant savings can be made if the business does its own servicing and repairs.

Variable Costs per kilometre			
Cost items Assumptions Assumes 35,000 km travelled per year	typical cost per kM	Your Costs per km	variations in this cost item
Total variable costs per km	53.97 cents		
Total variable costs per driving hour Assumes 18km travelled per hour.	\$9.71		These rates are typical for city driving only. The number of kilometres travelled per hour will vary significantly depending on the routes travelled, whether the work is metropolitan or regional, how often the vehicle stops to load or unload and the nature of the work. Drivers who travel long distance or in the country will need to take this account for their own calculations.

Note: Citylink tolls: Where directed to take a route using tolls you may incur an additional cost for road tolls.

PART 3

A payment for the owner driver's own labour

The next factor to include in a business cost model is an amount for the business owner's own work (labour) in driving the vehicle and in work such as loading and unloading and tasks necessary in running the business. This Part will provide information to assist owner drivers to determine the amount they can aim to receive as a payment for that labour.

Because an owner driver is a small business (not an employee) the hirer is not legally obliged to pay a minimum wage or rate of pay. However, the wages that are paid to employee drivers are a useful guide to the market for the labour services of driving a vehicle.

Set out below are rates that would typically be paid for driving a vehicle if this work was performed by an employee rather than an owner driver.

These rates will vary over time, and should be used as a general guide only. Unions, industry associations, newspaper job advertisements and other drivers are sources of advice about the going rates in your industry sector.

Typical base and casual rates paid to employee drivers per hour				
	base hourly rate (1)	casual/loaded hourly rate (2) <i>(includes allowance for leave, etc)</i>	overtime rate (3) <i>for the first two hours over 8 per day or 38 hours per week</i>	overtime rate (3) <i>for hours worked over 10 per day or 48 per week</i>
Award hourly rates(4)	\$15.54	\$19.42	\$23.31	\$31.08
Range of rates typically paid in Victoria(5)	\$15.54 to \$18.09	\$19.42 to \$21.97	\$23.31 to \$26.37	\$31.08 to \$35.16

Notes:

- 1 Base rates are paid to full time employees, who typically also get four weeks paid annual leave, 10 days paid personal/sick leave a year and shift and penalty rates (for example, an extra 50% loading for overtime or night work).
- 2 Casual rates include an additional 25% loading on the base rate. This is compensation for not receiving the paid holidays, personal/sick leave or public holidays that employees enjoy.
- 3 Overtime rates. Employee drivers in Victoria would typically receive payment at overtime rates of hours worked in excess of 38 hours a week. Typically a 50% loading applies for the first two hours of overtime per day or up to 48 hours per week and then a 100% penalty for hours thereafter.
- 4 Award hourly rates. This row sets out the hourly wage for employed drivers, as set under the Transport Workers Award 1998 (Victorian common rule award) for drivers of a 12 Tonne GVM Rigid Vehicle. The hourly rates above are accurate as at 1 December 2007, but are varied from time to time by the Australian Fair Pay Commission. You can find information about the most recently published minimum employee rates by visiting www.wagenet.gov.au or contacting your association or union.
- 5 The range of rates in Victoria. This part of the table sets out the range of rates typically paid in Victoria to employee drivers in the transport industry. A range is supplied because the rate paid will vary depending on whether a company is party to a workplace agreement, the particular industry sector, the skill and efficiency of the particular driver and market factors such as whether there is a shortage of drivers in the area.

PART 4

Hourly Totals**A) Hourly total for hours up to 8 hours a day, 1,840 hours a year**

TOTALS			
totals per driving hour	typical costs	your figures	notes
Fixed Costs	\$14.80		Assuming fixed costs spread over 1,840 hours.
Variable Costs	\$9.71		Assuming 18 km travelled per hour.
Labour	\$15.54		This worked example is based on a labour rate of \$15.54 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$40.05		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

B) Total per hour – for hours in excess of 8 hours per day / 1,840 hours a year

This model assumes that the owner driver will recover fixed annual costs over 1,840 driving hours a year. Many owner drivers work longer than these hours, either extra days each week or longer hours each day. This table calculates an hourly rate for those extra hours, using variable and labour costs only, and using an overtime rate of pay.

TOTALS			
totals per driving hour	typical costs	your figures	notes
Variable Costs	\$9.71		Assuming 18 km travelled per hour.
Labour (overtime rates)	\$23.31		This worked example is based on a nominal penalty labour rate of \$23.31 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$33.02		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

In addition to the figures above, owner drivers should where relevant include any amount that they seek as a return on their capital investment. This issue is dealt with in section 11 of the Owner Drivers and Forestry Contractors Code of Practice, available from www.irv.vic.gov.au

Note that this is not a prescribed or recommended rate. It is strongly recommended that owner drivers obtain advice on their own individual circumstances and discuss all issues with their hirer or potential hirer to ensure that there is no misunderstanding concerning payment structures.

Footnotes

- ¹ Owner Driver is defined in the **Owner Drivers and Forestry Contractors Act 2005**. The definition is also affected by the Owner Drivers and Forestry Contractors Regulations 2006 made under the Act.
- ² Rates and Costs Schedules have been published for 1 tonne GVM, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (3 axle), Prime Mover (Bogie drive) and Semi-Trailer (Bogie Drive, 6-axle). Hirers are required to provide owner drivers with the Schedule that most closely relates to the owner driver's vehicle.

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

Notice of Approval of Amendment

Amendment C88

The Minister for Planning has approved Amendment C88 to the Darebin Planning Scheme.

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

The Amendment implements the Darebin Neighbourhood Character Study and Precinct Guidelines 2007 by amending Clause 21.05 of the Municipal Strategic Statement and replacing Clause 22.04 with a new neighbourhood character local planning policy.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Darebin City Council, Strategic Planning Unit, First Floor, 274 Gower Street, Preston.

PETER ALLEN

Executive Director

Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987**GOLDEN PLAINS PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C35

The Minister for Planning has approved Amendment C35 to the Golden Plains Planning Scheme.

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

The Amendment modifies the Salinity Management Overlay and makes modifications to various clauses in the MSS and introduces a local planning policy to ensure that development is better protected from salinity and that the impacts of development on salinity are better managed.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Golden Plains Shire Council, Bannockburn Customer Service Centre, 2 Pope Street, Bannockburn 3331.

PETER ALLEN

Executive Director

Statutory Planning Systems Reform
Department of Planning and
Community Development

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

Notice of Approval of Amendment

Amendment C76

The Minister for Planning has approved Amendment C76 to the Manningham Planning Scheme.

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

The Amendment:

- rezones Council owned land (600A Doncaster Road, 2 Elgar Court, 101 Tram Road) and privately owned land (3 Elgar Court and part of Elgar Court – road), Doncaster, to a Comprehensive Development Zone (CDZ1);
- amends Schedule 1 to the Comprehensive Development Zone (Clause 37.01);
- amends the incorporated document ‘Doncaster Hill Comprehensive Development Plan, Manningham City Council, September 2004’ to ‘Doncaster Hill Comprehensive Development Plan, Manningham City Council, September 2004 (revised April 2008)’ through the Schedule to Clause 81.01; and
- amends Planning Scheme Map No. 7 to extend the application of CDZ1 over the subject properties.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection

dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Manningham City Council, 699 Doncaster Road, Doncaster.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

MITCHELL PLANNING SCHEME

Notice of Approval of Amendment

Amendment C40

The Minister for Planning has approved Amendment C40 to the Mitchell Planning Scheme.

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

The Amendment C40 makes a number of procedural and corrective changes to the Mitchell Planning Scheme by addressing identified mapping and overlay anomalies, removing or varying unnecessary permit requirements, removing redundant provisions, and making other minor drafting corrections including updating department names.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Mitchell Shire Council, 113 High Street, Broadford 3658.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

WANGARATTA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C30

The Minister for Planning has approved Amendment C30 to the Wangaratta Planning Scheme.

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

The Amendment rezones land bounded by Park Street, Phillipson Street and College Street, Wangaratta, from Farming Zone to part Residential 1 Zone and part Special Use Zone 5 and introduces a new schedule to the Special Use Zone, and corrects mapping errors affecting land fronting Park Crescent and part of the current college.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Wangaratta City Council, Ovens Street, Wangaratta.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

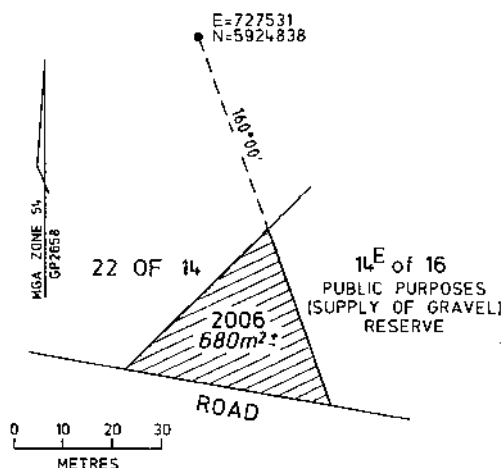
ORDERS IN COUNCIL

Crown Land (Reserves) Act 1978 NOTICE OF INTENTION TO REVOKE TEMPORARY RESERVATIONS

Order in Council

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

BEALIBA – The temporary reservation by Order in Council of 20 June 1967 of an area of 4.049 hectares, more or less, of land in Section 16, Township of Bealiba, Parish of Bealiba as a site for Public Purposes (Supply of Gravel), so far only as the portion containing 680 square metres, more or less, being Crown Allotment 2006, Township of Bealiba, Parish of Bealiba as indicated by hatching on plan GP2658 hereunder. – (GP2658) – (Rs 8822)



CLUNES – The temporary reservation by Order in Council of 27 May 1941 of an area of 6248 square metres, more or less, of land in Section D, Township of Clunes, Parish of Clunes as a site for Public Baths. – (Rs 5203)

CLUNES – The temporary reservation by Order in Council of 1 October 1968 of an area of 2833 square metres, more or less, of land in Section D, Township of Clunes, Parish of Clunes as a site for Public Baths. – (Rs 5203)

ROKEWOOD – The temporary reservation by Order in Council of 30 October 1973 of an area of 1821 square metres being Crown Allotment 3, Section 11, Township of Rokewood, Parish of Corindhap as a site for Water Supply purposes. – (Rs 9820)

SOUTH HAMILTON – The temporary reservation by Order in Council of 15 October 1974 of an area of 21.75 hectares of land being Crown Allotment 6, Section 7, Parish of South Hamilton as a site for Public purposes (Racecourse and Recreation). – (Rs 9994)

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

Dated 22 October 2008

Responsible Minister
GAVIN JENNINGS
Minister for Environment
and Climate Change

ZOE WONG
Acting Clerk of the Executive Council

Crown Land (Reserves) Act 1978 TEMPORARY RESERVATION OF CROWN LAND

Melbourne Recital Centre
Order in Council

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

MUNICIPAL DISTRICT OF THE MELBOURNE CITY COUNCIL

SOUTH MELBOURNE – Public purposes (arts and recital centre), area 0.2503 hectares, being Crown Allotment 2180, City of South Melbourne, Parish of Melbourne South as shown on Original Plan No. 122658 lodged in the Central Plan Office of the Department of Sustainability and Environment.

(File ref: 2017418)

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

Dated 22 October 2008

Responsible Minister
GAVIN JENNINGS
Minister for Environment
and Climate Change

ZOE WONG
Acting Clerk of the Executive Council

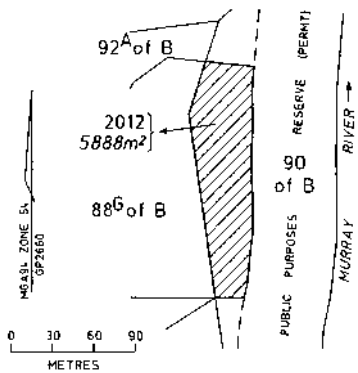
Crown Land (Reserves) Act 1978
TEMPORARY RESERVATION OF
CROWN LANDS

Order in Council

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

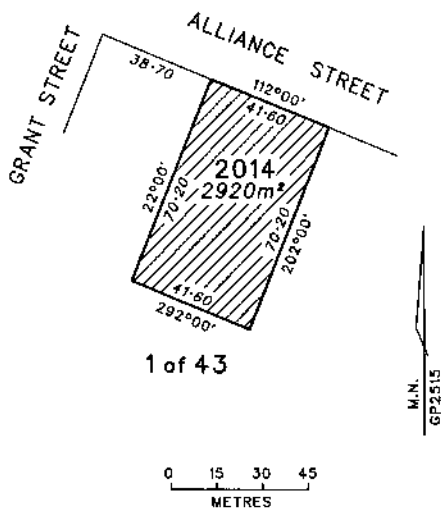
MUNICIPAL DISTRICT OF THE
SWAN HILL RURAL CITY COUNCIL

BUMBANG – Water Supply purposes, area 5888 square metres, being Crown Allotment 2012, Parish of Bumbang as indicated by hatching on plan GP2660 hereunder. – (GP2660) – (0105160)



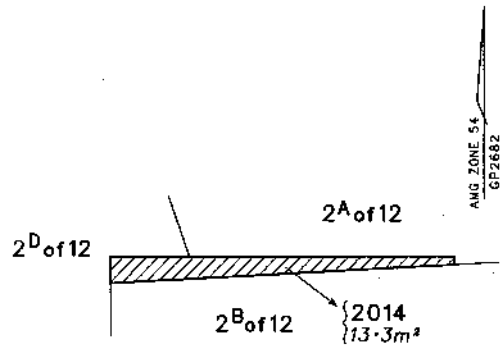
MUNICIPAL DISTRICT OF THE
HEPBURN SHIRE COUNCIL

CLUNES – Public Recreation, area 2920 square metres, being Crown Allotment 2014, Township of Clunes, Parish of Clunes as indicated by hatching on plan GP2515 hereunder. – (GP2515) – (2009482)



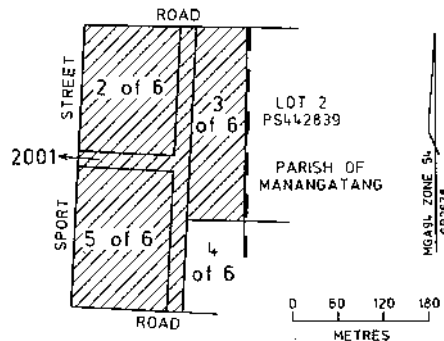
MUNICIPAL DISTRICT OF THE
HEPBURN SHIRE COUNCIL

CRESWICK – Library purposes, area 13.3 square metres, being Crown Allotment 2014, Township of Creswick, Parish of Creswick as indicated by hatching on plan GP2682 hereunder. – (GP2682) – (Rs 05466)



MUNICIPAL DISTRICT OF THE
SWAN HILL RURAL CITY COUNCIL

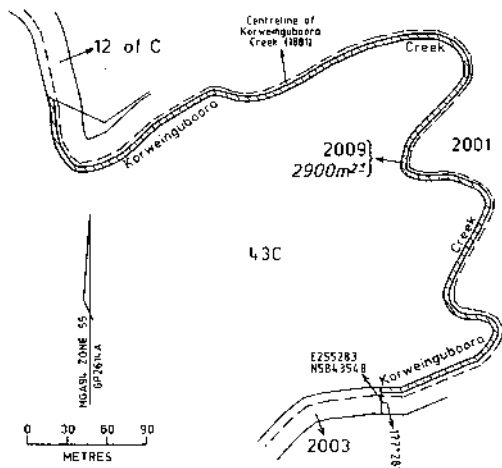
MANANGATANG – Conservation of an area of natural interest, total area 7.1 hectares, more or less, being Crown Allotments 2, 3 and 5, Section 6 and Crown Allotment 2001, Township of Manangatang, Parish of Manangatang as shown by hatching on plan GP2678 hereunder. – (GP2678) – (012017406)



Total Area of Hatched Portions is 7.1ha ±

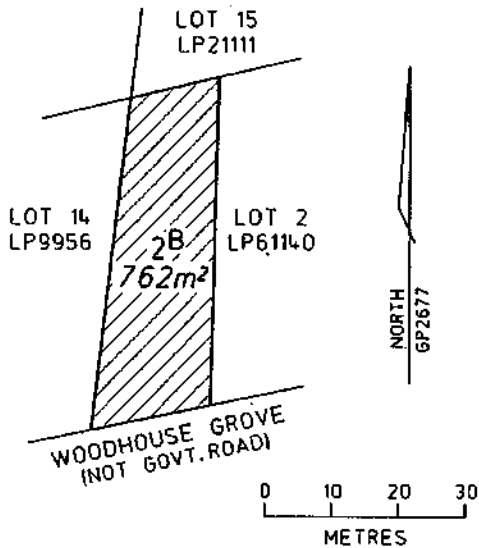
MUNICIPAL DISTRICT OF THE
MOORABOOL SHIRE COUNCIL

MOORABOOL EAST – Water Supply purposes, Crown Allotment 2008, Parish of Moorabool East [area 1.4 hectares, more or less] as shown hatched on Plan No. LEGL./08-005 lodged in the Central Plan Office of the Department of Sustainability and Environment and Crown Allotment 2009, Parish of Moorabool East [area 2900 square metres, more or less] as indicated by hatching on plan GP2614A hereunder. – (GP2614A) – (0701648)



MUNICIPAL DISTRICT OF THE WHITEHORSE CITY COUNCIL

NUNAWADING – Public purposes (Mental Health purposes), area 762 square metres, being Crown Allotment 2B, Parish of Nunawading as indicated by hatching on plan GP2677 hereunder. – (GP2677) – (2017197)

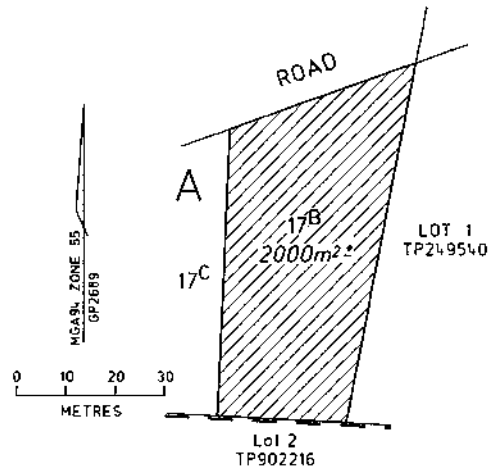


MUNICIPAL DISTRICT OF CORANGAMITE SHIRE COUNCIL

PORT CAMPBELL – Public purposes (Parks Victoria office), 812 square metres being Crown Allotment 10B, Section 6, Township of Port Campbell, Parish of Paaratte as shown on Original Plan No. 116123-A lodged in the Central Plan Office of the Department of Sustainability and Environment. – (0512033)

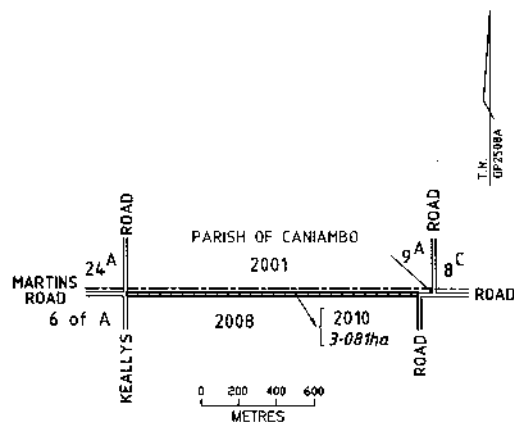
MUNICIPAL DISTRICT OF THE MAROONDAH CITY COUNCIL

RINGWOOD – Public Recreation, area 2000 square metres, more or less, being Crown Allotment 17B, Section A, Township of Ringwood, Parish of Ringwood as indicated by hatching on plan GP2689 hereunder. – (GP2689) – (2017196)



MUNICIPAL DISTRICT OF THE GREATER SHEPPARTON CITY COUNCIL

TAMLEUGH – Preservation of an area of ecological significance, 3.081 hectares, being Crown Allotment 2010, Parish of Tamleugh as indicated by hatching on plan GP2508A hereunder. – (GP2508A) – (2000186)



MUNICIPAL DISTRICT OF THE SWAN HILL RURAL CITY COUNCIL

TOLTOL – Conservation of an area of natural interest, total area 228.7 hectares, more or less,

being Crown Allotments 20, 20E, 2003, 2004 and 2005, Parish of Toltol as shown hatched on Plan No. LEGL/08-049 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (012017403)

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

Dated 22 October 2008

Responsible Minister
GAVIN JENNINGS
Minister for Environment
and Climate Change

ZOE WONG

Acting Clerk of the Executive Council

Crown Land (Reserves) Act 1978
DISSOLUTION OF INCORPORATED
COMMITTEE OF MANAGEMENT

Order in Council

The Governor in Council under section 14A(7) of the **Crown Land (Reserves) Act 1978** dissolves the ‘Gerang Gerung Recreation Reserve Incorporated’ constituted by Order in Council of 27 March 2001 vide Government Gazette of 29 March 2001 – page 559).

File Ref: Rs 106 [0200955]

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

Dated 22 October 2008

Responsible Minister
GAVIN JENNINGS
Minister for Environment
and Climate Change

ZOE WONG

Acting Clerk of the Executive Council

Land Act 1958
CLOSURE OF UNUSED ROADS

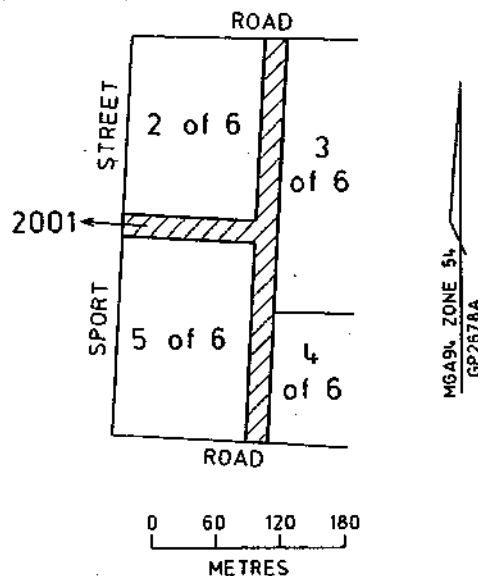
Order in Council

The Governor in Council under section 349 of the **Land Act 1958** and with the concurrence in writing of the municipalities in which the roads are situated closes the following unused roads:

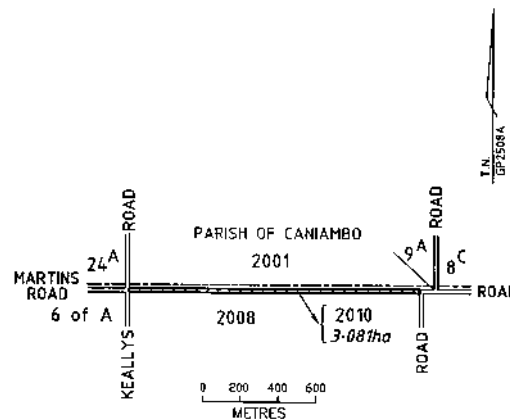
MUNICIPAL DISTRICT OF THE
SWAN HILL RURAL CITY COUNCIL

MANANGATANG – The roads in the Township of Manangatang, Parish of Manangatang being

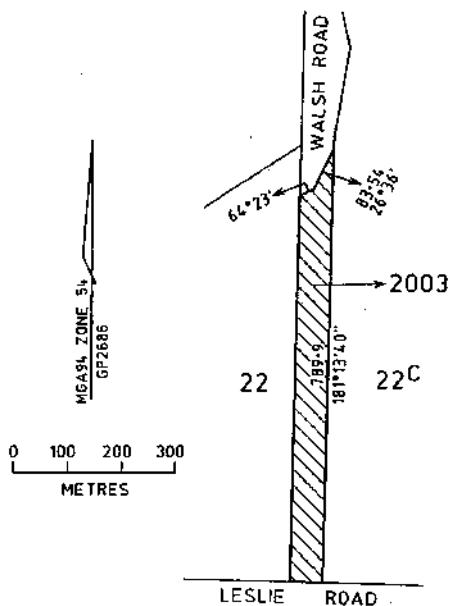
Crown Allotment 2001 as indicated by hatching on plan GP2678A hereunder. – (GP2678A) – (012017406)



MUNICIPAL DISTRICT OF THE
GREATER SHEPPARTON CITY COUNCIL
TAMLEUGH – The road in the Parish of Tamleugh being Crown Allotment 2010 as indicated by hatching on plan GP2508A hereunder. – (GP2508A) – (2000186)



MUNICIPAL DISTRICT OF THE
SWAN HILL RURAL CITY COUNCIL
TOLTOL – The road in the Parish of Toltol being Crown Allotment 2003 as indicated by hatching on plan GP2686 hereunder. – (GP2686) – (012017403)



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

Dated 22 October 2008

Responsible Minister
GAVIN JENNINGS
Minister for Environment
and Climate Change

ZOE WONG
Acting Clerk of the Executive Council

Land (Miscellaneous Matters) Act 1988

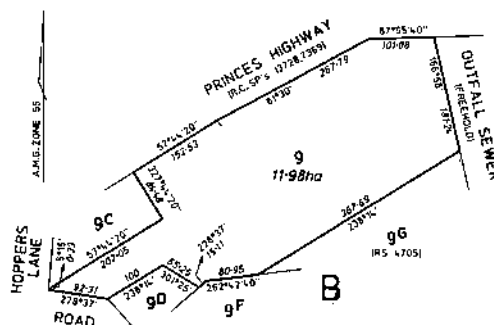
**EXCISION FROM
PERMANENT RESERVATION**

Portion of State Research Farm at Werribee
Order in Council

The Governor in Council under section 3(3) of the **Land (Miscellaneous Matters) Act 1988** [the Act] revokes the Order in Council of 6 July 1927 of the permanent reservation of lands in the Parishes of Deutgam and Tarneit as a site for State Research Farm (Agricultural) as specified in Parts 1 and 2 of Schedule 1 to the Act to the extent that it applies to the land described in the schedule hereunder:-

SCHEDULE

TARNEIT – Crown Allotment 9, Section B, Parish of Tarneit (area 11.98 hectares) as defined on Plan OP122116 lodged in the Central Plan Office of the Department of Sustainability and Environment and shown hereunder. – (OP122116) – (0704446)



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

Dated 22 October 2008

Responsible Minister
GAVIN JENNINGS
Minister Environment
and Climate Change

ZOE WONG
Acting Clerk of the Executive Council

Port Services Act 1995

**ORDER UNDER SECTION 5(2) OF THE
PORT SERVICES ACT 1995**

**REVOCATION AND DECLARATION OF
PORT WATERS OF THE
PORT OF MELBOURNE AND
PORT OF MELBOURNE WATERS**

Order in Council

The Governor in Council, under section 5(2) of the **Port Services Act 1995**, by this Order –

- (a) revokes the Order made on 28 October 2003 and published in the Government Gazette on 30 October 2003 declaring certain waters to be the port waters of the port of Melbourne; and
- (b) declares the port waters coloured blue on plans numbered LEGL./07-365, LEGL./07-366 and LEGL./07-367 lodged in the Central Plan Office of the Department of Sustainability and Environment to be the port waters of the port of Melbourne and the port of Melbourne waters.

This Order comes into effect on 31 October 2008.

Dated 22 October 2008

Responsible Minister
TIM PALLAS MP
Minister for Roads and Ports

ZOE WONG
Acting Clerk of the Executive Council

Victoria Grants Commission Act 1976

APPOINTMENT OF A MEMBER OF THE VICTORIA GRANTS COMMISSION

Order in Council

The Governor in Council under sections 3 and 6 of the **Victoria Grants Commission Act 1976** appoints Ms Caroline Hogg as a member of the Victoria Grants Commission.

The terms and conditions of the appointments are contained in the attached Schedule.

Dated 22 October 2008

Responsible Minister

RICHARD WYNNE MP

Minister for Local Government

ZOE WONG

Acting Clerk of the Executive Council

Victoria Grants Commission Act 1976

APPOINTMENT OF A MEMBER OF THE VICTORIA GRANTS COMMISSION

Schedule to the Order in Council

1. Appointment Arrangements

The appointment is on a sessional basis.

2. Period of Appointment

The appointment is from 1 November 2008 until 31 October 2011.

3. Duties and responsibilities of the position

Under the **Victoria Grants Commission Act 1976** (the Act), the primary function of the Victoria Grants Commission (the Commission) is to allocate general revenue assistance provided by the Commonwealth Government to municipal councils in Victoria in accordance with the **Local Government (Financial Assistance) Act 1995** and the approved national distribution principles.

4. Termination Arrangements

Section 7 of the Act provides for the suspension and removal from office of members of the Commission.

5. Payment Provisions

The appointee will be paid at the rate of \$340 per session.

6. Superannuation Obligations

Superannuation will be paid out in accordance with the Commonwealth **Superannuation Guarantee (Administration) Act 1992**.

7. Travel and Personal Expenses arrangements

Travelling and other allowances will be paid in accordance with the Guidelines for the Provision of Allowances for Travelling and Personal Expenses in the Victoria Public Service.

8. Leave Arrangements

Not applicable.

9. Prior Service

Not applicable.

LATE NOTICES**Water Act 1989****NOTICE OF PROPOSED BY-LAW****Section 287ZE**

In accordance with section 287ZE of the **Water Act 1989**, Melbourne Water Corporation ('Melbourne Water') gives notice of a proposed by-law titled 'By-law No. 2: Waterways, Land and Works Protection and Management'.

The purpose and general purport of the by-law is to meet the following objectives:

- a. management, protection and use of land, waterways and works under the management and control of Melbourne Water;
- b. preventing or minimising interference with or obstruction of the flow of water;
- c. preventing or minimising the silting up, injury to or pollution of designated waterways or designated land or works including prohibiting the deposit of material in or near them;
- d. prohibiting or regulating the removal of any material from land forming part of a designated waterway or designated land or works;
- e. regulating activities carried out on land forming part of designated waterways or designated land or works; and
- f. the general management and control of any designated waterways or designated land or works.

This proposed by-law will replace the former by-law known as 'By-law No. 2: Waterways and Drainage Protection'.

A copy of the proposed by-law may be inspected, free of charge, at Melbourne Water Corporation's offices at 100 Wellington Parade, East Melbourne, Victoria, during ordinary business hours (9.00 am – 5.00 pm on weekdays). The proposed by-law may also be inspected via Melbourne Water Corporation's website at www.melbournewater.com.au

The public are invited to make submissions in relation to the proposed by-law no later than Monday 24 November 2008. All submissions must be in writing and can be addressed to Jane

Denton, Melbourne Water Corporation, 100 Wellington Parade, East Melbourne, Victoria 3002 or can be emailed to Jane.Denton@melbournewater.com.au

JANE DENTON
Corporate Secretary and Legal Counsel
Melbourne Water Corporation

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**SUBORDINATE LEGISLATION ACT 1994
NOTICE OF MAKING OF STATUTORY
RULES**

Notice is hereby given under Section 17(2) of the **Subordinate Legislation Act 1994** of the making of the following Statutory Rules:

124. *Statutory Rule:* Subordinate Legislation (Wildlife (Whales) Regulations 1998 - Extension of Operation) Regulations 2008
Authorising Act: Subordinate Legislation Act 1994
Date of making: 22 October 2008
125. *Statutory Rule:* Victorian Plantations Corporation (Register of Plantation Licences) Regulations 2008
Authorising Act: Victorian Plantations Corporation Act 1993
Date of making: 22 October 2008
126. *Statutory Rule:* Building Amendment Regulations 2008
Authorising Act: Building Act 1993
Date of making: 22 October 2008

**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 Information Victoria, 505 Little Collins Street, Melbourne on the date specified:

120. *Statutory Rule:* Children's Services Further Amendment Regulations 2008
Authorising Act: Children's Services Act 1996
Date first obtainable: 21 October 2008
Code B
121. *Statutory Rule:* Environment Protection (Residential Noise) Regulations 2008
Authorising Act: Environment Protection Act 1970
Date first obtainable: 21 October 2008
Code B
122. *Statutory Rule:* Planning and Environment (Fees) Amendment Regulations 2008
Authorising Act: Planning and Environment Act 1987
Date first obtainable: 21 October 2008
Code B
123. *Statutory Rule:* Transport (Conduct and Infringements) Amendment Regulations 2008
Authorising Act: Transport Act 1983
Date first obtainable: 21 October 2008
Code A

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