



# Victoria Government Gazette

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## Road Management Act 2004

### VARIATION OF SECTION 110 THRESHOLD AMOUNT FOR 2009–10

I, Tim Pallas, Minister for Roads and Ports and Minister administering the **Road Management Act 2004**, publish this notice in accordance with section 111(5) of that Act.

#### Background

Section 110 of the **Road Management Act 2004** ('the Act') provides that a road authority is not liable for property damages (as defined in that section) where the value of the damage is equal to or less than the 'threshold amount'. It further provides that the amount which may be recovered against a road authority in a claim for property damages which exceeds the threshold amount is to be reduced by the threshold amount.

'Threshold amount' is defined by section 110(1) as the amount of \$1,000 as varied under section 111. Section 111(1) of the Act provides a formula for the variation of the original \$1,000 threshold amount in respect of the 2005–06 financial year and each subsequent financial year:

$$A \times \frac{B}{C}$$

where –

'A' is the amount referred to in section 110.

'B' is the all groups consumer price index for Melbourne as at 15 June in the preceding financial year last published by the Australian Statistician in respect of the December quarter of that financial year.

'C' is the all groups consumer price index for Melbourne as at 15 June in the year preceding the preceding financial year published by the Australian Statistician in respect of the December quarter preceding that 15 June.

#### Calculation of varied threshold amount for 2009–10

For the purposes of the calculation of the threshold amount in respect of the 2009–10 financial year, the values of A, B and C are as follows:

A = \$1,120 being the amount referred to in section 110 as varied under section 111 – see definition of 'threshold amount' in section 110(1) and the notice specifying the threshold amount in respect of the 2008–09 financial year published in the Victoria Government Gazette S180 of 30 June 2008, pp 1–2;

B = 163.5 being the all groups consumer price index for Melbourne as at 15 June 2009 last published by the Australian Statistician in respect of the December quarter of the 2008–09 financial year;

C = 158.5 being the all groups consumer price index for Melbourne as at 15 June 2008 published by the Australian Statistician in respect of the December quarter of the 2007–08 financial year.

The calculation of the threshold amount in respect of the 2009–10 financial year is therefore as follows:

$$\$1,120 \times \frac{163.5}{158.5} = \$1,155.33$$

This figure is rounded up to \$1,160 in accordance with section 111(2)(b) of the Act.

**SPECIAL**

**Specification of varied threshold amount for 2009-2010**

In accordance with section 111(5) of the **Road Management Act 2004**, I specify \$1,160 to be the threshold amount for the purposes of section 110 (as varied in accordance with section 111) of that Act, in respect of the financial year beginning on 1 July 2009.

Dated 17 June 2009

TIM PALLAS  
Minister for Roads and Ports

Note: The threshold amount specified in this notice applies to property damages claims (as defined in section 110) which arise out of incidents that occur during the 2009–10 financial year. Claims which arise out of incidents in earlier years are subject to the threshold amount which applied in that year.

The following table sets out, for reference purposes, threshold amounts in respect of claims arising during financial years since 1 July 2004.

<b>Year in which claim arose</b>	<b>Threshold amount</b>	<b>Reference</b>
2004–2005	\$1,000	RMA, s. 110
2005–2006	\$1,020	Government Gazette G26, 30 June 2005, pp 1415–16
2006–2007	\$1,050	Government Gazette G26, 29 June 2006, pp 1346–47
2007–2008	\$1,080	Government Gazette S139, 28 June 2007, pp 1–2
2008–2009	\$1,120	Government Gazette S180, 30 June 2008, pp 1–2
2009–2010	\$1,160	See notice above

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