



Victoria Government Gazette

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No. G 36 Thursday 9 September 2010

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GENERAL

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As from 9 September 2010

The last Special Gazette was No. 367 dated 8 September 2010.

The last Periodical Gazette was No. 1 dated 9 June 2010.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
 - or contact our office on 8523 4601 between 8.30 am and 5.30 pm Monday to Friday
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Copies of recent Special Gazettes can now be viewed at the following display cabinet:

- 1 Treasury Place, Melbourne (behind the Old Treasury Building)
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VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

Our contact details are as follows:

Victoria Government Gazette Office
Level 5, 460 Bourke Street
Melbourne, Victoria 3000

PO Box 1957
Melbourne, Victoria 3001

DX 106 Melbourne

Telephone: (03) 8523 4601
Fax: (03) 9600 0478
Mobile (after hours): 0419 327 321

Email: gazette@bluestargroup.com.au
Website: www.gazette.vic.gov.au

JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that Alexander Frederick Toose retired from the partnership trading as 'A. M. D. & L. Toose' at Smeaton, Victoria 3364 on 30 June 2010, but that David Alexander Toose, Margaret Isabel Toose and Laraine Anne Toose will continue in partnership.

DISSOLUTION OF PARTNERSHIP

The partnership between Paul Clark, Garry Miller and Darren Smith, trading as Teampix Sportraits, Registered Business Number B2070018P, has been terminated effective 20 August 2010.

VERNA MARJORIE RUSSELL, late of 64 Ballantyne Street, Thornbury, in the State of Victoria, retiree – self-funded, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 March 2010, are required by the executors, John Bernard Brock and Jeffrey Michael Brock, care of Arthur J. Dines & Co., solicitors, 2A Highlands Road, Thomastown, in the said State, to send particulars to them by 10 November 2010, after which date the executors may convey or distribute the assets, having regards only to claims to which they have notice.

Dated 2 September 2010

ARTHUR J. DINES & CO., solicitors,
2A Highlands Road, Thomastown 3074.

CHRISTINA STANOGLIAS, late of Green Gables Hostel, 15 Coulstock Street, Epping, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 31 December 2009, are required by the executrix, Mary Christie, care of Arthur J. Dines & Co., solicitors, 2A Highlands Road, Thomastown, in the said State, to send particulars to her by 10 November 2010, after which date the executrix may convey or distribute the assets, having regards only to claims to which she has notice.

Dated 2 September 2010

ARTHUR J. DINES & CO., solicitors,
2A Highlands Road, Thomastown 3074.

DIANA THERESA OPAT, late of 4 Moorakynne Avenue, Malvern, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 23 January 2010, are required to send particulars of their claims to the executors, Andrea Louise Zilberman, Victoria Jane Davis, Stephen Samuel Opat and David Jonathan Opat, care of the undermentioned solicitors, within two calendar months from the date of publication hereof, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

BEST HOOPER, solicitors,
563 Little Lonsdale Street, Melbourne 3000.

Re: CAROLYN JOY LEASE, late of 36A Bowman Street, Aspendale, Victoria, home duties, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of the deceased, who died on 4 December 2009, are required by the trustee, Kenneth Andrew Ryan, to send particulars of their claims to the trustee, care of the undermentioned legal practitioners, by 10 November 2010, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

BRENDAN HOLLAND & MICHAEL CAHIR,
legal practitioners,
130 Balcombe Road, Mentone 3194.

Re: CRAWFORD WILLIAM JOHN McGREGOR, late of Cumberland Manor, corner Wiltshire and Cumberland Streets, North Sunshine, Victoria, retired machinist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 April 2010, are required by the trustee, Leslie George Mather, 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: Estate of AUDREY McLEAN COOK.

Creditors, next-of-kin or others having claims in respect of the estate of AUDREY McLEAN COOK, late of Jacaranda Lodge, Monash Avenue, Nyah West, in the State of Victoria, nurse/probationary officer, deceased, who died on 3 July 2010, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 1 December 2010, 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.

GEOFFREY FRANCIS DAWSON, late of 2 James Parade, Malvern East, Victoria, solicitor, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 June 2010, are required by the deceased's personal representatives, Peter Geoffrey Dawson and Anne Kathleen Iris Dawson, care of their solicitors at the address below, to send particulars to them by 12 November 2010, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

NORMA MAE ROWE, late of 9 Banksia Place, Rosebud, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 July 2010, are required by the trustees, care of Harris & Chambers Lawyers of 4/250 Charman Road, Cheltenham 3192, to send particulars to them by 10 November 2010, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

HARRIS & CHAMBERS LAWYERS,
4/250 Charman Road, Cheltenham 3192.

Re: JOHN SALTER, late of Unit 7, 6 Edgar Street, Glen Iris, Victoria, physiotherapist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 May 2010, are required by the executors, Rachel Eve Power and William John Salter, both care of James Higgins & Co., 443 Little Collins Street, Melbourne, to send particulars of their claims to the executors, care of the undermentioned solicitors, by 8 November 2010, after which date the executors will convey or distribute the assets, having regard only to the claims of which the executors then have notice.

JAMES HIGGINS & CO., solicitors,
443 Little Collins Street, Melbourne 3000.

SIDNEY EDWIN COOTE, late of 23–25 Anderson Road, Sunbury, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 February 2010, are required by the trustees and executors of the Will of the said deceased, Peter Geoffrey Coote and Maureen Patricia Wiltshire, to send their particulars of such claims to them, care of the undermentioned solicitors, by 1 December 2010, after which date the trustees and executors may convey or distribute the assets, having regard only to the claims of which they have notice.

JAMES KELLEHER, legal practitioner,
75 Main Street, Romsey, Victoria 3434.

JOAN VERONICA O'SHANNESSY, late of Montclair Hostel, 18 Monclair Avenue, Brighton, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 May 2010, are required by the executor, Kerryn Joy Oliver, to send particulars to her, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

LYTTLETONS, solicitors,
53 Marcus Road, Dingley 3172.

Re: BRIAN FRANCIS O'SHEA, late of 43 Bayview Crescent, Hoppers Crossing, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 January 2010, are required by the trustee, Equity Trustees of Level 2, 575 Bourke Street, Melbourne, Victoria, to send particulars

to the trustee by 8 November 2010, 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: LESLIE NORMAN O'DONNELL, late of 4/1 Winbourne Road, Mount Waverley, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 April 2010, are required by the trustee, Donald John Findlay, care of 315 Ferntree Gully Road, Mount Waverley, Victoria, plumber, nephew, to send particulars to the trustee by 10 November 2010, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MASON SIER TURNBULL, lawyers,
315 Ferntree Gully Road, Mount Waverley 3149.

Re: LEBBY MARGARET CATHIE, late of Karana Community Nursing Home, 55 Walpole Street, Kew, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 March 2010, are required by the executors, Daniel Leslie Minogue and Joanne Maree Hazeldene, both of 431 Riversdale Road, Hawthorn East, Victoria, solicitors, to send particulars to them, care of the undersigned, by 9 November 2010, after which date they may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Re: DARREN GLENN O'BRIEN, late of 10 Potomac Close, Werribee, Victoria, forklift driver, deceased, intestate.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 November 2008, are required by Lorraine Margaret Chisholm, the trustee of the estate of the deceased, to send particulars of

their claims to her, care of the undermentioned lawyers, by 8 November 2010, by which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: EMILIE AGNES MURRAY, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 April 2010, are required by Peter Gerard Murray and Elizabeth Agnes Watson, the executors of the estate of the said deceased, to send particulars of such claims to them, care of the undermentioned solicitors, within 70 days after publication of this advertisement, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

SEPTIMUS JONES & LEE, solicitors,
Level 5/99 William Street, Melbourne 3000.

Re: GERALD MARSHALL ASBELL, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of GERALD MARSHALL ASBELL, deceased, intestate, late of Port Phillip Altona Retirement Living, 51 Stewart Avenue, Altona, gentleman, who died on 30 September 2009, are requested to send particulars of their claims to the administrators, Mark Gerald Asbell and David Alan Asbell, care of the undersigned solicitors, by 15 November 2010, after which date they will convey or distribute the assets, having regard only to the claims of which they then have notice.

SLATER & GORDON, solicitors,
100 Paisley Street, Footscray 3011.

Re: Estate of MARGARET ELIZABETH OLOFSSON, late of 5-28 Main Road, Paynesville, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 22 March 2010, are required by the executor, Anita Maddocks, to send particulars to her, care of the undermentioned solicitors, by 10 November 2010, after which date the executor

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

WARREN, GRAHAM & MURPHY, solicitors,
119 Main Street, Bairnsdale, Victoria 3875.

Re: JACK ARTHINGTON JOWETT, late of
10 Bayview Road, Brighton East, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 November 2005, are required to send particulars of their claims to National Australia Trustees Limited of Docklands 2506 UB, GPO Box 247, Melbourne, Victoria 3001, by 8 December 2010, after which date the executor may convey or distribute the assets, having regard only to the claims of which they may then have notice.

WILLS & PROBATE VICTORIA, lawyers,
Level 3, 20–22 McKillop Street,
Melbourne 3000.

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

On Wednesday 13 October 2010 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Zoi Papadopoulos of Flat 2, 67–69 Moonya Road, Carnegie, joint proprietor with Panagiota Papadopoulos, of an estate in fee simple in the land described on Certificate of Title Volume 09266 Folio 436, upon which is erected a dwelling known as Flat 2, 67–69 Moonya Road, Carnegie.

Registered Mortgage No. W804002W, and Owners Corporation Plan No. RP011841 affect the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque.

Note: Must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW100031266

PENNI GREENHALGH
Sheriff's Office
Phone (03) 9947 1537

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

On Wednesday 13 October 2010 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Clifford Frank Faithful of 8 Alkira Close, South Clayton, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 08520 Folio 940, upon which is erected a residential dwelling known as 336 National Park Road, Loch Sport.

The property can be located by travelling to the township of Sale then travel in a southerly direction on Princes Highway towards Bond Street. At the roundabout, take the 2nd exit onto South Gippsland Highway 6.2 kms and turn left at Longford Loch Sport Road for approximately 50.8 kms. Continue onto Government Road, turn right at Warren Street then take the 1st left onto Sanctuary Road. Take the 2nd right onto Second Street and then turn the 1st left onto Reeves Street. Continue onto National Park Road, 336 National Park Road, Loch Sport is situated on the right hand side.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque.

Note: Must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW100027266

PENNI GREENHALGH
Sheriff's Office
Phone (03) 9947 1537

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

On Wednesday 13 October 2010 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Janine McMaster of Unit 3, 2–4 Brooklyn Road, Melton South, as shown on Certificate of Title as Janine Robyn McMaster, sole proprietor of an estate in fee simple in 19 of a total of 20 equal undivided

shares registered as tenants in common with sole proprietor Samantha Judith McMaster as to 1 of 20 equal undivided shares and being the land described on Certificate of Title Volume 08742 Folio 356, upon which is erected a dwelling known as 16 Oneills Road, Melton.

Registered Mortgage No. AE114543T affects the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque.

Note: Must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW100000566

PENNI GREENHALGH
Sheriff's Office
Phone (03) 9947 1537

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

To the Highest Bidder at Best Price Offered

On Wednesday 13 October 2010 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Saso Risteovski of 7 Lionheart Court, Epping, sole proprietor of an estate in fee simple in 1 of a total of 4 equal undivided shares registered as Tenants in Common with sole proprietor Andre Risteovski as to 3 of a total of 4 equal undivided shares and being the land described on Certificate of Title Volume 9916 Folio 549, upon which is erected a residence known as 7 Lionheart Court, Epping.

Registered Mortgage No. V767626V, Mortgage as to part No. AG987536A, Caveat No. AG888357C and Caveat No. AH066197Y affect the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque.

Note: Must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

CW090097964

K. GRIFFIN
Sheriff's Office
Phone (03) 9947 1539

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

On Wednesday 13 October 2010 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Linda Horsburgh of 21 Brimbrim Crescent, Mornington, as shown on Certificate of Title as Lynda Joy Horsburgh, joint proprietor with Bruce Robert Horsburgh, of an estate in fee simple in the land described on Certificate of Title Volume 10780 Folio 700, upon which is erected a dwelling known as 21 Brimbrim Crescent, Mornington.

Registered Mortgage No. AD727317T, Caveat No. AF713152L, Caveat No. AF733224Y, Covenant No. PS517893Y and Covenant No. AC726850N affect the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque.

Note: Must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW090094242

K. GRIFFIN
Sheriff's Office
Phone (03) 9947 1539

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

On Wednesday 13 October 2010 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of John Adicho of 166 Jukes Road, Fawkner, sole proprietor of an estate in fee simple in the land described in the following properties:–

Firstly: Certificate of Title Volume 10314 Folio 436, upon which is erected a dwelling known as 32 Almands Avenue, Roxburgh Park.

Registered Mortgage No. AC304250T, Caveat No. AB869265J and Agreement Section 173 **Planning and Environment Act 1987** No. U538291W affect the said estate and interest.

Secondly: Certificate of Title Volume 10729 Folio 262, which is vacant land known as 13 Ballarat Court, Craigieburn.

Registered Mortgage No. AC304245L, Caveat No. AE217141R and Covenant No. AC150140F affect the said estate and interest.

Thirdly: Certificate of Title Volume 09482 Folio 149, which is vacant land known as 142 Kitchener Street, Broadmeadows.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque.

Note: Must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

CW090082242

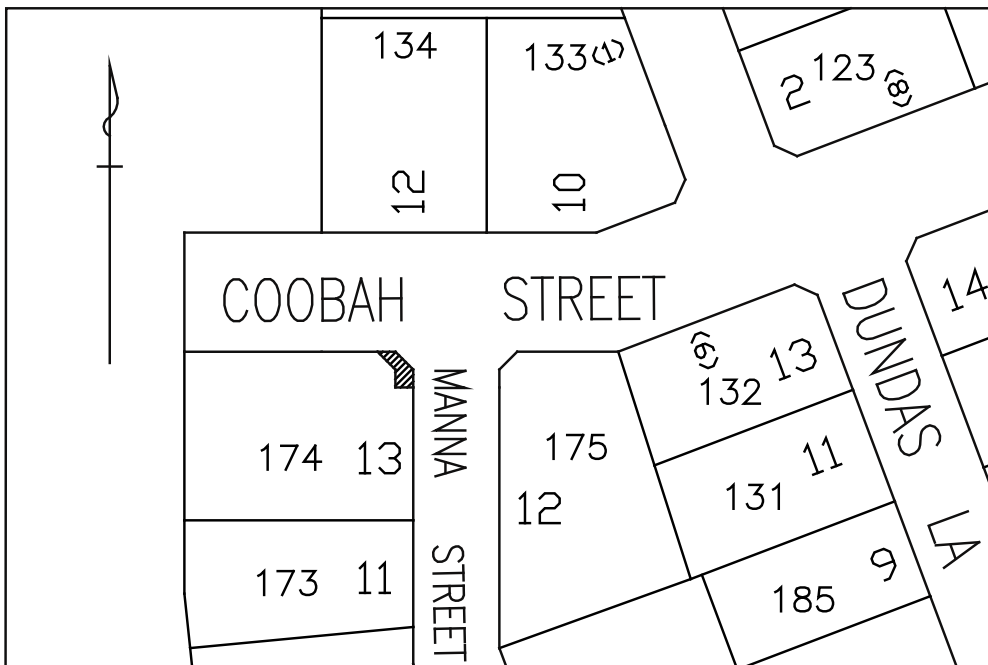
K. GRIFFIN
Sheriff's Office
Phone (03) 9947 1539

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**



Road Discontinuance

Under section 206 and schedule 10 clause 3 of the **Local Government Act 1989**, Swan Hill Rural City Council, at its ordinary meeting held 17 August 2010, formed the opinion that the road shown 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 to the abutting owner subject to any right, power or interests held by Telstra and Lower Murray Water in the roads in connection with any sewers, drains, pipes, wires or cables under the control of these authorities in or near the roads.



Plan Scale in Metres

It should be noted that the prohibition does not apply to individual trading premises, licensed premises, premises operating pursuant to a current Footpath Trading Permit issued by Council, subject to any additional licensing requirements or any other license granted by Licensing Victoria, but does extend to all other public places within the above areas as indicated by signs.

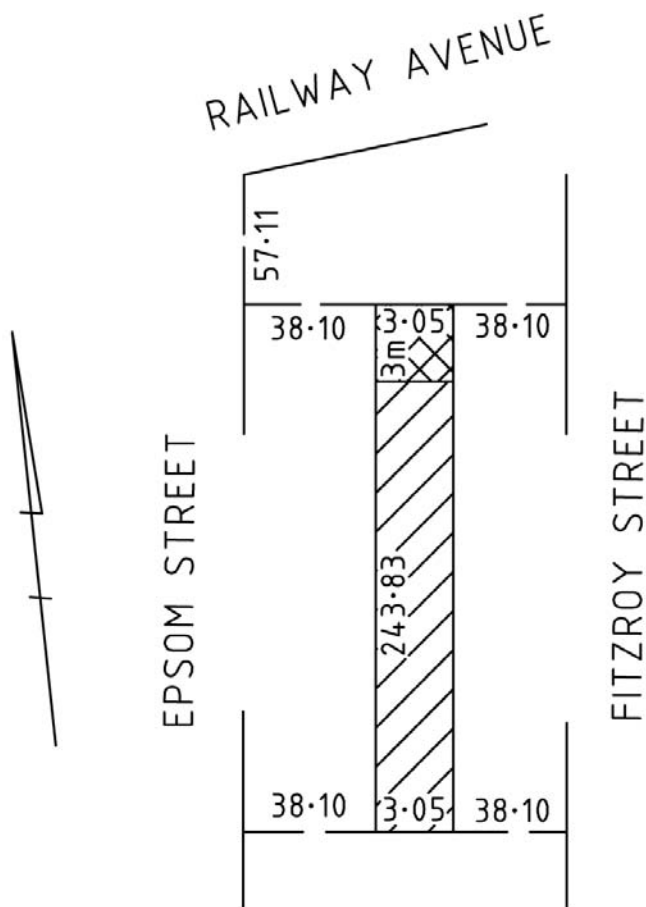
SIMON McMILLAN
Chief Executive Officer

HOBSONS BAY CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Hobsons Bay City Council has formed the opinion that the road within the former Laverton Primary School site in Epsom Street, Laverton, 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 abutting property owner, the Minister for Education.

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



BILL JABOOR
Chief Executive Officer





HUME CITY COUNCIL

Section 26 **Domestic Animal Act 1994**


Hume City Council resolved, at its meeting on 11 August 2008, to add to its existing list of Off Lead areas, situated throughout the City of Hume, part of the reserve known as Mt Ridley Hilltop Reserve (Melways map 387A1).

Accordingly, the following are areas deemed to be Off Lead and No Dog areas in accordance with a resolution of the Hume City Council on 9 August 1999 and 11 August 2008:

OFF LEAD AREAS

RESERVE	MELWAYS REF
Anderson Reserve – Broadmeadows	6 H11
Broadmeadows Valley Park – Barry Road Reserve – Meadow Heights	6 G3
Broadmeadows Valley Park – between Johnstone Street and Dimboola Road	6 E7
 Gibb Reserve – Dallas	7 A4
Jacana Valley – Jacana	6 E9
Jacana Reserve – Jacana	6 D8
Laura Douglas Reserve – Dallas	7 B4
 Progress Reserve – Coolaroo	7 A2
Seabrook Reserve – Broadmeadows	7 A8
Seth Raistrick Reserve – Campbellfield	7 F6
Will Will Rook – Broadmeadows	7 B9
Aitken Creek between Hothlyn Drive and railway line – Craigieburn	387 B11
D. S. Aitken Reserve – Craigieburn	387 A9
 Hothlyn Drive Reserve – Craigieburn	387 A7
Mt Ridley Hilltop Reserve	387 A1
Lakeside Drive Oval – Roxburgh Park	180 A6
Vic Foster Reserve – Craigieburn	387 A7
Carrick Drive – Gladstone Park	6 B8
John Coutts Reserve – Gladstone Park	6 C11
Ginifer Reserve – Gladstone Park	6 C10
Trade Park – Tullamarine	5 H12
Tullamarine Reserve – Melrose – Tullamarine	5 H10
Tullamarine Reserve – Spring Street, Tullamarine	15 H2
 Bradford Ave Reserve – Greenvale	179 A8

RESERVE	MELWAYS REF
 Drummond Street Reserve – Greenvale	6 A1
Greenvale Recreation Reserve – Section Road, Greenvale	178 F7
Westmeadows Reserve – Westmeadows	5 K6
Willowbrook Reserve – Westmeadows	5 K6
Broadmeadows Valley Park – Shankland North, Meadow Heights	179 H10
Eric Boardman Reserve – Sunbury	381 G5
Clarke Oval (Sunbury Recreation Reserve) – Sunbury	382 C2
Emu Bottom – Sunbury North	362 F7
Heysen Drive – Sunbury	381 J2
Langama Park – Sunbury	381 K6
The Nook – Sunbury	382 G4
Spavin Drive Dam – Sunbury	362 B11
Stewarts Lane Nature Reserve – between Coates Court and Streeeton Court, Sunbury	361 K12
Sunbury Park – Harker Street, Sunbury	382 E6
Bulla Reserve – Bulla	177 B6

 Time restrictions apply. Dogs must be on leash between 8.00 am and 5.00 pm.

In all other public areas of the Municipality, dogs are required to be on lead and under effective control by means of chain, lead or cord except for the following areas which are deemed No Dog Areas:

NO DOG AREAS

RESERVE	MELWAYS REF
Grey Box Woodland – Geach Street, Upfield	7 E6
Martin Dillon Reserve – Wildwood	384 A12
Konagaderra Bridge Reserve – Konagaderra	Key map 8
Albert Road Nature Reserve – Sunbury	362 C7
Evans Street Grassland – Sunbury	382 D5
Sunbury Cemetery – Sunbury	382 E7

DOMENIC ISOLA
Chief Executive Officer

Planning and Environment Act 1987MOUNT ALEXANDER
PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C44

Authorisation A01740

Mount Alexander Shire Council has prepared Amendment C44 to the Mount Alexander Planning Scheme.

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

The land affected by the Amendment is No. 26 Templeton Street, Castlemaine (more particularly described on Certificate of Title Volume 8454 Folio 059). The rear part of the block is also known as 9 Frederick Street, Castlemaine.

The Amendment proposes to:

- rezone the land from a Public Use Zone, Schedule 1 to a Business 1 Zone;
- delete HO667 from the northern portion of the affected land on Map 23HO; and
- apply an individual Heritage Overlay (HO1005) over the fire station and the reel house on the northern portion of the land (i.e. excluding the dwelling at the rear, which is of no heritage significance).

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, Mount Alexander Shire Council, Castlemaine Town Hall, 25 Lyttleton Street, Castlemaine; Mount Alexander Shire Council, Castlemaine Enterprise Centre, Level 2, 9 Halford Street, Castlemaine; 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 11 October 2010. A submission must be sent to the Mount Alexander Shire Council, PO Box 185, Castlemaine 3450.

Planning and Environment Act 1987

MOYNE PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C42

Authorisation A1473

The Moyne Shire Council has prepared Amendment C42 to the Moyne Planning Scheme.

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

The land affected by the Amendment is all land within the existing Township and Low Density Residential Zones within the township of Mailors Flat.

The Amendment proposes to implement the recommendations and strategic directions of the Strategy and Structure Plan for the Mailors Flat Township (Final Plan – March 2010) (the Strategy and Structure Plan) prepared by smec urban consulting group and adopted by the Moyne Shire Council on 25 August 2009.

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, Moyne Shire Council, Princes Street, Port Fairy; on the Moyne Shire Council website, www.moyne.vic.gov.au/planning; Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection; or the Mailors Flat General Store.

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

The closing date for submissions is the 14 October 2010. Submissions must be sent to Moyne Shire Council, Princes Street, Port Fairy.

BRETT STONESTREET
Chief Executive Officer

Planning and Environment Act 1987

SOUTH GIPPSLAND PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C55

Authorisation A01750

The South Gippsland Shire Council has prepared Amendment C55 to the South Gippsland Planning Scheme.

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

The land affected by the Amendment is public land (Crown Land) and approximately 230 private properties in South Gippsland Shire in the vicinity of the Bass River and its tributaries. The river and its tributaries are bounded by the general area between Nyora (west), Korumburra (east), Poowong (north) and the shire's south-western boundary with Bass Coast Shire.

The Amendment proposes to apply the Land Subject to Inundation Overlay to public and private land within and adjoining the Bass River and its tributaries. See Amendment maps for precise land details.

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, South Gippsland Shire Council, 9 Smith Street, Leongatha and Council's web page, www.southgippsland.vic.gov.au; Loch Post Office, Nyora Post Office and Korumburra Public Library; 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 (South Gippsland Shire Council).

The closing date for submissions is Friday 15 October 2010. A submission must be sent to Ken Griffiths Strategic Planner, South Gippsland Shire Council, Private Bag 4, Leongatha 3953.

PAUL STAMPTON
Manager Planning and Building

Planning and Environment Act 1987

YARRA RANGES PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C97

Authorisation A01629

The Yarra Ranges Council has prepared Amendment C97 to the Yarra Ranges Planning Scheme.

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

The land affected by the Amendment is all land within the Residential 1 Zone and Low Density Residential zones within the Yarra Ranges municipality.

The Amendment proposes to implement the 'Yarra Ranges Housing Strategy' and the 'Shire of Yarra Ranges Neighbourhood Character Study 2002' through the application of the Residential 3 Zone and the application of a series of Design and Development Overlays and Significant Landscape Overlays. The Amendment proposes to translate existing controls found in Clause 53 of the Yarra Ranges Planning Scheme through the use of these overlays.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following Shire of Yarra Ranges Community Link Centres: Lilydale – Anderson Street, Lilydale; Monbulk – 94 Main Street, Monbulk; Healesville – 276 Maroondah Highway, Healesville; Upwey – 40 Main Street, Upwey; Yarra Junction – Warburton Highway/Hoddle Street, Yarra Junction; the Shire of Yarra Ranges website from Thursday 9 September 2010, www.yarraranges.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 31 October 2010. Submissions must be sent to the undersigned, at the Shire of Yarra Ranges, PO Box 105, Lilydale 3140, and must reach the Shire at the above address by Monday 1 November 2010.

DAMIAN CLOSS
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 9 November 2010, 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.

DALTON, James, late of Grey Street Hostel, 99–101 Grey Street, St Kilda, Victoria 3182, pensioner, deceased, who died on 7 April 2010.

DAY, Marjorie, late of Regis Grange Rosebud, 1 Wyuna Street, Rosebud West, Victoria 3940, deceased, who died on 15 June 2010.

GULDON, Helena, also known as Helen Guldon, late of 14 Lachlan Road, Sunshine West, Victoria 3020, pensioner, deceased, who died on 8 May 2010.

MURPHY, Lorna May, late of Regis Sherwood Park, 18–20 Sherwood Road, Cranbourne, Victoria 3977, pensioner, deceased, who died on 24 June 2010.

ROGER, Keith James, late of 76 Epsom Road, Ascot Vale, Victoria 3032, deceased, who died on 25 May 2010.

ROTTURA, Dionisio, also known as Dennis Rottura, late of Sherbrook Nursing Home, 18 Tarana Avenue, Upper Ferntree Gully, Victoria 3156, pensioner, deceased, who died on 11 April 2010.

SCOTT, Malcolm John, also known as John Scott, late of 7 Fulton Retreat, Sunshine North, Victoria 3020, deceased, who died on 5 May 2010.

SEBALD, David, late of 3 Keppels Court, Marysville, Victoria 3779, real estate agent, deceased, who died on 7 February 2009.

SEBALD, Marlene Frances, late of 3 Keppels Court, Marysville, Victoria 3779, business proprietor, deceased, who died on 7 February 2009.

SPENCER, Thomas Henry Richard, late of Villa Maria Aged Care, 89–93 Avebury Drive, Berwick, Victoria 3806, deceased, who died on 25 December 2009.

TABAKO, Katerina, also known as Katarina Tabako, late of 9 James Street, Surrey Hills, Victoria 3127, deceased, who died on 1 May 2010.

Dated 31 August 2010

ROD SKILBECK
Manager
Client 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 9 November 2010, 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.

ABRAHAMS, Francis Samuel, late of Montgomery Nursing Home, 260–294 Kooyong Road, Caulfield, Victoria 3162, retired, deceased, who died on 10 May 2010.

ANDERSON, Alice Violet Louise, late of Andrew Kerr Aged Care Complex, 67–69 Tanti Avenue, Mornington, Victoria 3931, pensioner, deceased, who died on 11 July 2010.

ANDERSON, Norman Desmond, late of 61 Mortimer Street, Heidelberg, Victoria 3084, retired, deceased, who died on 26 July 2010.

BARRETT, Carl John, late of Condare Court Aged Care Community, 8 Joffre Street, Camberwell, Victoria 3124, pensioner, deceased, who died on 13 August 2010.

BRADY, Kathleen Mary, also known as Kay Brady, late of Unit 12/1 Ellesmere Road, Prahran, Victoria 3181, deceased, who died on 6 May 2010.

GADD, Elizabeth Irvine, late of Kew Gardens Aged Care, 22–24 Gellibrand Street, Kew, Victoria 3101, pensioner, deceased, who died on 18 May 2010.

JONES, Lenard Maxwell, also known as Maxwell Leonard Jones, late of Milpara Lodge, 220 Middleborough Road, Blackburn, Victoria 3130, pensioner, deceased, who died on 17 April 2010.

KENNEDY, James Leonard, late of 10 Goodwin Street, Blackburn, Victoria 3130, deceased, who died on 27 May 2010.

MAHER, William Michael, late of St Vincent De Paul Nursing Home, Albion Street, Box Hill, Victoria 3128, retired, deceased, who died on 25 June 2010.

McCUMBER, Debbie Jean, late of 124 Bright Street, Eaglehawk, Victoria 3556, deceased, who died on 29 March 2010.

REWSKY, Maria, late of Andrina Nursing Home, 360 New Street, Brighton, Victoria 3186, home duties, deceased, who died on 8 March 2010.

SLOAN, Audrey June, also known as June Sloan, formerly of Unit 8, 20–22 Florence Street, Mentone 3194, but late of Bonbeach Residential Aged Care, 440 Station Street, Carrum, Victoria 3197, pensioner, deceased, who died on 28 June 2010.

Dated 31 August 2010

ROD SKILBECK
Manager
Client Services

EXEMPTION

Application No. A168/2010

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** by Middle Park Bowling Club Inc. and Bowls Victoria Inc. (the applicants). The application for exemption is to enable the applicants and the member clubs of the second applicant to conduct single gender championships at club level (both for singles and pairs) and to advertise these events (the exempt conduct).

Upon reading the material submitted in support of the application and hearing submissions from Ms Berry, solicitor, and from Mr Hanlon, CEO Bowls Victoria, and Mr South of Middle Park Bowling Club, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 65, 100 and 195 of the Act to enable the applicants to engage in the exempt conduct.

The Tribunal hereby grants an exemption to the applicants from the operation of sections 65, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicants to engage in the exempt conduct.

This exemption is subject to the condition that, if either of the applicants become aware that, at a national or state level, Champion of Champions competitions open to both men and women are to be conducted, it must advise this to the Tribunal in writing as soon as possible.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 8 September 2013.

Dated 7 September 2010

C. McKENZIE
Senior Member

EXEMPTION

Application No. A181/2010

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** by Victorian YMCA Community Pty Ltd on its own behalf and on behalf of the City of Greater Dandenong. The application for exemption is to enable the applicant to provide at the Dandenong Oasis an opportunity for families to use the facilities at the Centre and to socialise, in recognition of the occurrence and importance of the holy month of Ramadan. That opportunity is to be provided out of the Centre's normal operating hours, from 6.15 pm to 8.15 pm on Sunday 21 August 2011. The applicant seeks to be able to permit entry to this event subject to the following minimum dress requirements –

- (a) Participants aged 10 and over must ensure that their bodies are covered from waist to knee and the entire torso extending to the upper arms (an example of such a covering would be a T-shirt, but not a singlet);
- (b) Participants must not wear transparent clothing.

The applicant seeks to be able to advertise the event (the exempt conduct).

Upon reading the material submitted in support of the application and hearing submissions from the applicant's community liaison officer and aquatics coordinator, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 42, 65, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- The applicant intends this to be an event where people of all races and religions and ages may attend, use the Centre's facilities and socialise together. The holy month of Ramadan has a particular focus on families and the applicant wishes to encourage families to attend and socialise together with others.
- Dandenong is a multicultural community and the applicant wishes to give those from diverse backgrounds an opportunity to learn about and understand each other and so to foster tolerance in the community.
- The minimum dress requirements are set having regard to the sensitivities of Muslims who wish to participate in the event.
- VCAT has granted an exemption to the applicant to operate the Centre for women only on Sunday evenings from 6.15 to 8.15 pm. For the event to which this exemption relates, the applicant does not intend to rely on the women-only exemption, but intends that all may participate irrespective of gender. The Tribunal notes that the applicant has discussed its proposal with participants in the women-only program and that no opposition to the event has been communicated to it.
- The use of the swimming and other exercise facilities that the Centre provides will help to promote health.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 42, 65, 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 and including 21 August 2011.

Dated 3 September 2010

C. McKENZIE
Senior Member

EXEMPTION

Application No. A227 of 2010

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** (the Act) by Kaellorien Management Pty Ltd (the applicant). The application for exemption is to enable the applicant to employ males only

and to provide and operate all male venues at Club80 in Peel Street, Collingwood and to advertise in connection with those purposes (the exempt conduct).

Upon reading the material filed in support of this application, including the affidavit of Leonard Lo, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 42, 49, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption the Tribunal noted:

- The venue provides for the male homosexual patrons a safe environment where male sexual health issues are emphasised and where patrons can relax, socialise and pursue relationships without inhibition or fear of violence or discrimination.
- The Tribunal previously granted exemptions in 1998, 2001 and 2004 to the previous owner of this venue and an exemption to the applicant in 2007. The circumstances relevant then remain relevant to the exemption currently sought.

The Tribunal hereby grants an exemption from the operation of sections 13, 42, 49, 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 September 2013.

Dated 30 August 2010

A. DEA
Member

EXEMPTION

Application No. A244/2010

The Victorian Civil and Administrative Tribunal (the Tribunal) has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995** (the Act), by Gippsland Women's Health Service Inc. (the applicant). The application for exemption is to enable the applicant to:

- (a) Advertise for and employ female only employees; and

(b) Maintain female only membership of the Association

(together 'the exempt conduct').

Upon reading the material submitted in support of the application, including the affidavit of Diane Wilkinson, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 42, 59, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption the Tribunal noted:

- The applicant is an independent service that provides health promotion programs, community and professional education, research and health information services to women of all ages across Gippsland. The applicant works in partnership with a range of organisations across the region and throughout Victoria to improve the health and wellbeing of women, particularly in regard to sexual and reproductive health, mental wellbeing and prevention of violence against women.
- By employing women only the applicant has the capacity to develop gender sensitive services and programs that meet the needs of women and can provide a safe and accessible and non-threatening environment for women to obtain relevant information.
- Through a female only membership the applicant can ensure that the needs of women are identified and paramount in the development of strategic directions and program delivery service.
- The applicant was granted an exemption in relation to advertising and employing female only employees in 2007 (A261/2007).

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 42, 59, 100 and 195 of the Act 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 8 September 2013.

Dated 1 September 2010

A. DEA
Member

EXEMPTION

Application No. A245/2010

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by Bogong Outdoor Education Centre – 15 Mile Creek Campus (the applicant). The application for exemption is to enable the applicant to employ female outdoor education teachers in a residential Victorian Government school (the exempt conduct).

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

In granting this exemption the Tribunal noted:

- The applicant conducts over 30 overnight bushwalk programs. Of those programs, 15 require a female staff member from the applicant school.
- The requirement for a female staff member arises from Department of Education and Early Childhood Development guidelines which say that at least one staff member of each sex must be present on excursions which involve overnight stays for mixed groups. At present, the applicant has insufficient female staff employed to meet with this requirement.
- Female teachers are needed as role models and to promote opportunities in the field of outdoor education.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 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 8 September 2013.

Dated 1 September 2010

A. DEA
Member

EXEMPTION

Application No. A246/2010

The Victorian Civil and Administrative Tribunal (the Tribunal) has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995** (the Act), by St Vincent's Hospital (the applicant). The application for exemption is to enable the applicant to advertise for and employ an Aboriginal or Torres Strait Islander person in the role of Aboriginal Mental Health Liaison Officer within its Mental Health Impairment Unit (the exempt conduct).

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

In granting this exemption the Tribunal noted:

- The role of Aboriginal Mental Health Liaison Officer has been created to provide support to Aboriginal patients dealing with mental health related issues primarily in the acute inpatient setting in the applicant's Mental Health Impairment Unit.
- The applicant currently has five state wide inpatient beds specifically for Aboriginal patients and this role will assist the applicant's staff to provide culturally safe and respectful care to Aboriginal patients and their families.
- The Aboriginal Mental Health Liaison Officer will have responsibility for effective liaison and linkage with key Aboriginal Community Controlled Organisations in line with the Department of Health's Improving Care for Aboriginal Patients strategy.
- The Aboriginal Mental Health Liaison Officer will have specific skills and knowledge of the Aboriginal community to enable a more effective development of policy or delivery of services to Aboriginal people. A non Aboriginal or Torres Strait Islander person will not have the level of knowledge or understanding that an Aboriginal and Torres Strait Islander person has. Aboriginal patients and their families will be more trusting of an Aboriginal or Torres Strait Islander person in the position.

- This role has been specifically designed for the special needs of the Aboriginal people. An Aboriginal or Torres Strait Islander person will understand these and would be more effective in dealing with the needs in a culturally appropriate way.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 100 and 195 of the Act 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 September 2013.

Dated 30 August 2010

A. DEA
Member

Department of Treasury and Finance
SALE OF CROWN LAND
BY PUBLIC AUCTION

On 2 October 2010 at 11.00 am on site

Reference: 08/505.**Address of Property:** 661 Donnybrook Road, Kalkallo.**Crown Description:** Crown Allotment 2033, Township of Kalkallo, Parish of Kalkallo.**Terms of Sale:** Deposit 10%, Balance 60 days.**Area:** 1.564 ha.**Officer Co-ordinating Sale:** Brian Dee, Senior Project Manager, Land and Property Group, Department of Treasury and Finance, Level 5, 1 Treasury Place, Melbourne, Victoria 3002.**Selling Agent:** Ray White Real Estate, Shop 5, Craigieburn Shopping Centre, Craigieburn, Victoria 3064.TIM HOLDING MP
Minister for Finance, WorkCover and the
Transport Accident Commission

Department of Treasury and Finance
SALE OF CROWN LAND
BY PUBLIC AUCTION

On 1 October 2010 at 12.00 pm on site

Reference: 06/417.**Address of Property:** 68 Blake Street, Nathalia.**Crown Description:** Crown Allotment 2023, Parish of Barwo.**Terms of Sale:** Deposit 10%, Balance 90 days.**Area:** 994 m2.

Officer Co-ordinating Sale: Brian Dee, Senior Project Manager, Land and Property Group, Department of Treasury and Finance, Level 5, 1 Treasury Place, Melbourne, Victoria 3002.

Selling Agent: Maurice McNamara & Co. Pty Ltd, First National Real Estate, 56 Melville Street, Numurkah, Victoria 3636.

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

The Australian Shar-Pei Society Inc.
Water Ski Racing Victoria Inc.
Dated 9 September 2010

DAVID BETTS
Deputy Registrar of
Incorporated Associations
PO Box 4567
Melbourne, Victoria 3001

Adoption Act 1984

Under the functions and powers assigned to me by the Secretary to the Department of Human Services under section 8A(1) of the **Health Act 1958** in relation to section 5(2) of the **Adoption Act 1984**, I, Kelly Stanton, give approval to the following person under section 5(1) and section 5(2) of the **Adoption Act 1984** as an approved counsellor for the purposes of section 35 and section 87 of the **Adoption Act 1984**.

Name: Ms Kathryn McLeod

KELLY STANTON
Acting Manager Community Care
Southern Metropolitan Region

Co-operatives Act 1996 BRAUER COLLEGE CO-OPERATIVE LIMITED

On application under section 601AA(2) of the **Corporations Act 2001** (the Act) by the co-operative named above, notice is hereby given under section 601AA(4) of the Act, as applied by section 316 of the **Co-operatives Act 1996**, that, at the expiration of two months from the date of this notice, the name of the co-operative listed above will, unless cause is shown to the contrary, be removed from the register of co-operatives and the registration will be dissolved.

Dated at Melbourne this 9 September 2010

DAVID BETTS
Deputy Registrar of Co-operatives
Consumer Affairs Victoria

Associations Incorporation Act 1981 SUB-SECTION 36E(5)

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

South East Victorian Paint Horse Club Inc.

Dated this day 9 September 2010

DAVID BETTS
Deputy Registrar of
Incorporated Associations
PO Box 4567
Melbourne, Victoria 3001



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 by including the Heritage Register Number 2252 in the category described as Heritage Place.

Ballarat Botanical Gardens
Gillies Street and Wendouree Parade
Lake Wendouree
Ballarat City

EXTENT

- All the buildings and structures marked as follows on Diagram 2252A held by the Executive Director.
 - B1 Fernery
 - B2 Statuary Pavilion
 - B3 Robert Clark Conservatory
 - B4 Robert Clark Horticultural Centre
 - B5 Adam Lindsay Gordon Craft Cottage

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**.

Beechworth Tourism Railway Inc.

Shar Pei Club of Victoria Inc.

- B6 Ballarat Fish Acclimatisation Hatcheries
 B7 Vintage Tramway Museum
 B8 Lake House Pavilion
 B9 McDonald Bandstand
 B10 Almeida Pavilion
 B11 Display Glass House
 B12 Northern Picnic Pavilion
 B13 Sound Shell.
2. All of the features marked as follows on Diagram 2252A held by the Executive Director.
- F1 Prime Ministers' Avenue including southern Chestnut Avenue
 F2 Sequoiadendron Avenue including the southern pergola
 F3 Morey Gates and pergola
 F4 Two marble lions
 F5 Sir William Wallace statue
 F6 McDonald Gates and South Pergola
 F7 Water Lily pond
 F8 Sundial
 F9 Claxton Memorial fountain
 F10 Four Cannons
 F11 Two Cannons
 F12 Tram tracks
 F13 Community Playground
 F14 Australian Ex-Prisoner of War Memorial
 F15 Northern Gate posts
 F16 Southern Gate posts
 F17 Wetlands
 F18 Former Zoological Gardens remnants.
3. S1–S12 Twelve Stoddart Statues as marked on Diagram 2252B held by the Executive Director.
4. All of the paths and roadways marked P1 on Diagram 2252 held by the Executive Director.
5. All the land marked L1 on Diagram 2252A and B held by the Executive Director, being all of the land in Crown Allotment 2023 and part of the land in Crown Allotments 2 and 2018, Township of Ballarat, and parts of the road reserve for The Boulevard and Wendouree Parade, Lake Wendouree.

Dated 9 September 2010

JIM GARD'NER
 Executive Director



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 by including the Heritage Register Number 2227 in the category described as Heritage Place.

Athenaeum
 26–28 Ocean Beach Road
 Sorrento
 Mornington Peninsula Shire

EXTENT

1. All of the building marked B1 on Diagram 2227 held by the Executive Director.
2. All of the land marked L1 on Diagram 2227 held by the Executive Director being the footprint of the building and being part of the land described in Certificate of Title Volume 10318 Folio 993.

Dated 9 September 2010

JIM GARD'NER
 Executive Director

Mineral Resources
(Sustainable Development) Act 1990

DEPARTMENT OF PRIMARY INDUSTRIES

Exemption of Land from an
 Exploration or Mining Licence

I, David Boothroyd, Manager Earth Resources Tenements, pursuant to section 7 of the **Mineral Resources (Sustainable Development) Act 1990** and under delegation from the Minister for Energy and Resources, hereby exempt all that Crown land situated within the boundaries of exploration applications 5308, 5309, and 5281 from being subject to an exploration licence and a mining licence.

Dated 31 August 2010

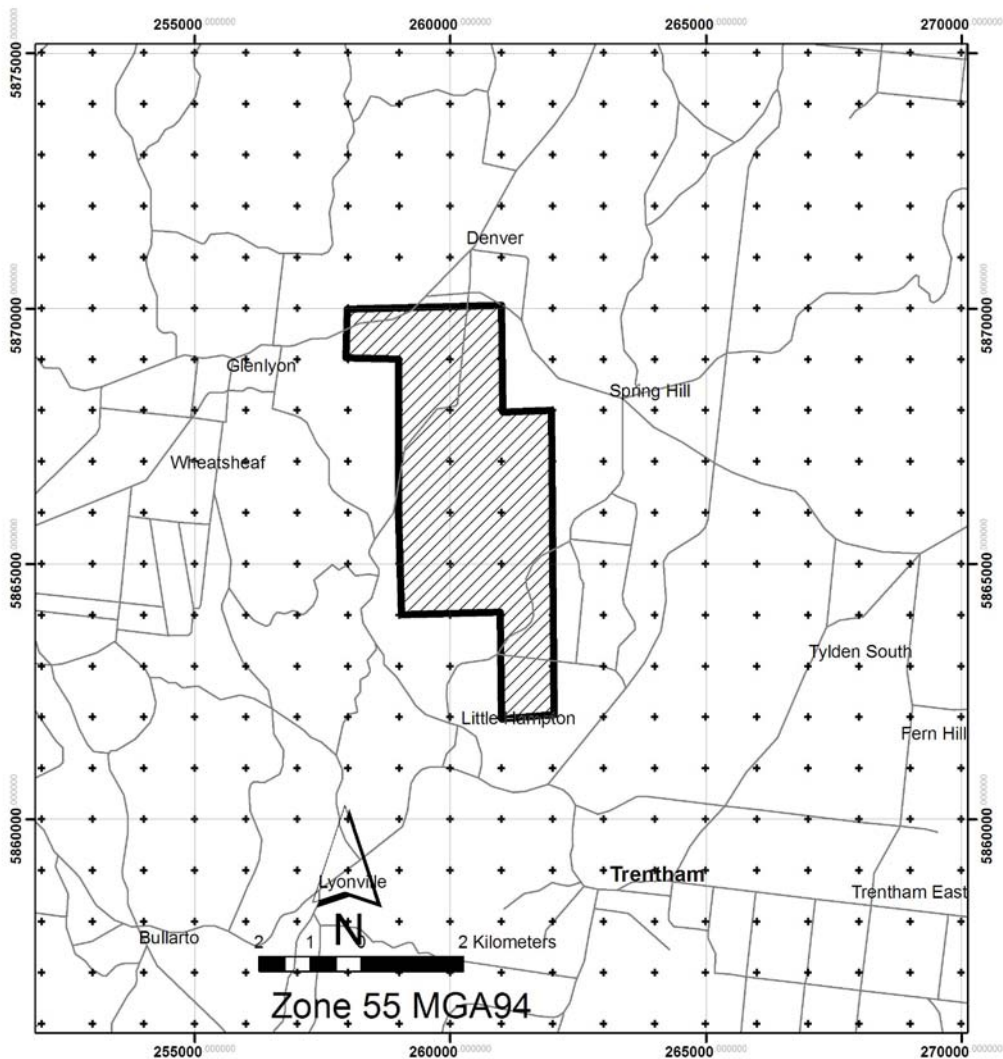
DAVID BOOTHROYD
 Manager Earth Resources Tenements
 Earth Resources Division

Mineral Resources (Sustainable Development) Act 1990

DEPARTMENT OF PRIMARY INDUSTRIES

Exemption of Land from an Exploration or Mining Licence

I, David Boothroyd, Acting Director Earth Resources Regulation, pursuant to section 7 of the **Mineral Resources (Sustainable Development) Act 1990** and under delegation from the Minister for Energy and Resources, hereby exempt all that Crown land and Private land situated within the boundaries of the hatched area on the attached map from being subject to an exploration licence and a mining licence.



Dated 24 August 2010

DAVID BOOTHROYD
Acting Director Earth Resources Regulation
Delegate of the Minister

Agricultural Industry Development Act 1990

VICTORIAN STRAWBERRY INDUSTRY DEVELOPMENT ORDER

Citation

- (1) This Order may be cited as the Victorian Strawberry Industry Development Order 2010.

Order made under the Agricultural Industry Development Act 1990

- (2) This Order is made under Part 2 of the **Agricultural Industry Development Act 1990**.

Purposes of Order

- (3) The purpose of this order is to establish the Committee to promote, and fund research and development into the Strawberry industry and to collect and administer charges applied to Growers in the Production Area for specific Strawberry industry functions.

Definitions

- (4) In this Order –

‘**Act**’ means the **Agricultural Industry Development Act 1990**;

‘**Committee**’ means the Victorian Strawberry Industry Development Committee established by this Order;

‘**Grower**’ means –

- (a) a person by whom, or on whose behalf, Strawberries are commercially grown or produced in the Production Area;
- (b) a person who purchases Strawberry Runners for resale to commercial Growers or to the public in the Production Area; and
- (c) where Strawberries are commercially grown or produced in the Production Area by a partnership or under a share farming agreement, the partnership or the parties to that agreement,

but does not include –

- (d) a person engaged by a Grower as an employee on wages, a salary or piecework rates; or
- (e) Strawberry Runner Growers.

‘**Minister**’ means the Minister administering the Act;

‘**Production Area**’ means the State of Victoria;

‘**Runners**’ means Strawberry rootlings or propagules that are produced for sale to Growers;

‘**Strawberries**’ and ‘**Strawberry**’ means any variety of strawberry grown or produced for sale for fresh consumption or processing;

‘**Strawberry Runner Growers**’ means all Strawberry runner growers producing and supplying (other than by way of re-sale) Strawberry Runners used by Growers for the purpose of producing fresh, frozen, and processed Strawberries;

‘**Victorian Strawberry Growers’ Association**’ means the Victorian Strawberry Growers’ Association Incorporated, ABN 37 429 179 625 (Reg. No. A0010671V), PO Box 148, Emerald, Victoria, or any other relevant body that, in the opinion of the Minister, has replaced that body.

Term of Order

- (5) This Order commences on 1 December 2010 and remains in force until 30 November 2014.

Application of Order

- (6) This Order applies to Growers and Strawberry Runner Growers in the Production Area.

Establishment of Committee

- (7) There shall be a 'Victorian Strawberry Industry Development Committee' which shall be the successor in law of the committee established by Victorian Strawberry Industry Development Order 2006.

Members

- (8) The Committee must consist of seven members appointed by the Minister being –
- (a) four voting Grower members nominated by the Victorian Strawberry Growers' Association;
 - (b) two voting non-Grower members nominated by the Victorian Strawberry Growers' Association who possess specialist expertise appropriate to the needs of the Strawberry industry in the fields of promotion, marketing, industry development or business administration; and
 - (c) one voting member nominated by the Secretary of the Department of Primary Industries.

Chairperson

- (9) The members of the Committee must elect a member of the Committee to be Chairperson of the Committee for a period of 12 months.
- (10) The Chairperson must not be an office bearer of the Victorian Strawberry Growers' Association.

Functions of Committee

- (11) The Committee may carry out or fund –
- (a) promotion of Strawberries grown in the Production Area; and
 - (b) research and development into the production, pest and disease control, post harvest handling, plant breeding and variety evaluation of Strawberries and advise Growers about research findings.

Powers of Committee

- (12) The Committee may –
- (a) impose a charge on all Growers for services it provides;
 - (b) delegate any of its powers, duties or functions (other than the power of delegation) to an employee of the Committee; and
 - (c) exempt by written notice, either conditionally or unconditionally, a person or class of persons from compliance with some or all of the requirements of this Order.

Plan of Operation

- (13) In developing the plan of operations required under section 45 of the Act, the Committee must have regard to any plans or priorities which have been adopted by the Victorian Strawberry Growers' Association.

Charge Imposed by Committee

- (14) A charge for services provided by the Committee is –
- (a) payable by Growers at the point and time of purchase or supply of Strawberry Runners; and
 - (b) to be collected by Strawberry Runner Growers, or their agents, by arrangement with and on behalf of the Committee.
- (15) The first charge imposed by the Committee shall be at the uniform rate of \$12.00 per 1000 Strawberry Runners and will remain in force until 30 April 2011.
- (16) A charge imposed by the Committee must not at any time during the term of the Order exceed the rate of \$14.00 per 1,000 Runners.

- (17) Any charges collected by a Strawberry Runner Grower under clause 14 must be paid by that Strawberry Runner Grower to the Committee prior to –
- (a) 30 April each year for charges collected between 1 September of the previous year and 31 March of the current year; and
 - (b) 30 September each year for charges collected between 1 April and 31 August in that year.

Voting

- (18) For the purposes of voting in accordance with section 39A and Division 3 of Part 3 of the Act, Growers shall be allocated votes as follows –

Total number of Runners purchased by Grower in previous financial year	Number of votes
Less than 20,000	1
20,000–74,999	2
75,000–149,999	3
150,000–449,999	4
450,000–749,999	5
750,000–999,999	6
1,000,000 and above	7

Meetings

- (19) The Committee must hold an Annual General Meeting in each financial year.
- (20) At the Annual General Meeting, the Chairperson of the Committee must report to Growers on the operation and finances of the Committee during the previous 12 months.
- (21) The timing of all meetings of the Committee, including the Annual General Meeting, is at the discretion of the Committee.

Financial Year

- (22) The financial year of the Committee is the period from 1 July to 30 June of the following calendar year.

Penalty for Contravening the Order

- (23) A Grower who fails to comply with the requirements of Clause 14 relating to the payment of a charge imposed by the Committee contravenes this Order and is liable to a penalty not exceeding 20 penalty units.

Dated 31 August 2010

JOE HELPER
Minister for Agriculture

Conservation, Forests and Lands Act 1987**NOTICE OF MAKING OF A LAND MANAGEMENT CO-OPERATIVE AGREEMENT**

Notice is given under section 80 of the **Conservation, Forests and Lands Act 1987** that a Land Management Co-operative Agreement has been entered into by the Secretary to the Department of Sustainability and Environment with the following landowners.

A copy of the Agreement is available for public inspection between the hours of 9.00 am and 5.00 pm at Biodiversity and Ecosystem Services Branch, Department of Sustainability and Environment, Level 2, 8 Nicholson Street, East Melbourne 3002, and at the relevant regional Department of Sustainability and Environment office.

Registered Proprietor	Site Location	Title Details – Volume/Folio	Dealing No. of Agreement
Bendigo Office	Corner Midland Highway and Taylor Street, Bendigo 3351		
Marilyn Dawn Frederiksen and John Bernard Frederiksen	Crown Allotment 40 Section A, Parish of Glenhope	03093/567	AH395709L
Marilyn Dawn Frederiksen and John Bernard Frederiksen	Crown Allotment 41 Section A, Parish of Glenhope	03093/991	AH395709L
Jennifer Robyn Alden and Peter Jefferis Morison	Crown Allotment 105, and Crown Allotment 102, Parish of Wanurp	05990/873	AH387951Y
VicSuper Ecosystem Services Pty Ltd	Lot 1 on Title Plan 233958Q, Parish of Boga	07743/134	AH388013R
Joan Elsie Wilkin	Lot 1 on Title Plan 095101W, Parish of Mandurang	10019/446	AH387919U
Philip Paul Williams	Lot 7 on Plan of Subdivision 127961, Parish of Brenanah	09322/104	AH388083T
Ballarat Office	402–406 Mair Street, Ballarat 3350		
Patrick Ernest Holland and Valerie Ellen Holland	Crown Allotment 20 Section 2, Parish of Campbelltown	01206/058	AH395672H
Rijk Zwaan Australia Pty Ltd	Lot 1 on Title Plan 010458G, Parish of Bullarto	10367/795	AH387877J

Dated 9 September 2010

GREG WILSON
Secretary
Department of Sustainability and Environment

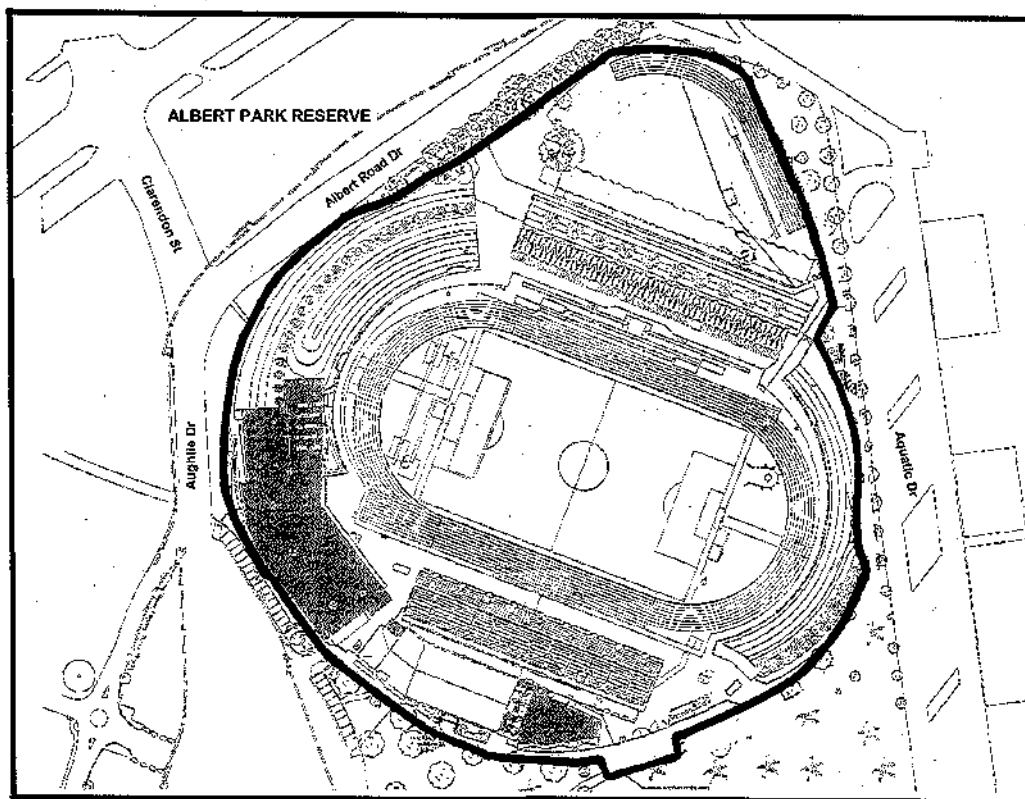
Crown Land (Reserves) Act 1978**DETERMINATION OF INTENTION TO GRANT A LEASE UNDER
SECTIONS 17CA AND 17CB**

Under sections 17CA and 17CB of the **Crown Land (Reserves) Act 1978**, I, Gavin Jennings MLC, Minister for Environment and Climate Change, give notice of my intention to grant a lease to State Sport Centres Trust over part of the Albert Park Reserve described in the Schedule below for the purpose of sport and athletic events, training and dressing facilities, office administration and meeting rooms, utility and retail facilities, and licensed areas including clubrooms, restaurant and reception centre, being satisfied, in accordance with section 17CA(1) of the **Crown Land (Reserves) Act 1978**, that:

- (a) the purpose for which the lease is to be granted is not detrimental to the purpose for which the land is reserved; and
- (b) the proposed use, development, improvements or works are of a substantial nature and of a value which justifies a longer term lease; and
- (c) the granting of a longer term lease is in the public interest.

SCHEDULE

The area of land delineated by the bolded black line on the following plan, being part of the land permanently reserved for Public Park purposes by Order in Council of 21 March 1876 (vide Government Gazette 24 March 1876, page 568):



File Ref: 2018636

Dated 6 September 2010

GAVIN JENNINGS MLC
Minister for Environment and Climate Change

Crown Land (Reserves) Act 1978**CROWN LAND (RESERVES) (WINTON WETLANDS RESERVE) REGULATIONS 2010**

I, Rodney Warren, Statewide Program Leader, Public Land Services, as delegate of the Minister for Environment and Climate Change make the following Regulations.

PART 1 – PRELIMINARY**1. Objectives**

The objectives of these Regulations are to provide for the –

- (a) care, protection and management of the Winton Wetlands Reserve; and
- (b) preservation of good order and safety of persons in the Winton Wetlands Reserve; and
- (c) use of any improvements, services or facilities in the Winton Wetlands Reserve.

2. Authorising provision

These Regulations are made under section 13 of the **Crown Land (Reserves) Act 1978**.

3. Commencement

These Regulations come into operation on the date they are published in the Victorian Government Gazette.

4. Definitions

In these Regulations –

aircraft includes model aircraft, model helicopter, helicopter, glider, hang glider, or similar flying machine, kite, hot air balloon, paraglider and parachute;

appointed person means an officer or employee of the Committee appointed in writing by the Committee as an appointed person for the purposes of these regulations;

camp means

- (a) to erect, occupy or use a tent or any similar form of accommodation including a swag; or
- (b) to erect, park, occupy or use a caravan, camper van or other movable form of accommodation or temporary structure;

Committee means the committee of management appointed to manage the reserve under section 14 of the Act;

damage includes to alter, cut, destroy, deface, soil or vandalise;

fauna means any animal which is indigenous to Victoria whether vertebrate or invertebrate and in any stage of biological development and any other living thing generally classified as fauna but does not include humans or fish;

firearm has the same meaning as in the **Firearms Act 1996**;

fireplace means a facility constructed of stone, metal, concrete or other non-flammable material provided by the Committee in the reserve for the purposes of lighting and maintaining fires;

flora has the same meaning as in the **Flora and Fauna Guarantee Act 1988**;

life-saving aid includes any life-saving equipment, life-hook, drag, grapnel, life-buoy, warning sign, barrier, fire extinguisher, hose or similar equipment;

mooring includes any equipment, facility or structure for the securing of a vessel;

navigational aid means any lighthouse, beacon, signal, flag or similar equipment and any adjacent supporting structure or post;

central plan office means the Central Plan Office of the Department of Sustainability and Environment;

pathway means a footpath, bicycle path, shared path or other thoroughfare constructed or developed for use by members of the public other than with a motor vehicle;

permit includes any authority, approval, consent, permission, receipt or ticket given, granted or issued by the Committee in accordance with these regulations;

prohibited access area means an area set aside by a determination of the Committee under subregulation 7(1);

restricted access area means an area set aside by a determination of the Committee under subregulation 7(1);

stone has the same meaning as in the **Mineral Resources (Sustainable Development) Act 1990**;

the Reserve means the Winton Wetlands Reserve;

take means –

- (a) in relation to flora, to kill, injure or disturb any live flora, or to remove or collect all or any part of any flora whether alive or dead; and
- (b) in relation to fauna, to kill, injure or disturb any fauna or to remove any fauna whether alive or dead;

vehicle has the same meaning as in the **Road Safety Act 1986** but does not include a wheelchair, motorised wheelchair, pram, stroller, or other similar device for the conveyance of children or disabled or injured persons;

vessel has the same meaning as in the **Marine Act 1988**;

Winton Wetlands Reserve means the Crown land reserved for Public Purposes (Restoration of Wetlands, Recreation and Tourism) by Orders in Council dated 2 December 2008 and 3 August 2010 and notices in the Government Gazettes of 4 December 2008 and 5 August 2010, being Crown Allotment 2003 in the Parish of Winton as shown bordered red on plan marked GP 2697 and Crown Allotments 2008, 2009, and 2010 Parish of Glenrowen, Crown Allotment 2020 Parish of Gooramab, Crown Allotment 2013 Parish of Mokoan, Crown Allotments 2020, 2021 Parish of Winton as shown coloured pink on plan marked LEGL.10-042 lodged in the Central Plan Office.

5. Application of Regulations

- (1) Parts 1, 2, 3, 5 and 6 of these Regulations do not apply to any of the following persons when acting in the course of his or her duties:
 - (a) a member of the Committee; or
 - (b) any officer or employee of the Committee; or
 - (c) an appointed person; or
 - (d) an authorised officer; or
 - (e) a person authorised by the Secretary or an employee of the Secretary;
 - (f) a contractor, volunteer or other person carrying out any work for or acting on the instructions of the Committee.
- (2) A person acting in accordance with a lease, licence, tenancy or permit granted or issued under the Act or a corresponding previous enactment over land in the reserve is not subject to these Regulations, to the extent that the activities authorised by that lease, licence, tenancy or permit are inconsistent with these Regulations.

PART 2 – POWERS OF COMMITTEE

6. Erection of buildings and carrying out of works

The Committee may erect buildings and carry out works to provide facilities or services on the Reserve if the consent required to be obtained in accordance with regulation 36 has been obtained.

7. Areas set aside as restricted or prohibited access areas

- (1) The Committee may, by determination, set aside a specified area in the Reserve as being a prohibited access area or a restricted access area –
 - (a) for a person who is in possession of alcohol;
 - (b) for a person with glass bottles, glass containers or glass utensils in their possession;
 - (c) for reasons of public safety;
 - (d) for the protection of flora, fauna, geological or geomorphological features or cultural values; or
 - (e) to re-establish or plant vegetation.
- (2) A person must not enter or be in a restricted access area or a prohibited access area, unless that person does so –
 - (a) in accordance with the determination of the Committee under which the area is set aside; or
 - (b) under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person to enter or be in a restricted access area or a prohibited access area.

8. Specific Use Areas

- (1) The Committee may, by determination, set aside a specified area or areas within the Reserve for one or more of the following purposes –
 - (a) protection or management of flora, fauna, geological or geomorphological features or cultural values;
 - (b) re-establishment or planting of trees, shrubs, grass or other vegetation;
 - (c) protection or management of cultural, historic or geological features or values;
 - (d) amenities or facilities for public use;
 - (e) camping;
 - (f) engaging in sport or recreational activity;
 - (g) the lighting or maintaining of fires or barbecues using liquid or gaseous fuel;
 - (h) the entry by any person accompanied by a dog under that person's control;
 - (i) the riding, driving or leading of a horse or a mule or a donkey or a camel or the drawing of a vehicle by any of those animals;
 - (j) the parking of any vehicle or vehicles of a particular class or classes;
 - (k) the operation of any vehicle or vehicles of a particular class or classes;
 - (l) a pathway;
 - (m) the launching, landing, loading, unloading or mooring of vessels generally or vessels of a particular class;
 - (n) the entry by a person in a vessel or in vessels of a particular class or classes into a water covered area.
- (2) A person must not enter or be in a specific use area, unless that person does so in accordance with a determination of the Committee under which the area is set aside.

9. Determination of the Committee

- (1) In a determination by the Committee made under these Regulations relating to the nature or use of an area, the Committee may specify conditions on the use of that area.

- (2) If the Committee has made a determination under these Regulations, the Committee must cause signs or notices to be erected or displayed at or near to the area indicating –
 - (a) if appropriate, that it is an prohibited access area or a restricted access area; and
 - (b) if appropriate, details of any specific use that the Committee has determined is permitted, prohibited or restricted in that area; and
 - (c) any conditions on the use of the area specified under subregulation (1).

10. Permits

- (1) The Committee may issue a permit for any of the activities referred to in Regulations 12(1), 16, 17(1), 19(1), 20(1), 21(1), 22(1), 24(1), 26(1), 27(1), 28(1), 29(1) or 30(1).
- (2) A permit issued by the Committee under sub-regulation (1) authorises the holder to enter and use an improvement, service or facility or to enter or be in an area of the Reserve –
 - (a) for the purpose specified in the permit; and
 - (b) for the period specified in the permit –subject to any terms and conditions specified in the permit, including the payment of any fee imposed by the Committee under regulation 11(2).
- (3) A permit issued by the Committee under these Regulations must be in writing.
- (4) The holder of a permit must comply with any terms and conditions of that permit.
- (5) The Committee or an appointed person may revoke or cancel a permit at any time –
 - (a) if the holder of the permit has –
 - (i) breached the conditions of the permit; or
 - (ii) otherwise breached these Regulations; or
 - (b) if the continuation of the permit is likely to be detrimental to, or interfere with, the management and protection of the natural environment, features, or visitors in the Reserve; or
 - (c) for the purposes of management of the Reserve.
- (6) If a permit is revoked or cancelled under subregulation (5), the Committee or an appointed person must cause the holder of the permit to be notified in writing of the revocation or cancellation of the permit within a reasonable time after cancellation.
- (7) The cancellation or revocation of a permit under subregulation (5) comes into effect when the holder of the permit receives notice of that cancellation or revocation in accordance with subregulation (6).
- (8) The holder of a permit issued by the Committee must produce that permit for inspection when requested to do so by the Committee, an authorised officer or an appointed person.

11. Fees

- (1) The Reserve is open to the public free of charge except as otherwise imposed by the Committee in accordance with subregulation (2).
- (2) The Committee may impose fees that it considers necessary for entry to the reserve or for the use of improvements, services or facilities in the Reserve.
- (3) If the Committee has imposed a fee for entry to the Reserve or use of improvements, services or facilities in the Reserve under sub-regulation (2), the Committee must cause notices indicating the amount of the fee to be displayed in the Reserve in a conspicuous place at or near entry to the Reserve or the improvement, service or facility.

- (4) A person must not enter the Reserve or use an improvement, service or facility within the Reserve without paying the relevant fee, if any, imposed by the Committee under subregulation (2).

PART 3 – USE AND CONTROL OF THE RESERVE

12. Dogs, horses and other animals

- (1) A person must not bring a dog, horse or other animal into the Reserve, or allow a dog, horse or other animal under that person's control to remain in the Reserve.
- (2) Sub-regulation (1) does not apply to a person who –
- (a) brings a dog which is used as a guide dog into or allows that dog to remain in the Reserve; or
 - (b) brings into or allows to remain in the Reserve a dog which is in an area set aside under regulation 8(1) as an area where dogs are permitted; or
 - (c) brings into or allows to remain in the reserve a horse, mule, donkey or camel which is in an area set aside under regulation 9(1) as an area for the riding, driving or leading of those animals or the drawing of a vehicle by any of those animals; or
 - (d) brings an animal into or allows an animal to remain in the Reserve in accordance with a permit issued under regulation 10 that authorises the holder to bring a dog, horse or other animal into the Reserve or allow a dog, horse or other animal under that person's control to remain in the Reserve.
- (3) A person who brings an animal into the reserve in accordance with this Regulation must ensure that the animal is effectively controlled from causing any nuisance, injury, unreasonable disturbance or damage to any person, garden, shrub, tree, building, fencing or other improvement.

13. Removal of animal faeces

A person who brings a dog, horse or other animal, other than a dog used as a guide dog, into the Reserve must collect and remove all of the faeces left in the Reserve by that dog, horse or other animal or ensure that the faeces is placed in a receptacle provided in the Reserve for that purpose.

14. Vehicles

- (1) A person must not –
- (a) operate a vehicle in the Reserve; or
 - (b) park or leave a vehicle stationary in the Reserve.
- (2) Sub-regulation (1) does not apply to a person who –
- (a) operates a vehicle in the Reserve or;
 - (b) parks or leaves a vehicle stationary in the Reserve,
- in an area set aside by the Committee under regulation 8(1).

15. Vessels

- (1) A person must not, in the Reserve, launch, land, moor, load or unload a vessel, unless that person does so in accordance with a determination made under regulation 8(1).
- (2) A person must not, in the Reserve, launch, land, moor, load or unload a vessel unless the relevant fee has been paid to the Committee under and in accordance with regulation 11(2).

16. Aircraft

A person must not, in the Reserve, launch, fly, land, control or operate any aircraft, unless that person does so under and in accordance with a permit issued by the Committee under regulation 10 that authorises the holder to launch, fly, land, control or operate any aircraft.

17. Camping

- (1) A person must not camp in the Reserve, unless that person does so –
 - (a) in an area set aside for camping by determination under regulation 8(1) and in accordance with that determination; and
 - (b) in accordance with a permit issued under regulation 10 that authorises the holder to camp in the Reserve.

18. Lighting or maintaining of fires

- (1) A person must not light or maintain a fire or barbecue in the reserve, except in accordance with sub-regulation (2).
- (2) A person may light or maintain a fire or barbecue
 - (a) if the person does so at a time and during a period when the lighting of fires is not prohibited under any act; and
 - (b) if the person does so in a fireplace or barbecue provided for that purpose, or in a fireplace or barbecue that is in an area set aside under regulation 8(1) for that purpose.
- (3) If a person lights or maintains a fire or barbecue in an area set aside under regulation 8(1) for that purpose, the person must ensure that
 - (a) the fire or barbecue is lit and maintained using liquid or gaseous fuel; and
 - (b) the fire or barbecue is contained in an appliance designed and commercially manufactured to use that fuel; and
 - (c) when alight, the fire or barbecue is placed in a stable position; and
 - (d) the ground is and airspace within a distance of 3 metres of the fire or barbecue are clear of flammable material.
- (4) A person who has lit or maintained a fire or barbecue in accordance with this regulation must extinguish that fire or barbecue before leaving the place of the fire.

19. Protection or re-establishment of flora

- (1) A person must not, in the Reserve, fell, pick, take, destroy or damage any flora.
- (2) Subregulation (1) does not apply to a person who is acting under and in accordance with a permit issued by the Committee under regulation 10 to fell, pick, take, destroy or damage any flora.
- (3) If a determination is made by the Committee under regulation 8 to set aside an area –
 - (a) for the re-establishment or planting of trees, shrubs, grass, or other vegetation; or
 - (b) for the protection of flora,a person must not enter that area unless –
 - (c) he or she does so under and in accordance with a permit issued under regulation 10 that authorises the holder to enter an area set aside for the re-establishment or planting of trees, shrubs, grass or other vegetation or for the protection of flora; or
 - (d) he or she does so under and in accordance with a lease, licence, permit or other authority under the **Mineral Resources (Sustainable Development) Act 1990** or the **Petroleum Act 1998**.

20. Introducing flora

- (1) A person must not knowingly bring, plant or introduce any seed, tree, shrub, fern or other vegetation or any part of any tree, shrub or other vegetation in or onto the Reserve.

- (2) Sub-regulation (1) does not apply to a person acting in accordance with –
 - (a) a permit issued under regulation 10 that authorises the holder to engage in any of the activities under subregulation (1); or
 - (b) a lease, licence, permit or other authority under the, the **Mineral Resources (Sustainable Development) Act 1990** or the **Petroleum Act 1998**.
- 21. Interfering with buildings and other assets**
 - (1) A person must not, in the Reserve –
 - (a) move or interfere with any sign, noticeboard, equipment, seat, table, gate, post, fence, bridge, facility, building or structure; or
 - (b) move or interfere with any navigational aid or life saving aid except for the purpose of saving life.
 - (2) Sub-regulation (1) does not apply to a person acting in accordance with –
 - (a) a permit issued under regulation 10 that authorises the holder to engage in any of the activities under subregulation (1).
- 22. Stone**
 - (1) A person must not, in the Reserve, take any stone.
 - (2) Sub-regulation (1) does not apply to a person who takes stone in accordance with –
 - (a) a permit issued under regulation 10 that authorises the holder to take any stone; or
 - (b) a lease, licence, permit or other authority under the, the **Mineral Resources (Sustainable Development) Act 1990** or the **Petroleum Act 1998**.
- 23. Animals and nests**
 - (1) A person must not in the Reserve –
 - (a) disturb, harass, hunt, capture or take any fauna or other animal; or
 - (b) destroy, disturb or interfere with the nest, bower, display mound, lair or burrow of any fauna or other animal; or
 - (c) poison any fauna or other animal.
- 24. Erecting or using buildings and structures**
 - (1) A person must not, in the Reserve –
 - (a) erect or place any building or structure, or
 - (b) enter, occupy or use the whole or any part of any building or structure which is provided for public use except in accordance with the purposes for which the building or structure is provided.
 - (2) Subregulation (1) does not apply to a person who is acting under and in accordance with a permit issued under regulation 10 that authorises the holder to erect or place any building or structure or to enter, occupy or use a building or structure in the Reserve for a purpose other than the purpose for which it is provided.
- 25. Use of toilets, showers and other facilities**
 - (1) A person must not, in the Reserve, enter or use a toilet, shower or other facility designated solely for the use of persons of the opposite sex.
 - (2) Subregulation (1) does not apply to the entering or use of a toilet, shower or other facility by a child under the age of 6 years if accompanied by an adult.
- 26. Engaging in sport or recreational activity**
 - (1) A person must not, in the Reserve, engage in any sport or recreational activity likely to cause interference, disturbance, inconvenience or danger to other persons using the Reserve.

- (2) Sub-regulation (1) does not apply to a person –
 - (a) who is engaged in any sport or recreational activity in an area of the Reserve set aside under a determination made under regulation 8(1); and
 - (b) the appropriate fee has been paid to the Committee in accordance with regulation 11(2).
- (3) A person must not play or conduct a specified sport or activity unless the person does so under and in accordance with a permit issued under regulation 10 that authorises the holder to play or conduct a specified sport or activity in the Reserve.

27. Organised events

- (1) A person must not, in the Reserve, conduct an organised event, rally, concert, festival, tour, fete or public meeting or similar event.
- (2) Sub-regulation (1) does not apply to a person who holds a permit issued under regulation 10 authorising the holder to conduct an organised event, rally, concert, festival, tour, fete, or public meeting or similar event.

28. Public address

- (1) A person must not, in the Reserve, preach or deliver an address or use any amplifier, public address system, loud hailer or similar device.
- (2) Sub-regulation (1) does not apply to a person who holds a permit issued under regulation 10 authorising the holder to preach or deliver an address or use any amplifier, public address system, loud hailer or similar device.

29. Commercial Activities

- (1) A person must not, in the Reserve –
 - (a) sell or offer any article for sale; or
 - (b) take photographs for gain or commercial purposes; or
 - (c) supply any vehicle for hire or carry any passengers for fee or reward; or
 - (d) conduct any school or provide any form of instruction for gain; or
 - (e) display, advertise for sale or trade or hire any article, device, service or thing; or
 - (f) solicit or collect money or orders for goods or services or other purposes; or
 - (g) take part in or advertise any entertainment for gain; or
 - (h) give out, distribute, erect, leave set up or display any handbill, placard, notice, pamphlet, book, paper, advertising matter or any like thing; or
 - (i) offer for hire any article, device or thing; or
 - (j) conduct a tour for gain or for commercial purposes.
- (2) Sub-regulation (1) does not apply to a person who holds a permit issued under regulation 10 that authorises the holder to engage in any of the activities under subregulation (1).

30. Machinery and power tools

- (1) A person must not, in the Reserve, operate any portable or stationary generator, air-compressor, chainsaw, oxy-acetylene or electrical cutting or welding apparatus or other machinery.
- (2) Sub-regulation (1) does not apply to a person who holds a permit issued under regulation 10 that authorises the holder to operate any portable or stationary generator, air-compressor, chainsaw, oxy-acetylene or electrical cutting or welding apparatus or other machinery.

31. Gates

A person must not, in the Reserve, leave any gate open except where the gate is already open.

32. Use of Beach Umbrellas

- (1) A person must not, in the Reserve, erect or use a beach umbrella or similar device for providing shade or weather protection on any beach.
- (2) Sub-regulation (1) does not apply to a person who uses a beach umbrella or similar device which is securely anchored –
 - (a) by means of a disc made of wood, metal or similar material being a least 30 centimetres in diameter fitted over the shaft immediately above the tip and the tip is buried in the sand to a depth of at least 30 centimetres; or
 - (b) by means of a bag filled with at least 5 kilograms of dry weight of sand securely tied to the device; or
 - (c) by means of a device with an equivalent effect to an anchoring device referred to in paragraph (a) or (b).

33. Firearms, snares and traps

A person must not, in the Reserve, possess, carry or use –

- (a) a firearm
- (b) a trap; or
- (c) a snare.

34. Stones or missiles

A person must not, in the Reserve, propel or throw any stone or missile which is likely to cause danger or unreasonable disturbance to other persons or to animals or is likely to damage any flora or property.

35. Royalties

A person authorised by a current permit issued under regulation 10 to take stone from the Reserve must pay to the Secretary the royalty specified in Schedule 3 of the Mineral Resources (Sustainable Development)(Extractive Industries) Regulations 2010, in respect of the type and quantity of stone taken.

PART 4 – WORKS AND IMPROVEMENTS**36. Consent of Minister**

- (1) The Committee must obtain all the necessary approvals and permits and the consent of the Minister or the consent of the Minister's authorised delegate before undertaking any works or improvements on the Reserve.
- (2) The consent of the Minister or the Minister's authorised delegate is not required if the works and improvements are:
 - (a) for the purpose of carrying out repairs or maintenance of structures, facilities and other improvements; or
 - (b) minor works or improvements necessary to keep the Reserve in good order or appearance; or
 - (c) to provide information to the public; or
 - (d) works and improvements agreed to under a management or development plan which has been approved by the Minister or the Minister's authorised delegate.

PART 5 – GENERAL**37. Obstruction**

A person must not, in the Reserve, obstruct, hinder or interfere with a member of the Committee, an authorised officer or appointed person, any other officer or employee of the Committee or a person authorised by the Committee in the execution of his or her duties in the Reserve.

38. Direction and directions to leave

- (1) An appointed person or authorised officer may direct a person in charge of a vehicle to move the vehicle or remove the vehicle from the Reserve if –
 - (a) the vehicle is parked or standing contrary to any determination made under these Regulations; or
 - (b) in the opinion of the appointed person or authorised officer the vehicle is obstructing or likely to obstruct the passage of people or other vehicles in the Reserve; or
 - (c) the vehicle is a danger or likely to be a danger to people using the reserve or is likely to cause injury or damage to property in the Reserve; or
 - (d) the vehicle is being driven in a manner which is likely to prejudice the safety of persons or cause injury or damage to property in the Reserve.
- (2) An appointed person or an authorised officer may direct any person whom that officer believes on reasonable grounds has contravened these Regulations to leave the reserve or any part of the reserve.
- (3) When directed to do so by an appointed person or an authorised officer, a person must immediately –
 - (a) move a vehicle as directed within the Reserve; or
 - (b) remove a vehicle from the Reserve; or
 - (c) leave the Reserve or the part of the Reserve.

Notes**Contravention of regulations**

A person who contravenes these Regulations is liable to a penalty under section 13(5) or (6) of the **Crown Land (Reserves) Act 1978**.

Litter

The depositing of litter in the Reserve is prohibited under the **Environment Protection Act 1970** and may result in the imposition of penalties under that Act.

Motor Vehicles

Under the Land Conservation (Vehicle Control) Regulations 2003, motor vehicles are prohibited within a reserve except on a road, in a parking area or in an area declared to be a free access area. A contravention may result in the imposition of penalties under those regulations.

Fire

In addition to Regulation 18, the lighting of fires is governed by the Forests (Fire Protection) Regulations 2004 and failure to adhere to those Regulations may result in the imposition of penalties.

Dated 31 August 2010

MERV McALIECE
Acting Statewide Program Leader, Public Land Services
as delegate of the Minister for Environment and Climate Change

Land Acquisition and Compensation Act 1986

FORM 7

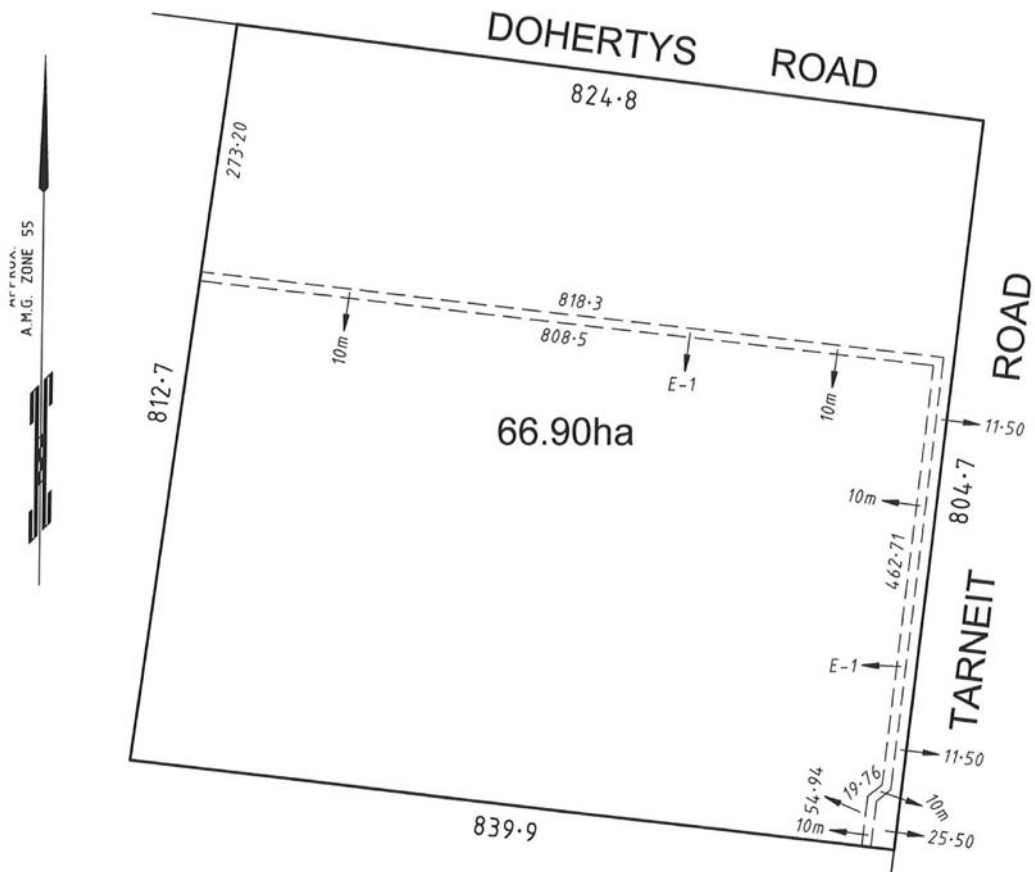
S. 21(a)
Reg. 16

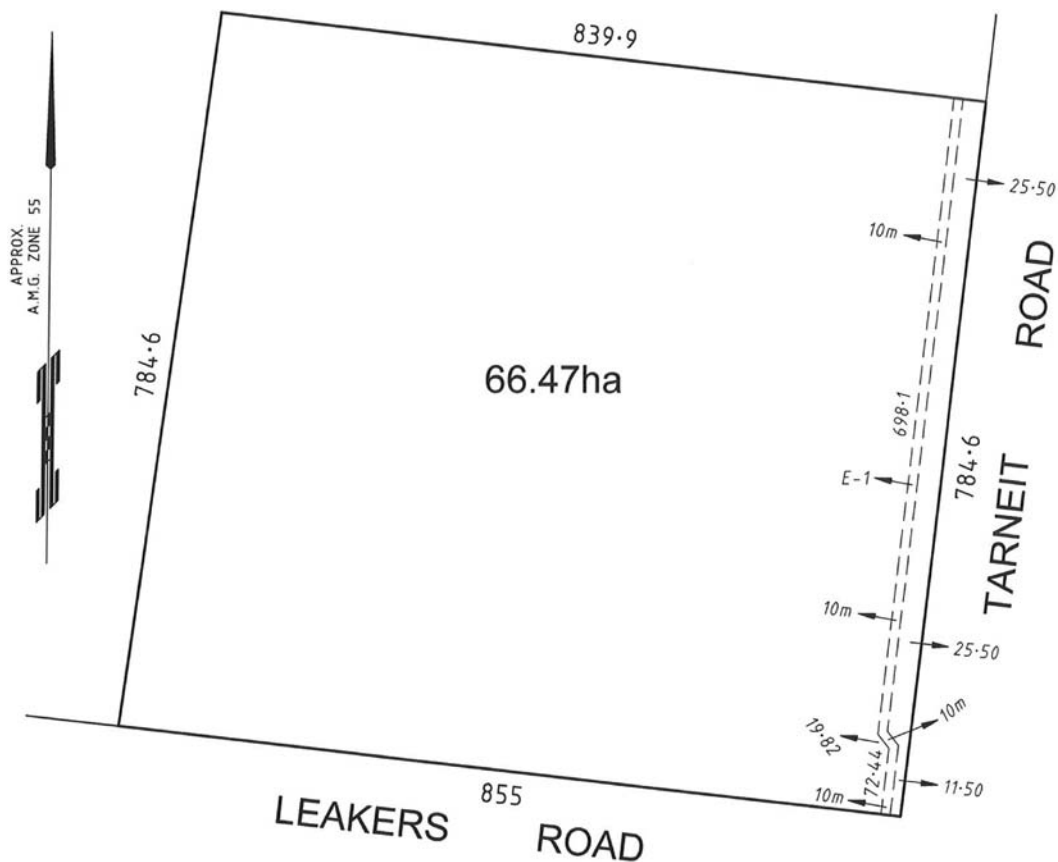
Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61-67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificates of Title Volume 10470 Folio 800 and Volume 10470 Folio 801 and being the area marked 'E-1' on the plans for creation of easement which are annexed hereto.





Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

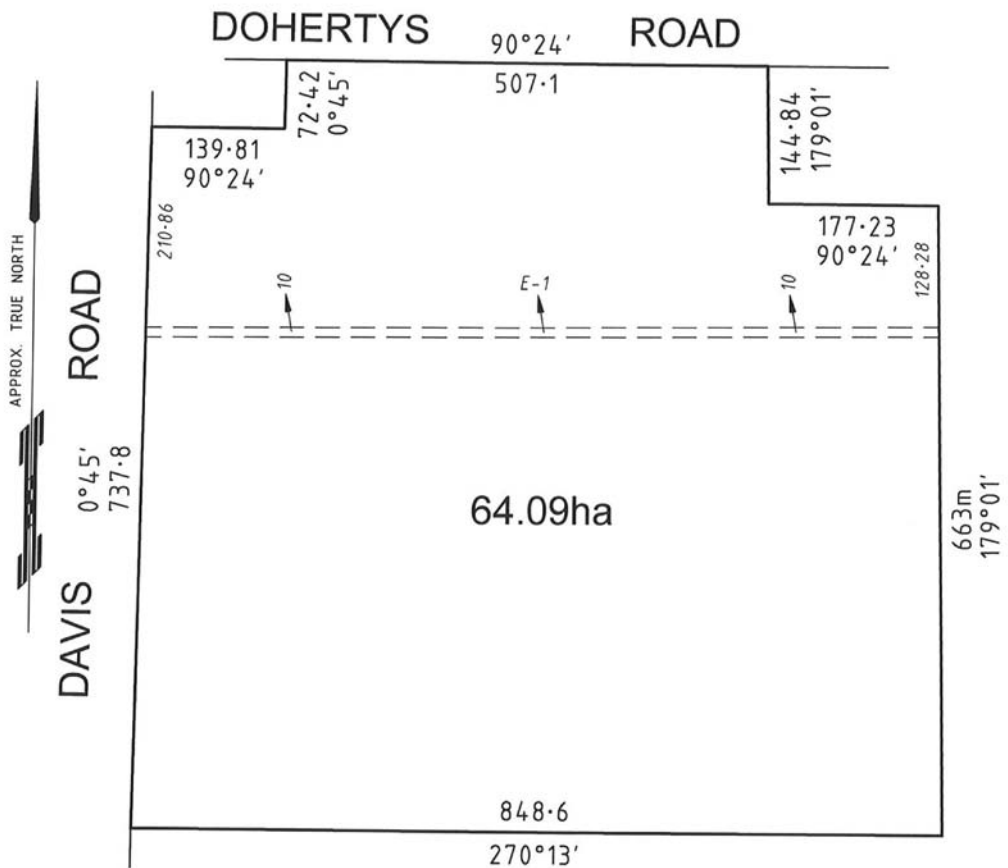
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61–67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificate of Title Volume 9793 Folio 943 and being the area marked 'E-1' on the plan for creation of easement which is annexed hereto.



Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

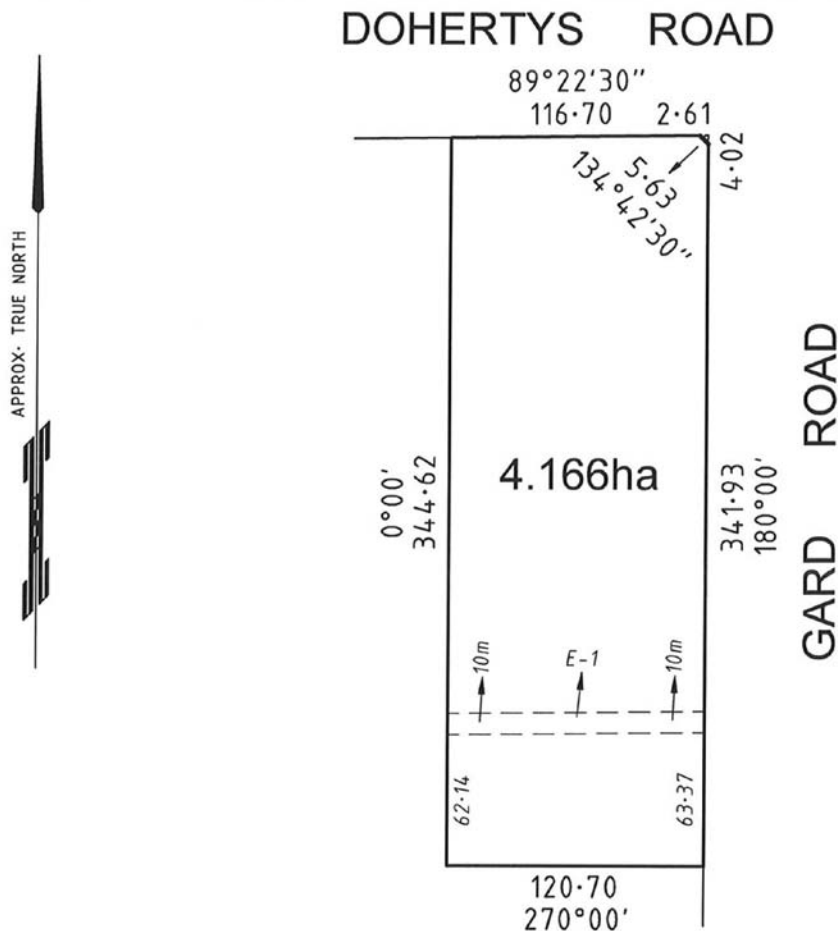
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61–67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificate of Title Volume 8900 Folio 297 and being the area marked 'E-1' on the plan for creation of easement which is annexed hereto.



Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

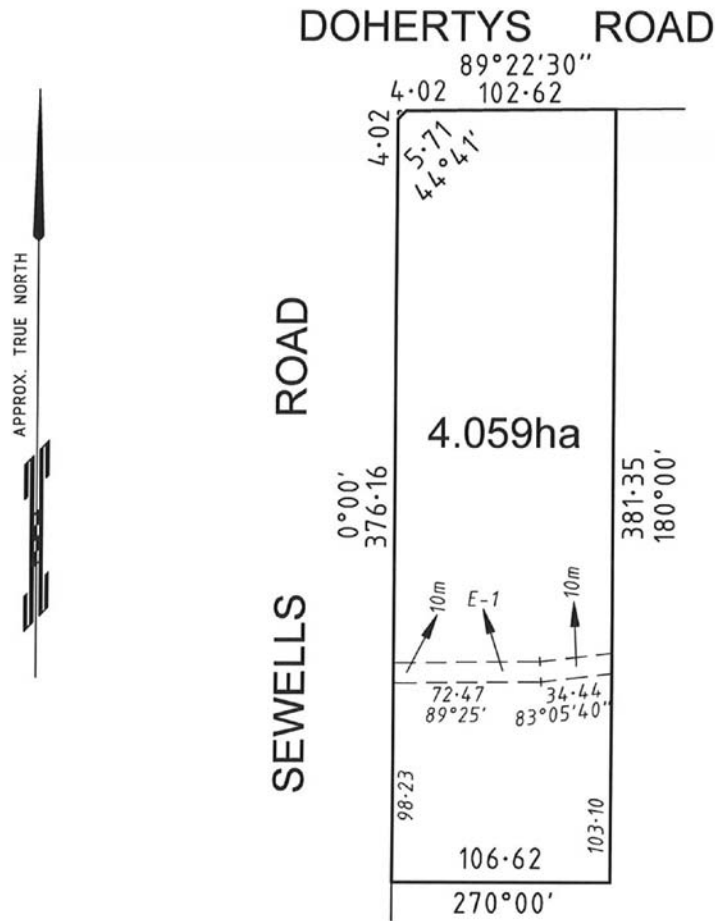
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61–67 Ryrle Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificate of Title Volume 8900 Folio 259 and being the area marked 'E-1' on the plan for creation of easement which is annexed hereto.



Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

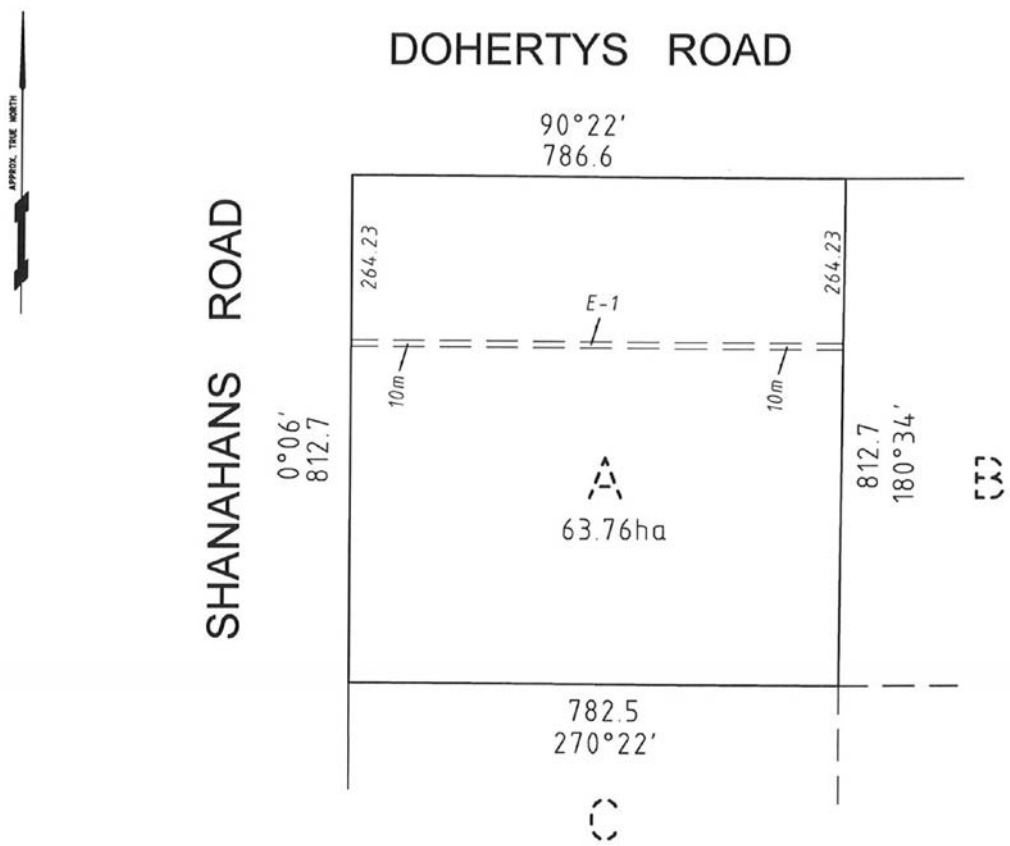
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61-67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificate of Title Volume 10334 Folio 568 and being the area marked 'E-1' on the plan for creation of easement which is annexed hereto.



Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

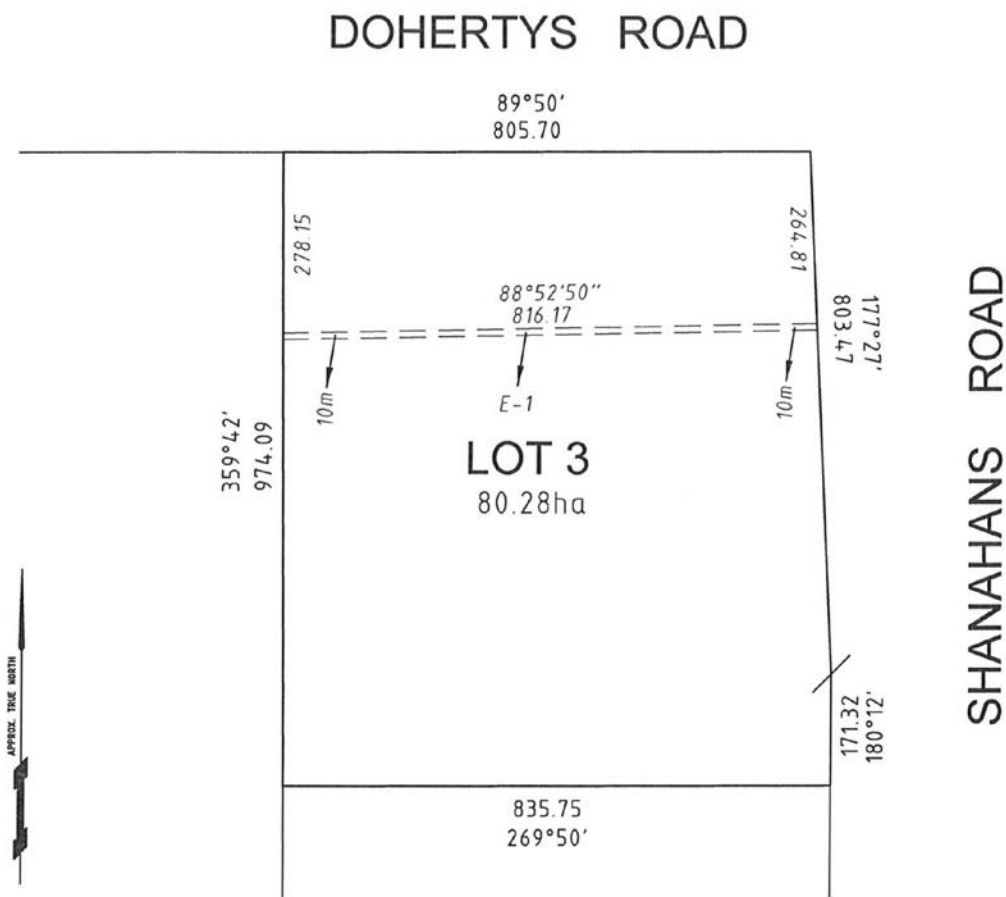
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61-67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificate of Title Volume 10041 Folio 373 and being the area marked 'E-1' on the plan for creation of easement which is annexed hereto.



Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

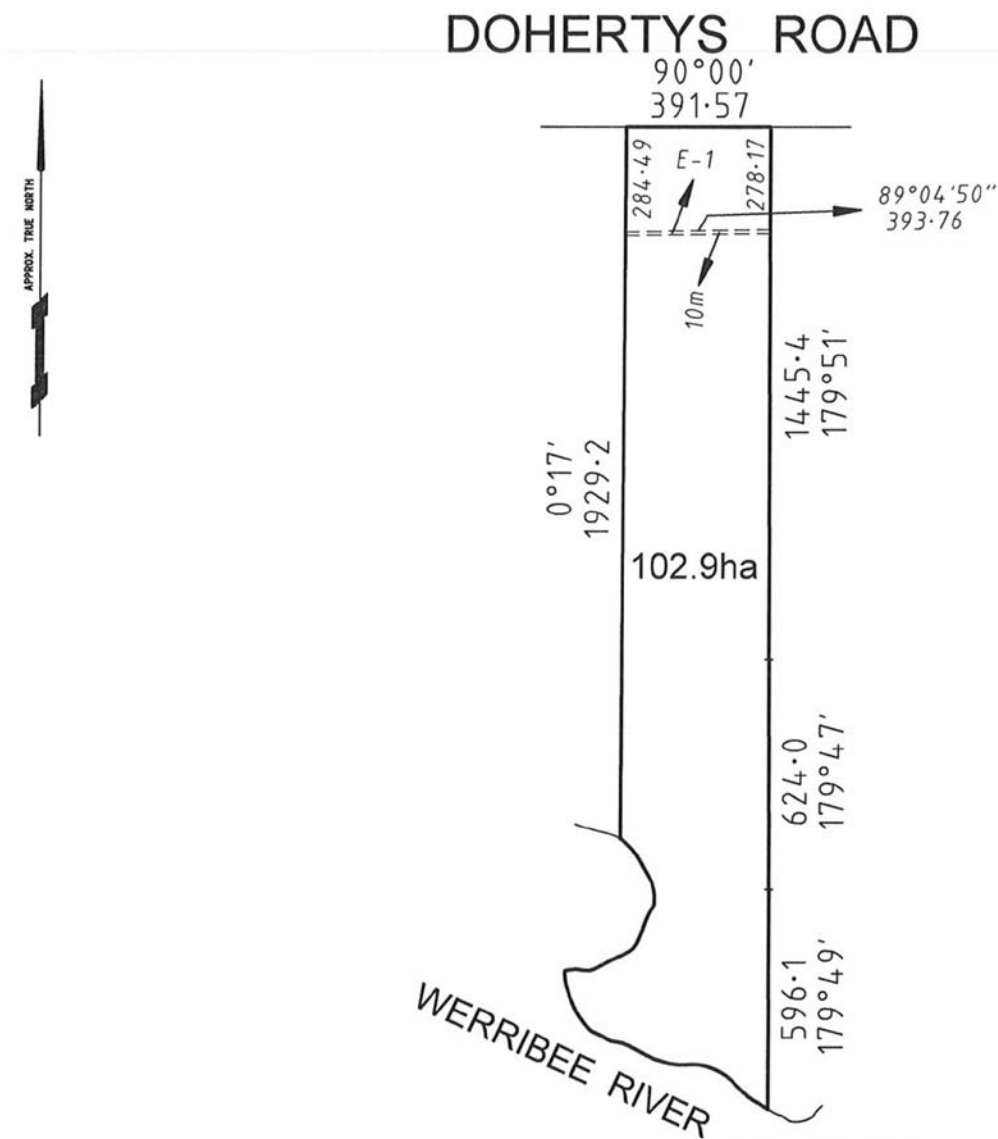
S. 21(a)
Reg. 16

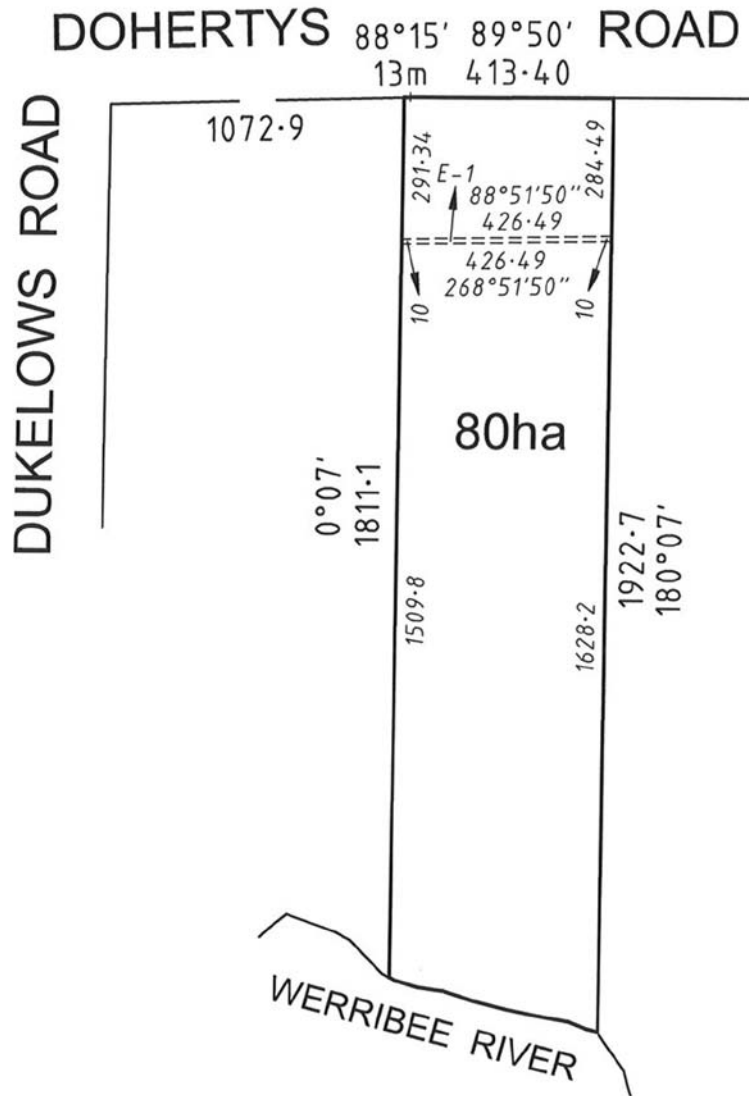
Notice of Acquisition

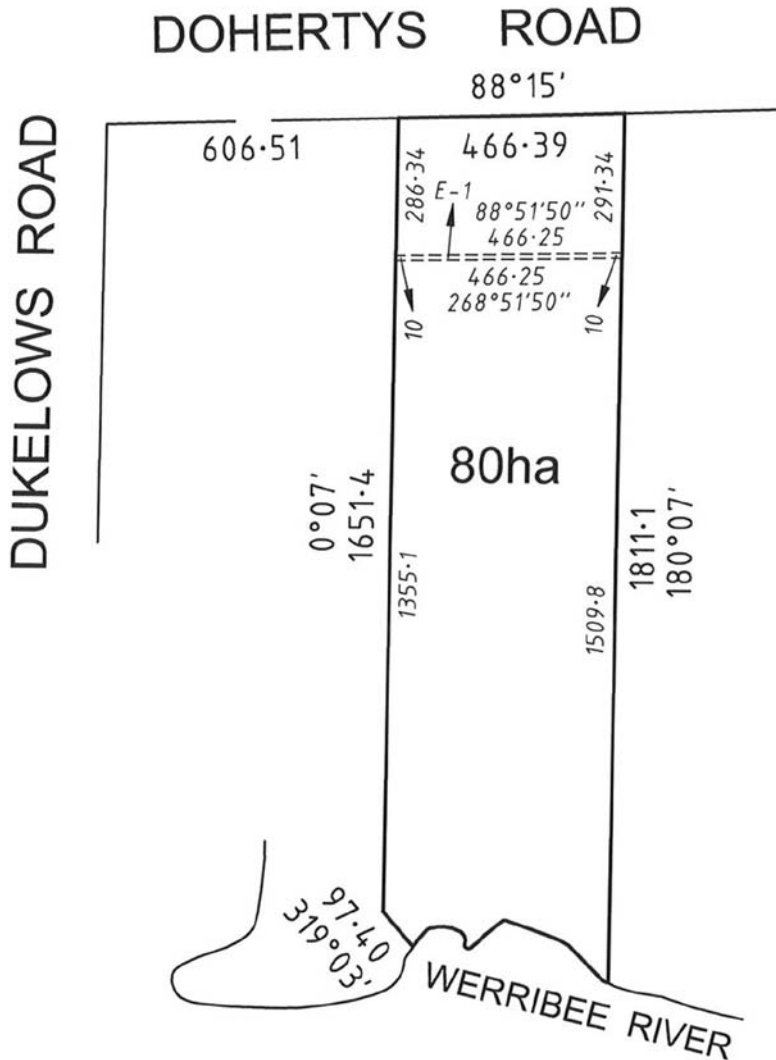
Compulsory Acquisition of Interest in Land

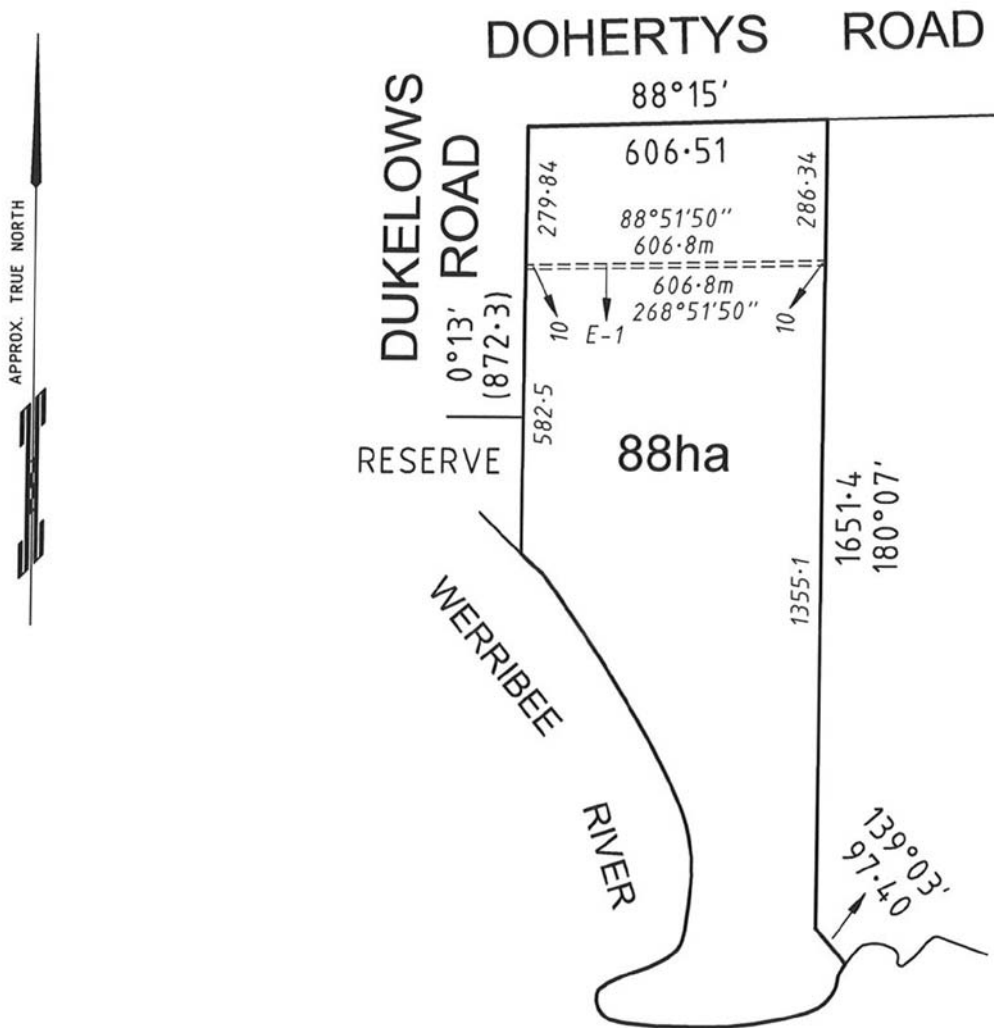
Barwon Region Water Corporation, ABN 86 348 316 514, of 61-67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificates of Title Volume 8041 Folio 090, Volume 10126 Folio 115, Volume 10126 Folio 114 and Volume 10126 Folio 113 and being the area marked 'E-1' on the plans for creation of easement which are annexed hereto.









Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

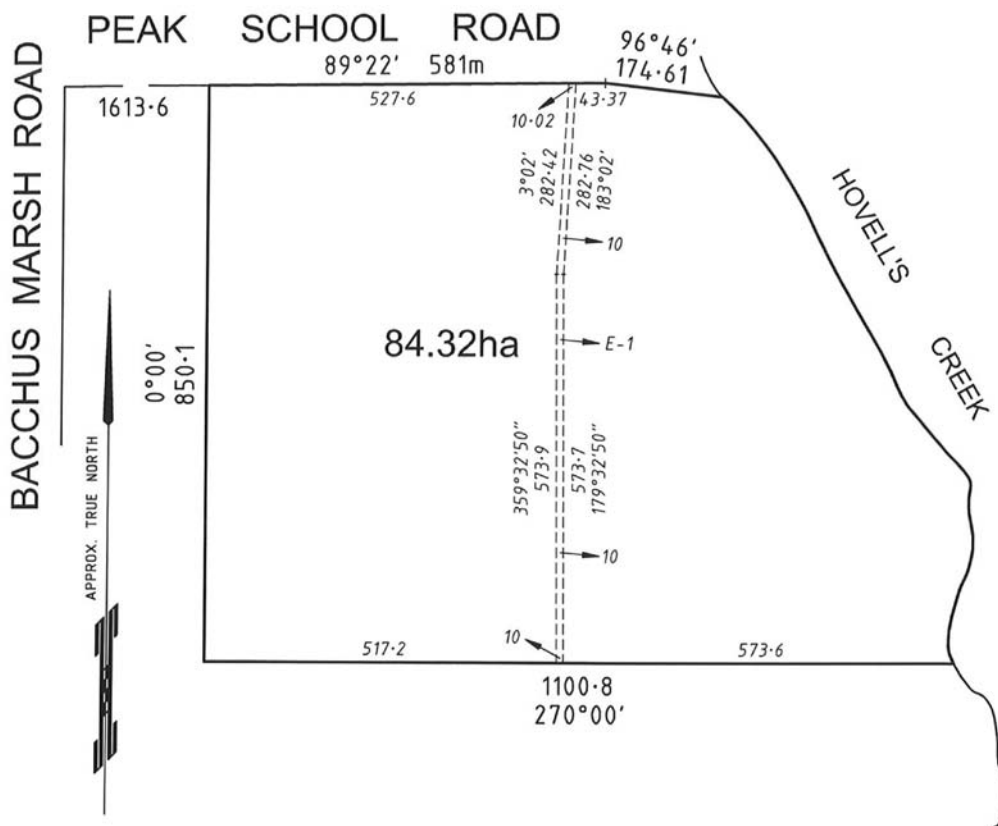
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61-67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificate of Title Volume 9580 Folio 254 and being the area marked 'E-1' on the plan for creation of easement which is annexed hereto.



Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

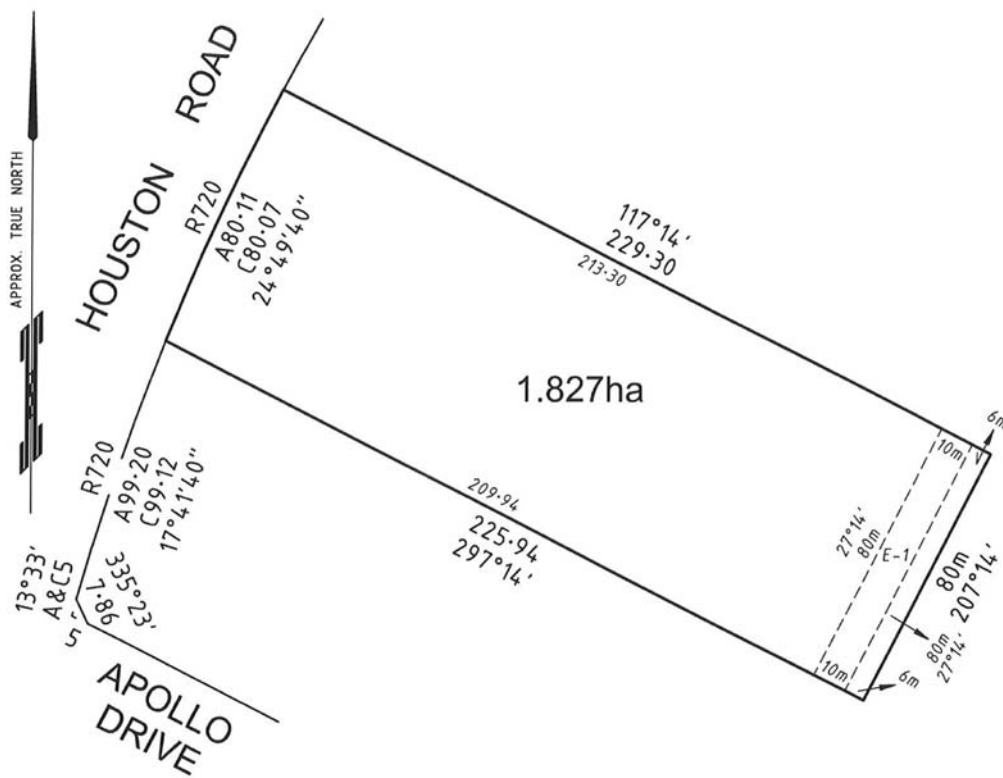
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61–67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificate of Title Volume 9387 Folio 320 and being the area marked 'E-1' on the plan for creation of easement which is annexed hereto.



Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

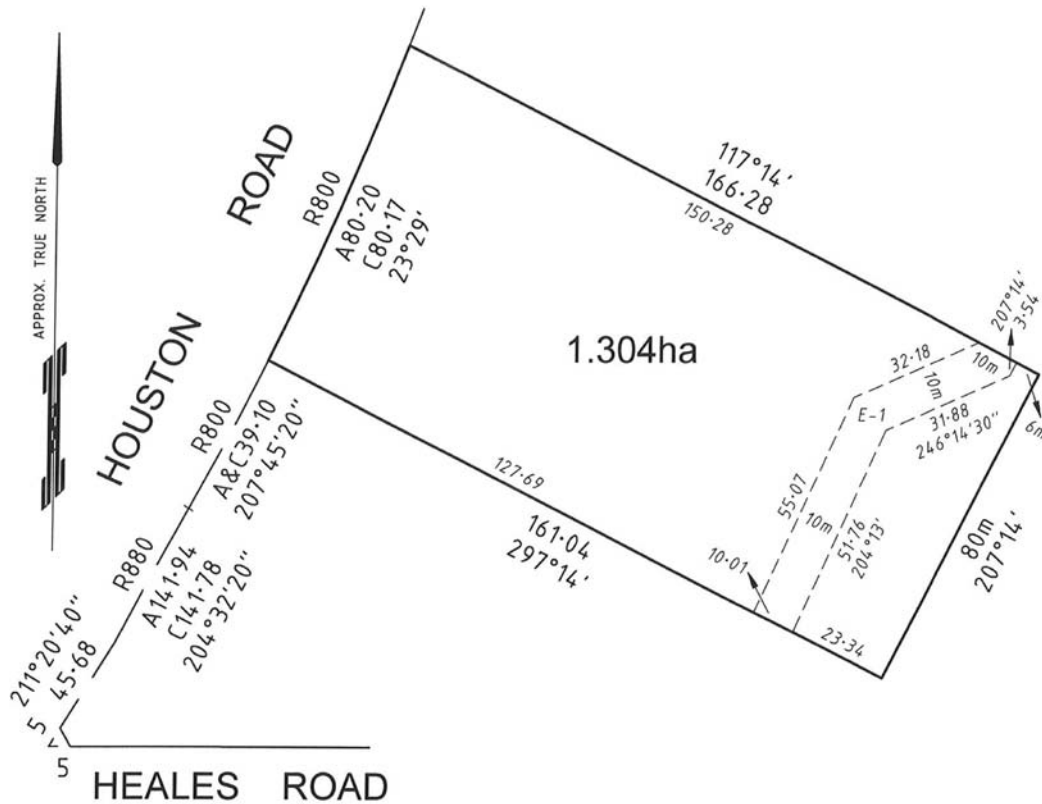
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61–67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificate of Title Volume 9387 Folio 324 and being the area marked 'E-1' on the plan for creation of easement which is annexed hereto.



Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

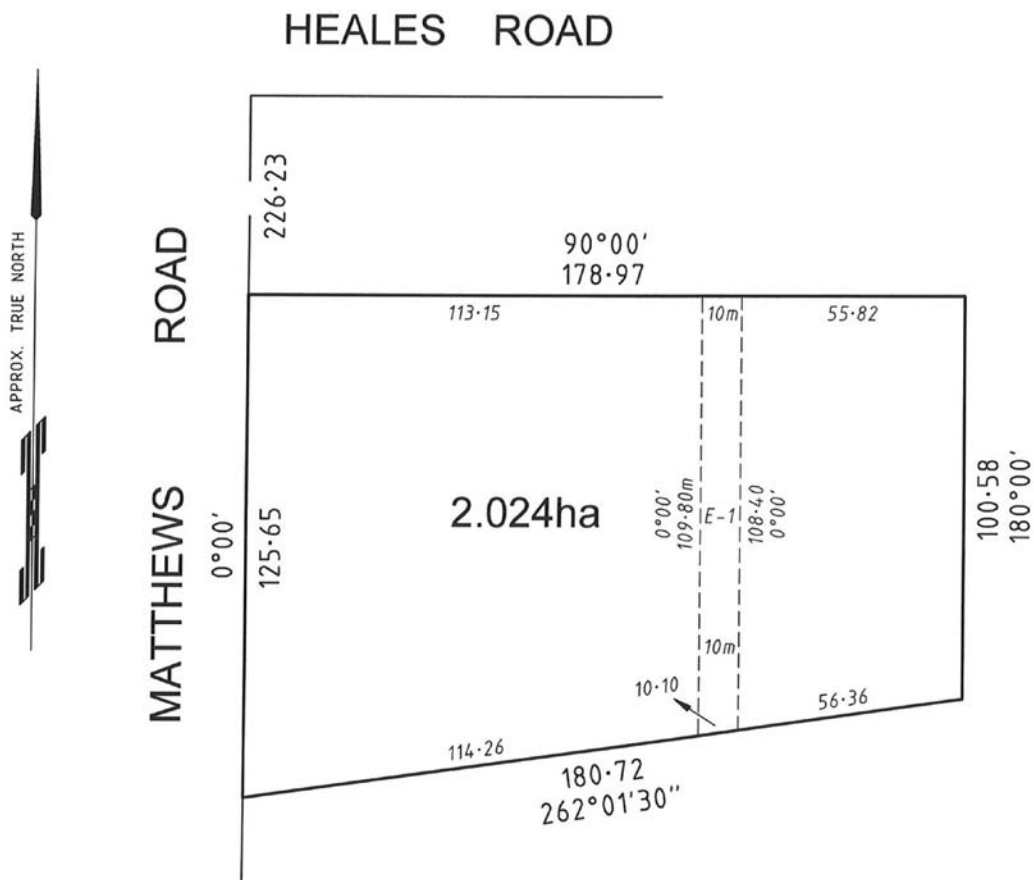
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61–67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificate of Title Volume 8804 Folio 733 and being the area marked 'E-1' on the plan for creation of easement which is annexed hereto.



Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

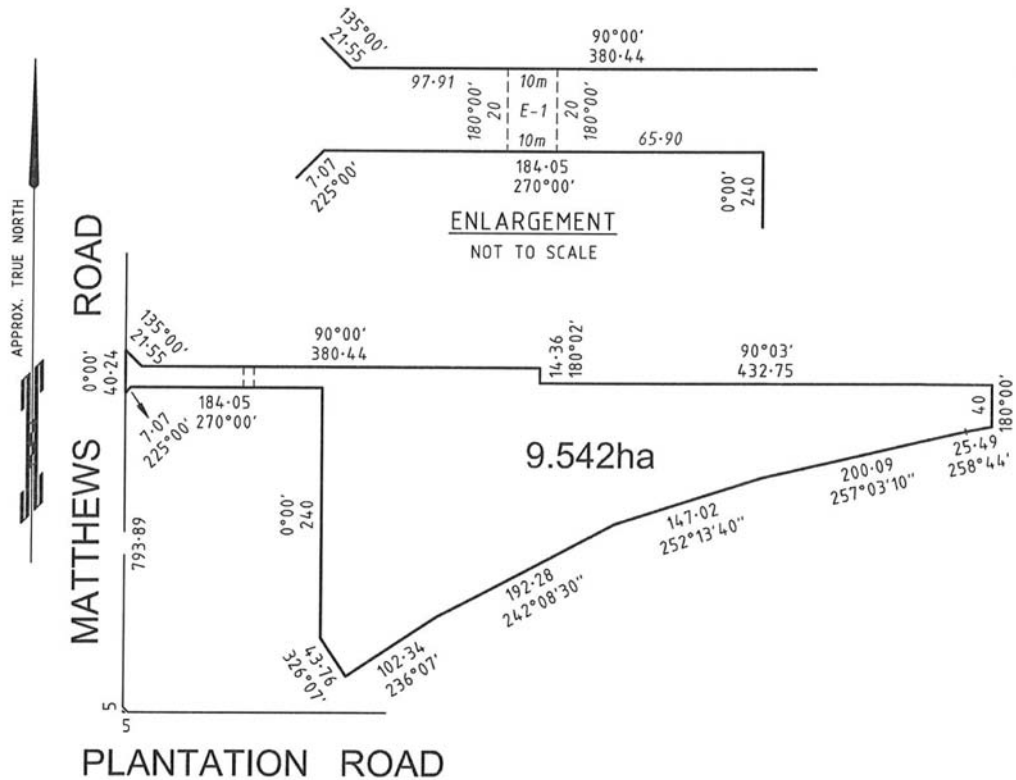
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61–67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificate of Title Volume 9593 Folio 003 and being the area marked 'E-1' on the plan for creation of easement which is annexed hereto.



Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Land Acquisition and Compensation Act 1986

FORM 7

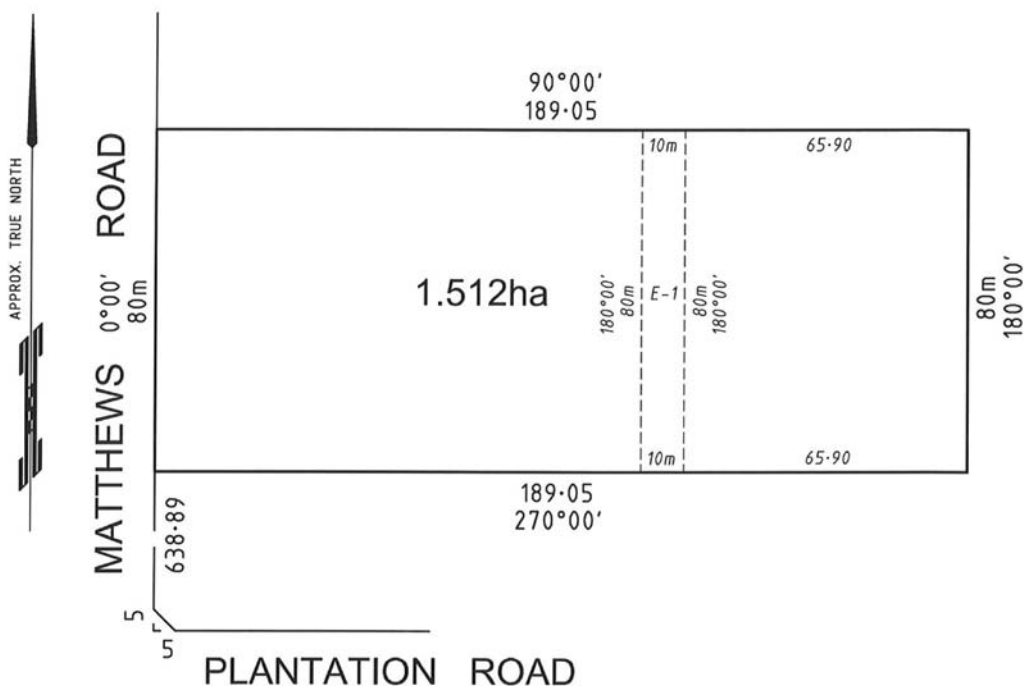
S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Barwon Region Water Corporation, ABN 86 348 316 514, of 61–67 Ryrie Street, Geelong, Victoria 3220, declares that by this notice it acquires the following interest in the land described as:

Easement for water supply purposes over that piece of land being portion of the land comprised and described in Certificate of Title Volume 9411 Folio 530 and being the area marked 'E-1' on the plan for creation of easement which is annexed hereto.



Published with the authority of Barwon Region Water Corporation.

Dated 9 September 2010

Signed by Michael Watson)
for and on behalf of)
Barwon Region Water Corporation)

MICHAEL WATSON
Board Secretary

Local Government Act 1989

SCHEDULE 11 CLAUSE 4

Designation of Tow Away Areas

2010 Phillip Island 500 V8 Supercars

Clause 4 Schedule 11 to the **Local Government Act 1989** provides Councils with the power to tow away and impound vehicles which are causing an unlawful obstruction or are unlawfully parked or left standing in an area designated by the Minister, and may charge the owner of the vehicle a fee up to the amount of the fee set for the purposes of clause 3(1)(c).

For the purpose of these provisions, I, Tim Pallas, Minister for Roads and Ports, designate the areas contained in the reservations of the roads listed in the following as tow away areas.

THE SCHEDULE

A list of all the roads, streets and lanes included in this designation of tow away areas within the Shire of Bass Coast is detailed below.

Phillip Island Road from Back Beach Road, Phillip Island to Bass Highway, Anderson;

Smiths Beach Road between Back Beach Road and Phillip Island Road;

Berry's Beach Road between Back Beach Road and Ventnor Road;

Back Beach Road between Phillip Island Road and Berry's Beach Road;

Pyramid Rock between Ventnor Road and Back Beach Road;

Gap Road from Phillip Island Road and its termination;

Bass Highway between Anderson to Grantville.

The tow away areas listed above are to operate from 12.01 am on Friday 10 September 2010 to 11.59 pm on Sunday 12 September 2010, 24 hours per day on both sides of every street, road and lane.

Dated 23 July 2010

TIM PALLAS MP
Minister for Roads and Ports

MEDICAL BOARD OF AUSTRALIA

Notice

Re: Dr Prem Sanjiv Bajpe

The Victorian Civil and Administrative Tribunal conducted a hearing on 15 April 2010 and 4 August 2010 into the professional conduct of Dr Prem Sanjiv Bajpe, a registered medical practitioner.

On 25 August 2010 the Tribunal found that Dr Bajpe had engaged in unprofessional conduct within the meaning of paragraph (c) of section 3(1) of the **Medical Practice Act 1994**; and engaged in professional misconduct within the meaning of paragraph (b) of the definition in the **Health Professions Registration Act 2005**.

The Tribunal made the following determinations pursuant to section 45A(2)(h) and (i) of the **Medical Practice Act 1994** and section 77(4)(h) and (o) of the **Health Professions Registration Act 2005** respectively –

- To cancel Dr Bajpe's registration effective 1 September 2010; and
- To disqualify him from applying for registration for a period of two years.

Dated 6 September 2010

BERNADETTE BROBERG
Hearings Co-ordinator

Plant Health and Plant Products Act 1995**ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION OF
DAYLILY RUST HOST MATERIAL INTO VICTORIA**

I, Patrick Sharkey, as delegate of the Minister for Agriculture, make the following Order:

Dated 6 September 2010

PATRICK SHARKEY
Manager Plant Standards

1. Objective

The objective of this Order is to prevent the entry or importation of the exotic disease daylily rust into Victoria.

2. Authorising Provision

This Order is made under section 24 of the **Plant Health and Plant Products Act 1995** ('the Act').

3. Definitions

In this Order –

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

'authorised inspector' means a person authorised as an inspector under the Act;

'daylily rust' means the exotic disease caused by the fungus *Puccinia hemerocallidis*;

'daylily rust host plant' means any plant or plant part of the genus *Hemerocallis*;

'daylily rust host material' means any daylily rust host plant, agricultural equipment or used package;

'Manager Plant Standards' means the person for the time being occupying or acting in the position of Manager, Plant Standards in the Department of Primary Industries;

4. Controls applying to daylily rust host material

(1) The entry or importation into Victoria of any daylily rust host material is prohibited.

(2) Sub-clause (1) does not apply if the daylily rust host material –

(a) was grown, sourced or last used on a property that is located in a State or Territory, or part of a State or Territory, for which an area freedom certificate, issued by an officer responsible for agriculture in the State or Territory where the daylily rust host material was grown, sourced or last used, is currently in force certifying that the State or Territory, or part of the State or Territory, is known to be free from daylily rust; or

(b) is packed, labelled and certified in accordance with any conditions prescribed by an accreditation program administered by the department responsible for agriculture in the affected State or Territory; or

(c) is accompanied by a plant health declaration issued by an authorised person declaring that it has been treated in a manner approved by the Manager Plant Standards; or

(d) is accompanied by a plant health certificate issued by an officer of the department responsible for agriculture in the affected State or Territory certifying that it has been grown, treated and packed in a manner approved by the Manager Plant Standards.

5. Verification of Consignments

Where requested by an authorised inspector, daylily rust host material imported into Victoria which is required by clause 4(2) to be accompanied by a certificate or declaration, must be:

- (a) presented to an authorised inspector for inspection; or
- (b) verified by a person accredited to do so by the Department of Primary Industries.

Note: Section 25 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and a penalty not exceeding 50 penalty units, in the case of a natural person and 200 penalty units, in the case of a body corporate, for knowingly breaching an Importation Order.

Plant Health and Plant Products Act 1995

ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION OF ELECTRIC ANT HOST MATERIAL INTO VICTORIA

I, Patrick Sharkey, as delegate of the Minister for Agriculture, make the following Order:

Dated 6 September 2010

PATRICK SHARKEY
Manager Plant Standards

1. Objective

The objective of this Order is to prevent the importation or entry of the exotic pest electric ant into Victoria.

2. Authorising provision

This Order is made under Section 24 of the **Plant Health and Plant Products Act 1995**.

3. Definitions

In this Order –

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

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

‘**electric ant**’ means the exotic pest *Wassmannia auropunctata* Rogers;

‘**electric ant host material**’ means any material capable of harbouring electric ants, including plants, landscaping materials, turf, hay and straw, soil, agricultural equipment or used package;

‘**hay and straw**’ includes baled organic material and fodder;

‘**landscaping material**’ means any non-liquid combination of organic material, potting media, sand, coal fines, dried biosolids or mulch;

‘**Manager Plant Standards**’ means the person for the time being occupying or acting in the position of Manager, Plant Standards in the Department of Primary Industries;

‘**plants**’ means any plants including plants with potting media or soil attached, containerised plants and other plants such as epiphytic ferns, but not bare rooted plants or cut flowers or foliage;

‘**turf**’ means any grass sod with soil or potting media attached.

4. Controls applying to electric ant host materials

- (1) The entry or importation into Victoria of any electric ant host material is prohibited.
- (2) Sub-clause (1) does not apply if the electric ant host material –

- (a) was grown on, or packed on, or last used on a property that is located in a State or Territory, or part of a State or Territory, for which an area freedom certificate issued by an officer responsible for agriculture in the State or Territory where the electric ant material was grown, or the agricultural equipment or package was last used, is currently in force certifying that the State or Territory or that part of the State or Territory is known to be free of electric ant; or
- (b) is packed, labelled and certified in accordance with any conditions prescribed by an accreditation program, administered by the department responsible for agriculture in the affected State or Territory; or
- (c) is accompanied by a plant health declaration issued by an authorised person declaring that it has been treated in a manner approved by the Manager Plant Standards; or
- (d) is accompanied by a plant health certificate issued by an officer of the department responsible for agriculture in the affected State or Territory certifying that it has been treated in a manner approved by the Manager Plant Standards.

5. Verification of Consignments

Where requested by an authorised inspector, electric ant host material imported into Victoria which is required by clause 4(2) to be accompanied by a certificate or declaration must be:

- (a) presented to an authorised inspector for inspection; or
- (b) verified by a person accredited to do so by the Department of Primary Industries.

Note: Section 25 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and a penalty not exceeding 50 penalty units, in the case of a natural person, and 200 penalty units in the case of a body corporate, for knowingly breaching an Importation Order.

AGREEMENT FOR THE MELBOURNE CITY LINK AND AGREEMENT FOR THE
EXHIBITION STREET EXTENSION PROJECT

Notice under Schedule 4 of the Agreement for Integrating and Facilitating the Project and the Exhibition Street Extension Project between the Crown in right of the State of Victoria, CityLink Melbourne Limited, Transurban Infrastructure Management Limited and City Link Extension Pty Limited (the 'IFA') (as substituted for (and as if incorporated in lieu of) Schedule 3 of the Agreement for the Melbourne City Link between the Crown in right of the State of Victoria, CityLink Melbourne Limited and Transurban Infrastructure Management Limited (the 'Concession Deed') and Schedule 1 of the Agreement for the Exhibition Street Extension Project between the Crown in right of the State of Victoria and City Link Extension Pty Limited ('the ESEP Deed')).

CityLink Melbourne Limited (ABN 65 070 810 678) (for itself and as agent of City Link Extension Pty Limited (ABN 40 082 058 615)) ('CityLink Melbourne') gives notice of the following Charge Tolls, Maximum Charge Tolls, Day Tolls, Taxi Tolls and Taxi Day Tolls for the Melbourne City Link and the Exhibition Street Extension:

Schedule of Charge Tolls and Maximum Charge Tolls

Charge Tolls (\$/vehicle)

Category of Vehicle Tollable Section	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road	1.81	2.89	3.43	0.90
Western Link Section 1, between Racecourse Road and Dynon Road	1.81	2.89	3.43	0.90
Western Link Section 2, between Footscray Road and West Gate Freeway	2.26	3.62	4.30	1.13
Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1:	2.26	3.62	4.30	1.13
(a) between Punt Road and the exit to Boulton Parade; and				
(b) comprising Boulton Parade				
Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street	4.07	6.51	7.73	2.03
Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1:	1.81	2.89	3.43	0.90
(a) between Punt Road and the exit to Boulton Parade; and				
(b) comprising Boulton Parade				
Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street	1.81	2.89	3.43	0.90
Southern Link Section 1, between Glenferrie Road and Burnley Street	1.81	2.89	3.43	0.90
Southern Link Section 5, between Burnley Street and Glenferrie Road	1.81	2.89	3.43	0.90
Exhibition Street Extension	1.13	1.81	2.15	0.57

Southern Link Section 1, between Punt Road and Swan Street Intersection, other than:	1.13	1.81	2.15	0.57
(a) that part of Southern Link Section 1:				
(i) between Punt Road and the exit to Boulton Parade; and				
(ii) comprising Boulton Parade; and				
(b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road				
Southern Link Section 5, between Swan Street Intersection and Punt Road	1.13	1.81	2.15	0.57

Notes:

- When travelling on Southern Link Section 1 between Burnley Street and Punt Road and then onto Batman Avenue, the Tollable Sections may be combined for the purposes of levying Tolls.
- When travelling on Southern Link Section 1 and into the Domain Tunnel, the Tollable Sections may be combined for the purposes of levying Tolls.
- A reference in the description of a Tollable Section to a part of the Southern Link between a particular street or road and Burnley Street, includes that part of the Southern Link between that particular street or road and where Burnley Street would cross the Southern Link if Burnley Street continued in a straight southerly direction from its southernmost extremity.
- In this table:
 - ‘Boulton Parade’ includes the off-ramp connecting the rest of the Southern Link to Boulton Parade;
 - ‘Burnley Tunnel’ means the eastbound tunnel between Sturt Street and Burnley Street;
 - ‘Domain Tunnel’ means the westbound tunnel between Punt Road and Sturt Street; and
 - ‘Swan Street Intersection’ means the intersection between Swan Street and Batman Avenue.

Maximum Charge Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Total Link occurs between 6.00 am and 8.00 pm	6.78	9.04	9.04	3.39
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Total Link occurs between 8.00 pm and 6.00 am	6.78	6.78	6.78	3.39

Day Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Day Toll	13.00	20.80	24.70	6.50

Taxi Tolls (\$/Taxi)

Trip	Taxi Toll
Trips involving use of any or all of the Tollable Sections which comprise the Western Link* and no other Tollable Sections	4.10
Trips involving use of any or all of the Tollable Sections which comprise the Southern Link** and/or Exhibition Street Extension*** and no other Tollable Sections	4.10
Trips involving use of Tollable Sections which comprise both the Western Link* and either or both of the Southern Link** and the Exhibition Street Extension***	6.40

* The Western Link comprises the following three Tollable Sections:

1. Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road.
2. Western Link Section 1, between Racecourse Road and Dynon Road.
3. Western Link Section 2, between Footscray Road and West Gate Freeway.

** The Southern Link comprises the following eight Tollable Sections:

1. Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1:
 - (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.
2. Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1:
 - (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.
3. Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street.
4. Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.
5. Southern Link Section 1, between Glenferrie Road and Burnley Street.
6. Southern Link Section 5, between Burnley Street and Glenferrie Road.

7. Southern Link Section 1, between Punt Road and Swan Street Intersection, other than:
- (a) that part of Southern Link Section 1:
 - (i) between Punt Road and the exit to Boulton Parade; and
 - (ii) comprising Boulton Parade; and
 - (b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road.
8. Southern Link Section 5, between Swan Street Intersection and Punt Road.

*** The Exhibition Street Extension comprises the following Tollable Section:

- 1. Exhibition Street Extension.

Taxi Day Tolls (\$/Taxi)

Taxi	Taxi Day Toll
Metropolitan Taxi	13.00
A Taxi not being a Metropolitan Taxi	7.00

CityLink Melbourne intends that each Charge Toll, Maximum Charge Toll, Day Toll, Taxi Toll and Taxi Day Toll specified above will first apply in the quarter ending 31 December 2010.

Capitalised terms in this notice that are defined in:

- (a) the Concession Deed have, subject to paragraph (b), that meaning in this notice;
- (b) the ESEP Deed have that meaning in this notice, but only to the extent that the provision applies to the ESEP Deed,

subject to the provisions of the IFA.

E. M. MILDWATER
 Company Secretary
 CityLink Melbourne Limited
 (ABN 65 070 810 678)

B. J. BOURKE
 Director
 CityLink Melbourne Limited
 (ABN 65 070 810 678)

AGREEMENT FOR THE EXHIBITION STREET EXTENSION PROJECT

Notice under Schedule 1 of the Agreement for the Exhibition Street Extension Project between the Crown in right of the State of Victoria and City Link Extension Pty Limited (the 'ESEP Deed').

City Link Extension Pty Limited (ABN 40 082 058 615) ('Cleppo') gives notice of the following Charge Tolls for the Exhibition Street Extension:

Charge Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Tollable Section				
Exhibition Street Extension	1.13	1.81	2.15	0.57

Cleppo intends that these Charge Tolls will first apply in the quarter ending 31 December 2010.

Capitalised terms in this notice that are defined in the ESEP Deed have the same meaning as given by the ESEP Deed.

E. M. MILDWATER
 Company Secretary
 City Link Extension Pty Limited
 ABN 40 082 058 615

B. J. BOURKE
 Director
 City Link Extension Pty Limited
 ABN 40 082 058 615

AGREEMENT FOR THE MELBOURNE CITY LINK

Notice under Schedule 3 of the Agreement for the Melbourne City Link between the Crown in right of the State of Victoria, CityLink Melbourne Limited and Transurban Infrastructure Management Limited (the 'Concession Deed').

CityLink Melbourne Limited (ABN 65 070 810 678) ('CityLink Melbourne') gives notice of the following Charge Tolls, Maximum Charge Tolls, Day Tolls, Taxi Tolls and Taxi Day Tolls for the Melbourne City Link:

Charge Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Tollable Section				
Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road	1.81	2.89	3.43	0.90
Western Link Section 1, between Racecourse Road and Dynon Road	1.81	2.89	3.43	0.90
Western Link Section 2, between Footscray Road and West Gate Freeway	2.26	3.62	4.30	1.13
Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1:	2.26	3.62	4.30	1.13
(a) between Punt Road and the exit to Boulton Parade; and				
(b) comprising Boulton Parade				
Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street	4.07	6.51	7.73	2.03
Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1:	1.81	2.89	3.43	0.90
(a) between Punt Road and the exit to Boulton Parade; and				
(b) comprising Boulton Parade				

Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street	1.81	2.89	3.43	0.90
Southern Link Section 1, between Glenferrie Road and Burnley Street	1.81	2.89	3.43	0.90
Southern Link Section 5, between Burnley Street and Glenferrie Road	1.81	2.89	3.43	0.90
Southern Link Section 1, between Punt Road and Swan Street Intersection, other than:	1.13	1.81	2.15	0.57
(a) that part of Southern Link Section 1:				
(i) between Punt Road and the exit to Boulton Parade; and				
(ii) comprising Boulton Parade; and				
(b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road				
Southern Link Section 5, between Swan Street Intersection and Punt Road	1.13	1.81	2.15	0.57

Notes:

1. When travelling on Southern Link Section 1 between Burnley Street and Punt Road and then onto Batman Avenue, the Tollable Sections may be combined for the purposes of levying Tolls.
2. When travelling on Southern Link Section 1 and into the Domain Tunnel, the Tollable Sections may be combined for the purposes of levying Tolls.
3. A reference in the description of a Tollable Section to a part of the Southern Link between a particular street or road and Burnley Street, includes that part of the Southern Link between that particular street or road and where Burnley Street would cross the Southern Link if Burnley Street continued in a straight southerly direction from its southernmost extremity.
4. In this table:
 - ‘Boulton Parade’ includes the off-ramp connecting the rest of the Southern Link to Boulton Parade;
 - ‘Burnley Tunnel’ means the eastbound tunnel between Sturt Street and Burnley Street;
 - ‘Domain Tunnel’ means the westbound tunnel between Punt Road and Sturt Street; and
 - ‘Swan Street Intersection’ means the intersection between Swan Street and Batman Avenue.

Maximum Charge Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Link occurs between 6.00 am and 8.00 pm	6.78	9.04	9.04	3.39
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Link occurs between 8.00 pm and 6.00 am	6.78	6.78	6.78	3.39

Day Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Day Toll	13.00	20.80	24.70	6.50

Taxi Tolls (\$/Taxi)

Trip	Taxi Toll
Trips involving use of any or all of the Tollable Sections which comprise the Western Link* and no other Tollable Sections	4.10
Trips involving use of any or all of the Tollable Sections which comprise the Southern Link** and no other Tollable Sections	4.10
Trips involving use of Tollable Sections which comprise both the Western Link* and the Southern Link**	6.40

* The Western Link comprises the following three Tollable Sections:

1. Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road.
2. Western Link Section 1, between Racecourse Road and Dynon Road.
3. Western Link Section 2, between Footscray Road and West Gate Freeway.

** The Southern Link comprises the following eight Tollable Sections:

1. Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1:
 - (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.

2. Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1:
 - (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.
3. Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street.
4. Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.
5. Southern Link Section 1, between Glenferrie Road and Burnley Street.
6. Southern Link Section 5, between Burnley Street and Glenferrie Road.
7. Southern Link Section 1, between Punt Road and Swan Street Intersection, other than:
 - (a) that part of Southern Link Section 1:
 - (i) between Punt Road and the exit to Boulton Parade; and
 - (ii) comprising Boulton Parade; and
 - (b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road.
8. Southern Link Section 5, between Swan Street Intersection and Punt Road.

Taxi Day Tolls (\$/Taxi)

Taxi	Taxi Day Toll
Metropolitan Taxi	13.00
A Taxi not being a Metropolitan Taxi	7.00

CityLink Melbourne intends that each Charge Toll, Maximum Charge Toll, Day Toll, Taxi Toll and Taxi Day Toll specified above will first apply in the quarter ending 31 December 2010.

Capitalised terms in this notice that are defined in the Concession Deed have the same meaning as given by the Concession Deed.

E. M. MILDWATER
 Company Secretary
 CityLink Melbourne Limited
 (ABN 65 070 810 678)

B. J. BOURKE
 Director
 CityLink Melbourne Limited
 (ABN 65 070 810 678)

Owner Drivers and Forestry Contractors Act 2005

WORKFORCE VICTORIA

DEPARTMENT OF INNOVATION, INDUSTRY AND REGIONAL DEVELOPMENT

Haulage – Single Shift Jinker – Native Forests

Forestry Industry Council Rates and Costs Schedule 2010

A. Introduction

This Schedule is a general guide only. Contractors are strongly advised to seek professional accounting advice relevant to their own situation and discuss all issues with their hirer to ensure there is no misunderstanding concerning payment structures.

This Rates and Costs Schedule ('Schedule') is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.). Under the Act, this Schedule must be given by hirers to any haulage contractor three days prior to engagement. This Schedule will be revised at least annually, and hirers must provide haulage contractors with any such revised Schedule as soon as practicable after it is published.

This Schedule applies to haulage contractors transporting forest products¹ sourced from native forests using a prime mover and jinker in a single shift (up to 12 hours per day) operation.²

The Schedule does not set minimum rates that must be paid, but sets out a costing model and example based on typical overhead costs to assist contractors and their hirers to better understand the typical operating costs of a haulage business. The Schedule can then be used by contractors as a guide to plan their own unique costs.

The Schedule includes an explanation of the assumptions used and the factors that will cause costs to vary. The costs 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 figures used;
- 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; or
- the length of the season, road conditions or distances travelled are different.

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

¹ 'Haulage Contractor' and 'Forest Products' are defined in the **Owner Drivers and Forestry Contractors Act 2005**.

² Hirers are required to provide haulage contractors with the Schedule that most closely relates to the vehicle and type of operation.

The Schedule is based on the following assumptions about the type of haulage operation.

SUBJECT	ASSUMPTIONS
Hours and Kilometres	Haulage occurs 46 weeks, 9 days per fortnight, (207 days) per year, over one 12 hour shift per day (including loading and unloading times). Total hours worked per year – 2,484 (assumes 85,000 kilometres travelled per year).
Vehicle	Based on a bogie drive prime mover and triaxle jinker subject to a lease arrangement, over a 5 year lease term with a 30% residual, with a comparison interest rate of 6.5% per year.
Terrain and Road Conditions	The costs in this Schedule have been based on a higher proportion of travel in short haul (<100 km) than in long haul (>100 km) and the typical vehicle life, maintenance costs, wear and tear and tyre consumption of a vehicle travelling on both sealed and unsealed roads.
Wages	The Schedule assumes that the owner/manager is employed by the business.
Fuel	Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST of \$0.86 per litre (as at 1 September 2009). Assumes fuel consumption of 1.8 km per litre.

B. OPERATING COSTS

Note: All costs are exclusive of GST

Cost Items Assumptions used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item								
<p>1. Equipment Truck (bogiedrive) 272,000 Jinker (trioxide) 104,000 Vehicle 46,580 Total \$422,580</p>			<ul style="list-style-type: none"> Assumes interest is charged at 6.5% per annum. Interest rates may vary over time. 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. Assumes support vehicle is used exclusively for business use. 								
<p>2. Finance Hire purchase and loan repayments for term of 5 years, interest of 6.5% p.a. and 30% residual value.</p>	\$69,453										
<p>3. Labour <ul style="list-style-type: none"> Owner is employed by the business on a wage, all inclusive of sick leave, annual leave, public holidays, penalty rates and long service leave. Superannuation (9%) and WorkCover premiums (industry average rate of 4.698%). Based on one 12 hour shift per day, 207 days per year (total 2,484 hours per year). </p>	\$78,666		<ul style="list-style-type: none"> Labour costs are based on market rates in the industry in 2006. Labour costs may vary in particular regions or with different industrial arrangements. Labour costs may increase or decrease over time. WorkCover premium is assumed at the industry rate of 4.698%. Contractors may be subject to a significantly higher premium based on their claims history. Assumes owner is employed by the business as driver/manager, at a salary of \$69,190 per year plus on costs. The payment for the owner's labour will vary based on market factors see the discussion in Section D. 								
<table border="1"> <thead> <tr> <th>Wage \$</th> <th>Super \$</th> <th>W/Cover \$</th> <th>Total \$</th> </tr> </thead> <tbody> <tr> <td>69,190</td> <td>6,226</td> <td>3,250</td> <td>78,666</td> </tr> </tbody> </table>	Wage \$	Super \$	W/Cover \$	Total \$	69,190	6,226	3,250	78,666			
Wage \$	Super \$	W/Cover \$	Total \$								
69,190	6,226	3,250	78,666								
<p>4. Repairs and Maintenance <ul style="list-style-type: none"> Assumes annual tyre cost of \$12,750, based on annual travel of 85,000 km per year. Assumes \$25,000 for scheduled servicing, repairs and maintenance. </p>	\$38,250		<ul style="list-style-type: none"> Contractors with older or less reliable vehicles may incur greater maintenance costs and may also have periods of no income during repairs. The operating costs of a particular vehicle will vary with the age and condition of that vehicle. 								

Cost Items Assumptions used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<p>5. OHS / Fatigue Management</p> <ul style="list-style-type: none"> ● Maintenance of safety systems. ● Cost of personal protective equipment and clothing (\$450 per person per year). 	<p>\$1,137</p>		<ul style="list-style-type: none"> ● Changes to regulation or industry best practice may increase costs
<p>6. Fuel and Lubricants</p> <ul style="list-style-type: none"> ● Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST, of \$0.86 per litre (as at 1 September 2009). ● Based on consumption rate of 1.8km/litre, assumes average annual consumption of 47,222 litres to travel 85,000 km (\$42,788). ● Lubricants at \$2,176/year. 	<p>\$42,788</p>		<ul style="list-style-type: none"> ● Rises and falls in the cost of fuel have an impact upon the costs of the business. ● Fuel consumption varies significantly depending on the vehicle's age and condition, the class / gradient of roads, and whether trips are short or long haul.
<p>7. Insurance</p> <p>a) Comprehensive, public liability, third party</p> <ul style="list-style-type: none"> ● Based on operator over the age of 25, has at least 5 years experience and no claims history. ● Public liability cover (up to \$10 million). <p>b) Insurance – loss of business earnings</p>	<p>\$6,765</p> <p>\$2,098</p>		<ul style="list-style-type: none"> ● Rates may be higher for interstate trucks. ● Vehicle insurance costs may vary depending upon the age of the vehicle insured, the provider, any excess payable and claims history. ● The cost of loss of business earnings insurance will vary significantly with the individual's age and health history, the amount of income insured and the period of benefits.
<p>8. Registration, permits and TAC fees</p> <p>Vehicle registration fee of \$5,885 and TAC charge of \$947 (net of GST). Assumes annual payment, garaged in low risk area.</p>	<p>\$6,832</p>		<ul style="list-style-type: none"> ● These fees are current as at 1 December 2009 but may change. Additional licences may be payable for certain types of operations (e.g. interstate, oversize). Additional administration charges may apply to registration fees if they are paid in instalments. ● TAC charges will be higher if the vehicle is garaged in a medium or high risk area.

Cost Items Assumptions used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<p>9. Administration and sundries</p> <ul style="list-style-type: none"> ● 3 hours per week paid administration (\$63 per week, \$3,272 a year) ● Accountant is used for BAS, tax and company returns, audits (\$2,097) ● Phone charges (\$3,545) ● Bank charges (\$1,206) ● Home office expenses (\$735) ● Professional memberships, consultants and training (\$1855) ● Sundry expenses (tools, etc) (\$524) 	<p>\$13,234</p>		<p>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 and the service provider. Other costs: Accommodation 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 (e.g. registering a company, purchasing a computer).</p>
<p>Total annual costs Cost per hour assuming 2,670 hours/year Cost per km assuming 85,775 km/year</p>	<p>\$259,224 \$104.36/hour \$3.05/km</p>		

C. Factors Influencing Total Operating Costs

The Costs of Operating a Particular Forestry Haulage Business are Influenced by a Number of Factors:	
Variable	Impact
Environment days per year	The number of days and total kilometres travelled per year in which haulage occurs will affect the contractor's operating costs. Fewer work days means that the business' fixed costs are spread over a shorter period, increasing the total cost per hour/kilometre of running the business. More work days per year allows the business' fixed costs to be spread over a longer period, decreasing the total cost per hour.
Terrain and road conditions	A higher proportion of low standard forest roads increases tyre costs and repairs to suspension systems, while a better standard of road will reduce these costs.
Contract term	If the contract term is secure, the contractor's fixed (annual) costs, including finance costs/depreciation, can be secured over the period of the contract and a better finance arrangement obtained. Shorter contract term (less than the useful life of the vehicle) may involve a higher cost, as the fixed/annualised costs cannot be spread over the longer contract period/number of kilometres. In addition, higher finance costs may be incurred if the contract is less secure.

D. Payment for the Business Owner's Labour

The Schedule assumes that the business uses a company structure and employs the owner of the business as a driver and pays a wage. However, the owner may take payment for their labour in the form of a wage, profits, trust distributions, dividends or a combination of these, depending on their accountant's advice.

The Schedule assumes the owner/manager drives the vehicle for one 12 hour shift per day (including loading and unloading time) at a base wage of \$69,190 year (plus superannuation and WorkCover).

The wages that are typically 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 a contractor. These rates will vary over time, and should be used as a general guide only. Unions, industry associations, newspaper job advertisements and other haulage contractors are sources of advice about the going rates in your area.

In the general freight industry, employee drivers are generally paid a per hour rate, usually based on an industrial award or agreement. The base and casual hourly rates paid in the general transport industry under the Transport Workers Award 1998 (Victorian common rule award) are set out in the table below. Typically in Victoria, employers pay up to 15% higher than the minimum award rate for an experienced driver.

	base hourly rate⁽¹⁾	casual/loaded hourly rate⁽²⁾ (includes all payments for leave, public holidays etc)	overtime rate⁽³⁾ For the first 2 hours over 8 per day or 38 hours per week	overtime rate⁽³⁾ For hours worked over 10 per day or 48 per week
Award hourly rates⁽⁴⁾	\$15.67	\$19.59	\$23.51	\$31.34

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’** are generally paid for 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’**. These rates apply 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 2006, 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.

In the Victorian native forestry industry, employee drivers are generally paid on the basis of piece rate based on 20 to 22% of truck earnings, rather than on an hourly rate. As at December 2006, rates paid to employee drivers in the forestry industry generally range between \$60,000 to \$70,000 per year, inclusive of all annual leave, sick leave and public holidays. This works out as an hourly flat rate of between \$20 to \$25 per hour (for a 12 hour shift, 46 weeks per year, 2,484 hours).

E. Return on the Contractor’s Investment

Haulage contractors can reasonably expect to receive an amount over and above their efficient operating costs and their own labour as a reward for their risk and investment. The amount that is a reasonable return on investment will vary widely in all the circumstances, and may vary over time as market conditions change. Factors that influence what is a reasonable return on investment include:

- a) The amount of the capital investment in the vehicle or equipment;
- b) The level of commercial risk assumed by the contractor;
- c) The security and certainty of the arrangements;
- d) Whether the vehicle or equipment provided by the contractor can readily be used to provide services to other persons;
- e) Whether the vehicle or equipment is also used for personal use;
- f) The efficiency and productivity of the contractor; and
- g) The market for the services.

Forestry haulage businesses (native forests) typically set a target for return on investment of between 10 and 15 per cent of their total capital investment in the business (being the amount of the contractor’s own funds invested, net of any debt to a lender).

The profit margin of a haulage business has a significant impact upon the capacity of the contractor to obtain finance and to invest in vehicles and equipment and to cope with unexpected losses of production, for example, losses due to protests or weather events.

Owner Drivers and Forestry Contractors Act 2005

WORKFORCE VICTORIA

DEPARTMENT OF INNOVATION, INDUSTRY AND REGIONAL DEVELOPMENT

1 Tonne Vehicle (GVM)

Transport Industry Council Rates and Costs Schedule 2010

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 is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under the Act, this Schedule must be given by hirers to all new owner drivers three days prior to engagement. This Schedule will be revised at least annually, and under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practicable after it is published.

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 in creases 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.

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 SemiTrailer (Bogie Drive, 6 axle). Hirers are required to provide owner drivers with the Schedule that most closely relates to the owner driver's vehicle.

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 8.54% per annum. ● 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>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.workforce.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 \$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 8.54% interest per annum.</p>	\$4,768		<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 \$183.30 and TAC charge of \$430.10 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (e.g. metropolitan Melbourne).</p>	\$613		<p>These fees are current as at 1 July 2009 but may change.</p> <p>Additional licences may be payable for certain types of operations (e.g. 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 \$30,830.</p>	\$2,775		

FIXED COSTS			
Cost Items Assumptions used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<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>	\$621		Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (e.g. 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>Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.</p>	\$400		The cost of goods in transit insurance may vary depending on the type of goods being transported.
<p>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.</p>	\$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.
<p>Insurance Public Liability Assumes policy for public liability claims up to \$10 million.</p>	\$405		

FIXED COSTS			
Cost Items Assumptions used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<p>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.</p>	\$1,395		<p>The rate is current as at 1 October 2009 and is subject to change.</p> <p>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.</p> <p>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.</p>
<p>Business Administration Costs Includes maintenance of records, preparation of tax returns, mobile phone charges, and sundry business expenses.</p>	\$2,690		<p>Accounting/bookkeeping fees may be lower if the business prepares its own BAS and accounts.</p> <p>Mobile phone charges will vary significantly depending on level of use.</p> <p>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 (e.g. registering a company). This figure may also vary depending on contractual conditions.</p>
Total annual fixed costs	\$14,117		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$7.67		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 2010 of 107.94 cents per litre which is net of GST. Assumes 5.49 km per litre consumed.	19.66 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 \$233.31 per tyre.	0.86 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 4.24 cents per kilometre.	4.24 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	24.76 cents		
Total variable costs per driving hour Assumes 25km travelled per hour.	\$6.19		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⁾ (includes allowance for leave, etc)	overtime rate⁽³⁾ for the first two hours over 8 per day or 38 hours per week	overtime rate⁽³⁾ for hours worked over 10 per day or 48 per week
Award hourly rates⁽⁴⁾	\$15.60	\$19.50	\$23.40	\$31.20
Range of rates typically paid in Victoria⁽⁵⁾	\$15.60 to \$17.85	\$19.50 to \$22.31	\$23.40 to \$26.77	\$31.20 to \$35.70

Notes:

- '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).
- '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.
- 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.
- 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 2008, 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.
- 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	\$7.67		Assuming fixed costs spread over 1,840 hours.
Variable Costs	\$6.19		Assuming 25 km travelled per hour.
Labour	\$15.60		This worked example is based on a labour rate of \$15.60 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$29.46		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	\$6.19		Assuming 25 km travelled per hour.
Labour (overtime rates)	\$23.40		This worked example is based on a nominal penalty labour rate of \$23.40 per hour. See discussion on rates for labour in Part 3.
Total per hour (over 1,840 hours)	\$29.59		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.workforce.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.

Owner Drivers and Forestry Contractors Act 2005

WORKFORCE VICTORIA

DEPARTMENT OF INNOVATION, INDUSTRY AND REGIONAL DEVELOPMENT

4.5 Tonne Rigid Vehicle (GVM)

Transport Industry Council Rates and Costs Schedule 2010

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 is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under the Act, this Schedule must be given by hirers to all new owner drivers three days prior to engagement. This Schedule will be revised at least annually, and under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practicable after it is published.

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.

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 SemiTrailer (Bogie Drive, 6 axle). Hirers are required to provide owner drivers with the Schedule that most closely relates to the owner driver's vehicle.

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 \$38,014 (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 8.54% per annum. ● 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>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.workforce.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 \$38,014 (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 8.54% interest per annum.</p>	\$9,187		<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 \$183.30 and TAC charge of \$627 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (e.g. metropolitan Melbourne).</p>	\$810.30		<p>These fees are current as at 1 July 2009 but may change.</p> <p>Additional licences may be payable for certain types of operations (e.g. 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 \$31,231.</p>	\$2,811		

FIXED COSTS			
Cost Items Assumptions used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<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>	\$1,197		Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (e.g. 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>Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.</p>	\$400		The cost of goods in transit insurance may vary depending on the type of goods being transported.
<p>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.</p>	\$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.
<p>Insurance Public Liability Assumes policy for public liability claims up to \$10 million.</p>	\$405		
<p>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.</p>	\$1,467		The rate is current as at 1 October 2009 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.

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.	\$2,690		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 (e.g. registering a company). This figure may also vary depending on contractual conditions.
Total annual fixed costs	\$19,417		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$10.55		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 2010 of 107.94 cents per litre which is net of GST. Assumes 4.95 km per litre consumed.	21.81 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 \$574 per tyre.	2.26 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 6.96 cents per kilometre.	6.96 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	31.03 cents		
Total variable costs per driving hour Assumes 22 km travelled per hour.	\$6.83		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⁾ (includes allowance for leave, etc)	overtime rate⁽³⁾ for the first two hours over 8 per day or 38 hours per week	overtime rate⁽³⁾ for hours worked over 10 per day or 48 per week
Award hourly rates⁽⁴⁾	\$15.81	\$19.76	\$23.72	\$31.62
Range of rates typically paid in Victoria⁽⁵⁾	\$18.56	\$22.57	\$27.09	\$36.12

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 2008, 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	\$10.55		Assuming fixed costs spread over 1,840 hours.
Variable Costs	\$6.83		Assuming 22 km travelled per hour.
Labour	\$15.81		This worked example is based on a labour rate of \$15.81 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$33.19		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	\$6.83		Assuming 22 km travelled per hour.
Labour (overtime rates)	\$23.72		This worked example is based on a nominal penalty labour rate of \$23.72 per hour. See discussion on rates for labour in Part 3.
Total per hour (over 1,840 hours)	\$30.55		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.workforce.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.

Owner Drivers and Forestry Contractors Act 2005

WORKFORCE VICTORIA

DEPARTMENT OF INNOVATION, INDUSTRY AND REGIONAL DEVELOPMENT

8 Tonne Rigid Vehicle (GVM)

Transport Industry Council Rates and Costs Schedule 2010

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 is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under the Act, this Schedule must be given by hirers to all new owner drivers three days prior to engagement. This Schedule will be revised at least annually, and under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practicable after it is published.

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.

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 SemiTrailer (Bogie Drive, 6 axle). Hirers are required to provide owner drivers with the Schedule that most closely relates to the owner driver's vehicle.

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 8.54% per annum. ● 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>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.workforce.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 \$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 8.54% interest per annum.	\$13,990		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 \$392 and TAC charge of \$627 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (e.g. metropolitan Melbourne).	\$1,019		These fees are current as at 1 July 2009 but may change. Additional licences may be payable for certain types of operations (e.g. 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 \$31,231.	\$2,811		

FIXED COSTS			
Cost Items Assumptions used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<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		Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (e.g. 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>Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.</p>	\$400		The cost of goods in transit insurance may vary depending on the type of goods being transported.
<p>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.</p>	\$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.
<p>Insurance Public Liability Assumes policy for public liability claims up to \$10 million.</p>	\$405		
<p>Insurance Workers' Compensation Assumed at the rate of 4.698% for the assumed labour rate of the business owner of \$31,231. Assumes vehicle is primarily travelling intrastate.</p>	\$1,467		The rate is current as at 1 October 2009 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.

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.	\$2,690		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 (e.g. registering a company). This figure may also vary depending on contractual conditions.
Total annual fixed costs	\$25,055		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$13.62		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 2010 of 107.94 cents per litre which is net of GST. Assumes 4.07 km per litre consumed.	26.52 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 35,000 km Travelled Per Year	Typical Cost Per Km	Your Costs Per Km	Variations in this Cost Item
Tyres Assumes cost of \$938.22 per tyre.	4.47 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 9.38 cents per kilometre.	9.38 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	40.37 cents		
Total variable costs per driving hour Assumes 20 km travelled per hour.	\$8.07		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⁾ (includes allowance for leave, etc)	overtime rate⁽³⁾ for the first two hours over 8 per day or 38 hours per week	overtime rate⁽³⁾ for hours worked over 10 per day or 48 per week
Award hourly rates⁽⁴⁾	\$15.81	\$19.76	\$23.72	\$31.62
Range of rates typically paid in Victoria⁽⁵⁾	\$15.81 to \$18.35	\$19.76 to \$22.31	\$23.72 to \$26.78	\$31.62 to \$35.70

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 2008, 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	\$13.62		Assuming fixed costs spread over 1,840 hours.
Variable Costs	\$8.07		Assuming 20 km travelled per hour.
Labour	\$15.81		This worked example is based on a labour rate of \$15.81 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	\$8.07		Assuming 20 km travelled per hour.
Labour (overtime rates)	\$23.72		This worked example is based on a nominal penalty labour rate of \$23.72 per hour (8–10 hours). See discussion on rates for labour in Part 3.
Total per hour (over 1,840 hours)	\$31.79		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.workforce.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.

Owner Drivers and Forestry Contractors Act 2005

WORKFORCE VICTORIA

DEPARTMENT OF INNOVATION, INDUSTRY AND REGIONAL DEVELOPMENT

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

Transport Industry Council Rates and Costs Schedule 2010

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 is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under the Act, this Schedule must be given by hirers to all new owner drivers three days prior to engagement. This Schedule will be revised at least annually, and under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practicable after it is published.

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 (3axle) (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.

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 SemiTrailer (Bogie Drive, 6 axle). Hirers are required to provide owner drivers with the Schedule that most closely relates to the owner driver's vehicle.

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 8.54% per annum. ● 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>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.workforce.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 \$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 8.54% interest per annum.	\$18,277		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 \$673 and TAC charge of \$627 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (e.g. metropolitan Melbourne).	\$1,300		These fees are current as at 1 July 2009 but may change. Additional licences may be payable for certain types of operations (e.g. 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 \$31,829.	\$2,864		

FIXED COSTS			
Cost Items Assumptions used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<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		Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (e.g. 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>Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.</p>	\$400		The cost of goods in transit insurance may vary depending on the type of goods being transported.
<p>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.</p>	\$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.
<p>Insurance Public Liability Assumes policy for public liability claims up to \$10 million.</p>	\$405		
<p>Insurance Workers' Compensation Assumed at the rate of 4.698% for the assumed labour rate of the business owner of \$31,829. Assumes vehicle is primarily travelling intrastate.</p>	\$1,495		The rate is current as at 1 October 2009 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.

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.	\$2,690		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 (e.g. registering a company). This figure may also vary depending on contractual conditions.
Total annual fixed costs	\$30,263		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$16.45		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 2010 of 107.94 cents per litre which is net of GST. Assumes 3.89 km per litre consumed.	27.75 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 35,000 km Travelled Per Year	Typical Cost Per Km	Your Costs Per Km	Variations in this Cost Item
Tyres Assumes cost of \$993 per tyre.	5.98 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 18.96 cents per kilometre.	18.96 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	52.69 cents		
Total variable costs per driving hour Assumes 18 km travelled per hour.	\$9.48		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⁾ (includes allowance for leave, etc)	overtime rate⁽³⁾ for the first two hours over 8 per day or 38 hours per week	overtime rate⁽³⁾ for hours worked over 10 per day or 48 per week
Award hourly rates⁽⁴⁾	\$16.11	\$20.13	\$24.17	\$32.22
Range of rates typically paid in Victoria⁽⁵⁾	\$16.11 to \$18.66	\$20.13 to \$22.68	\$24.17 to \$27.23	\$32.22 to \$36.30

Notes:

- '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).
- '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.
- 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.
- 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 2008, 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.
- 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	\$16.45		Assuming fixed costs spread over 1,840 hours.
Variable Costs	\$9.48		Assuming 18 km travelled per hour.
Labour	\$16.11		This worked example is based on a labour rate of \$16.11 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$42.04		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	\$9.48		Assuming 18 km travelled per hour.
Labour (overtime rates)	\$24.17		This worked example is based on a nominal penalty labour rate of \$24.17 per hour. See discussion on rates for labour in Part 3.
Total per hour (over 1,840 hours)	\$33.65		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.workforce.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.

Owner Drivers and Forestry Contractors Act 2005

WORKFORCE VICTORIA

DEPARTMENT OF INNOVATION, INDUSTRY AND REGIONAL DEVELOPMENT

Prime Mover (Bogie Drive)

Transport Industry Council Rates and Costs Schedule 2010

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 is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under the Act, this Schedule must be given by hirers to all new owner drivers three days prior to engagement. This Schedule will be revised at least annually, and under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practicable after it is published.

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.

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 SemiTrailer (Bogie Drive, 6 axle). Hirers are required to provide owner drivers with the Schedule that most closely relates to the owner driver's vehicle.

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 8.54% per annum. ● 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>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.workforce.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 \$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 8.54% interest per annum.</p>	\$20,071		<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 \$4,056 and TAC charge of \$1,738 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (e.g. metropolitan Melbourne).</p>	\$5,794		<p>These fees are current as at 1 July 2009 but may change.</p> <p>Additional licences may be payable for certain types of operations (e.g. 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 \$32,625.</p>	\$2,936		

FIXED COSTS			
Cost Items Assumptions used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<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>	\$2,616		Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (e.g. 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>Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.</p>	\$500		The cost of goods in transit insurance may vary depending on the type of goods being transported.
<p>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.</p>	\$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.
<p>Insurance Public Liability Assumes policy for public liability claims up to \$10 million.</p>	\$405		
<p>Insurance Workers' Compensation Assumed at the rate of 4.698% for the assumed labour rate of the business owner of \$32,625. Assumes vehicle is primarily travelling intrastate.</p>	\$1,533		The rate is current as at 1 October 2009 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.

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.	\$2,690		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 (e.g. registering a company). This figure may also vary depending on contractual conditions.
Total annual fixed costs	\$36,995		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$20.11		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 2010 of 107.94 cents per litre which is net of GST. Assumes 1.59 km per litre consumed.	67.89 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 30,000 km Travelled Per Year	Typical Cost Per Km	Your Costs Per Km	Variations in this Cost Item
Tyres Assumes cost of \$839 per tyre.	5.43 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 28.03 cents per kilometre.	28.03 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	101.35 cents		
Total variable costs per driving hour Assumes 18 km travelled per hour.	\$18.24		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⁾ (includes allowance for leave, etc)	overtime rate⁽³⁾ for the first two hours over 8 per day or 38 hours per week	overtime rate⁽³⁾ for hours worked over 10 per day or 48 per week
Award hourly rates⁽⁴⁾	\$16.51	\$20.64	\$24.77	\$33.02
Range of rates typically paid in Victoria⁽⁵⁾	\$16.51 to \$18.84	\$20.64 to \$22.30	\$24.77 to \$26.76	\$33.02 to \$35.68

Notes:

- '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).
- '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.
- 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.
- 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 2008, 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.
- 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	\$20.11		Assuming fixed costs spread over 1,840 hours.
Variable Costs	\$18.24		Assuming 18 km travelled per hour.
Labour	\$16.51		This worked example is based on a labour rate of \$16.51 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$54.86		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	\$18.24		Assuming 18 km travelled per hour.
Labour (overtime rates)	\$24.77		This worked example is based on a nominal penalty labour rate of \$24.77 per hour. See discussion on rates for labour in Part 3.
Total per hour (over 1,840 hours)	\$43.01		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.workforce.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.

Owner Drivers and Forestry Contractors Act 2005

WORKFORCE VICTORIA

DEPARTMENT OF INNOVATION, INDUSTRY AND REGIONAL DEVELOPMENT

Semi-Trailer (Bogie Drive, 6-axle)

Transport Industry Council Rates and Costs Schedule 2010

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 is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.) (the Act). Under the Act, this Schedule must be given by hirers to all new owner drivers three days prior to engagement. This Schedule will be revised at least annually, and under section 18 of the Act, hirers are required to give owner drivers a copy of any such revised Schedule as soon as practicable after it is published.

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.

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.

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 \$104,442 (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 8.54% per annum. ● 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>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.workforce.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 \$104,442 (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 8.54% interest per annum.	\$25,241		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 \$5,232 and TAC charge of \$1,738 which is net of GST. Assumes payment is made on an annual basis. TAC charge assumes vehicle is garaged in a high risk area (e.g. metropolitan Melbourne).	\$6,970		These fees are current as at 1 July 2009 but may change. Additional licences may be payable for certain types of operations (e.g. 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 \$32,624.	\$2,936		

FIXED COSTS			
Cost Items Assumptions used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<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>	\$3,290		Rates may be higher for interstate trucks. Additional insurance charges may apply to certain kinds of goods carried (e.g. 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>Insurance Goods in Transit Based on sum insured \$50,000. Assumes vehicle is not carrying dangerous goods.</p>	\$500		The cost of goods in transit insurance may vary depending on the type of goods being transported.
<p>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.</p>	\$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.
<p>Insurance Public Liability Assumes policy for public liability claims up to \$10 million.</p>	\$405		
<p>Insurance Workers' Compensation Assumed at the rate of 4.698% for the assumed labour rate of the business owner of \$32,624. Assumes vehicle is primarily travelling intrastate.</p>	\$1,533		The rate is current as at 1 October 2009 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.

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	\$2,690		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 (e.g. registering a company). This figure may also vary depending on contractual conditions.
Total annual fixed costs	\$44,015		
Total hourly fixed costs Assuming 1,840 vehicle operation hours	\$23.92		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 2010 of 107.94 cents per litre which is net of GST. Assumes 1.59 km per litre consumed.	67.89 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 30,000 km Travelled Per Year	Typical Cost Per Km	Your Costs Per Km	Variations in this Cost Item
Tyres Assumes cost of \$839 per tyre.	9.61 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 28.59 cents per kilometre.	28.59 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	\$106.09		
Total variable costs per driving hour Assumes 18 km travelled per hour.	\$19.10		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⁾ (includes allowance for leave, etc)	overtime rate⁽³⁾ for the first two hours over 8 per day or 38 hours per week	overtime rate⁽³⁾ for hours worked over 10 per day or 48 per week
Award hourly rates⁽⁴⁾	\$16.51	\$20.64	\$24.77	\$33.02
Range of rates typically paid in Victoria⁽⁵⁾	\$16.51 to \$18.84	\$20.64 to \$22.30	\$24.77 to \$26.76	\$33.02 to \$35.68

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 SemiTrailer. The hourly rates above are accurate as at 1 December 2008, 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	\$23.92		Assuming fixed costs spread over 1,840 hours.
Variable Costs	\$19.10		Assuming 18 km travelled per hour
Labour	\$16.51		This worked example is based on a labour rate of \$16.51 per hour. See discussion on rates for labour in Part 3.
Total per hour (up to 1,840 hours)	\$60.01		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	\$19.10		Assuming 18 km travelled per hour.
Labour (overtime rates)	\$24.77		This worked example is based on a nominal penalty labour rate of \$24.77 per hour. See discussion on rates for labour in Part 3.
Total per hour (over 1,840 hours)	\$43.87		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.workforce.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.

Owner Drivers and Forestry Contractors Act 2005
WORKFORCE VICTORIA
DEPARTMENT OF INNOVATION, INDUSTRY AND REGIONAL DEVELOPMENT
Haulage – Double Shift B Double – Native Forests
Forestry Industry Council
Rates and Costs Schedule 2010

A. Introduction

This Schedule is a general guide only. Contractors are strongly advised to seek professional accounting advice relevant to their own situation and discuss all issues with their hirer to ensure there is no misunderstanding concerning payment structures.

This Rates and Costs Schedule ('Schedule') is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.). Under the Act, this Schedule must be given by hirers to any haulage contractor three days prior to engagement. This Schedule will be revised at least annually, and hirers must provide haulage contractors with any such revised Schedule as soon as practicable after it is published.

This Schedule applies to haulage contractors transporting forest products¹ sourced from native forests using a prime mover and bogie bogie B Double trailers in two shifts (each up to 12 hours per day) operation.²

The Schedule does not set minimum rates that must be paid, but sets out a costing model and example based on typical overhead costs to assist contractors and their hirers to better understand the typical operating costs of a haulage business. The Schedule can then be used by contractors as a guide to plan their own unique costs.

The Schedule includes an explanation of the assumptions used and the factors that will cause costs to vary. The costs 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 figures used;
- 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; or
- the length of the season, road conditions or distances travelled are different.

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

¹ 'Haulage Contractor' and 'Forest Products' are defined in the **Owner Drivers and Forestry Contractors Act 2005**.

² Hirers are required to provide haulage contractors with the Schedule that most closely relates to the vehicle and type of operation.

The Schedule is based on the following assumptions about the type of haulage operation.

SUBJECT	ASSUMPTIONS
Hours and Kilometres	Haulage occurs 46 weeks, 9 days per fortnight, (207 days) per year, over two 12 hour shifts per day (including loading and unloading times). Total hours worked per year – 4,968 (assumes 170,000 kilometres travelled per year).
Vehicle	Based on a bogie drive prime mover and bogie bogie B double trailers subject to a lease arrangement, over a 5 year lease term with a 30% residual, with a comparison interest rate of 6.5% per year.
Terrain and Road Conditions	The costs in this Schedule have been based on a higher proportion of travel in short haul (<100 km) than in long haul (>100 km) and the typical vehicle life, maintenance costs, wear and tear and tyre consumption of a vehicle travelling on both sealed and unsealed roads.
Wages	The Schedule assumes that the owner/manager is employed by the business.
Fuel	Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST of \$0.86 per litre (as at 1 September 2009). Assumes fuel consumption of 1.6 km per litre.

B. Operating Costs

Note: All costs are exclusive of GST

Cost Items Assumptions Used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item								
<p>1. Equipment Truck (bogie-drive) 292,000 Jinker (tri-axle) 199,000 Vehicle 46,580 Total – \$537,580</p>			<ul style="list-style-type: none"> Assumes interest is charged at 6.5% per annum. Interest rates may vary over time. 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. Assumes support vehicle is used exclusively for business use. 								
<p>2. Finance Hire purchase and loan repayments for term of 5 years, interest of 6.5% p.a. and 30% residual value.</p>	\$88,354										
<p>3. Labour</p> <ul style="list-style-type: none"> Owner plus second driver are employed by the business on a wage, all-inclusive of sick leave, annual leave, public holidays, penalty rates and long service leave. Superannuation (9%) and WorkCover premiums (industry average rate of 4.698%). Based on two 12 hour shifts per day, 207 days per year (total 4,968 hours per year). 	\$157,333		<ul style="list-style-type: none"> Labour costs are based on market rates in the industry in 2006. Labour costs may vary in particular regions or with different industrial arrangements. Labour costs may increase or decrease over time. WorkCover premium is assumed at the industry rate of 4.698%. Contractors may be subject to a significantly higher premium based on their claims history. Assumes owner as driver/manager plus second driver are employed by the business, at a salary of \$69,190 each per year plus on-costs. The payment for the owner's labour will vary based on market factors – see the discussion in Section D. 								
<table border="1"> <thead> <tr> <th>Wage \$</th> <th>Super \$</th> <th>W/Cover \$</th> <th>Total \$</th> </tr> </thead> <tbody> <tr> <td>69,190</td> <td>6,226</td> <td>3,250</td> <td>78,666</td> </tr> </tbody> </table>	Wage \$	Super \$	W/Cover \$	Total \$	69,190	6,226	3,250	78,666			
Wage \$	Super \$	W/Cover \$	Total \$								
69,190	6,226	3,250	78,666								
<p>4. Repairs and Maintenance</p> <ul style="list-style-type: none"> Assumes annual tyre cost of \$36,863, based on annual travel of 170,000 km per year. Assumes \$56,100 for scheduled servicing, repairs and maintenance. 	\$92,933		<ul style="list-style-type: none"> Contractors with older or less reliable vehicles may incur greater maintenance costs and may also have periods of no income during repairs. The operating costs of a particular vehicle will vary with the age and condition of that vehicle. 								

Cost Items Assumptions Used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<p>5. OHS / Fatigue Management</p> <ul style="list-style-type: none"> ● Maintenance of safety systems. ● Cost of personal protective equipment and clothing (\$450 per person per year). 	\$1,137		<ul style="list-style-type: none"> ● Changes to regulation or industry best practice may increase costs.
<p>6. Fuel and Lubricants</p> <ul style="list-style-type: none"> ● Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST, of \$0.86 per litre (as at 1 September 2009). ● Based on consumption rate of 1.6km/litre, assumes average annual consumption of 106,250 litres to travel 170,000km (\$91,378). ● Lubricants at \$4,897/year. 	\$96,275		<ul style="list-style-type: none"> ● Rises and falls in the cost of fuel have an impact upon the costs of the business. ● Fuel consumption varies significantly depending on the vehicle's age and condition, the class / gradient of roads, and whether trips are short or long haul.
<p>7. Insurance</p> <p>a) Comprehensive, public liability, third party</p> <ul style="list-style-type: none"> ● Based on operator over the age of 25, has at least 5 years experience and no claims history. ● Public liability cover (up to \$10 million). <p>b) Insurance – loss of business earnings</p>	\$8,606 \$2,098		<ul style="list-style-type: none"> ● Rates may be higher for interstate trucks. ● Vehicle insurance costs may vary depending upon the age of the vehicle insured, the provider, any excess payable and claims history. ● The cost of loss of business earnings insurance will vary significantly with the individual's age and health history, the amount of income insured and the period of benefits.
<p>8. Registration, permits and TAC fees</p> <p>Vehicle registration fee of \$9,631 and TAC charge of \$947 (net of GST). Assumes annual payment, garaged in low risk area.</p>	\$10,578		<ul style="list-style-type: none"> ● These fees are current as at 1 December 2009 but may change. Additional licences may be payable for certain types of operations (e.g. interstate, oversize). Additional administration charges may apply to registration fees if they are paid in instalments. ● TAC charges will be higher if the vehicle is garaged in a medium or high risk area.

Cost Items Assumptions Used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<p>9. Administration and sundries</p> <ul style="list-style-type: none"> ● 3 hours per week paid administration (\$63 per week, \$6,545 a year) ● Accountant is used for BAS, tax and company returns, audits (\$2,097) ● Phone charges (\$3,545) ● Bank charges (\$1,206) ● Home office expenses (\$735) ● Professional memberships, consultants and training (\$1855) ● Sundry expenses (tools, etc) (\$524) 	<p>\$16,506</p>		<p>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 and the service provider. Other costs: Accommodation 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, purchasing a computer).</p>
<p>Total annual costs Cost per hour assuming 2,670 hours / year Cost per km assuming 170,000 km / year</p>	<p>\$473,820 \$95.37 / hour \$2.79 / km</p>		

C. Factors Influencing Total Operating Costs

THE COSTS OF OPERATING A PARTICULAR FORESTRY HAULAGE BUSINESS ARE INFLUENCED BY A NUMBER OF FACTORS:	
VARIABLE	IMPACT
Environment days per year	The number of days and total kilometres travelled per year in which haulage occurs will affect the contractor's operating costs. Fewer work days means that the business' fixed costs are spread over a shorter period, increasing the total cost per hour/kilometre of running the business. More work days per year allows the business' fixed costs to be spread over a longer period, decreasing the total cost per hour.
Terrain and road conditions	A higher proportion of low standard forest roads increases tyre costs and repairs to suspension systems, while a better standard of road will reduce these costs.
Contract term	If the contract term is secure, the contractor's fixed (annual) costs, including finance costs/depreciation, can be secured over the period of the contract and a better finance arrangement obtained. Shorter contract term (less than the useful life of the vehicle) may involve a higher cost, as the fixed/annualised costs cannot be spread over the longer contract period/number of kilometres. In addition, higher finance costs may be incurred if the contract is less secure.

D. Payment for the Business Owner's Labour

The Schedule assumes that the business uses a company structure and employs the owner of the business as a driver and pays a wage. However, the owner may take payment for their labour in the form of a wage, profits, trust distributions, dividends or a combination of these, depending on their accountant's advice.

The Schedule assumes the owner/manager drives the vehicle for one 12 hour shift per day and a second driver for a further 12 hour shift per day (including loading and unloading time) at a base wage of \$69,190 year (plus superannuation and WorkCover).

The wages that are typically 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 a contractor. These rates will vary over time, and should be used as a general guide only. Unions, industry associations, newspaper job advertisements and other haulage contractors are sources of advice about the going rates in your area.

In the general freight industry, employee drivers are generally paid a per hour rate, usually based on an industrial award or agreement. The base and casual hourly rates paid in the general transport industry under the Transport Workers Award 1998 (Victorian common rule award) are set out in the table below. Typically in Victoria, employers pay up to 15% higher than the minimum award rate for an experienced driver.

	base hourly rate⁽¹⁾	casual/loaded hourly rate⁽²⁾ (includes all payments for leave, public holidays etc)	overtime rate⁽³⁾ For the first 2 hours over 8 per day or 38 hours per week	overtime rate⁽³⁾ For hours worked over 10 per day or 48 per week
Award hourly rates⁽⁴⁾	\$15.67	\$19.59	\$23.51	\$31.34

- 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’** are generally paid for 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’**. These rates apply 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 2006, 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.

In the Victorian native forestry industry, employee drivers are generally paid on the basis of piece rate based on 20 to 22% of truck earnings, rather than on an hourly rate. As at December 2006, rates paid to employee drivers in the forestry industry generally range between \$60,000 to \$70,000 per year, inclusive of all annual leave, sick leave and public holidays. This works out as an hourly flat rate of between \$20 to \$25 per hour (for a 12 hour shift, 46 weeks per year, 2,484 hours).

E. Return on the Contractor’s Investment

Haulage contractors can reasonably expect to receive an amount over and above their efficient operating costs and their own labour as a reward for their risk and investment. The amount that is a reasonable return on investment will vary widely in all the circumstances, and may vary over time as market conditions change. Factors that influence what is a reasonable return on investment include:

- a) The amount of the capital investment in the vehicle or equipment;
- b) The level of commercial risk assumed by the contractor;
- c) The security and certainty of the arrangements;
- d) Whether the vehicle or equipment provided by the contractor can readily be used to provide services to other persons;
- e) Whether the vehicle or equipment is also used for personal use;
- f) The efficiency and productivity of the contractor; and
- g) The market for the services.

Forestry haulage businesses (native forests) typically set a target for return on investment of between 10 and 15 per cent of their total capital investment in the business (being the amount of the contractor’s own funds invested, net of any debt to a lender).

The profit margin of a haulage business has a significant impact upon the capacity of the contractor to obtain finance and to invest in vehicles and equipment and to cope with unexpected losses of production, for example, losses due to protests or weather events.

Owner Drivers and Forestry Contractors Act 2005

WORKFORCE VICTORIA
DEPARTMENT OF INNOVATION, INDUSTRY AND REGIONAL DEVELOPMENT
Harvesting – Native Forests
Forestry Industry Council
Rates and Costs Schedule 2010

A. Introduction

This Schedule is a general guide only. Contractors are strongly advised to seek professional accounting advice relevant to their own situation and discuss all issues with their hirer to ensure there is no misunderstanding concerning payment structures.

This Rates and Costs Schedule ('Schedule') is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.). Under the Act, this Schedule must be given by hirers to all harvesting contractors three days prior to engagement. This Schedule will be revised at least annually, and hirers must provide harvesting contractors with any such revised Schedule as soon as practicable after it is published.

This Schedule applies to harvesting contractors harvesting forest products¹ in native forests.

The Schedule does not set minimum rates that must be paid, but sets out a costing model and example based on typical overhead costs to assist contractors and their hirers to better understand the typical operating costs of a harvesting business. The Schedule can then be used by contractors as a guide to plan their own unique costs.

The Schedule includes an explanation of the assumptions used and the factors that will cause costs to vary. The cost structure of the individual business will be significantly different if, for example:

- The age, current capital value (or both) of the equipment is less or more;
- Other finance arrangements apply;
- The length of the season, terrain, yield or contracted volume is different.

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

¹ 'Harvesting Contractor' and 'Forest Products' are defined in the **Owner Drivers and Forestry Contractors Act 2005**.

The Schedule is based on the following assumptions about the type of harvesting operation.

SUBJECT	ASSUMPTIONS
Equipment Mix and Contract Term	A mechanical harvesting operation using a harvester, two excavators, skidder, vehicles, dozer, mixture of old and new equipment, subject to a five year finance contract.
Finance	Based on \$1,000,000 of the total \$1.48 million of equipment costs being under finance, and assumes 5 years and 6.5% interest, \$0 residual.
Fuel	Based on retail diesel fuel cost (terminal gate price), net of tax rebates and net of GST of \$0.64 per litre (as at 1 September 2009).
Hand Falling	A mechanical harvester will generally require some hand falling in order to fully utilise a coupe. The example in this Schedule assumes that such hand falling is performed by an existing crew member.
Terrain and Yield	<ul style="list-style-type: none"> ● flat to undulating terrain. ● a snigging distance up to 350 metres. ● a yield of 600–1,000 m³ of total product per hectare.
Volume	35,000 m ³ is harvested annually under a five year contract.
Wages	Assumes owner manager is employed by the business as manager / logging team leader on a salary of \$94,000 p.a., four person crew, paid at \$68,000 p.a. (plus on costs).
Weeks Per Year	Harvesting can occur 46 weeks per year, and there is minimal time lost for wet weather, coupe shifts and protests.

B. Operating Costs

Note: All costs are exclusive of GST

Cost Items Assumptions Used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<p>1. Equipment</p> <ul style="list-style-type: none"> Harvester (new) \$ 694,000 Excavator 1 (new) 306,000 Excavator 2 (3 years old) 120,000 Skidder (2 years old) 200,000 Vehicles 100,000 Dozer (over 10 years old) 60,000 <p>Based on annual volume of 35,000 m³ under a five year contract.</p> <p style="text-align: right;"><i>total capital value \$1.48 million</i></p>	N/A		<ul style="list-style-type: none"> • This figure is based on a mechanical harvesting operation harvesting 35,000 m³ per year, using a mixture of new and older/second-hand equipment over a five year contract. A smaller operation will require a different equipment mix. • The operating costs of particular equipment will vary with the age and condition of the equipment. • The equipment mix will be different for a hand falling operation. The same crew will be required, but there will be no harvester. • Assumes support vehicle(s) used exclusively for business use.
<p>2. Finance</p> <ul style="list-style-type: none"> • Hire purchase and loan repayments for equipment listed in item 1 above. • Based on \$919,000 of the total equipment costs of 1.48 million being financed with the balance being the owners own funds invested, and assumes 5 year finance contract, 6.5% interest, \$0 residual. 	\$216,000		<ul style="list-style-type: none"> • Assumes interest is charged at 6.5% per annum. Interest rates may vary over time. • If a greater (or lesser) proportion of the capital investment is borrowed, finance cost will be higher (or lower) accordingly.

Cost Items Assumptions Used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<p>3. Repairs and Maintenance</p> <ul style="list-style-type: none"> Includes costs of parts and labour based on trade qualified fitter. 	\$58,879		<ul style="list-style-type: none"> Based on a mixture of new and older equipment. Contractors with less reliable equipment may incur greater maintenance costs and may also experience delays or losses of production. Major repairs may be treated as a depreciation expense and written off over several years. Assume that basic machine oil and grease servicing carried out by crew.
<p>4. Fuel and Lubricants</p> <ul style="list-style-type: none"> Based on consumption of 60,780 litres of fuel per year. Based on retail diesel fuel cost (terminal gate price), net of tax rebates and net of GST of \$0.64 per litre (as at 1 September 2009). 	\$38,899		<ul style="list-style-type: none"> Rises and falls in the cost of fuel have an impact upon the costs of the business. Fuel consumption may vary significantly from 1.7 to 4.0 litres per m³ depending upon the equipment used, terrain, yield slope, soil type and product (see below).
<p>5. Floatwork</p> <ul style="list-style-type: none"> Assumes movement of four pieces of machinery between locations 6 times per annum at an average time of 3 hours each, at \$140 per hour. 	\$10,915		<ul style="list-style-type: none"> This cost may be higher or lower depending upon the number of locations. Additional float costs may be incurred if there is a need for further movements (e.g. weather, protest action).

Cost Items Assumptions Used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item																																			
<p>6. Labour</p> <ul style="list-style-type: none"> Four person crew (owner manager plus three workers). Based on an annual base salary for machine operator of \$68,000 per year, inclusive of all leave, holidays and penalty rates. Crew working a single shift, 2,000 engine hours per year, 45 engine hours per week = 60 hours on site per week inc. lunch breaks, working 235 days per year. In addition, on-costs of superannuation (9%) and Work Cover (at 8.6%) travel costs (inc. fuel and oil) are included. Manager/logging team leader (LTL) employed at \$95,000 per year. <table border="1" data-bbox="674 1175 924 1800"> <thead> <tr> <th></th> <th>Wage \$</th> <th>Super 9%</th> <th>W/Cover 8.6%</th> <th>Other on-costs \$</th> </tr> </thead> <tbody> <tr> <td>Worker 1</td> <td>68,000</td> <td>6,120</td> <td>5,850</td> <td>11,400</td> </tr> <tr> <td>Worker 2</td> <td>68,000</td> <td>6,120</td> <td>5,850</td> <td>11,400</td> </tr> <tr> <td>Worker 3</td> <td>68,000</td> <td>6,120</td> <td>5,850</td> <td>11,400</td> </tr> <tr> <td>LTL/manager</td> <td>95,000</td> <td>8,550</td> <td>8,170</td> <td>11,400</td> </tr> <tr> <td>Totals</td> <td>299,000</td> <td>26,910</td> <td>25,720</td> <td>7,820</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td>356,190</td> </tr> </tbody> </table>		Wage \$	Super 9%	W/Cover 8.6%	Other on-costs \$	Worker 1	68,000	6,120	5,850	11,400	Worker 2	68,000	6,120	5,850	11,400	Worker 3	68,000	6,120	5,850	11,400	LTL/manager	95,000	8,550	8,170	11,400	Totals	299,000	26,910	25,720	7,820					356,190	\$356,190		<ul style="list-style-type: none"> Labour costs are based on typical rates paid in the industry in 2006. Generally piece rates are paid of \$2 to \$2.50 per m³, or \$60–\$75,000 per year depending upon volume. Labour costs may vary in particular regions or with trial arrangements. Employee costs may increase or decrease over time depending on market factors (e.g. a labour shortage). Work Cover premium is assumed at the industry basic rate of 8.6%. Contractors may be subject to a significantly higher premium depending on their claims history. Payment for the owner/manager's labour will vary significantly based on market factors – see section D below. Some crews employ an extra person, often in a training role to work on a landing manually preparing and grading logs, but not operating a machine.
	Wage \$	Super 9%	W/Cover 8.6%	Other on-costs \$																																		
Worker 1	68,000	6,120	5,850	11,400																																		
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Totals	299,000	26,910	25,720	7,820																																		
				356,190																																		
<p>7. Insurance</p> <ul style="list-style-type: none"> Comprehensive – vehicles and equipment (value \$1.48 million) (\$12,292). Loss of business earnings / loss of profits (\$7,971). Public liability (for \$10 million) (\$3,492). 	\$23,755		<ul style="list-style-type: none"> This cost is based on the typical insurance policies in place for the equipment above. Insurance costs may vary depending upon the age of the vehicle or equipment insured, the provider, any excess payable and claims history. In the case of loss of business earnings insurance, the cost will vary with the individual's age and health history, the amount of income insured and the period of benefits. 																																			

Cost Items Assumptions Used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
8. Occupational Health and Safety <ul style="list-style-type: none"> ● Maintenance of safety systems and training. ● Cost of personal protective equipment (\$450 per worker per year). 	\$2,599		<ul style="list-style-type: none"> ● Changes to OHS regulations or improvement responses to external OHS System audits may increase costs.
9. Administration <ul style="list-style-type: none"> ● Management of business records (e.g. employee records, invoices, payments, banking) and other management/administration tasks (\$28,739 – 21 hours per week at \$25/hr). ● Use of accountant/bookkeeper to prepare Business Activity Statements, tax and company returns and audits (\$4,211). 	\$32,950		<ul style="list-style-type: none"> ● Cost may vary depending on whether bookkeeping is outsourced or undertaken by business and on the complexity of accounts. ● 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 (e.g. registering a company).
10. Other overheads <ul style="list-style-type: none"> ● Bank charges (\$1,083) ● Telephone and power (\$6,768) ● Training, consultants, memberships (\$1,299) ● Office expenses (\$2,707) ● Sundries (\$22,036) 	\$33,893		<p>Mobile phone charges will vary significantly depending on level of use and the service provider.</p> <p>Other costs: Accommodation and other costs should be allowed for where relevant.</p> <p>Costs will vary with the size of the business (e.g. number of employees) and the service providers.</p>
Total annual costs	\$774,080		
Cost per m³ Assuming 35,000 m ³	\$22.12 per m³		

C. Factors Influencing Total Operating Costs

THE COSTS OF OPERATING A PARTICULAR FORESTRY HAULAGE BUSINESS ARE INFLUENCED BY A NUMBER OF FACTORS:	
VARIABLE	IMPACT
Efficiency and productivity	<p>The Schedule is based on a typical harvesting business using reasonably up-to date technical and business practices. However, the forestry industry is constantly evolving, and all participants in the supply chain must be looking for new harvesting and business methods to generate savings in overhead costs.</p> <p>Given the highly competitive nature of the timber industry, hirers expect harvesting contractors to work in cooperation with the hirer to continually improve their methods and achieve optimum planning and operations, and to generate shared cost savings and improved efficiency by adapting to new methods and technologies.</p>
Climate and weather	<p>The number of days per year in which harvesting is able to occur will affect the contractor's operating costs. Where fewer days are worked, the contractor will generally have a reduced volume over which their fixed (annualised) costs can be spread, or need more or better equipment to harvest the same contracted volume over a shorter period.</p>
Yield	<p>This Schedule is based on a yield of 600–1,000 m³ total product per hectare. Lower yield can impact on cost by increasing fuel usage and slowing production. Differences in yield could lead to variations in total costs of between 5%–10%.</p>
Terrain: Distance to landings	<p>The costs in this Schedule have been based on flat to undulating terrain and a snigging distance up to 350 metres. Increased snig distance will increase fuel usage and slow production and increase repair and maintenance costs. Differences in terrain and distance to landings could lead to variations in total costs of between 5%–10%.</p>
Terrain: Slope and soil type	<p>This may increase fuel usage and maintenance costs resulting in an overall increase in the operating costs of the machinery of up to 30% for a coupe that predominantly has slopes in excess of 20–25 degrees. More specialised equipment or operators may reduce cost increase for slope.</p>
Products to be harvested: Piece size and form	<p>Generally will be covered by taking into consideration coupe yield. Small trees can be very hard to bark and time consuming to handle resulting in significant drop in production, increased fuel wage and repair costs. Large trees over 80 cm diameter may not be able to be felled using mechanical harvesters and require hand falling.</p>

THE COSTS OF OPERATING A PARTICULAR FORESTRY HAULAGE BUSINESS ARE INFLUENCED BY A NUMBER OF FACTORS:	
Guaranteed volume	This Schedule is based on a guaranteed contract volume of 35,000 m ³ a year and a typical equipment mix for that volume. Where a smaller volume is harvested, a different equipment and labour mix will be required, and different operating costs will result. Further, when considering the cost per cubic metre, there will be a lower volume over which to spread the business' fixed (annual costs). These factors will result in a different profit margin. In general terms, this means that the capital costs of investment in equipment can be spread over a higher volume, resulting in a lower per cubic metre operating cost.
Contract terms	If the contract term and base volume are secure, the contractor's fixed (annual) costs, including depreciation of plant and equipment, can be secured over the period of the contract. Shorter contract terms (less than the useful life of the equipment), or uncertain contract volumes, will involve a higher cost to harvest, as the fixed costs cannot be spread over the longer contract period/base volume. In addition, higher finance costs may result if the contract period/base volume is less secure.
Hand falling	Costs for a crew operating with 100% hand falling will be significantly different. This kind of operation will have a reduced capacity (estimated at 20–25,000 m ³ for a 3 person crew and 30–35,000 m ³ for a 4 person crew) and will require a different equipment mix, thus incurring different finance, repairs, insurance and fuel costs.

D. Payment For The Business Owner's Labour

This Schedule incorporates a salary of \$95,000 for the owner manager's work in managing the business and acting as logging team leader. However, the owner may take payment for their labour in the form of a wage, profits, trust distributions, dividends or a combination of these, depending on their accountant's advice.

However, the amount the owner/manager could expect to receive for their own labour will vary with the size and complexity of the harvesting operation, the expertise and performance of the manager, and may vary between regions. The return is also likely to vary over time with changes in market conditions and demand for the skills. Rates in Victoria in 2006 for a logging team leader vary between \$80,000 to \$100,000 plus oncosts. A highly experienced logging team leader/business manager could expect to earn up to \$120,000 per year plus oncosts.

The work of the owner/manager is assumed to include the following tasks:

- Supervising and training harvesting crews;
- Coordinating wood flows, including truck scheduling.
- Coupe planning, including roading, landing location and coupe boundary trails.
- Coupe rehabilitation.
- Liaising with forest grower/manager.
- Managing safety management system including hazard identification, (daily) fatigue management, safe work systems, tool box meetings, coupe visitor compliance, coupe safety audits (operational and desk top) and documentation of all of the above.

- Fire management, fire fighting compliance.
- Managing the operation as per the forest coupe plan.
- Responding to protest action.
- Operating equipment.

E. Return on the Contractor's Investment

Harvesting contractors can reasonably expect to receive an amount over and above their efficient operating costs and payment for their own labour, being a reward for their risk and investment, that is, a profit.

The amount that is a reasonable return on investment will vary widely in all the circumstances, and may vary over time as market conditions change. Factors that influence what is a reasonable return on investment include:

- a) The amount of the capital investment in the vehicle or equipment;
- b) The level of commercial risk assumed by the contractor;
- c) The security and certainty of the arrangements;
- d) Whether the vehicle or equipment provided by the contractor can readily be used to provide services to other persons;
- e) Whether the vehicle or equipment is also used for personal use;
- f) The efficiency and productivity of the contractor; and
- g) The market for the services.

Native forest harvesting businesses typically set a target for return on investment of between 10 and 15 per cent of their capital invested in the business (being the amount of the contractor's own funds invested, net of any debt to a lender).

The profit margin of a harvesting business has a significant impact upon the capacity of the contractor to obtain finance, to invest in plant and equipment and to cope financially with unexpected losses of production, for example, losses due to breakdowns, protests or weather events.

Owner Drivers and Forestry Contractors Act 2005

WORKFORCE VICTORIA

DEPARTMENT OF INNOVATION, INDUSTRY AND REGIONAL DEVELOPMENT

Haulage – Single Shift B Double – Native Forests

Forestry Industry Council

Rates and Costs Schedule 2010

A. Introduction

This Schedule is a general guide only. Contractors are strongly advised to seek professional accounting advice relevant to their own situation and discuss all issues with their hirer to ensure there is no misunderstanding concerning payment structures.

This Rates and Costs Schedule ('Schedule') is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005** (Vic.). Under the Act, this Schedule must be given by hirers to any haulage contractor three days prior to engagement. This Schedule will be revised at least annually, and hirers must provide haulage contractors with any such revised Schedule as soon as practicable after it is published.

This Schedule applies to haulage contractors transporting forest products¹ sourced from native forests using a prime mover and bogie bogie B Double trailers in a single shift (up to 12 hours per day) operation.²

The Schedule does not set minimum rates that must be paid, but sets out a costing model and example based on typical overhead costs to assist contractors and their hirers to better understand the typical operating costs of a haulage business. The Schedule can then be used by contractors as a guide to plan their own unique costs.

The Schedule includes an explanation of the assumptions used and the factors that will cause costs to vary. The costs 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 figures used;
- 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; or
- the length of the season, road conditions or distances travelled are different.

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

¹ 'Haulage Contractor' and 'Forest Products' are defined in the **Owner Drivers and Forestry Contractors Act 2005**.

² Hirers are required to provide haulage contractors with the Schedule that most closely relates to the vehicle and type of operation.

The Schedule is based on the following assumptions about the type of haulage operation.

SUBJECT	ASSUMPTIONS
Hours and Kilometres	Haulage occurs 46 weeks, 9 days per fortnight, (207 days) per year, over one 12 hour shift per day (including loading and unloading times). Total hours worked per year – 2,484 (assumes 85,000 kilometres travelled per year).
Vehicle	Based on a bogie drive prime mover and bogie bogie B Double trailers subject to a lease arrangement, over a 5 year lease term with a 30% residual, with a comparison interest rate of 6.5% per year.
Terrain and Road Conditions	The costs in this Schedule have been based on a higher proportion of travel in short haul (<100 km) than in long haul (>100 km) and the typical vehicle life, maintenance costs, wear and tear and tyre consumption of a vehicle travelling on both sealed and unsealed roads.
Wages	The Schedule assumes that the owner/manager is employed by the business.
Fuel	Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST of \$0.86 per litre(as at 1 September 2009). Assumes fuel consumption of 1.6 km per litre.

B. Operating Costs

Note: All costs are exclusive of GST

Cost Items Assumptions Used in the Example		Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
1. Equipment	Current capital value Truck (bogie-drive) 292,000 Jinker (tri-axle) 199,000 Vehicle 46,580 Total – \$537,580			<ul style="list-style-type: none"> Assumes interest is charged at 6.5% per annum. Interest rates may vary over time. 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. Assumes support vehicle is used exclusively for business use.
2. Finance	Hire purchase and loan repayments for term of 5 years, interest of 6.5% p.a. and 30% residual value.	\$88,354		
3. Labour	<ul style="list-style-type: none"> Owner is employed by the business on a wage, all-inclusive of sick leave, annual leave, public holidays, penalty rates and long service leave. Superannuation (9%) and WorkCover premiums (industry average rate of 4.698%). Based on one 12 hour shift per day, 207 days per year (total 2,484 hours per year). 	\$78,666		<ul style="list-style-type: none"> Labour costs are based on market rates in the industry in 2006. Labour costs may vary in particular regions or with different industrial arrangements. Labour costs may increase or decrease over time. WorkCover premium is assumed at the industry rate of 4.698%. Contractors may be subject to a significantly higher premium based on their claims history. Assumes owner is employed by the business as driver/manager, at a salary of \$69,189 per year plus on-costs. The payment for the owner's labour will vary based on market factors – see the discussion in Section D.
Driver	Wage \$ Super \$ W/Cover \$ Total \$ 69,190 6,226 3,250 78,666			
4. Repairs and Maintenance	<ul style="list-style-type: none"> Assumes annual tyre cost of \$18,417, based on annual travel of 85,000 km per year. Assumes \$28,050 for scheduled servicing, repairs and maintenance. 	\$46,467		<ul style="list-style-type: none"> Contractors with older or less reliable vehicles may incur greater maintenance costs and may also have periods of no income during repairs. The operating costs of a particular vehicle will vary with the age and condition of that vehicle.

Cost Items Assumptions Used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<p>5 OHS / Fatigue Management</p> <ul style="list-style-type: none"> Maintenance of safety systems. Cost of personal protective equipment and clothing (\$450 per person per year). 	\$1,137		<ul style="list-style-type: none"> Changes to regulation or industry best practice may increase costs.
<p>6. Fuel and Lubricants</p> <ul style="list-style-type: none"> Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST, of \$0.86 per litre (as at 1 September 2009). Based on consumption rate of 1.6 km/litre, assumes average annual consumption of 53,125 litres to travel 85,000 km (\$45,689). Lubricants at \$2,448/year. 	\$48,137		<ul style="list-style-type: none"> Rises and falls in the cost of fuel have an impact upon the costs of the business. Fuel consumption varies significantly depending on the vehicle's age and condition, the class / gradient of roads, and whether trips are short or long haul.
<p>7. Insurance</p> <p>a) Comprehensive, public liability, third party</p> <ul style="list-style-type: none"> Based on operator over the age of 25, has at least 5 years experience and no claims history. Public liability cover (up to \$10 million). <p>b) Insurance – loss of business earnings</p>	\$8,606 \$2,098		<ul style="list-style-type: none"> Rates may be higher for interstate trucks. Vehicle insurance costs may vary depending upon the age of the vehicle insured, the provider, any excess payable and claims history. The cost of loss of business earnings insurance will vary significantly with the individual's age and health history, the amount of income insured and the period of benefits.
<p>8. Registration, permits and TAC fees</p> <p>Vehicle registration fee of \$9,631 and TAC charge of \$947 (net of GST). Assumes annual payment, garaged in low risk area.</p>	\$10,578		<ul style="list-style-type: none"> These fees are current as at 1 December 2009 but may change. Additional licences may be payable for certain types of operations (e.g. interstate, oversize). Additional administration charges may apply to registration fees if they are paid in instalments. TAC charges will be higher if the vehicle is garaged in a medium or high risk area.

Cost Items Assumptions Used in the Example	Example: Typical Cost Per Year	Your Costs: \$	Variations in this Cost Item
<p>9. Administration and sundries</p> <ul style="list-style-type: none"> ● 3 hours per week paid administration (\$63 per week, \$3,272 a year) ● Accountant is used for BAS, tax and company returns, audits (\$2,097) ● Phone charges (\$3,545) ● Bank charges (\$1,206) ● Home office expenses (\$735) ● Professional memberships, consultants and training (\$1855) ● Sundry expenses (tools, etc) (\$524) 	<p>\$13,234</p>		<p>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 and the service provider. Other costs: Accommodation 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 (e.g. registering a company, purchasing a computer).</p>
<p>Total annual costs Cost per hour assuming 2,670 hours / year Cost per km assuming 85,775 km / year</p>	<p>\$290,087 \$116.78 / hour \$3.41 / km</p>		

C. Factors Influencing Total Operating Costs

THE COSTS OF OPERATING A PARTICULAR FORESTRY HAULAGE BUSINESS ARE INFLUENCED BY A NUMBER OF FACTORS:	
VARIABLE	IMPACT
Environment days per year	The number of days and total kilometres travelled per year in which haulage occurs will affect the contractor's operating costs. Fewer work days means that the business' fixed costs are spread over a shorter period, increasing the total cost per hour/kilometre of running the business. More work days per year allows the business' fixed costs to be spread over a longer period, decreasing the total cost per hour.
Terrain and road conditions	A higher proportion of low standard forest roads increases tyre costs and repairs to suspension systems, while a better standard of road will reduce these costs.
Contract term	If the contract term is secure, the contractor's fixed (annual) costs, including finance costs/depreciation, can be secured over the period of the contract and a better finance arrangement obtained. Shorter contract term (less than the useful life of the vehicle) may involve a higher cost, as the fixed/annualised costs cannot be spread over the longer contract period/number of kilometres. In addition, higher finance costs may be incurred if the contract is less secure.

D. Payment for the Business Owner's Labour

The Schedule assumes that the business uses a company structure and employs the owner of the business as a driver and pays a wage. However, the owner may take payment for their labour in the form of a wage, profits, trust distributions, dividends or a combination of these, depending on their accountant's advice.

The Schedule assumes the owner/manager drives the vehicle for one 12 hour shift per day (including loading and unloading time) at a base wage of \$69,190 year (plus superannuation and WorkCover).

The wages that are typically 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 a contractor. These rates will vary over time, and should be used as a general guide only. Unions, industry associations, newspaper job advertisements and other haulage contractors are sources of advice about the going rates in your area.

In the general freight industry, employee drivers are generally paid a per hour rate, usually based on an industrial award or agreement. The base and casual hourly rates paid in the general transport industry under the Transport Workers Award 1998 (Victorian common rule award) are set out in the table below. Typically in Victoria, employers pay up to 15% higher than the minimum award rate for an experienced driver.

	base hourly rate⁽¹⁾	casual/loaded hourly rate⁽²⁾ (includes all payments for leave, public holidays etc)	overtime rate⁽³⁾ For the first 2 hours over 8 per day or 38 hours per week	overtime rate⁽³⁾ For hours worked over 10 per day or 48 per week
Award hourly rates⁽⁴⁾	\$15.67	\$19.59	\$23.51	\$31.34

- 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'** are generally paid for 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'**. These rates apply 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 2006, 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.

In the Victorian native forestry industry, employee drivers are generally paid on the basis of piece rate based on 20 to 22% of truck earnings, rather than on an hourly rate. As at December 2006, rates paid to employee drivers in the forestry industry generally range between \$60,000 to \$70,000 per year, inclusive of all annual leave, sick leave and public holidays. This works out as an hourly flat rate of between \$20 to \$25 per hour (for a 12 hour shift, 46 weeks per year, 2,484 hours).

E. Return on the Contractor's Investment

Haulage contractors can reasonably expect to receive an amount over and above their efficient operating costs and their own labour as a reward for their risk and investment. The amount that is a reasonable return on investment will vary widely in all the circumstances, and may vary over time as market conditions change. Factors that influence what is a reasonable return on investment include:

- a) The amount of the capital investment in the vehicle or equipment;
- b) The level of commercial risk assumed by the contractor;
- c) The security and certainty of the arrangements;
- d) Whether the vehicle or equipment provided by the contractor can readily be used to provide services to other persons;
- e) Whether the vehicle or equipment is also used for personal use;
- f) The efficiency and productivity of the contractor; and
- g) The market for the services.

Forestry haulage businesses (native forests) typically set a target for return on investment of between 10 and 15 per cent of their total capital investment in the business (being the amount of the contractor's own funds invested, net of any debt to a lender).

The profit margin of a haulage business has a significant impact upon the capacity of the contractor to obtain finance and to invest in vehicles and equipment and to cope with unexpected losses of production, for example, losses due to protests or weather events.

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

Notice of Approval of Amendment

Amendment C48

The Minister for Planning has approved Amendment C48 to the Frankston Planning Scheme.

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

The Amendment:

- rezones part of the land at 269, 275, 281 and 285, and all of 289 and 291 North Road, Langwarrin, from a Special Use Zone 2 (SUZ2) to a Residential 1 Zone (R1Z);
- rezones part of the land at 315 North Road, Langwarrin, from a Special Use Zone 2 (SUZ2) and in part Road Zone Category 2 (RDZ2) to a Residential 1 Zone (R1Z);
- rezones land at 315R North Road, Langwarrin, from a Special Use Zone 2 (SUZ2) and Public Use Zone 1 (Service and Utility) to a Public Park and Recreation Zone (PPRZ);
- rezones land at 295 Centre Road, Langwarrin, from a Special Use Zone 2 (SUZ2) and Residential 1 Zone (R1Z) to a Public Conservation and Resource Zone (PCRZ);
- rezones land that fronts North Road, Langwarrin, and abuts the property at 295 Centre Road, Langwarrin, from a Special Use Zone 2 (SUZ2) to a Road Zone Category 2 (RDZ2); and
- applies the Environmental Audit Overlay (EAO) to the land at 315 and 315R North Road, Langwarrin.

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 Frankston City Council, Civic Centre, corner Davey Street and Young Street, Frankston.

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 C48

The Minister for Planning has approved Amendment C48 to the Golden Plains Planning Scheme.

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

The Amendment changes the zone of a part of Ceres Road from Farming Zone to Road Zone 1 in order to correctly identify the land as a declared arterial road and refer to the correct road management authority (VicRoads).

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, Victoria.

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 C49

The Minister for Planning has approved Amendment C49 to the Golden Plains Planning Scheme.

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

The Amendment changes the zone of a part of the Inverleigh–Winchelsea Road from Township Zone and Farming Zone to Road Zone 1 in order to correctly identify the land as a declared arterial road and refer to the correct road management authority (VicRoads).

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, Victoria.

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

Planning and Environment Act 1987

MORNINGTON PENINSULA PLANNING SCHEME

Notice of Approval of Amendment Amendment C129

The Minister for Planning has approved Amendment C129 to the Mornington Peninsula Planning Scheme.

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

The Amendment makes the following changes to land transferred to the State Government at Point Nepean Quarantine Station and Former Firing Range area at Point Nepean:

- rezones land from a Special Use Zone 5 (SUZ5) to a Public Park and Recreation Zone (PPRZ);
- rezones land from a Special Use Zone 6 (SUZ6) to a Public Conservation and Resource Zone (PCRZ);
- deletes the application of the Vegetation Protection Overlay (VPO3) from applying over the land in the former SUZ6;
- includes the Former Range Area of 205 hectares approximately in a PCRZ;
- applies the Environmental Significance Overlay (ESO24) over the Former Range Area;
- deletes the Special Use Zone Schedules 5 and 6 from the Planning Scheme;
- amends the Schedule to Clause 81.01 by deleting the 'Point Nepean Heritage Buildings Precinct Incorporated Plan, December 2003';

- amends the Schedule to Clause 61.01 deleting the Minister for Planning as the responsible authority for the use and development of land shown on the planning scheme map as SUZ5 and SUZ6. The Mornington Peninsula Shire Council becomes the responsible authority; and
- makes changes to existing schedules consistent with the above amendments.

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 Mornington Peninsula Shire Council, Mornington Office, 2 Queen Street, Mornington; Hastings Office, 21 Marine Parade, Hastings; and Rosebud Office, 90 Besgrove Street, Rosebud.

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

Planning and Environment Act 1987

STONNINGTON PLANNING SCHEME

Notice of Approval of Amendment Amendment C75

The Minister for Planning has approved Amendment C75 to the Stonnington Planning Scheme.

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

The Amendment replaces the interim Schedules 5 and 7 to the Design and Development Overlay applying to the Waverley Road Neighbourhood Activity Centre in Malvern East, with a new, more comprehensive permanent Schedule 5 to the Design and Development Overlay over the same and extended area. The Amendment also makes related changes to the Municipal Strategic Statement and local policies in the Local Planning Policy Framework of the Planning Scheme.

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 Stonnington City Council, corner of Chapel Street and Greville Street, Prahran.

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

- incorporate the Cape Paterson Ecovillage Comprehensive Development Plan into the Bass Coast Planning Scheme; and
- amend Clause 21.05 of the Bass Coast Planning Scheme to introduce a reference to the Bass Coast Strategic Coastal Planning Framework.

The Amendment lapsed on 4 August 2010.

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

Planning and Environment Act 1987

VICTORIA PLANNING PROVISIONS AND ALL PLANNING SCHEMES

Notice of Lapsing of Amendment

Amendment VC67

Amendment VC67 proposed to facilitate the policy directions of Melbourne @ 5 million including changes to Melbourne's Urban Growth Boundary, making changes to the State Planning Policy Framework in all planning schemes and to make a number of other changes to the Brimbank, Casey, Hume, Greater Geelong, Melton, Mitchell, Moorabool, Whittlesea and Wyndham planning schemes.

Amendment VC67 lapses on 2 September 2010, due to the effect of section 46AK(1) of the **Planning and Environment Act 1987**.

I now publish this notice as required by section 46AK(2) of the Act.

JUSTIN MADDEN MLC
Minister for Planning

Planning and Environment Act 1987

BASS COAST PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C53

The Bass Coast Shire Council has resolved to abandon Amendment C53 to the Bass Coast Planning Scheme.

The Amendment proposed to:

- rezone land known as Crown Allotment 38A in Cape Paterson from Farming Zone to Comprehensive Development Zone;
- introduce the Comprehensive Development Zone Schedule 1 Cape Paterson Ecovillage into the Bass Coast Planning Scheme;

ORDERS IN COUNCIL

Major Sporting Events Act 2009

MAJOR SPORTING EVENT ORDER – 2010 UCI ROAD WORLD CHAMPIONSHIPS

Order in Council

The Governor in Council under section 7(1) of the **Major Sporting Events Act 2009** makes a major sporting event order in relation to the 2010 UCI Road World Championships, as follows:

The 2010 UCI Road World Championships are specified as a major sporting event under section 7(1) of the **Major Sporting Events Act 2009** and as an aerial advertising event under section 8(2)(c) of that Act. The event venues for the event are specified in the table below along with other matters relating to the event.

Event venues:	The areas hatched yellow on the plans LEGL./10-033, LEGL./10-034, LEGL./10-035, LEGL./10-036 and LEGL./10-037 lodged in the Central Plan Office, being roads and areas located in Melbourne and Geelong.
Event areas:	The areas hatched red on the plans LEGL./10-033, LEGL./10-034, LEGL./10-035, LEGL./10-036 and LEGL./10-037 lodged in the Central Plan Office, being roads, parks and areas located in Melbourne and Geelong.
Event organiser:	Australian Cycling Events Pty Ltd (ABN: 63 102 667 532)
Period when the event is conducted:	28 September 2010 to 3 October 2010
Parts of the Act which apply to the event:	Part 3 – Commercial Arrangements Part 4 – Crowd Management Part 6 – General Operational Arrangements Part 7 – Advertising other than Aerial Advertising Part 8 – Aerial Advertising
Commercial Arrangements Period:	Starting on the Date the Order takes effect and ending on 3 November 2010.
Crowd Management Period:	Starting on 21 September and ending on 5 October 2010.
Advertising Limitation Period:	Starting on 21 September and ending on 5 October 2010.
Operational Arrangements Period:	Starting on the Date the Order takes effect and ending on 3 November 2010.
Aerial Advertising Limitation Time:	From 9.00 am to 7.00 pm, from 28 September to 3 October 2010, inclusive.
Enforcement powers:	Members of Victoria Police may exercise enforcement powers under Parts 3, 6, 7 and 8 of the Act.

This Order comes into effect from the date it is published in the Government Gazette.

Dated 7 September 2010

Responsible Minister

JAMES MERLINO MP

Minister for Sport, Recreation and Youth Affairs

MATTHEW McBEATH
Acting Clerk of the Executive Council

**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:

83. *Statutory Rule:* Supreme Court
(Chapter V
Amendment No. 7)
Rules 2010
- Authorising Act:* Supreme Court Act
1986
Corporations
(Ancillary
Provisions) Act
2001
- Date first obtainable:* 7 September 2010
Code A
84. *Statutory Rule:* Victims of Crime
Assistance Rules
2010
- Authorising Act:* Victims of Crime
Assistance Act
1996
- Date first obtainable:* 7 September 2010
Code B
85. *Statutory Rule:* Court Security
Amendment
Regulations 2010
- Authorising Act:* Court Security Act
1980
- Date first obtainable:* 9 September 2010
Code A
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Amendment
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- Authorising Act:* Electricity Safety
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- Date first obtainable:* 9 September 2010
Code B
-

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