



Victoria Government Gazette

No. S 326 Friday 28 September 2012
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Accident Towing Services Act 2007

DECLARATION OF THE SELF-MANAGEMENT AREA OF GEELONG

1. **Purpose**

The purpose of this notice is to declare the area known as the 'Self-management area of Geelong' as a 'self-management area' for the purposes of the **Accident Towing Services Act 2007**, and specify the terms and conditions on which the self-management area is to be managed.

2. **Authorising Provision**

This notice is made under section 52 of the **Accident Towing Services Act 2007**. Section 52 provides that VicRoads may, by notice published in the Government Gazette, declare an area to be a self-management area, and must specify the terms and conditions on which the self-management area is to be managed.

3. **Commencement**

This notice comes into operation on the day on which it is published in the Victoria Government Gazette.

4. **Declaration**

I, David Shelton, delegate of VicRoads, declare, pursuant to section 52 of the **Accident Towing Services Act 2007**, that the 'self-management area of Geelong', as defined below, is a 'self-management area' for the purposes of that Act, subject to compliance with the attached terms and conditions –

The 'self-management area of Geelong' is the area firstly bound by a notional line drawn from the coastline at the Little River, along the western bank of the Little River to its intersection with Kirk Bridge Road; west along Kirk Bridge Road until Little River Ripley Road; west along Little River Ripley Road until its intersection with Geelong–Bacchus Marsh Road; south along Geelong–Bacchus Marsh Road to its intersection with Granite Road; west along Granite Road to its intersection with Staughton Vale Road; west to the intersection of Geelong–Ballan Road and Clarkes Road; south along Clarkes Road until its intersection with Lynch Road; west along Lynch Road to its intersection with Hargreaves Road; south along Hargreaves Road to its intersection with Thompson Road; west along Thompson Road; Perdrisat Road and Lower Plains Road; south at Shelford–Meredith Road to its intersection with Shelford–Bannockburn Road; east along Shelford–Bannockburn Road to its intersection with Bakers Lane; south along Bakers Lane to its intersection with Common Road; south-east along Common Road to its intersection with Hamilton Highway; in a straight line south-east to the intersection of Gnarwarre Road and Mt Pollock Road; east along Gnarwarre Road and Barabool Road to its intersection with Hendy Main Road; south along Hendy Main Road to its intersection with the Princes Highway; west along the Princes Highway for 500 metres and then returning east along the same road to the intersection with Hendy Main Road; south along Hendy Main Road to its intersection with Cape Otway Road; east along Cape Otway Road to its intersection with Mt Duneed Road; east along Mt Duneed Road, Lower Duneed Road and Barwon Heads Road to its intersection with Staceys Road; then in a straight line north-east to the intersection of Princess Street and Andersons Road; north along Princess Street, Clifton Springs Road and Beacon Point Road to the coastline at Clifton Springs, and finally along the coastline from Clifton Springs to the Little River.

The line drawn above is deemed to be drawn twenty metres beyond and parallel to the right hand edge of the road.

Dated 27 September 2012

DAVID SHELTON
Executive Director
Road Safety and Network Access
VicRoads

SPECIAL

**SELF-MANAGEMENT AREA OF GEELONG
TERMS AND CONDITIONS**

Appointment and duties of the Allocation Manager

1. Within 30 days after the date of this notice, the licence holders in the self-management area of Geelong (the **Licence Holders**) must appoint a person (the **Allocation Manager**) to be the manager of the Allocation Body on their behalf.
2. The Allocation Manager must ensure that the Allocation Body meets its obligations under these terms and conditions.

Appointment and duties of the Allocation Body

3. The Allocation Manager, with majority agreement from the Licence Holders, must appoint a corporation to operate as an allocation body (the **Allocation Body**) for the self-management area of Geelong (the **Area**).
4. The Allocation Body will be responsible for the creation of a road accident scene allocation roster (the **Roster**).
5. The Allocation Body must keep the Roster and record the details of each regular tow truck licence that has been allocated a place on the Roster.

Duties of an Allocation Officer

6. The Allocation Body must ensure that there is a person available at all times to perform the functions of an allocation officer (the **Allocation Officer**) for the Allocation Body.
7. The Allocation Officer must ensure that each authorisation is recorded, including the name and contact details of the person requesting the tow, as soon as the information is available.
8. The Allocation Officer must allocate a job number to each authorisation given.
9. The Allocation Officer must match each allocated job number with the details of the accident damaged vehicle, as soon as that information is available to the Allocation Officer.

Roster fee

10. The Allocation Manager may charge each Licence Holder a monthly fee (the **Roster Fee**) which represents that Licence Holder's share of the reasonable monthly costs incurred by the Allocation Manager and the Allocation Body in managing the Area.

Creation of allocation roster entitlements on the self-management roster

11. Each regular tow truck licence entitles the Licence Holder to one place on the Roster provided that –
 - (a) the licence conditions specify operation in the Area;
 - (b) the licence has a specified depot in the Area; and
 - (c) the Licence Holder is no more than one month in arrears in paying the Roster Fee to the Allocation Body for that licence.

Any application for variation to tow truck licence conditions must be made to VicRoads.

Removal or suspension from the roster

12. At the request of VicRoads, the Allocation Body must remove an allocation from the Roster if –
 - (a) the relevant tow truck licence is cancelled or suspended; or
 - (b) the licence holder requests that the allocated place be removed; or
 - (c) the relevant depot is not in the Area or does not meet the requirements of a specified depot under regulation 16 of the Accident Towing Services Regulations 2008.

Authorisation to attend an accident scene

13. An Allocation Officer may make an allocation if –
 - (a) a request has been received by the Allocation Body to remove an accident-damaged motor vehicle from a road accident scene in the Area; or
 - (b) a previous authorisation by the Allocation Body to remove an accident-damaged motor vehicle from a road accident scene in the Area has been cancelled, and the accident-damaged vehicle is still awaiting towing.
14. An allocation is made by contacting the holder of the place on the Roster who is next entitled to an allocation and offering that person an authorisation and –
 - (a) if that person accepts the authorisation, authorising the person to attend the road accident scene and offer to tow an accident-damaged motor vehicle from the scene; or
 - (b) if the person refuses or is unable to accept the authorisation, offering the authorisation to the person whose place on the Roster is next entitled to an allocation.
15. Each authorisation is only given for one accident-damaged motor vehicle.
16. If a tow truck with authorisation to tow an accident-damaged motor vehicle is unable to tow the vehicle because the accident scene is not reasonably able to be located, or because the vehicle has departed the accident scene before the tow truck arrives, that tow truck will receive an allocation credit. When the Roster is prepared for the following month, each allocation credit will entitle that tow truck to one additional place on the Roster.

Substitute tow truck

17. A Licence Holder who has been authorised to cause a rostered tow truck to attend a road accident scene may substitute for that vehicle another tow truck which is licensed for the Area, by notifying the Allocation Body of the substitution. If a substitute tow truck attends, the substitute tow truck is taken to be a rostered tow truck. A Licence Holder may not substitute a tow truck which is not licensed for the Area.

Operation outside the Area

18. A License Holder may only cause a rostered tow truck to attend a road accident scene outside the Area if –
 - (a) Victoria Police have requested the Allocation Body to provide a tow truck to the road accident scene; and
 - (b) the Allocation Body has asked the Licence Holder to cause a rostered tow truck to attend that road accident scene.

Cancellation of an authorisation

19. The Allocation Officer may cancel an authorisation if the holder of a place on the road accident scene roster is –
 - (a) unable to cause the rostered tow truck to attend the road accident scene within a reasonable period (generally 30 minutes from the time of allocation unless unusual circumstances apply); or
 - (b) otherwise unable to fulfil the authorisation.
20. If an authorisation is cancelled, the Allocation Officer must notify one of the following people accordingly –
 - (a) the relevant licence holder for the rostered tow truck; or
 - (b) a person employed at the specified depot for the rostered tow truck; or
 - (c) the driver of the rostered tow truck.
21. If an authorisation is cancelled, and the Allocation Officer (in his or her own discretion) considers that there were good reasons for the allocated tow truck being unable to undertake the job, the Allocation Officer may issue an allocation credit to that tow truck.

Dispute resolution

22. If a Licence Holder has a complaint or dispute about allocations, the Roster, or other matters connected with the management of the Area, the Licence Holder should first notify the Allocation Manager. The Allocation Manager has 14 days from the date of notification to use all reasonable endeavours to resolve the dispute.
23. If the Licence Holder does not consider the dispute to be resolved after that 14 days period, he or she may call a meeting of all Licence Holders to resolve the dispute. Each party involved in the dispute will present his or her case to the meeting of the Licence Holders, and the Licence Holders will use all reasonable endeavours to resolve the dispute in a way that is satisfactory to the parties, having regard to the need to protect the reasonable livelihood of each individual Licence Holder.
24. If the dispute continues to be unresolved following the meeting of the Licence Holders, the Licence Holder who commenced dispute proceedings may contact VicRoads, setting out the details of the dispute.

Resignation or termination of appointments

25. The Allocation Manager must provide the Licence Holders with 30 days written notice if he or she intends to resign from the role.
 26. By majority vote, the Licence Holders may vote to remove the Allocation Manager from the role, and if the motion passes the Allocation Manager must cease performing the role within 7 days or any other period agreed with the Licence Holders.
 27. Within 30 days after the receipt of the Allocation Manager's written resignation or the passage of a vote removing the Allocation Manager, the Licence Holders must appoint a new Allocation Manager.
 28. The Allocation Body must provide the Licence Holders with 60 days written notice if it resolves to cease performing the role.
 29. By majority vote, the Licence Holders may vote to remove the Allocation Body from the role, and if the motion passes the Allocation Body must cease performing the role within 7 days or any other period agreed with the Licence Holders.
 30. Within 60 days after the receipt of the Allocation Body's written resignation or the passage of a vote removing the Allocation Body, the Allocation Manager must appoint a new Allocation Body, with majority agreement from the Licence Holders.
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