



# Victoria Government Gazette

By Authority of Victorian Government Printer

**No. G 15 Thursday 14 April 2016**

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**GENERAL**

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**Advertisers Please Note**

As from 14 April 2016

The last Special Gazette was No. 95 dated 13 April 2016.

The last Periodical Gazette was No. 1 dated 27 May 2015.

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**How To Submit Copy**

- See our webpage [www.gazette.vic.gov.au](http://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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**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (General)  
ANZAC DAY WEEK 2016 (Monday 25 April 2016)**

**Please Note Deadlines for General Gazette G17/16:**

The Victoria Government Gazette (General) for ANZAC week (G17/16) will be published on **Thursday 28 April 2016**.

**Copy deadlines:**

Private Advertisements **9.30 am on Friday 22 April 2016**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Tuesday 26 April 2016**

**Office Hours:**

The Victoria Government Gazette Office is open during normal office hours over the holiday period, i.e. 8.30 am to 5.30 pm Monday to Friday, excluding public holidays.

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

JENNY NOAKES  
Government Gazette Officer

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## PRIVATE ADVERTISEMENTS

### NOTICE OF DISSOLUTION OF PARTNERSHIP

Notice is hereby given in accordance with the provisions of the **Partnership Act 1958** (section 41) that:

- the partnership existing between 29 Talbot Pty Ltd as trustee of K and R Zelwer Family Trust ('Zelwer') and LSRS Practice Pty Ltd as trustee of the LSRS Family Trust ('LSRS') trading under the name of Adapt Wealth Management at 164 Waverley Road, Malvern East, Victoria ('the Business'), is dissolved by mutual consent on 31 March 2016 ('Dissolution Date'); and
- LSRS is no longer associated in the conduct of the Business and with effect from the Dissolution Date, Zelwer will conduct the Business, assume all of the Business obligations and is entitled to all of the Business assets.

NICHOLAS O'DONOHUE & CO., lawyers,  
Level 29, 140 William Street, Melbourne,  
Victoria 3000.

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### NOTICE OF DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership previously existing between Gaylene Joy Crane and Miriam Crane, carrying on business as GJ & M Crane, dairy farmers at Greens Road, Cohuna, has been dissolved as from 15 April 2016.

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### DISSOLUTION OF PARTNERSHIP

Take notice that with effect from 25 March 2016 the Joy Serena Trust has ceased to be in partnership with the Paula Dunn Trust, trading as Emotivation Coaching ABN 67 680 735 952. Joy Serena Salmon has ceased to be a partner in the partnership known as Emotivation Coaching. The Paula Dunn Trust will continue to operate as Emotivation Coaching.

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Re: JOAN EILEEN LEMUIRE EWING, also known as Joan Eileen Ewing and Joan Ewing, late of 2 Clarke Street, Abbotsford, Victoria, retired nurse, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 December 2015, are required by the trustee, Paul Morris Natoli, to send particulars to the trustee, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which they have notice.

A. B. NATOLI PTY, solicitors,  
24 Cotham Road, Kew 3101.

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EDWARD RUSSELL WILLIAMS, late of Prom Country House, O'Connell Road, Foster, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 27 November 2015, are required by the executors, Donna Gayle Salmon and Paul Rhys Williams, to send particulars thereof to them, care of the undermentioned solicitors, within two months from the date of publication of this notice, after which the executors will distribute the estate, having regard only to claims of which they have notice.

AUGHTERSONS, solicitors,  
267 Maroondah Highway, Ringwood,  
Victoria 3134.

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Re: ALBERT EDMUND SAUNDERS, late of 7 Wilson Street, Kyabram, in the State of Victoria, teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of ALBERT EDMUND SAUNDERS, deceased, who died on 19 November 2015, are required by the executor, Nancy Elizabeth Saunders, to send particulars to her, care of the undermentioned solicitors, by 16 June 2016, after which the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

BIZLAW SOLICITORS,  
182a Allan Street, Kyabram, Victoria 3620.

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Re: Estate of ERIC WILLIAM RATCLIFFE, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 October 2015, are required by the trustee, Darren William Ratcliffe, care of 44 Douglas Street, Noble Park, Victoria, to send

particulars to the trustee by 14 June 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

BORCHARD & MOORE, solicitors,  
44 Douglas Street, Noble Park 3174.

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Re: WALENTYNA DZIEDZIC, late of 6 Wicklow Street, Pascoe Vale, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 September 2015, are required by the trustee, Helen Bezzina, to send particulars to the trustee, care of the undermentioned solicitors, within 60 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.

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Estate IAN WALTER NORMAN, late of 42 Tulip Grove, Cheltenham, Victoria 3192, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 October 2015, are required by the administrators, Christopher Werner Norman, Phillip Patrick Norman and Elizabeth Margaret Norman, to send particulars, care of the solicitors below, by 30 June 2016, after which date the administrators may convey or distribute the assets, having regard only to the claims of which they then have notice.

DOMINIC ESPOSITO SOLICITORS,  
Royal Blue Terrace, 235 Rathdowne Street,  
Carlton, Victoria 3053.

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Re: Estate of GIUSEPPE RIGGIO, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of GIUSEPPE RIGGIO, late of 12 Burton Avenue, Clayton, Victoria, and formerly of 195 Centre Dandenong Road, Cheltenham, Victoria, retired, who died on 17 January 2016, are required by the executor to send particulars of their claim to her, care of the undermentioned solicitors, by 30 September 2016, after which date the said executor will

distribute the assets of the deceased, having regard only to the claims of which she then shall have notice.

DONALD & RYAN LAWYERS, solicitors,  
304 High Street, Kew 3101.

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Re: Estate of FRANCES ISABEL BROOKS.

Creditors, next-of-kin or others having claims in respect of FRANCES ISABEL BROOKS, late of Unit 3, 3 Morrison Street, Birchip, in the State of Victoria, retired woman, deceased, who died on 15 December 2015, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 30 June 2016, 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.

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REGINALD DAVID HENDERSON,  
late of 59 Garfield Terrace, Surfers Paradise,  
Queensland, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 May 2015, are required by the executor, Equity Trustees Limited of 575 Bourke Street, Melbourne, Victoria, to send particulars to them by the date 31 May 2016, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor then has notice.

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Re: JAY CADE WRAIGHT, late of 2/30 Simpson Drive, Dandenong North, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 February 2016, are required to send particulars of their claims to the executor, care of Ground Floor, 411 Collins Street, Melbourne, Victoria 3000, by 13 June 2016, after which date the executor may convey or distribute the assets, having regard only to the claims of which he may then have notice.

ESTATE LAWYERS MELBOURNE,  
Ground Floor, 411 Collins Street,  
Melbourne 3000.

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Re: VIOLET LUCY BOTTEN, late of Heritage Gardens, 325–329 Canterbury Road, Bayswater North, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 January 2016, are required by the trustee, Dennis William Botten, to send particulars to him, care of the undersigned, by 14 June 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

G. A. BLACK & CO., solicitors,  
222 Maroondah Highway, Healesville 3777.

required by Bryan Gibbs, trustee of the estate of the deceased, care of 17 Argyle Place South, Carlton, Victoria 3053, to send particulars of their claims by 15 June 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

Dated 5 April 2016

JOHN WHELAN COMMERCIAL LAWYER,  
17 Argyle Place South, Carlton, Victoria 3053,  
PO Box 373, Carlton South, Victoria 3053.

Ph: (03) 9347 8865

Email: john@johnwhelan.com.au

MELVILLE WILLIAM HARRISON, late of 416 Gladstone Street, Ballarat, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 March 2016, are required by Gary Raymond Foat and Vivian Bradbury, the executors of the deceased's estate, to send particulars to them, care of the undermentioned lawyers, by 14 June 2016, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

HARWOOD ANDREWS, lawyers,  
101 Lydiard Street North, Ballarat 3350.

WILLIAM PHILLIP WARD, late of Villa 35, Evergreen Retirement Village, 11 McGregor Road, Pakenham, Victoria 3810, retired security guard, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 22 November 2015, are required by the executor, Jeffrey Winston Lempriere of Centre Court Arcade, Shop 4, 156 Main Street, Pakenham, Victoria 3810, to send particulars of their claims to him by 15 June 2016, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice. Probate was granted in Victoria on 1 March 2016.

Dated 6 April 2016

LEMPRIERE LEGAL, lawyers,  
Centre Court Arcade, Shop 4, 156 Main Street,  
Pakenham, Victoria 3810,  
PO Box 114, Pakenham, Victoria 3810.  
Ph: 5941 1577.

Re: WENDY SUZANNE RIDD, late of 16 Roseberry Grove, Glen Huntly, Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 June 2015, are required by the trustee, Janet Margaret Mahoney, to send particulars to the trustee, care of the undermentioned solicitors, by 17 June 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

HODGSON & FINLAYSON, solicitors,  
2/1183 Burke Road, Kew 3101.

JOHN BRAMLEY, late of Inglewood & District Health Service, 3 Hospital Street, Inglewood, Victoria 3551, farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 17 June 2015, are required by the executor, Ivan Bernard Younghusband, care of the undermentioned solicitors, to send particulars of their claims to him by 14 June 2016, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

MCL LEGAL,  
78 Napier Street, St Arnaud, Victoria 3478.

BARBARA MAVIS HYNAM, late of 1/71 Martin Street, Brighton, Victoria 3186, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 22 June 2015, are

NEVILLE THOMAS DROHAN, late of Unit 49, 100 Station Street, Burwood, in the State of Victoria, retired school principal, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 20 January 2016, are required by Ruth Marjorie Drohan, the executor and trustee of the estate of the said named deceased, to send particulars of their claims to her, care of McNab McNab & Starke, Level 10, 552 Lonsdale Street, Melbourne 3000, by 7 July 2016, after which date she may convey or distribute the assets of the estate, having regard only to the claims of which she then has notice.

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Re: Estate of JANICE ANN NICHOLLS, late of Regis McKinley House, 607–613 Dandenong Road, Armadale, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 July 2015, are required by the trustee to send particulars to the trustee, care of the undermentioned solicitors, by 17 June 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors, 101/177 Surrey Road, Blackburn, Victoria 3130.  
Ref No. CD:HP:2152040

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Creditors, next-of-kin and others having claims in respect of the estate of GRAHAM GARTH BROWN, late of Maffra Caravan Park, Johnson Street, Maffra, Victoria, deceased, who died on 26 December 2015, are required to send particulars of such claims to the administrator, care of the undermentioned solicitors, by 13 June 2016, after which date the administrator will convey or distribute the assets, having regard only to the claims of which the administrator then has notice.

PIETRZAK SOLICITORS,  
222 La Trobe Street, Melbourne 3000.

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CLARA MAY OLSON, late of 70 Grantham Street, Brunswick West, Victoria, sterilisation assistant technician, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 2 August 2015, are

required by the executor, Darren John Olson, of 13 Dundee Close, Gladstone Park, Victoria, cabin attendant, to send particulars of their claims to him, care of the undersigned, by 7 June 2016, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

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FELICIA SOO NGAN YONG, late of Lot 46 Taman Sinar Baru, Lorong Kenawai 7, Jalan Damai, Kota Kinabalu, Sabah, Malaysia, telemarketer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 17 May 2014, are required by the executors, Hume John Presley of 134 Haverbrack Drive, Mulgrave, Victoria, retired, and Pea Chyau Chiang of Lot 46 Taman Sinar Baru, Lorong Kenawai 6, Kota Kinabalu, Sabah, Malaysia, director, to send particulars of their claims to them, care of the undersigned, by 14 June 2016, 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.

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Re: MICHAEL DANIEL CULLINANE, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 June 2014, are required by the trustees, Majbritt Kring and Gary Thomas Cullinane, to send particulars of such claims to them, in care of the below mentioned lawyers, by 13 June 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

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Re: MAVIS FLORENCE FITZGERALD, late of 530 Valleyview Road, Princetown, Victoria, housewife, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 May 2015, are required by the deceased's personal representatives, David

Anthony Casey and Meagan Jane Compton, to send particulars to them, care of the undermentioned lawyers, by 15 June 2016, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

SLM LAW, lawyers,  
119 Murray Street, Colac 3250.

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Re: RONALD KEITH JACKSON, late of Corangamarah, 2 Connor Street, Colac, Victoria, carpenter, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 June 2015, are required by the deceased's personal representatives, David Anthony Casey, Meagan Jane Compton and Stuart Lester Holbery, to send particulars to them, care of the undermentioned lawyers, by 15 June 2016, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

SLM LAW, lawyers,  
119 Murray Street, Colac 3250.

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Re: ARTHUR PERCIVAL HOWELL, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 August 2015, are required by Howard Andrew Jones, the trustee of the estate of the deceased, to send particulars of their claims to him, care of the undermentioned solicitors, by 10 June 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

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Re: RONALD HAYDEN GIBBINS, late of 526 Londrigans Lane, The Sisters, farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 May 2015, are required by the executors and trustees, Matthew Thomas

Gibbins and David Edward Gibbins, to send particulars to them, care of the undermentioned solicitors, by 16 June 2016, after which date they may convey or distribute the assets, having regard only to the claims of which they then have notice.

TAITS LEGAL,  
121 Kepler Street, Warrnambool 3280.

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FRED SORENSEN, late of Mercy Place, 22 Verona Lane, East Melbourne, Victoria, widower, deceased.

Creditors, next-of-kin and others having claims against the estate of the deceased, who died on 1 January 2016, are required to send particulars of their claims to the executor, John Patrick Toohey, care of Tolhurst Druce & Emmerson, lawyers, by 22 June 2016, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

TOLHURST DRUCE & EMMERSON,  
lawyers,  
Level 3, 520 Bourke Street, Melbourne 3000.

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Re: ANDREW ELLIOT McKELLAR, late of 28 Manchester Grove, Glen Huntly, Victoria 3163, accountant, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 January 2016, are required by the executor, Nerrida Jane McKellar, to send particulars to her, care of the undermentioned solicitors, by 16 June 2016, after which date the executor may convey and distribute the assets, having regard only to the claims of which she then has notice.

TRAGEAR & HARRIS LAWYERS,  
1/23 Melrose Street, Sandringham 3191.

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DAVID KUCHARSKI, late of 3 Hood Street, Elwood, Victoria, retired clerical worker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the above deceased, who died on 26 December 2015, are required by the executors, Julienne Baron and Michael Kucharski, to send particulars of their claims to them, care of their undermentioned



lawyers, by 17 June 2016, after which date the executors may distribute the assets of the estate, having regard only to the claims of which they then have notice.

WHITEHEAD SUMMONS, lawyers,  
45 Arnold Street, South Yarra 3141.

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Re: The estate of GEORGE KLIEN, late of Unit 8, 32 Flinders Street, Mentone, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 April 2015, are required by the executor, Lyn Templer, to send particulars to them, care of the undersigned solicitors, by not later than two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

WILLIS SIMMONDS LAWYERS,  
legal practitioners,  
6/1 North Concourse, Beaumaris 3193.

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**GOVERNMENT AND OUTER BUDGET  
SECTOR AGENCIES NOTICES**

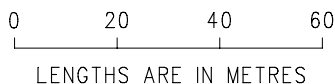
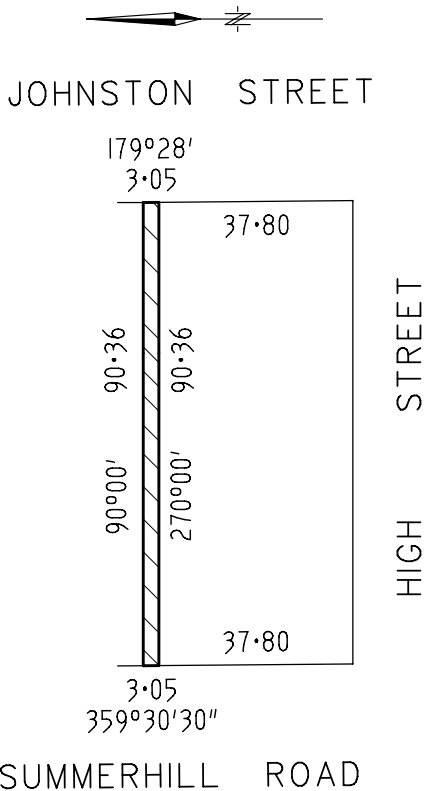
**BOROONDARA CITY COUNCIL**

**Road Discontinuance**

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Boroondara City Council has resolved to discontinue the road adjoining 145 to 151 High Street, 159 Summerhill Road and 2 and 2A Johnston Street, Glen Iris, shown by hatching on the plan below, and to sell the land from the road by private treaty to the abutting property owners.

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

PARISH OF BOROONDARA  
PART OF CROWN PORTION 141



**PHILLIP STORER**  
Chief Executive Officer

BOROONDARA CITY COUNCIL

Road Discontinuance

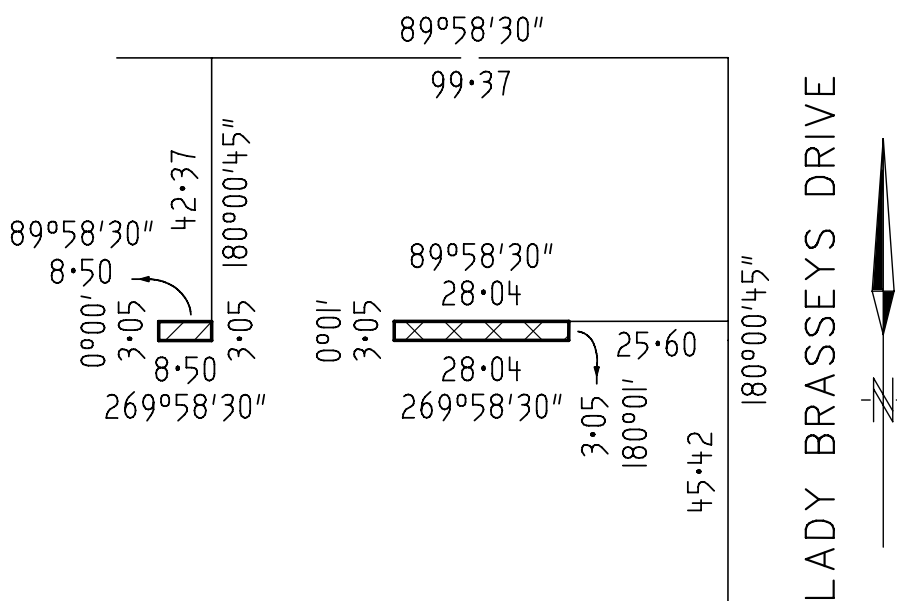
Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Boroondara City Council has resolved to discontinue the road at the rear of 20, 28 and 30 First Avenue and 34, 36 and 4/40 Maitland Avenue, Kew, shown by hatching and cross-hatching on the plan below, and to sell the land from the road by private treaty to the abutting property owners.

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

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

PARISH OF BOROONDARA  
PART OF CROWN PORTION 84

FIRST AVENUE



MAITLAND AVENUE



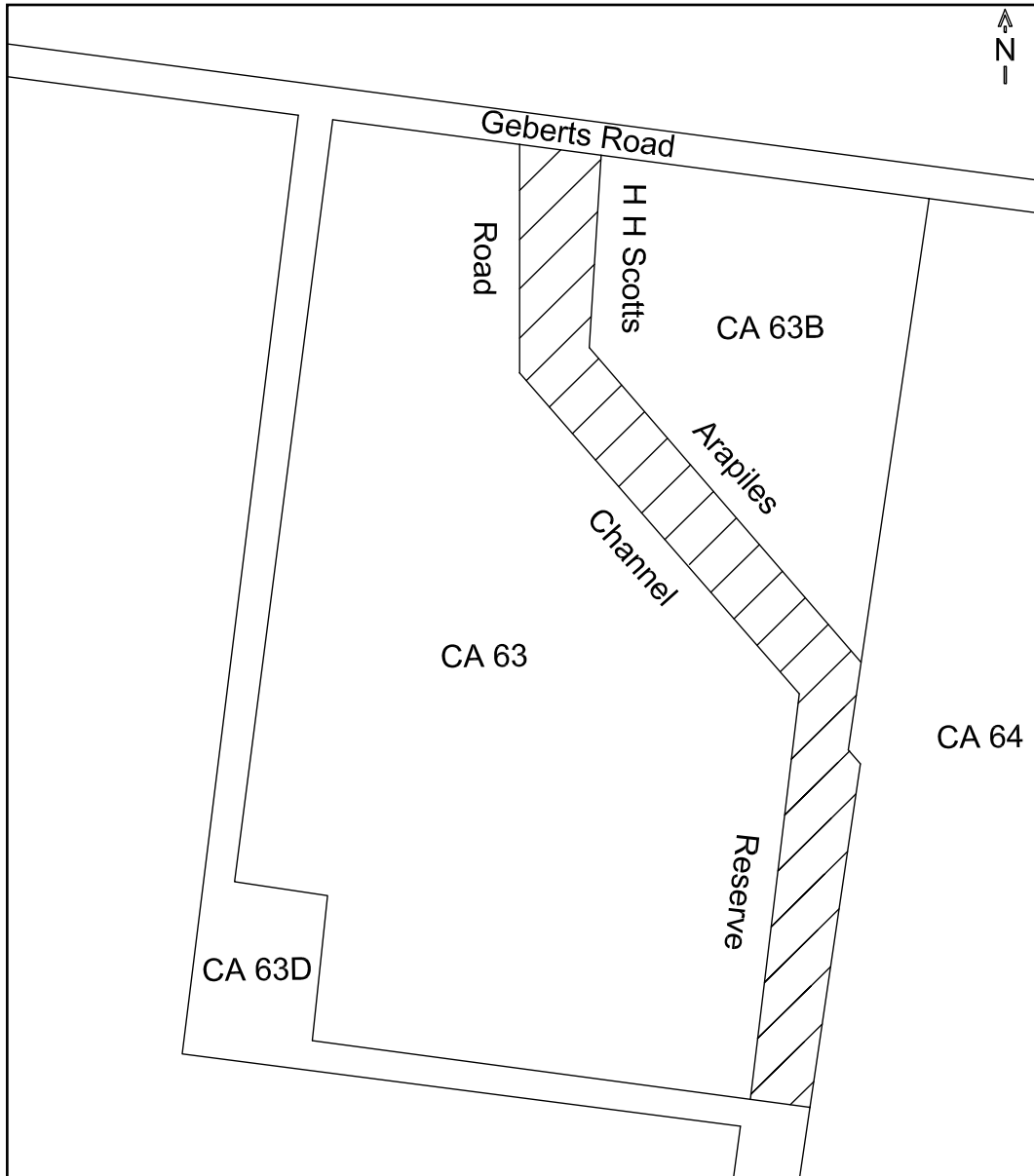
LENGTHS ARE IN METRES

PHILLIP STORER  
Chief Executive Officer

HORSHAM RURAL CITY COUNCIL

Notice of Discontinuance of Section of Road and Road and Channel Reserve,  
Parish of Lowan

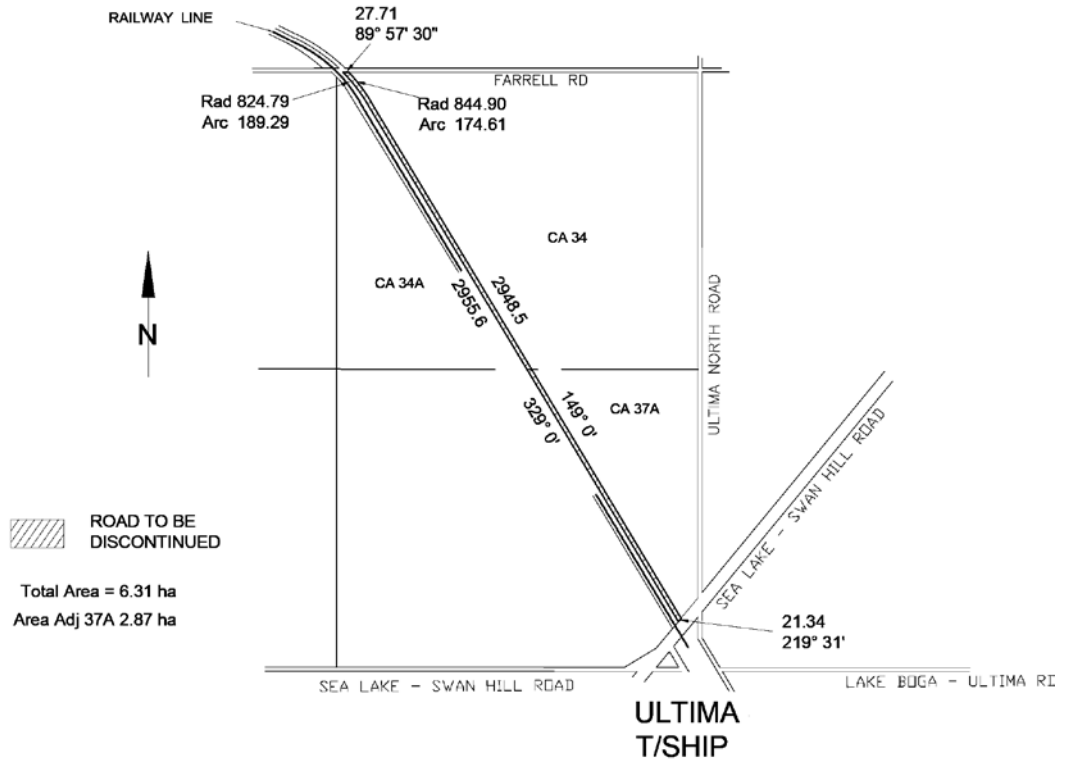
Notice is given pursuant to section 206 and Schedule 10 Clause 3 of the **Local Government Act 1989**, Horsham Rural City Council, at its ordinary meeting of 7 December 2015, has formed the opinion that sections of H H Scotts Road and H H Scotts Road and Arapiles Channel Reserve, separating Crown Allotments CA63 and CA63B and CA63 and CA64, Parish of Lowan, as shown as hatched on plan, is not required as a road for public use and resolved to discontinue these sections of road, and road and channel reserve.



SWAN HILL RURAL CITY COUNCIL

Road Discontinuance

Under section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Swan Hill Rural City Council, at its ordinary meeting held on 16 February 2016, formed the opinion that the road shown hatched on the plan below is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road to abutting owners.



JOHN McLINDEN  
Chief Executive Officer  
Swan Hill Rural City Council

**MITCHELL SHIRE COUNCIL**



**Planning and Environment Act 1987**

**MITCHELL PLANNING SCHEME**

**Notice of the Preparation of an Amendment**

**Amendment C111**

The Mitchell Shire Council has prepared Amendment C111 to the Mitchell Planning Scheme.

The land affected by the Amendment is part of 185 O'Sheas Road, Kilmore East.

The Amendment proposes to apply a Public Acquisition Overlay (PAO) onto the subject land.

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: Kilmore Customer and Library Service Centre, 12 Sydney Street, Kilmore; Broadford Customer and Library Service Centre, 113 High Street, Broadford; Mitchell Shire Council's website: [www.mitchellshire.vic.gov.au](http://www.mitchellshire.vic.gov.au); and Department of Environment, Land, Water and Planning's website: [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection)

Any person who may be affected by the Amendment may make a submission to the planning authority about the Amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions.

The closing date for submissions is 5 pm, Friday 13 May 2016.

A submission must be sent to Mitchell Shire Council, Strategic Planning, 113 High Street, Broadford 3658.

The planning authority must make a copy of every submission available at its office for any person to inspect, free of charge, for two months after the Amendment comes into operation or lapses.

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**Planning and Environment Act 1987**  
**MOYNE PLANNING SCHEME**  
Notice of the Preparation of an Amendment  
Amendment C61

The Moyne Shire Council has prepared Amendment C61 to the Moyne Planning Scheme.

The land affected by the Amendment is in the Mortlake township and surrounds listed in the Schedule to Clause 43.01 Heritage Overlay. This includes all land within one new precinct, one precinct extension and 14 individual places.

The Amendment proposes to implement the findings of the 'Review of Moyne Shire Heritage Study Stage 2 (2006)' by:

- applying the Heritage Overlay to the Dunlop Street Heritage precinct;
- extending the existing Mortlake Heritage precinct and renaming it to the Shaw Street Heritage precinct;
- applying the Heritage Overlay to 14 new individual heritage places in the Mortlake township and surrounds; and
- deleting the Heritage Overlay from 5 properties and part of 1 property in Shaw Street that form part of the existing Mortlake Heritage Precinct.

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, 1 Jamieson Avenue, Mortlake and Princes Street, Port Fairy; and at the Department of Environment, Land, Water and Planning website, [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection)

Any person who may be affected by the Amendment may make a submission to the planning authority about the Amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions.

The closing date for submissions is Monday 16 May 2016. A submission must be sent to the Moyne Shire Council, PO Box 51, Port Fairy, Victoria 3284.

The planning authority must make a copy of every submission available at its office for any person to inspect, free of charge, for two months after the Amendment comes into operation or lapses.

DAVID MADDEN  
Chief Executive Officer

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

Notice of the Preparation of an Amendment to a Planning Scheme and  
 Notice of an Application for a Planning Permit Given Under Section 96C of the  
**Planning and Environment Act 1987**

Amendment C58

Planning Permit Application 2015/246

The land affected by the Amendment is known as 6540 Maroondah Highway, Yarck, and is formally described as Lot 1 PS 739824F, Lot 1 TP 242437U and Lot 2 TP 320893H.



Figure 1: Subject Site

For the purposes of describing this Planning Scheme Amendment request the Subject Site has been labelled as Site 1 and Site 2, as illustrated in Figure 1 above.

- Site 1 comprises Lot 2 TP 320893H;
- Site 2 comprises Lot 1 PS 739824F and Lot 1 TP 242437U.

The land affected by the application is Lot 2 TP 320893H, shown as 'Site 1' on Figure 1 above.

The Amendment proposes to rezone Site 1 from Rural Living Zone (RLZ) to Low Density Residential Zone (LDRZ); amend Schedule 1 to Clause 32.03 Low Density Residential Zone (LDRZ), to specify a minimum lot size for subdivision of 1 hectare for the land marked as Site 1; amend Schedule 1 to Clause 35.03 Rural Living Zone (RLZ), to specify a minimum lot size for subdivision of 2 hectares for the land marked as Site 2.



The application is for a permit to subdivide the land into eight (8) lots under the provisions of Clause 32.03 Low Density Residential Zone (LDRZ).

The applicant for the permit is Kervale Investments Pty Ltd.

You may inspect the Amendment, the explanatory report about the Amendment, the application, and any documents that support the Amendment and the application, including the proposed permit, free of charge, at the following locations: during office hours, at the office of the planning authority, Murrindindi Shire Council, Perkins Street, Alexandra, Victoria 3714; Murrindindi Shire Council website: [www.murrindindi.vic.gov.au](http://www.murrindindi.vic.gov.au); at the Department of Environment, Land, Water and Planning website, [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection)

Any person who may be affected by the Amendment or by the granting of the permit may make a submission to the planning authority about the Amendment and the application. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions.

The closing date for submissions is Monday 16 May 2016. A submission must be sent to the Murrindindi Shire Council, PO Box 138, Alexandra 3714.

The planning authority must make a copy of every submission available at its office for any person to inspect, free of charge, until the end of two months after the Amendment comes into operation or lapses.

MARGARET ABBEY  
Chief Executive Officer  
Murrindindi Shire Council

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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, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 11 June 2016, 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.

BOXSHALL, Kevin Mathew, late of 39 Roselyn Crescent, Boronia, Victoria 3155, deceased, who died on 28 February 2016.

DAVIS, James Frederick, late of 22 Lahona Avenue, Bentleigh East, Victoria 3165, deceased, who died on 27 October 2015.

FAWCETT, Lorna Valmai, late of Highwood Court, 359 Warrigal Road, Burwood, Victoria 3125, deceased, who died on 25 January 2016.

GREENING, Wayne, late of 13 Hayes Road, Hampton Park, Victoria 3976, deceased, who died on 4 February 2016.

HALL, Edna May, late of Arcare Hampstead, 31 Hampstead Road, Maidstone, Victoria 3012, deceased, who died on 16 February 2016.

HARVEY, Jean, late of Capel Sands Aged Care, 8-16 Capel Avenue, Rosebud West, Victoria 3940, deceased, who died on 26 December 2015.

KENNEDY, Peter John, late of 6 Blackbird Drive, Doreen, Victoria 3754, deceased, who died on 18 February 2016.

MAGGS, David Rodney, late of care of Corpus Christi, 855 Mickleham Road, Greenvale, Victoria 3059, deceased, who died on 22 February 2016.

TUPLIN, Nigel Harry, late of Wintringham, 79 Swallow Street, Port Melbourne, Victoria 3207, deceased, who died on 14 February 2016.

Dated 5 April 2016

STEWART MacLEOD  
Manager

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, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 20 June 2016, 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.

BEGG, Beverley Denise, late of 63 Parker Avenue, Strathalbyn, South Australia 5255, deceased, who died on 24 July 2015. Grant of Probate dated 30 March 2016.

BRUNTON, Laurence David, late of Victoria Heights Aged Care, Victoria Street, Bendigo, Victoria 3550, retired, deceased, who died on 30 June 2015.

HOROWIC, Janine, late of Ron Conn Nursing Home, 33 Westminster Drive, Avondale Heights, Victoria 3034, deceased, who died on 11 November 2015.

LADD, Stanley Ernest, late of 57 McCrae Road, Rosanna, Victoria 3084, retired, deceased, who died on 15 July 2015.

MATIS, Alexandru, late of Flat 18, 35 Westminster Avenue, Avondale Heights, Victoria 3034, deceased, who died on 24 November 2015.

PARK, Christine Joan, late of 15 Flinders Crescent, Boronia, Victoria 3155, deceased, who died on 9 February 2016.

ROBINSON, Terence Anthony, late of 21 Russell Avenue, Woodend, Victoria 3442, deceased, who died on 27 October 2015.

SCHMIDT, Verna, late of Chestnut Gardens, Chesnut Road, Doveton, Victoria 3177, pensioner, deceased, who died on 10 February 2016.

SIOMOS, Nicholoas, late of 26 O'Connor Street, Reservoir, Victoria 3073, pensioner, deceased, who died on 17 February 2016.

SMITH, Sandra, late of 25 Highland Street, Morwell, Victoria 3840, deceased, who died on 24 February 2016.

Dated 11 April 2016

STEWART MacLEOD  
Manager

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, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 20 June 2016, 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.

DE BRUYN, Benjamin Cornelis, late of 4 Darbyshire Street, Byaduk North, Victoria 3300, deceased, who died on 15 November 2015.

HEAVER, Margaret Rose, late of Redcliffe Aged Care Services, 39 Baringa Street, Clontarf, Queensland 4019, deceased, who died on 15 December 2015.

HUNTER, Hilda Annie, late of Sea Views Manor, 77–83 Tareeda Way, Ocean Grove, Victoria 3226, deceased, who died on 2 September 2014.

KELLY, Kerry, late of Aged Care Services (Lakes Entrance) P/L, 23 Alexandra Avenue, Lakes Entrance, Victoria 3909, deceased, who died on 30 October 2015.

KILPATRICK, Kenneth Neil, late of Unit 15, 127 High Street, Nagambie, Victoria 3608, deceased, who died on 29 April 2015.

LAVERY, Mary Elizabeth, late of Sambell House, 8/1 South Terrace, Clifton Hill, Victoria 3068, deceased, who died on 15 February 2016.

O'ROURKE, Kevin Desmond, late of care of 9 Dowling Street, Traralgon, Victoria 3844, deceased, who died on 4 February 2016.

SCARLETT, Margaret Jennifer, late of 4 Pinewood Drive, Templestowe, Victoria 3106, deceased, who died on 11 October 2015.

SIBLEY, Ian George, late of Olivet Aged Care, 7–9 Rupert Street, Ringwood, Victoria 3134, deceased, who died on 23 December 2015.

Dated 11 April 2016

STEWART MacLEOD  
Manager

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#### **Adoption Act 1984**

Under the functions and powers assigned to me by the Secretary to the Department of Health and Human Services under section 10(2) of the **Community Services Act 1970** in relation to section 5 of the **Adoption Act 1984**:

I, Denise Harrison, approve the following person under section 5(1) and section 5(1)(b) of the **Adoption Act 1984** as approved counsellor for the purposes of sections 35 and 87 of the **Adoption Act 1984**.

Feena Konrad

Dated 29 February 2016

DENISE HARRISON  
Acting Director, Child Protection  
South Division

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#### **Country Fire Authority Act 1958**

##### **VARIATION OF FIRE DANGER PERIOD**

In pursuance of the powers conferred by section 4 of the **Country Fire Authority Act 1958**, I, Joe Buffone, Chief Officer of the Country Fire Authority, after consultation with the Secretary to the Department of Environment, Land, Water and Planning, hereby vary the declaration of the Fire Danger Periods previously published in the Government Gazette by declaring that such Fire Danger Periods shall end in respect of the undermentioned Municipal Districts of Municipalities or parts of Municipalities specified.

To terminate from 0100 hours on 18 April 2016:

- Colac Otway Shire Council
- Corangamite Shire Council
- Pyrenees Shire Council.

Joe Buffone PSM  
Chief Officer

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**Forests Act 1958**

## REVOCATION OF DETERMINATION OF FIREWOOD COLLECTION AREA

I, Peter Foster, District Manager, North West District, Northern Region, Parks Victoria, as delegate of the Secretary to the Department of Environment, Land, Water and Planning under section 57U of the **Forests Act 1958**, revoke the determination made under section 57U of the **Forests Act 1958** on 19 February 2016 and published in the Government Gazette No. S 29 page 3, 25 February 2016.

This revocation comes into operation on the date on which it is published in the Government Gazette.

Dated 11 April 2016

PETER FOSTER  
District Manager, North West District, Northern Region  
Parks Victoria  
as delegate of the Secretary to the  
Department of Environment, Land, Water and Planning

**Forests Act 1958**

## AMENDMENT OF DETERMINATION OF FIREWOOD COLLECTION AREA

I, Scott Falconer, Fire and Land Regional Manager, Loddon Mallee Region, Department of Environment, Land, Water and Planning, as delegate of the Secretary to the Department of Environment, Land, Water and Planning, under section 57U of the **Forests Act 1958**, amend the determination made under section 57U of the **Forests Act 1958** on 17 February 2016 and published in the Government Gazette No. G 8 pages 302–303 on 25 February 2016 by substituting 14/04/2016 for 30/06/2016 in column 6 of item 16 in the table in the determination; and by substituting 18/04/2016 for 30/06/2016 in column 6 of item 10 in the table in the determination

Item no.	Column 1 LEGL no.	Column 2 DELWP region	Column 3 DELWP district	Column 4 Name of firewood collection area	Column 5 Opening date	Column 6 Closing date
10	LEGL./16-006	Loddon Mallee	Murray Goldfields	Old Tarnagulla Road	01/03/2016	18/04/2016
16	LEGL./16-051	Loddon Mallee	Murray Goldfields	Blacksmith Gully – Amherst	01/03/2016	14/04/2016

This amendment comes into operation on 14 April 2016.

Dated 11 April 2016

SCOTT FALCONER  
Fire and Land Regional Manager, Loddon Mallee  
Department of Environment, Land, Water and Planning  
as delegate of the Secretary to the  
Department of Environment, Land, Water and Planning

HERITAGE  
VICTORIA  
HERITAGE  
VICTORIA  
HERITAGE  
VICTORIA

**Heritage Act 1995**

**NOTICE OF REGISTRATION**

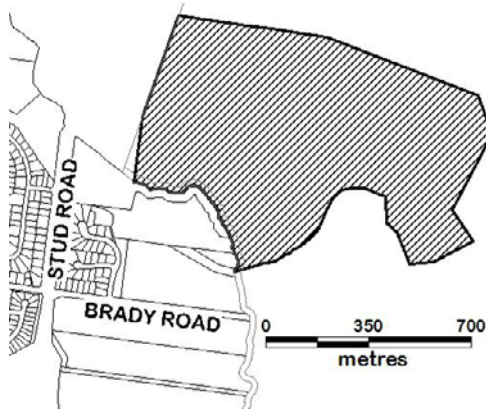
As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the following places in the Heritage Register:

Number: H2348

Category: Heritage Place; Archaeological Place  
Place: Nerre Nerre Warren (Dandenong Police Paddocks)

Location: Churchill Park Drive  
Endeavour Hills  
Casey City

**DIAGRAM 2348**



All of the place shown hatched in Diagram 2348 encompassing parts of Crown Allotments 15B and 15E Parish of Narree Worrان.

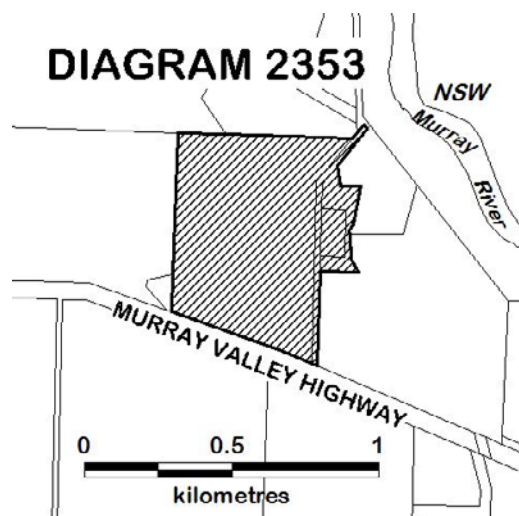
Number: H2353

Category: Heritage Place

Place: Tyntyndyer (Tyntynder) Homestead

Location: 70 Tyntyndyer Homestead Road  
Beverford  
Swan Hill Rural City

**DIAGRAM 2353**



All of the place shown hatched on Diagram 2353 encompassing all of Lots 1 and 2 on Title Plan 857530, all of Lot 1 on Title Plan 663844 and all of Lot 4 on Lodged Plan 10404.

Dated 14 April 2016

TIM SMITH  
Executive Director

HERITAGE  
VICTORIA  
HERITAGE  
VICTORIA  
HERITAGE  
VICTORIA

**Heritage Act 1995**

**NOTICE OF REGISTRATION**

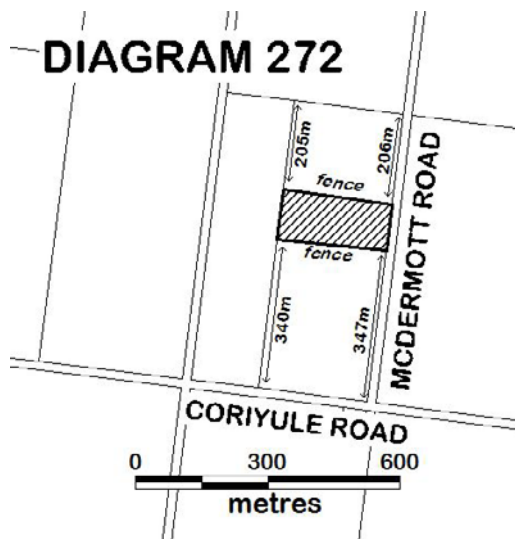
As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by modifying the following place in the Heritage Register:

Number: H0272

Category: Heritage Place

Place: Coriyule Homestead

Location: 1–69 McDermott Road  
Curlewis  
Greater Geelong City



All of the placed shown hatched on Diagram 272 encompassing part of Lot 2 on Lodged Plan 97562.

Dated 14 April 2016

TIM SMITH  
Executive Director

### Subordinate Legislation Act 1994

#### NOTICE OF DECISION

##### Subdivision (Registrar's Fees) Regulations 2016

I, Richard Wynne, Minister for Planning and Minister responsible for administering the **Subdivision Act 1988** give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to recommend to the Governor in Council that the proposed Subdivision (Registrar's Fees) Regulations 2016 (the proposed regulations) be made.

The proposed regulations are made under the **Subdivision Act 1988** and replace the Subdivision (Registrar's Fees) Interim Regulations 2015 which are due to expire on 18 September 2016. The proposed regulations set out fees payable to the Registrar of Titles for lodging plans of subdivision.

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed regulations and was advertised for public comment in The Age and the Government Gazette on 25 September 2015. The proposed regulations and RIS were made available on the Department

of Environment, Land, Water and Planning's website and email advice was sent to industry representatives and Land Victoria's 3000 plus regular customers inviting comment.

The 53 day public consultation period commenced on 25 September 2015 and concluded on 16 November 2015. Four submissions were received in response to the RIS. All submissions supported the overall content of the proposed regulations while raising minor issues that will be clarified through ongoing communication and consultation. After considering these submissions, I have decided that the proposed regulations should be made without amendment. The regulations will commence on 1 July 2016.

After the proposed regulations are made, they will become available for download from [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

Dated 3 April 2016

HON. RICHARD WYNNE MP  
Minister for Planning

### Subordinate Legislation Act 1994

#### NOTICE OF DECISION

##### Transfer of Land (Fees) Regulations 2016

I, Richard Wynne, Minister for Planning and Minister responsible for administering the **Transfer of Land Act 1958**, in so far as it relates to the functions of the Registrar of Titles and the management of the Office of Titles, give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to recommend to the Governor in Council that the proposed Transfer of Land (Fees) Regulations 2016 (the proposed regulations) be made.

The proposed regulations are made under the **Transfer of Land Act 1958** and replace the Transfer of Land (Fees) Interim Regulations 2015 which are due to expire on 18 September 2016. The proposed regulations set out fees payable to the Registrar of Titles for the lodging property transactions and searching the Register of land.

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed regulations and was advertised for public comment in The Age and the Government Gazette on 25 September 2015. The proposed regulations and RIS were made available on the Department of Environment, Land, Water and Planning's website and email advice was sent to industry representatives and Land Victoria's 3000 plus regular customers inviting comment.

The 53 day public consultation period commenced on 25 September 2015 and concluded on 16 November 2015. Four submissions were received in response to the RIS. Three submissions supported the overall content of the regulations while raising minor issues. One supported the majority of the proposed regulations but criticised the proposed amendments to the land transfer fee, and the ongoing alignment of fees for the registration of a mortgage and discharge of a mortgage with fees for those transactions in New South Wales. After considering these submissions, I have decided that the proposed regulations should be made without amendment. The regulations will commence on 1 July 2016.

After the proposed regulations are made, they will become available for download from [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

Dated 3 April 2016

HON. RICHARD WYNNE MP  
Minister for Planning

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### **Subordinate Legislation Act 1994**

#### NOTICE OF DECISION

#### Proposed Non-Emergency Patient Transport Regulations 2016

I, Jill Hennessy, Minister for Health, give notice under section 12 of the **Subordinate Legislation Act 1994** (the Act) that the proposed Non-Emergency Patient Transport Regulations 2016 have been the subject of a regulatory impact statement.

Public comments and submissions were invited, as required by section 11(2) of the Act, and the 15 submissions received have been considered, as required by section 11(3) of the Act.

I have decided that the proposed Non-Emergency Patient Transport Regulations 2016 should be made with amendments.

A Statement of Reasons is available at <https://www2.health.vic.gov.au/hospitals-and-health-services/patient-care/ambulance-and-nept/non-emergency-transport/nept-legislation>

Dated 14 April 2016

HON. JILL HENNESSY MP  
Minister for Health

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### **Monetary Units Act 2004**

#### NOTICE UNDER SECTION 6, FIXING THE VALUE OF A FEE UNIT AND A PENALTY UNIT

I, Tim Pallas, Treasurer of the State of Victoria, under section 6 of the **Monetary Units Act 2004**, by notice fix the value of a fee unit and a penalty unit for the financial year commencing 1 July 2016 as follows:

- (a) The value of a fee unit is \$13.94; and
- (b) The value of a penalty unit is \$155.46.

Dated 29 March 2016

TIM PALLAS MP  
Treasurer

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**Land Acquisition and Compensation Act 1986**

FORM 7

S. 21(a)  
Reg. 16

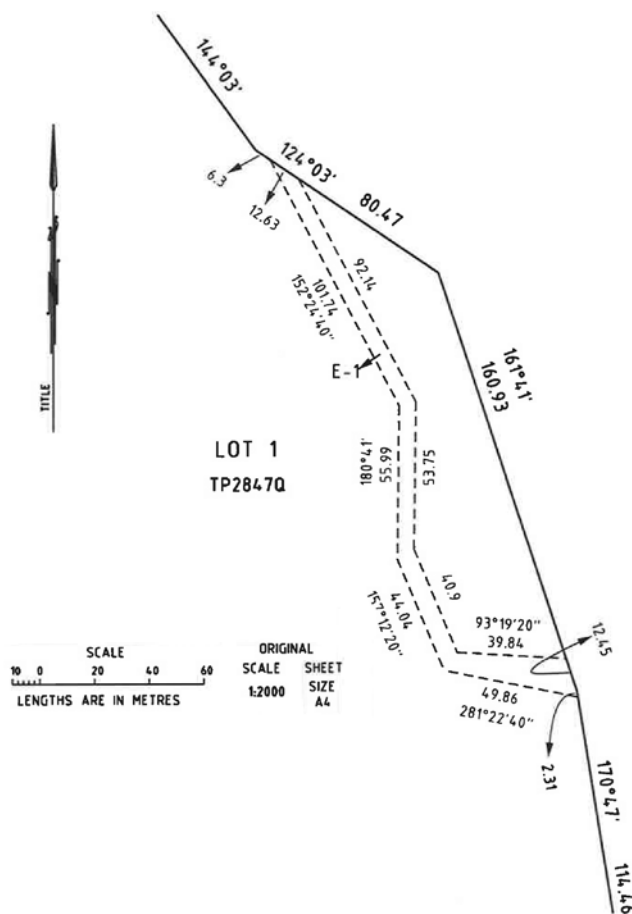
Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Central Gippsland Region Water Corporation (ABN 75 830 750 413) ('Gippsland Water') declares that by this notice it acquires the following interest in the land described as Lot 1 on Title Plan TP2847Q, being the land described in Certificate of Title Volume 9112 Folio 786:

An easement for water supply and sewerage purposes over that part of the land shown as 'E-1' on the annexed Plan for Creation of Easement (Surveyor's Reference No. 30041369-05) and the rights in connection therewith set out in Memorandum of Common Provisions number AA2378.

**Interests Acquired:** That of Wirilda Project Association (ACN 005 080 562) and all other interests.



Published with the authority of Gippsland Water.  
Dated 14 April 2016

For and on behalf of  
Gippsland Water  
Signed LYNLEY KEENE  
Manager Commercial Services



**Land Acquisition and Compensation Act 1986**

FORM 7

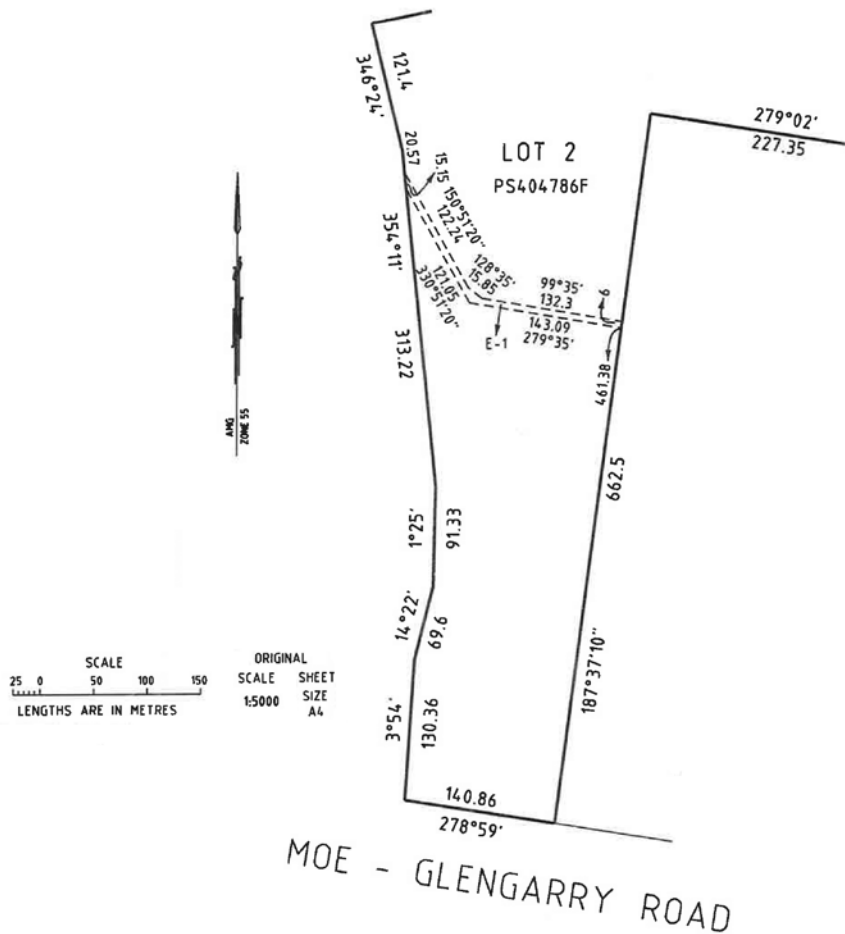
S. 21(a)  
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Central Gippsland Region Water Corporation (ABN 75 830 750 413) ('Gippsland Water') declares that by this notice it acquires the following interest in the land described as Lot 2 on Plan of Subdivision PS404786F, being the land described in Certificate of Title Volume 10358 Folio 773: An easement for water supply and sewerage purposes over that part of the land shown as 'E-1' on the annexed Plan for Creation of Easement (Surveyor's Reference No. 30041369-05) and the rights in connection therewith set out in Memorandum of Common Provisions number AA2378.

**Interests Acquired:** That of Barry George Fullerton and all other interests.



Published with the authority of Gippsland Water.  
Dated 14 April 2016

For and on behalf of  
Gippsland Water  
Signed LYNLEY KEENE  
Manager Commercial Services

**Land Acquisition and Compensation Act 1986**

FORM 7

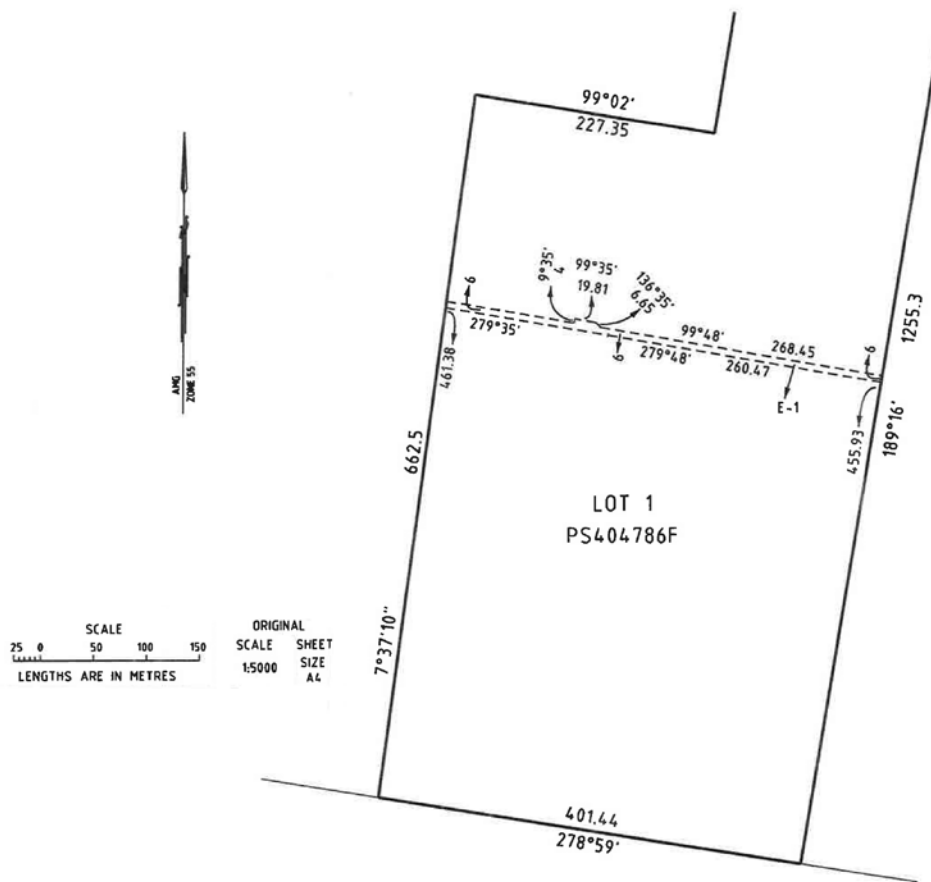
S. 21(a)  
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Central Gippsland Region Water Corporation (ABN 75 830 750 413) ('Gippsland Water') declares that by this notice it acquires the following interest in the land described as Lot 1 on Plan of Subdivision PS404786F, being the land described in Certificate of Title Volume 10358 Folio 772: An easement for water supply and sewerage purposes over that part of the land shown as 'E-1' on the annexed Plan for Creation of Easement (Surveyor's Reference No. 30041369-05) and the rights in connection therewith set out in Memorandum of Common Provisions number AA2378.

**Interests Acquired:** That of Edward Arthur Baillie and Glenda Elaine Baillie and all other interests.



Published with the authority of Gippsland Water.  
Dated 14 April 2016

For and on behalf of  
Gippsland Water  
Signed LYNLEY KEENE  
Manager Commercial Services

**Owner Drivers and Forestry Contractors Act 2005**

## TRANSPORT INDUSTRY COUNCIL

## Rates and Costs Schedule 2015–2016

## 1 Tonne Van Courier/Messenger

**INTRODUCTION**

This vehicle operating Rates and Costs Schedule is based on the Transport Industry Council's evaluation of the cost recovery recommended for an owner driver to take into consideration based on being able to operate a business on a sustainable basis.

This Schedule is a general guide only. Owner drivers<sup>1</sup> 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 at least three business days before the owner driver is engaged, if the owner driver will be engaged for a period of at least 30 days; or on the thirtieth day, if the owner driver is engaged for a total period of at least 30 days in any three month period.

These requirements also apply to freight brokers and to tender situations.

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 is based on a 75:25 split between business and private use of the vehicle (except where indicated otherwise). Where the vehicle is used 100 per cent for business use the 75:25 split between business and private use of the vehicle does not apply.

**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 Van, Courier/Messenger. The worked example is based on certain assumptions about the business, for example, that the vehicle is 3 years old, is in operation for 7.6 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 drivers who supply a 1 Tonne Van, Courier/Messenger (1 tonne being the weight of the vehicle fully loaded) or similar vehicle<sup>2</sup>.

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

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 Van Courier Messenger, 1 tonne GVM – General Freight, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (2-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.

how many kilometres are travelled. These are calculated on an hourly basis.

### Part 3: Payment for Labour

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

### Part 4: Totals

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,672 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'.

### Commonwealth Road Safety Remuneration Order and the Victorian Owner Drivers Scheme

The 'Contractor Drivers Minimum Payments Road Safety Remuneration Order 2016' (Commonwealth Order) made under the **Road Safety Remuneration Act 2012** (Cth) applies nationally to certain sectors of the road transport industry. It sets out minimum payments and entitlements for contractor drivers and imposes requirements on hirers and participants in the supply chain.

The Commonwealth Order will prevail over a State law, to the extent of any inconsistency. Therefore it is important that you seek professional advice to ensure that you understand your obligations under Commonwealth and State legislation.

The Commonwealth Order and related information can be found on the Road Safety Remuneration Tribunal's website at [www.rsrt.gov.au](http://www.rsrt.gov.au) or call 1300 778 954. Questions regarding the Commonwealth Order's coverage and compliance matters may be directed to the Fair Work Ombudsman on 13 13 94 or through their website at [www.fairwork.gov.au](http://www.fairwork.gov.au)

### Key assumptions

The model set out in this Schedule 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"> <li>● a vehicle with a current capital value of \$22,430 (being the current average retail value of a 3 year old vehicle).</li> <li>● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 5.5% per annum.</li> </ul> <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
Driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> <li>● The calculation of the fixed costs assumes the vehicle is in operation for 7.6 driving hours per day for 220 working days a year. This equals 1,672 hours of operation a year.</li> <li>● The model spreads fixed operating costs over those 1,672 hours.</li> <li>● In Part 4, a separate hourly rate for hours over and above the base hours of 1,672 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.</li> </ul>

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.

### 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 Schedule 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

Cost items assumptions used in the example	Example: Typical cost per year	Your costs: \$	Variations in this cost item
<b>Vehicle Lease Costs</b> This model is based on a vehicle with a current capital value of \$22,430 (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 5.5% interest per annum.	\$3,511.50		Finance arrangements will vary widely depending on: <ul style="list-style-type: none"> <li>• if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or</li> <li>• 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.</li> </ul>
<b>Registration, Permits and TAC Fees</b> Based on vehicle registration fee of \$277.70 and TAC charge of \$495.00 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).	\$579.53		These fees are current as at 1 July 2015 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.

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<p><b>Superannuation</b> Self-funded, based on 9.5% of own labour assumed at \$39,419.</p>	\$2,808		
<p><b>Insurance Comprehensive Vehicle</b> 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>	\$530.25		<p>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>
<p><b>Insurance Goods in Transit</b> Based on an insured sum of \$20,000 at an insurance rate of 0.8%. Assumes vehicle is not carrying dangerous goods. These fixed costs have been calculated at 100%.</p>	\$160		<p>The cost of goods in transit insurance may vary depending on the type of goods being transported.</p>
<p><b>Insurance Personal Sickness and Accident/Income</b> 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. These fixed costs have been calculated at 100%.</p>	\$485		<p>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>
<p><b>Insurance Public Liability</b> Assumes policy for public liability claims up to \$10 million. These fixed costs have been calculated at 100%.</p>	\$436		

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<p><b>Insurance Workers' Compensation</b></p> <p>Assumed at the rate of 4.7% for the assumed labour rate of the business owner of \$39,419. Assumes vehicle is primarily travelling intrastate.</p>	\$1,389.52		<p>The rate is current as at 2014–2015 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 to pay workers' compensation premiums on behalf of the owner driver. Drivers are advised to consult their hirer about this cost.</p>
<p><b>Business Administration Costs</b></p> <p>Includes maintenance of records, preparation of tax returns, mobile phone charges, consumer price index and sundry business expenses. These fixed costs have been calculated at 100%.</p>	\$2,612		<p><b>Accounting/bookkeeping fees</b> may be lower if the business prepares its own BAS and accounts.</p> <p><b>Mobile phone charges</b> will vary significantly depending on level of use.</p> <p><b>Other costs:</b> 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>
<b>Total annual fixed costs</b>	<b>\$12,511.80</b>		
<p><b>Total hourly fixed costs</b></p> <p>Assuming 1,672 vehicle operation hours.</p>	\$7.45		<p>Assumes that the annual fixed costs of the business are spread over 1,672 vehicle operation hours per year.</p>

**Part 2 – Variable Costs – Per Kilometre and Per Hour****Note:** All costs are exclusive of GST

<b>Cost items assumptions assumes 44,000 km travelled per year</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
<b>Fuel</b> Based on retail diesel fuel cost as at 14 July 2015 of 111.92 cents per litre, which is net of GST. Assumes 18.2 litres consumed per 100 km.	20.37 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.
<b>Tyres</b> Assumes cost of \$326.50 per tyre (4 tyres) based on vehicle specific average performance and replaced after 60,000 km.	2.18 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 tyres and any discount arrangements.
<b>Servicing, Repairs and Maintenance</b> Based on rate of 4.00 cents per km.	4.00 cents		Repair and maintenance costs will vary significantly with the age and condition of the vehicle. Major repairs may be a one-off major cost in any given year. Significant savings can be made if the business does its own servicing and repairs.
<b>Total variable costs per km</b>	<b>26.55 cents</b>		

<b>Total variable costs per driving hour</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
Assumes 25 km travelled per hour.	\$6.64		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 – 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.

Base hourly rate <sup>1</sup>	Casual/loaded hourly rate <sup>2</sup> (includes allowance for leave, etc.)	Casual overtime rate <sup>3</sup> For the first two hours over 7.6 per day or 38 per week	Casual overtime rate <sup>3</sup> For hours worked over 10 per day or 48 per week
Typical base and casual rates paid to employee drivers per hour			
\$22.48	\$23.46	\$30.03	\$39.42
Range of rates typically paid in Victoria <sup>4</sup>			
\$22.48 to \$26.98	\$23.46 to \$28.15	\$30.03 to \$36.04	\$39.42 to \$47.30

#### Notes:

- Base hourly rate:** The base hourly rate is based on the rate in the ‘Road Transport and Distribution Award 2010’ for an employee driver of a 1 Tonne Vehicle (GVM) (‘the Award rate’). The base hourly rate is calculated by first working out the minimum amount an employee driver working a 38 hour week would be paid under the Award over one year (including 4 weeks annual leave, 10 days personal/carer’s leave, 10 public holidays and 17.5% annual leave loading). This amount is then converted to an hourly rate for working 38 hours per week over 44 weeks (one year less the paid leave and public holiday entitlements of a full-time employee). The Award rate is accurate as at 1 July 2015, but is varied from time to time by the Fair Work Commission. You can find information about the most recently published minimum employee rates by visiting [www.fwc.gov.au](http://www.fwc.gov.au) or contacting your association or union.
- Casual/loaded rate:** The casual/loaded rate includes an additional 25% loading. This is compensation for not receiving the paid annual leave, personal/carer’s leave and public holidays that ongoing employees enjoy. The casual/loaded rate is calculated on the Award rate.
- Casual overtime rates:** Employee drivers in Victoria would typically receive payment at overtime rates 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% loading for hours thereafter. For each hour of overtime worked a casual must also be paid 10% of 1/38th of the minimum wage specified in the Award for their classification. The overtime rates are calculated on the Award rate.
- The range of rates in Victoria:** This part of the table sets out a 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 an enterprise 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. The top rate in each range is calculated by adding 20% to the bottom rate.

**Part 4 – Hourly Totals****1. Hourly total for hours up to 7.6 hours a day, 1,672 hours a year**

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Fixed Costs</b>	\$7.45		Assuming fixed costs spread over 1,672 hours.
<b>Variable Costs</b>	\$6.64		Assuming 25 km travelled per hour.
<b>Labour</b>	\$22.48		This worked example is based on a labour rate of \$22.48 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour</b> (up to 1,672 hours)	\$36.57		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

**2. Total per hour – for hours in excess of 7.6 hours per day / 1,672 hours a year**

This model assumes that the owner driver will recover fixed annual costs over 1,672 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.

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Variable Costs</b>	\$6.64		Assuming 25 km travelled per hour.
<b>Labour</b> (overtime rates)	\$30.03		This worked example is based on a nominal penalty labour rate of \$30.03 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour</b> (up to 1,672 hours)	\$36.67		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.business.vic.gov.au/ownerdrivershirers](http://www.business.vic.gov.au/ownerdrivershirers)

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**

## TRANSPORT INDUSTRY COUNCIL

## Rates and Costs Schedule 2015–2016

## 1 Tonne Vehicle (GVM) – General Freight

**Introduction**

This vehicle operating Rates and Costs Schedule is based on the Transport Industry Council's evaluation of the cost recovery recommended for an owner driver to take into consideration based on being able to operate a business on a sustainable basis.

This Schedule is a general guide only. Owner drivers<sup>1</sup> 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 at least three business days before the owner driver is engaged, if the owner driver will be engaged for a period of at least 30 days; or on the thirtieth day, if the owner driver is engaged for a total period of at least 30 days in any three month period.

These requirements also apply to freight brokers and to tender situations.

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 (GVM) – General Freight. The worked example is based on certain assumptions about the business, for example, that the vehicle is 3 years old, is in operation for 7.6 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 drivers who supply a 1 Tonne Vehicle (GVM) – General Freight (1 tonne being the weight of the vehicle fully loaded) or similar vehicle<sup>2</sup>.

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.

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 Van Courier Messenger, 1 tonne GVM – General Freight, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (2-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 3: Payment for Labour**

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

**Part 4: Totals**

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,672 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'.

**Commonwealth Road Safety Remuneration Order and the Victorian Owner Drivers Scheme**

The 'Contractor Drivers Minimum Payments Road Safety Remuneration Order 2016' (Commonwealth Order) made under the **Road Safety Remuneration Act 2012** (Cth) applies nationally to certain sectors of the road transport industry. It sets out minimum payments and entitlements for contractor drivers and imposes requirements on hirers and participants in the supply chain.

The Commonwealth Order will prevail over a State law, to the extent of any inconsistency. Therefore it is important that you seek professional advice to ensure that you understand your obligations under Commonwealth and State legislation.

The Commonwealth Order and related information can be found on the Road Safety Remuneration Tribunal's website at [www.rsrt.gov.au](http://www.rsrt.gov.au) or call 1300 778 954. Questions regarding the Commonwealth Order's coverage and compliance matters may be directed to the Fair Work Ombudsman on 13 13 94 or through their website at [www.fairwork.gov.au](http://www.fairwork.gov.au)

**Key assumptions**

The model set out in this Schedule 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"> <li>● a vehicle with a current capital value of \$22,430 (being the current average retail value of a 3 year old vehicle).</li> <li>● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 5.5% per annum.</li> </ul> <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
Driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> <li>● The calculation of the fixed costs assumes the vehicle is in operation for 7.6 driving hours per day for 220 working days a year. This equals 1,672 hours of operation a year.</li> <li>● The model spreads fixed operating costs over those 1,672 hours.</li> <li>● In Part 4, a separate hourly rate for hours over and above the base hours of 1,672 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.</li> </ul>

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.

### 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 Schedule 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

Cost items assumptions used in the example	Example: Typical cost per year	Your costs: \$	Variations in this cost item
<b>Vehicle Lease Costs</b> This model is based on a vehicle with a current capital value of \$22,430 (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 5.5% interest per annum.	\$4,682		Finance arrangements will vary widely depending on: <ul style="list-style-type: none"> <li>• if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or</li> <li>• 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.</li> </ul>
<b>Registration, Permits and TAC Fees</b> Based on vehicle registration fee of \$277.70 and TAC charge of \$495 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).	\$772.70		These fees are current as at 1 July 2015 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.

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<b>Superannuation</b> Self-funded, based on 9.5% of own labour assumed at \$39,419.	\$3,745		
<b>Insurance Comprehensive Vehicle</b> 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.	\$707		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.
<b>Insurance Goods in Transit</b> Based on an insured sum of \$20,000 at an insurance rate of 0.8%. Assumes vehicle is not carrying dangerous goods.	\$160		The cost of goods in transit insurance may vary depending on the type of goods being transported.
<b>Insurance Personal Sickness and Accident/Income</b> 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.	\$485		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.
<b>Insurance Public Liability</b> Assumes policy for public liability claims up to \$10 million. These fixed costs have been calculated at 100%.	\$436		

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<p><b>Insurance Workers' Compensation</b></p> <p>Assumed at the rate of 4.7% for the assumed labour rate of the business owner of \$39,419. Assumes vehicle is primarily travelling intrastate.</p>	\$1,852.69		<p>The rate is current as at 2014–2015 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 to pay workers' compensation premiums on behalf of the owner driver. Drivers are advised to consult their hirer about this cost.</p>
<p><b>Business Administration Costs</b></p> <p>Includes maintenance of records, preparation of tax returns, mobile phone charges, consumer price index and sundry business expenses.</p>	\$2,612		<p><b>Accounting/bookkeeping fees</b> may be lower if the business prepares its own BAS and accounts.</p> <p><b>Mobile phone charges</b> will vary significantly depending on level of use.</p> <p><b>Other costs:</b> 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>
<b>Total annual fixed costs</b>	<b>\$15,452.39</b>		
<p><b>Total hourly fixed costs</b></p> <p>Assuming 1,672 vehicle operation hours.</p>	\$9.20		Assumes that the annual fixed costs of the business are spread over 1,672 vehicle operation hours per year.

**Part 2 – Variable Costs – Per Kilometre and Per Hour****Note:** All costs are exclusive of GST

<b>Cost items assumptions assumes 44,000 km travelled per year</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
<b>Fuel</b> Based on retail diesel fuel cost as at 14 July 2015 of 111.92 cents per litre, which is net of GST. Assumes 18.2 litres consumed per 100 km.	20.37 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.
<b>Tyres</b> Assumes cost of \$326.50 per tyre (4 tyres) based on vehicle specific average performance and replaced after 60,000 km.	2.18 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 tyres and any discount arrangements.
<b>Servicing, Repairs and Maintenance</b> Based on rate of 4.00 cents per km.	4.00 cents		Repair and maintenance costs will vary significantly with the age and condition of the vehicle. Major repairs may be a one-off major cost in any given year. Significant savings can be made if the business does its own servicing and repairs.
<b>Total variable costs per km</b>	<b>26.55 cents</b>		

<b>Total variable costs per driving hour</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
Assumes 25 km travelled per hour.	\$6.64		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 – 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.

Base hourly rate <sup>1</sup>	Casual/loaded hourly rate <sup>2</sup> (includes allowance for leave, etc.)	Casual overtime rate <sup>3</sup> For the first two hours over 7.6 per day or 38 per week	Casual overtime rate <sup>3</sup> For hours worked over 10 per day or 48 per week
Typical base and casual rates paid to employee drivers per hour			
\$22.48	\$23.46	\$30.03	\$39.42
Range of rates typically paid in Victoria <sup>4</sup>			
\$22.48 to \$26.98	\$23.46 to \$28.15	\$30.03 to \$36.04	\$39.42 to \$47.30

#### Notes:

- Base hourly rate:** The base hourly rate is based on the rate in the ‘Road Transport and Distribution Award 2010’ for an employee driver of a 1 Tonne Vehicle (GVM) (‘the Award rate’). The base hourly rate is calculated by first working out the minimum amount an employee driver working a 38 hour week would be paid under the Award over one year (including 4 weeks annual leave, 10 days personal/carer’s leave, 10 public holidays and 17.5% annual leave loading). This amount is then converted to an hourly rate for working 38 hours per week over 44 weeks (one year less the paid leave and public holiday entitlements of a full-time employee). The Award rate is accurate as at 1 July 2015, but is varied from time to time by the Fair Work Commission. You can find information about the most recently published minimum employee rates by visiting [www.fwc.gov.au](http://www.fwc.gov.au) or contacting your association or union.
- Casual/loaded rate:** The casual/loaded rate includes an additional 25% loading. This is compensation for not receiving the paid annual leave, personal/carer’s leave and public holidays that ongoing employees enjoy. The casual/loaded rate is calculated on the Award rate.
- Casual overtime rates:** Employee drivers in Victoria would typically receive payment at overtime rates 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% loading for hours thereafter. For each hour of overtime worked a casual must also be paid 10% of 1/38th of the minimum wage specified in the Award for their classification. The overtime rates are calculated on the Award rate.
- The range of rates in Victoria:** This part of the table sets out a 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 an enterprise 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. The top rate in each range is calculated by adding 20% to the bottom rate.

**Part 4 – Hourly Totals****1. Hourly total for hours up to 7.6 hours a day, 1,672 hours a year**

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Fixed Costs</b>	\$9.20		Assuming fixed costs spread over 1,672 hours.
<b>Variable Costs</b>	\$6.64		Assuming 25 km travelled per hour.
<b>Labour</b>	\$22.48		This worked example is based on a labour rate of \$22.48 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (up to 1,672 hours)</b>	\$38.32		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

**2. Total per hour – for hours in excess of 7.6 hours per day / 1,672 hours a year**

This model assumes that the owner driver will recover fixed annual costs over 1,672 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.

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Variable Costs</b>	\$6.64		Assuming 25 km travelled per hour.
<b>Labour (casual overtime rates)</b>	\$30.03		This worked example is based on a nominal penalty labour rate of \$30.03 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (over 1,672 hours)</b>	\$36.67		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.business.vic.gov.au/ownerdrivershirers](http://www.business.vic.gov.au/ownerdrivershirers)

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**

## TRANSPORT INDUSTRY COUNCIL

## Rates and Costs Schedule 2015–2016

## 4.5 Tonne Rigid Vehicle (GVM)

**Introduction**

This vehicle operating Rates and Costs Schedule is based on the Transport Industry Council's evaluation of the cost recovery recommended for an owner driver to take into consideration based on being able to operate a business on a sustainable basis.

This Schedule is a general guide only. Owner drivers<sup>1</sup> 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 at least three business days before the owner driver is engaged, if the owner driver will be engaged for a period of at least 30 days; or on the thirtieth day, if the owner driver is engaged for a total period of at least 30 days in any three month period.

These requirements also apply to freight brokers and to tender situations.

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 Vehicle (GVM). The worked example is based on certain assumptions about the business, for example, that the vehicle is 5 years old, is in operation for 7.6 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 drivers who supply a 4.5 Tonne Vehicle (GVM) (4.5 tonnes being the weight of the vehicle fully loaded) or similar vehicle<sup>2</sup>.

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.

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 Van Courier Messenger, 1 tonne GVM – General Freight, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (2-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 3: Payment for Labour**

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

**Part 4: Totals**

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,672 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'.

**Commonwealth Road Safety Remuneration Order and the Victorian Owner Drivers Scheme**

The 'Contractor Drivers Minimum Payments Road Safety Remuneration Order 2016' (Commonwealth Order) made under the **Road Safety Remuneration Act 2012** (Cth) applies nationally to certain sectors of the road transport industry. It sets out minimum payments and entitlements for contractor drivers and imposes requirements on hirers and participants in the supply chain.

The Commonwealth Order will prevail over a State law, to the extent of any inconsistency. Therefore it is important that you seek professional advice to ensure that you understand your obligations under Commonwealth and State legislation.

The Commonwealth Order and related information can be found on the Road Safety Remuneration Tribunal's website at [www.rsrt.gov.au](http://www.rsrt.gov.au) or call 1300 778 954. Questions regarding the Commonwealth Order's coverage and compliance matters may be directed to the Fair Work Ombudsman on 13 13 94 or through their website at [www.fairwork.gov.au](http://www.fairwork.gov.au)

**Key assumptions**

The model set out in this Schedule 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"> <li>● a vehicle with a current capital value of \$36,497 (being the current average retail value of a 5 year old vehicle).</li> <li>● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 5.5% per annum.</li> </ul> <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
Driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> <li>● The calculation of the fixed costs assumes the vehicle is in operation for 7.6 driving hours per day for 220 working days a year. This equals 1,672 hours of operation a year.</li> <li>● The model spreads fixed operating costs over those 1,672 hours.</li> <li>● In Part 4, a separate hourly rate for hours over and above the base hours of 1,672 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.</li> </ul>

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.

### 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 Schedule 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

Cost items assumptions used in the example	Example: Typical cost per year	Your costs: \$	Variations in this cost item
<b>Vehicle Lease Costs</b> This model is based on a vehicle with a current capital value of \$36,497 (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 5.5% interest per annum.	\$7,619		Finance arrangements will vary widely depending on: <ul style="list-style-type: none"> <li>• if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or</li> <li>• 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.</li> </ul>
<b>Registration, Permits and TAC Fees</b> Based on vehicle registration fee of \$277.70 and TAC charge of \$720.50 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).	\$998.20		These fees are current as at 1 July 2015 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.

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<b>Superannuation</b> Self-funded, based on 9.5% of own labour assumed at \$39,906.	\$3,791		
<b>Insurance Comprehensive Vehicle</b> Based on rate of 3.15% per annum. Based on operator who is over the age of 25, has at least 5 years' experience and no claims history. Assumes vehicle is not carrying dangerous goods. Assumes vehicle is travelling intrastate only.	\$1,150		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.
<b>Insurance Goods in Transit</b> Based on an insured sum of \$30,000 at an insurance rate of 0.8%. Assumes vehicle is not carrying dangerous goods.	\$240		The cost of goods in transit insurance may vary depending on the type of goods being transported.
<b>Insurance Personal Sickness and Accident/Income</b> 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.	\$485		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.
<b>Insurance Public Liability</b> Assumes policy for public liability claims up to \$10 million.	\$436		

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<p><b>Insurance Workers' Compensation</b></p> <p>Assumed at the rate of 4.7% for the assumed labour rate of the business owner of \$39,906. Assumes vehicle is primarily travelling intrastate.</p>	\$1,875		<p>The rate is current as at 2014–2015 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><b>Business Administration Costs</b></p> <p>Includes maintenance of records, preparation of tax returns, mobile phone charges, consumer price index and sundry business expenses.</p>	\$2,612		<p><b>Accounting/bookkeeping fees</b> may be lower if the business prepares its own BAS and accounts.</p> <p><b>Mobile phone charges</b> will vary significantly depending on level of use.</p> <p><b>Other costs:</b> 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>
<p><b>Total annual fixed costs</b></p>	<b>\$19,206.20</b>		
<p><b>Total hourly fixed costs</b></p> <p>Assuming 1,672 vehicle operation hours.</p>	<b>\$11.43</b>		<p>Assumes that the annual fixed costs of the business are spread over 1,672 vehicle operation hours per year.</p>

**Part 2 – Variable Costs – Per Kilometre and Per Hour**

**Note:** All costs are exclusive of GST

<b>Cost items assumptions assumes 39,600 km travelled per year</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
<b>Fuel</b> Based on retail diesel fuel cost as at 14 July 2015 of 111.92 cents per litre, which is net of GST. Assumes 20.2 litres consumed per 100 km.	22.61 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.
<b>Tyres</b> Assumes cost of \$326.50 per tyre (6 tyres) based on vehicle specific average performance and replaced after 60,000 km.	3.27 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 tyres and any discount arrangements.
<b>Servicing, Repairs and Maintenance</b> Based on rate of 7.44 cents per km.	7.44 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.
<b>Total variable costs per km</b>	<b>33.32 cents</b>		

<b>Total variable costs per driving hour</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
Assumes 25 km travelled per hour.	\$8.33		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 – 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.

Base hourly rate <sup>1</sup>	Casual/loaded hourly rate <sup>2</sup> (includes allowance for leave, etc.)	Casual overtime rate <sup>3</sup> For the first two hours over 7.6 per day or 38 per week	Casual overtime rate <sup>3</sup> For hours worked over 10 per day or 48 per week
Typical base and casual rates paid to employee drivers per hour			
\$22.76	\$23.75	\$30.40	\$39.91
Range of rates typically paid in Victoria <sup>4</sup>			
\$22.76 to \$27.31	\$23.75 to \$28.50	\$30.40 to \$36.48	\$39.91 to \$47.89

#### Notes:

- Base hourly rate:** The base hourly rate is based on the rate in the ‘Road Transport and Distribution Award 2010’ for an employee driver of a 4.5 Tonne Vehicle (GVM) (‘the Award rate’). The base hourly rate is calculated by first working out the minimum amount an employee driver working a 38 hour week would be paid under the Award over one year (including 4 weeks annual leave, 10 days personal/carer’s leave, 10 public holidays and 17.5% annual leave loading). This amount is then converted to an hourly rate for working 38 hours per week over 44 weeks (one year less the paid leave and public holiday entitlements of a full-time employee). The Award rate is accurate as at 1 July 2015, but is varied from time to time by the Fair Work Commission. You can find information about the most recently published minimum employee rates by visiting [www.fwc.gov.au](http://www.fwc.gov.au) or contacting your association or union.
- Casual/loaded rate:** The casual/loaded rate includes an additional 25% loading. This is compensation for not receiving the paid annual leave, personal/carer’s leave and public holidays that ongoing employees enjoy. The casual/loaded rate is calculated on the Award rate.
- Casual overtime rates:** Employee drivers in Victoria would typically receive payment at overtime rates 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% loading for hours thereafter. For each hour of overtime worked a casual must also be paid 10% of 1/38th of the minimum wage specified in the Award for their classification. The overtime rates are calculated on the Award rate.
- The range of rates in Victoria:** This part of the table sets out a 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 an enterprise 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. The top rate in each range is calculated by adding 20% to the bottom rate.

**Part 4 – Hourly Totals****1. Hourly total for hours up to 7.6 hours a day, 1,672 hours a year**

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Fixed Costs</b>	\$11.43		Assuming fixed costs spread over 1,672 hours.
<b>Variable Costs</b>	\$8.33		Assuming 25 km travelled per hour.
<b>Labour</b>	\$22.76		This worked example is based on a labour rate of \$22.76 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (up to 1,672 hours)</b>	\$42.52		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

**2. Total per hour – for hours in excess of 7.6 hours per day / 1,672 hours a year**

This model assumes that the owner driver will recover fixed annual costs over 1,672 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.

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Variable Costs</b>	\$8.33		Assuming 25 km travelled per hour.
<b>Labour (casual overtime rates)</b>	\$30.40		This worked example is based on a nominal penalty labour rate of \$30.40 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (over 1,672 hours)</b>	\$38.73		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.business.vic.gov.au/ownerdrivershirers](http://www.business.vic.gov.au/ownerdrivershirers)

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**

## TRANSPORT INDUSTRY COUNCIL

## Rates and Costs Schedule 2015–2016

## 8 Tonne Rigid Vehicle (GVM)

**Introduction**

This vehicle operating Rates and Costs Schedule is based on the Transport Industry Council's evaluation of the cost recovery recommended for an owner driver to take into consideration based on being able to operate a business on a sustainable basis.

This Schedule is a general guide only. Owner drivers<sup>1</sup> 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 at least three business days before the owner driver is engaged, if the owner driver will be engaged for a period of at least 30 days; or on the thirtieth day, if the owner driver is engaged for a total period of at least 30 days in any three month period.

These requirements also apply to freight brokers and to tender situations.

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 8 Tonne Rigid Vehicle (GVM). The worked example is based on certain assumptions about the business, for example, that the vehicle is 6 years old, is in operation for 7.6 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 drivers who supply a 8 Tonne Rigid Vehicle (GVM) (8 tonnes being the weight of the vehicle fully loaded) or similar vehicle<sup>2</sup>.

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.

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 Van Courier Messenger, 1 tonne GVM – General Freight, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (2-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 3: Payment for Labour**

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

**Part 4: Totals**

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,672 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'.

**Commonwealth Road Safety Remuneration Order and the Victorian Owner Drivers Scheme**

The 'Contractor Drivers Minimum Payments Road Safety Remuneration Order 2016' (Commonwealth Order) made under the **Road Safety Remuneration Act 2012** (Cth) applies nationally to certain sectors of the road transport industry. It sets out minimum payments and entitlements for contractor drivers and imposes requirements on hirers and participants in the supply chain.

The Commonwealth Order will prevail over a State law, to the extent of any inconsistency. Therefore it is important that you seek professional advice to ensure that you understand your obligations under Commonwealth and State legislation.

The Commonwealth Order and related information can be found on the Road Safety Remuneration Tribunal's website at [www.rsrt.gov.au](http://www.rsrt.gov.au) or call 1300 778 954. Questions regarding the Commonwealth Order's coverage and compliance matters may be directed to the Fair Work Ombudsman on 13 13 94 or through their website at [www.fairwork.gov.au](http://www.fairwork.gov.au)

**Key assumptions**

The model set out in this Schedule 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"> <li>● a vehicle with a current capital value of \$66,667 (being the current average retail value of a 6 year old vehicle).</li> <li>● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 5.5% per annum.</li> </ul> <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
Driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> <li>● The calculation of the fixed costs assumes the vehicle is in operation for 7.6 driving hours per day for 220 working days a year. This equals 1,672 hours of operation a year.</li> <li>● The model spreads fixed operating costs over those 1,672 hours.</li> <li>● In Part 4, a separate hourly rate for hours over and above the base hours of 1,672 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.</li> </ul>

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.

### 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 Schedule 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

Cost items assumptions used in the example	Example: Typical cost per year	Your costs: \$	Variations in this cost item
<p><b>Vehicle Lease Costs</b></p> <p>This model is based on a vehicle with a current capital value of \$66,667 (based on typical retail value of a 6 year old vehicle), and is based on a lease arrangement over a 4 year term with a 25% residual, at 5.5% interest per annum.</p>	\$13,917		<p>Finance arrangements will vary widely depending on:</p> <ul style="list-style-type: none"> <li>• if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or</li> <li>• 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.</li> </ul>
<p><b>Registration, Permits and TAC Fees</b></p> <p>Based on vehicle registration fee of \$566 and TAC charge of \$720.50 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>	\$1,286.50		<p>These fees are current as at 1 July 2015 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).</p> <p>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>

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<b>Superannuation</b> Self-funded, based on 9.5% of own labour assumed at \$39,906.	\$3,791		
<b>Insurance Comprehensive Vehicle</b> Based on rate of 3.15% per annum. Based on operator who is over the age of 25, has at least 5 years' experience and no claims history. Assumes vehicle is not carrying dangerous goods. Assumes vehicle is travelling intrastate only.	\$2,100		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.
<b>Insurance Goods in Transit</b> Based on an insured sum of \$50,000 at an insurance rate of 0.8%. Assumes vehicle is not carrying dangerous goods.	\$400		The cost of goods in transit insurance may vary depending on the type of goods being transported.
<b>Insurance Personal Sickness and Accident/Income</b> 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.	\$485		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.
<b>Insurance Public Liability</b> Assumes policy for public liability claims up to \$10 million.	\$436		

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<p><b>Insurance Workers' Compensation</b></p> <p>Assumed at the rate of 4.7% for the assumed labour rate of the business owner of \$39,906. Assumes vehicle is primarily travelling intrastate.</p>	\$1,875		<p>The rate is current as at 2014–2015 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><b>Business Administration Costs</b></p> <p>Includes maintenance of records, preparation of tax returns, mobile phone charges, consumer price index and sundry business expenses.</p>	\$2,612		<p><b>Accounting/bookkeeping fees</b> may be lower if the business prepares its own BAS and accounts.</p> <p><b>Mobile phone charges</b> will vary significantly depending on level of use.</p> <p><b>Other costs:</b> 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>
<p><b>Total annual fixed costs</b></p>	<b>\$26,902.50</b>		
<p><b>Total hourly fixed costs</b></p> <p>Assuming 1,672 vehicle operation hours.</p>	<b>\$16.01</b>		<p>Assumes that the annual fixed costs of the business are spread over 1,672 vehicle operation hours per year.</p>

**Part 2 – Variable Costs – Per Kilometre and Per Hour****Note:** All costs are exclusive of GST

<b>Cost items assumptions assumes 39,600 km travelled per year</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
<b>Fuel</b> Based on retail diesel fuel cost as at 14 July 2015 of 111.92 cents per litre, which is net of GST. Assumes 24.57 litres consumed per 100 km.	27.50 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.
<b>Tyres</b> Assumes cost of \$644.44 per tyre (8 tyres) based on vehicle specific average performance and replaced after 80,000 km.	6.44 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 tyres and any discount arrangements.
<b>Servicing, Repairs and Maintenance</b> Based on rate of 9.53 cents per km.	9.53 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.
<b>Total variable costs per km</b>	<b>43.47 cents</b>		

<b>Total variable costs per driving hour</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
Assumes 20 km travelled per hour.	\$8.69		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 – 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.

Base hourly rate <sup>1</sup>	Casual/loaded hourly rate <sup>2</sup> (includes allowance for leave, etc.)	Casual overtime rate <sup>3</sup> For the first two hours over 7.6 per day or 38 per week	Casual overtime rate <sup>3</sup> For hours worked over 10 per day or 48 per week
Typical base and casual rates paid to employee drivers per hour			
\$22.76	\$23.75	\$30.40	\$39.91
Range of rates typically paid in Victoria <sup>4</sup>			
\$22.76 to \$27.31	\$23.75 to \$28.50	\$30.40 to \$36.48	\$39.91 to \$47.89

#### Notes:

- Base hourly rate:** The base hourly rate is based on the rate in the ‘Road Transport and Distribution Award 2010’ for an employee driver of an 8 Tonne Rigid Vehicle (GVM) (‘the Award rate’). The base hourly rate is calculated by first working out the minimum amount an employee driver working a 38 hour week would be paid under the Award over one year (including 4 weeks annual leave, 10 days personal/carer’s leave, 10 public holidays and 17.5% annual leave loading). This amount is then converted to an hourly rate for working 38 hours per week over 44 weeks (one year less the paid leave and public holiday entitlements of a full-time employee).  
The Award rate is accurate as at 1 July 2015, but is varied from time to time by the Fair Work Commission. You can find information about the most recently published minimum employee rates by visiting [www.fwc.gov.au](http://www.fwc.gov.au) or contacting your association or union.
- Casual/loaded rate:** The casual/loaded rate includes an additional 25% loading. This is compensation for not receiving the paid annual leave, personal/carer’s leave and public holidays that ongoing employees enjoy. The casual/loaded rate is calculated on the Award rate.
- Casual overtime rates:** Employee drivers in Victoria would typically receive payment at overtime rates 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% loading for hours thereafter. For each hour of overtime worked a casual must also be paid 10% of 1/38th of the minimum wage specified in the Award for their classification. The overtime rates are calculated on the Award rate.
- The range of rates in Victoria:** This part of the table sets out a 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 an enterprise 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. The top rate in each range is calculated by adding 20% to the bottom rate.

**Part 4 – Hourly Totals****1. Hourly total for hours up to 7.6 hours a day, 1,672 hours a year**

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Fixed Costs</b>	\$16.01		Assuming fixed costs spread over 1,672 hours.
<b>Variable Costs</b>	\$8.69		Assuming 20 km travelled per hour.
<b>Labour</b>	\$22.76		This worked example is based on a labour rate of \$22.76 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (up to 1,672 hours)</b>	\$47.46		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

**2. Total per hour – for hours in excess of 7.6 hours per day / 1,672 hours a year**

This model assumes that the owner driver will recover fixed annual costs over 1,672 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.

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Variable Costs</b>	\$8.69		Assuming 20 km travelled per hour.
<b>Labour (overtime rates)</b>	\$30.40		This worked example is based on a nominal penalty labour rate of \$30.40 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (over 1,672 hours)</b>	\$39.09		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.business.vic.gov.au/ownerdrivershirers](http://www.business.vic.gov.au/ownerdrivershirers)

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**

## TRANSPORT INDUSTRY COUNCIL

## Rates and Costs Schedule 2015–2016

## 12 Tonne Rigid Vehicle (GVM) (2-axle)

**Introduction**

This vehicle operating Rates and Costs Schedule is based on the Transport Industry Council's evaluation of the cost recovery recommended for an owner driver to take into consideration based on being able to operate a business on a sustainable basis.

This Schedule is a general guide only. Owner drivers<sup>1</sup> 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 at least three business days before the owner driver is engaged, if the owner driver will be engaged for a period of at least 30 days; or on the thirtieth day, if the owner driver is engaged for a total period of at least 30 days in any three month period.

These requirements also apply to freight brokers and to tender situations.

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 (GVM) (2-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 7.6 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 drivers who supply a 12 Tonne Rigid Vehicle (GVM) (2-axle) (12 tonnes being the weight of the vehicle fully loaded) or similar vehicle<sup>2</sup>.

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.

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 Van Courier Messenger, 1 tonne GVM – General Freight, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (2-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 3: Payment for Labour**

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

**Part 4: Totals**

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,672 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'.

**Commonwealth Road Safety Remuneration Order and the Victorian Owner Drivers Scheme**

The 'Contractor Drivers Minimum Payments Road Safety Remuneration Order 2016' (Commonwealth Order) made under the **Road Safety Remuneration Act 2012** (Cth) applies nationally to certain sectors of the road transport industry. It sets out minimum payments and entitlements for contractor drivers and imposes requirements on hirers and participants in the supply chain.

The Commonwealth Order will prevail over a State law, to the extent of any inconsistency. Therefore it is important that you seek professional advice to ensure that you understand your obligations under Commonwealth and State legislation.

The Commonwealth Order and related information can be found on the Road Safety Remuneration Tribunal's website at [www.rsrt.gov.au](http://www.rsrt.gov.au) or call 1300 778 954. Questions regarding the Commonwealth Order's coverage and compliance matters may be directed to the Fair Work Ombudsman on 13 13 94 or through their website at [www.fairwork.gov.au](http://www.fairwork.gov.au)

**Key assumptions**

The model set out in this Schedule 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"> <li>● a vehicle with a current capital value of \$82,760 (being the current average retail value of a 10 year old vehicle).</li> <li>● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 5.5% per annum.</li> </ul> <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
Driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> <li>● The calculation of the fixed costs assumes the vehicle is in operation for 7.6 driving hours per day for 220 working days a year. This equals 1,672 hours of operation a year.</li> <li>● The model spreads fixed operating costs over those 1,672 hours.</li> <li>● In Part 4, a separate hourly rate for hours over and above the base hours of 1,672 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.</li> </ul>

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.

### 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 Schedule 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

Cost items assumptions used in the example	Example: Typical cost per year	Your costs: \$	Variations in this cost item
<p><b>Vehicle Lease Costs</b></p> <p>This model is based on a vehicle with a current capital value of \$82,760 (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 5.5% interest per annum.</p>	\$17,277		<p>Finance arrangements will vary widely depending on:</p> <ul style="list-style-type: none"> <li>• if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or</li> <li>• 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.</li> </ul>
<p><b>Registration, Permits and TAC Fees</b></p> <p>Based on vehicle registration fee of \$566 and TAC charge of \$720.50 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>	\$1,286.50		<p>These fees are current as at 1 July 2015 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).</p> <p>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>

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<p><b>Superannuation</b> Self-funded, based on 9.5% of own labour assumed at \$40,641.</p>	\$3,861		
<p><b>Insurance Comprehensive Vehicle</b> 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>	\$2,607		<p>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>
<p><b>Insurance Goods in Transit</b> Based on an insured sum of \$50,000 at an insurance rate of 0.8%. Assumes vehicle is not carrying dangerous goods.</p>	\$400		<p>The cost of goods in transit insurance may vary depending on the type of goods being transported.</p>
<p><b>Insurance Personal Sickness and Accident/Income</b> 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>	\$485		<p>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>
<p><b>Insurance Public Liability</b> Assumes policy for public liability claims up to \$10 million.</p>	\$436		

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<p><b>Insurance Workers' Compensation</b></p> <p>Assumed at the rate of 4.7% for the assumed labour rate of the business owner of \$40,641. Assumes vehicle is primarily travelling intrastate.</p>	\$1,909		<p>The rate is current as at 2014–2015 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><b>Business Administration Costs</b></p> <p>Includes maintenance of records, preparation of tax returns, mobile phone charges, consumer price index and sundry business expenses.</p>	\$2,612		<p><b>Accounting/bookkeeping fees</b> may be lower if the business prepares its own BAS and accounts.</p> <p><b>Mobile phone charges</b> will vary significantly depending on level of use.</p> <p><b>Other costs:</b> 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>
<b>Total annual fixed costs</b>	<b>\$30,873.50</b>		
<p><b>Total hourly fixed costs</b></p> <p>Assuming 1,672 vehicle operation hours.</p>	<b>\$18.38</b>		Assumes that the annual fixed costs of the business are spread over 1,672 vehicle operation hours per year.

**Part 2 – Variable Costs – Per Kilometre and Per Hour****Note:** All costs are exclusive of GST

<b>Cost items assumptions assumes 33,000 km travelled per year</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
<b>Fuel</b> Based on retail diesel fuel cost as at 14 July 2015 of 111.92 cents per litre, which is net of GST. Assumes 25.71 litres consumed per 100 km.	28.77 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.
<b>Tyres</b> Assumes cost of \$644.44 per tyre (10 tyres) based on vehicle specific average performance and replaced after 80,000 km.	8.06 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 tyres and any discount arrangements.
<b>Servicing, Repairs and Maintenance</b> Based on rate of 21.15 cents per km.	21.15 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.
<b>Total variable costs per km</b>	<b>57.98 cents</b>		

<b>Total variable costs per driving hour</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
Assumes 18 km travelled per hour.	\$10.43		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 – 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.

Base hourly rate <sup>1</sup>	Casual/loaded hourly rate <sup>2</sup> (includes allowance for leave, etc.)	Casual overtime rate <sup>3</sup> For the first two hours over 7.6 per day or 38 per week	Casual overtime rate <sup>3</sup> For hours worked over 10 per day or 48 per week
Typical base and casual rates paid to employee drivers per hour			
\$23.18	\$24.19	\$30.96	\$40.64
Range of rates typically paid in Victoria <sup>4</sup>			
\$23.18 to \$27.82	\$24.19 to \$29.03	\$30.96 to \$37.15	\$40.64 to \$48.77

#### Notes:

- Base hourly rate:** The base hourly rate is based on the rate in the ‘Road Transport and Distribution Award 2010’ for an employee driver of a 12 Tonne Rigid Vehicle (GVM) (‘the Award rate’). The base hourly rate is calculated by first working out the minimum amount an employee driver working a 38 hour week would be paid under the Award over one year (including 4 weeks annual leave, 10 days personal/carer’s leave, 10 public holidays and 17.5% annual leave loading). This amount is then converted to an hourly rate for working 38 hours per week over 44 weeks (one year less the paid leave and public holiday entitlements of a full-time employee).  
The Award rate is accurate as at 1 July 2015, but is varied from time to time by the Fair Work Commission. You can find information about the most recently published minimum employee rates by visiting [www.fwc.gov.au](http://www.fwc.gov.au) or contacting your association or union.
- Casual/loaded rate:** The casual/loaded rate includes an additional 25% loading. This is compensation for not receiving the paid annual leave, personal/carer’s leave and public holidays that ongoing employees enjoy. The casual/loaded rate is calculated on the Award rate.
- Casual overtime rates:** Employee drivers in Victoria would typically receive payment at overtime rates 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% loading for hours thereafter. For each hour of overtime worked a casual must also be paid 10% of 1/38th of the minimum wage specified in the Award for their classification. The overtime rates are calculated on the Award rate.
- The range of rates in Victoria:** This part of the table sets out a 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 an enterprise 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. The top rate in each range is calculated by adding 20% to the bottom rate.

**Part 4 – Hourly Totals****1. Hourly total for hours up to 7.6 hours a day, 1,672 hours a year**

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Fixed Costs</b>	\$18.38		Assuming fixed costs spread over 1,672 hours.
<b>Variable Costs</b>	\$10.43		Assuming 18 km travelled per hour.
<b>Labour</b>	\$23.18		This worked example is based on a labour rate of \$23.18 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (up to 1,672 hours)</b>	\$51.99		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

**2. Total per hour – for hours in excess of 7.6 hours per day / 1,672 hours a year**

This model assumes that the owner driver will recover fixed annual costs over 1,672 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.

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Variable Costs</b>	\$10.43		Assuming 18 km travelled per hour.
<b>Labour (overtime rates)</b>	\$30.96		This worked example is based on a nominal penalty labour rate of \$30.96 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (over 1,672 hours)</b>	\$41.39		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.business.vic.gov.au/ownerdrivershirers](http://www.business.vic.gov.au/ownerdrivershirers)

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**

## TRANSPORT INDUSTRY COUNCIL

## Rates and Costs Schedule 2015–2016

## Prime Mover (Bogie Drive)

**Introduction**

This vehicle operating Rates and Costs Schedule is based on the Transport Industry Council's evaluation of the cost recovery recommended for an owner driver to take into consideration based on being able to operate a business on a sustainable basis.

This Schedule is a general guide only. Owner drivers<sup>1</sup> 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 at least three business days before the owner driver is engaged, if the owner driver will be engaged for a period of at least 30 days; or on the thirtieth day, if the owner driver is engaged for a total period of at least 30 days in any three month period.

These requirements also apply to freight brokers and to tender situations.

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 7.6 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 drivers who supply a Prime Mover (Bogie Drive) or similar vehicle<sup>2</sup>.

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.

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 Van Courier Messenger, 1 tonne GVM – General Freight, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (2-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 3: Payment for Labour**

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

**Part 4: Totals**

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,672 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'.

**Commonwealth Road Safety Remuneration Order and the Victorian Owner Drivers Scheme**

The 'Contractor Drivers Minimum Payments Road Safety Remuneration Order 2016' (Commonwealth Order) made under the **Road Safety Remuneration Act 2012** (Cth) applies nationally to certain sectors of the road transport industry. It sets out minimum payments and entitlements for contractor drivers and imposes requirements on hirers and participants in the supply chain.

The Commonwealth Order will prevail over a State law, to the extent of any inconsistency. Therefore it is important that you seek professional advice to ensure that you understand your obligations under Commonwealth and State legislation.

The Commonwealth Order and related information can be found on the Road Safety Remuneration Tribunal's website at [www.rsrt.gov.au](http://www.rsrt.gov.au) or call 1300 778 954. Questions regarding the Commonwealth Order's coverage and compliance matters may be directed to the Fair Work Ombudsman on 13 13 94 or through their website at [www.fairwork.gov.au](http://www.fairwork.gov.au).

**Key assumptions**

The model set out in this Schedule 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"> <li>● a vehicle with a current capital value of \$91,580 (being the current average retail value of a 10 year old vehicle).</li> <li>● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 5.5% per annum.</li> </ul> <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
Driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> <li>● The calculation of the fixed costs assumes the vehicle is in operation for 7.6 driving hours per day for 220 working days a year. This equals 1,672 hours of operation a year.</li> <li>● The model spreads fixed operating costs over those 1,672 hours.</li> <li>● In Part 4, a separate hourly rate for hours over and above the base hours of 1,672 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.</li> </ul>

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.

### 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 Schedule 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

Cost items assumptions used in the example	Example: Typical cost per year	Your costs: \$	Variations in this cost item
<b>Vehicle Lease Costs</b> This model is based on a vehicle with a current capital value of \$91,580 (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 5.5% interest per annum.	\$19,118		Finance arrangements will vary widely depending on: <ul style="list-style-type: none"> <li>• if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or</li> <li>• 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.</li> </ul>
<b>Registration, Permits and TAC Fees</b> Based on vehicle registration fee of \$4,956 and TAC charge of \$1,999.80 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).	\$6,955.80		These fees are current as at 1 July 2015 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.

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<p><b>Superannuation</b> Self-funded, based on 9.5% of own labour assumed at \$41,619.</p>	\$3,954		
<p><b>Insurance Comprehensive Vehicle</b> 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>	\$2,885		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><b>Insurance Goods in Transit</b> Based on an insured sum of \$50,000 at an insurance rate of 0.8%. 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><b>Insurance Personal Sickness and Accident/Income</b> 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>	\$485		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><b>Insurance Public Liability</b> Assumes policy for public liability claims up to \$10 million.</p>	\$436		

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<p><b>Insurance Workers' Compensation</b></p> <p>Assumed at the rate of 4.7% for the assumed labour rate of the business owner of \$41,619. Assumes vehicle is primarily travelling intrastate.</p>	\$1,956		<p>The rate is current as at 2014–2015 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><b>Business Administration Costs</b></p> <p>Includes maintenance of records, preparation of tax returns, mobile phone charges, consumer price index and sundry business expenses.</p>	\$2,612		<p><b>Accounting/bookkeeping fees</b> may be lower if the business prepares its own BAS and accounts.</p> <p><b>Mobile phone charges</b> will vary significantly depending on level of use.</p> <p><b>Other costs:</b> 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>
<b>Total annual fixed costs</b>	<b>\$38,801.80</b>		
<p><b>Total hourly fixed costs</b></p> <p>Assuming 1,672 vehicle operation hours.</p>	<b>\$23.10</b>		Assumes that the annual fixed costs of the business are spread over 1,672 vehicle operation hours per year.

**Part 2 – Variable Costs – Per Kilometre and Per Hour****Note:** All costs are exclusive of GST

<b>Cost items assumptions assumes 28,600 km travelled per year</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
<b>Fuel</b> Based on retail diesel fuel cost as at 14 July 2015 of 111.92 cents per litre, which is net of GST. Assumes 62.89 litres consumed per 100 km.	70.39 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.
<b>Tyres</b> Assumes cost of \$644.44 per tyre (10 tyres) based on vehicle specific average performance and replaced after 80,000 km.	8.06 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 tyres and any discount arrangements.
<b>Servicing, Repairs and Maintenance</b> Based on rate of 39.77 cents per km.	39.77 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.
<b>Total variable costs per km</b>	<b>118.22 cents</b>		

<b>Total variable costs per driving hour</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
Assumes 18 km travelled per hour.	\$21.28		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 – 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.

Base hourly rate <sup>1</sup>	Casual/loaded hourly rate <sup>2</sup> (includes allowance for leave, etc.)	Casual overtime rate <sup>3</sup> For the first two hours over 7.6 per day or 38 per week	Casual overtime rate <sup>3</sup> For hours worked over 10 per day or 48 per week
Typical base and casual rates paid to employee drivers per hour			
\$23.74	\$24.77	\$31.71	\$41.62
Range of rates typically paid in Victoria <sup>4</sup>			
\$23.74 to \$28.49	\$24.77 to \$29.72	\$31.71 to \$38.05	\$41.62 to \$49.94

#### Notes:

- Base hourly rate:** The base hourly rate is based on the rate in the ‘Road Transport and Distribution Award 2010’ for an employee driver of a Prime Mover (Bogie Drive) (‘the Award rate’). The base hourly rate is calculated by first working out the minimum amount an employee driver working a 38 hour week would be paid under the Award over one year (including 4 weeks annual leave, 10 days personal/carer’s leave, 10 public holidays and 17.5% annual leave loading). This amount is then converted to an hourly rate for working 38 hours per week over 44 weeks (one year less the paid leave and public holiday entitlements of a full-time employee). The Award rate is accurate as at 1 July 2015, but is varied from time to time by the Fair Work Commission. You can find information about the most recently published minimum employee rates by visiting [www.fwc.gov.au](http://www.fwc.gov.au) or contacting your association or union.
- Casual/loaded rate:** The casual/loaded rate includes an additional 25% loading. This is compensation for not receiving the paid annual leave, personal/carer’s leave and public holidays that ongoing employees enjoy. The casual/loaded rate is calculated on the Award rate.
- Casual overtime rates:** Employee drivers in Victoria would typically receive payment at overtime rates 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% loading for hours thereafter. For each hour of overtime worked a casual must also be paid 10% of 1/38th of the minimum wage specified in the Award for their classification. The overtime rates are calculated on the Award rate.
- The range of rates in Victoria:** This part of the table sets out a 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 an enterprise 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. The top rate in each range is calculated by adding 20% to the bottom rate.

**Part 4 – Hourly Totals****1. Hourly total for hours up to 7.6 hours a day, 1,672 hours a year**

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Fixed Costs</b>	\$23.10		Assuming fixed costs spread over 1,672 hours.
<b>Variable Costs</b>	\$21.28		Assuming 18 km travelled per hour.
<b>Labour</b>	\$23.74		This worked example is based on a labour rate of \$23.74 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (up to 1,672 hours)</b>	\$68.12		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

**2. Total per hour – for hours in excess of 7.6 hours per day / 1,672 hours a year**

This model assumes that the owner driver will recover fixed annual costs over 1,672 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.

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Variable Costs</b>	\$21.28		Assuming 18 km travelled per hour.
<b>Labour (overtime rates)</b>	\$31.71		This worked example is based on a nominal penalty labour rate of \$31.71 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (over 1,672 hours)</b>	\$54.81		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.business.vic.gov.au/ownerdrivershirers](http://www.business.vic.gov.au/ownerdrivershirers)

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**

## TRANSPORT INDUSTRY COUNCIL

## Rates and Costs Schedule 2015–2016

## Semi-Trailer (Bogie Drive, 6-axle)

**Introduction**

This vehicle operating Rates and Costs Schedule is based on the Transport Industry Council's evaluation of the cost recovery recommended for an owner driver to take into consideration based on being able to operate a business on a sustainable basis.

This Schedule is a general guide only. Owner drivers<sup>1</sup> 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 at least three business days before the owner driver is engaged, if the owner driver will be engaged for a period of at least 30 days; or on the thirtieth day, if the owner driver is engaged for a total period of at least 30 days in any three month period.

These requirements also apply to freight brokers and to tender situations.

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 7.6 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 drivers who supply a Semi-Trailer (Bogie Drive, 6-axle) or similar vehicle<sup>2</sup>.

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.

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 Van Courier Messenger, 1 tonne GVM – General Freight, 4.5 tonne GVM, 8 tonne GVM, 12 tonne GVM (2-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 3: Payment for Labour**

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

**Part 4: Totals**

This section allows the owner driver to prepare total hourly rates for ordinary hours (up to 1,672 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'.

**Commonwealth Road Safety Remuneration Order and the Victorian Owner Drivers Scheme**

The 'Contractor Drivers Minimum Payments Road Safety Remuneration Order 2016' (Commonwealth Order) made under the **Road Safety Remuneration Act 2012** (Cth) applies nationally to certain sectors of the road transport industry. It sets out minimum payments and entitlements for contractor drivers and imposes requirements on hirers and participants in the supply chain.

The Commonwealth Order will prevail over a State law, to the extent of any inconsistency. Therefore it is important that you seek professional advice to ensure that you understand your obligations under Commonwealth and State legislation.

The Commonwealth Order and related information can be found on the Road Safety Remuneration Tribunal's website at [www.rsrt.gov.au](http://www.rsrt.gov.au) or call 1300 778 954. Questions regarding the Commonwealth Order's coverage and compliance matters may be directed to the Fair Work Ombudsman on 13 13 94 or through their website at [www.fairwork.gov.au](http://www.fairwork.gov.au)

**Key assumptions**

The model set out in this Schedule 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"> <li>● a vehicle with a current capital value of \$114,375 (being the current average retail value of a 10 year old vehicle).</li> <li>● a vehicle subject to a lease arrangement, over a 4 year term with a 25% residual, with interest at a comparison interest rate of 5.5% per annum.</li> </ul> <p>Note that if the business owns the vehicle outright, or has a loan, the cost structure will be different with depreciation as the relevant cost rather than lease payments.</p> <p>All costs exclude GST.</p>
Driving hours per year (kilometres travelled)	<ul style="list-style-type: none"> <li>● The calculation of the fixed costs assumes the vehicle is in operation for 7.6 driving hours per day for 220 working days a year. This equals 1,672 hours of operation a year.</li> <li>● The model spreads fixed operating costs over those 1,672 hours.</li> <li>● In Part 4, a separate hourly rate for hours over and above the base hours of 1,672 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.</li> </ul>

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.

### 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 Schedule 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

Cost items assumptions used in the example	Example: Typical cost per year	Your costs: \$	Variations in this cost item
<b>Vehicle Lease Costs</b> This model is based on a vehicle with a current capital value of \$114,375 (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 5.5% interest per annum.	\$23,877		Finance arrangements will vary widely depending on: <ul style="list-style-type: none"> <li>• if the arrangement is a lease or hire purchase, or purchase of the vehicle through a loan; or</li> <li>• 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.</li> </ul>
<b>Registration, Permits and TAC Fees</b> Based on vehicle registration fee of \$7,085 and TAC charge of \$1,999.80 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).	\$9,084.80		These fees are current as at 1 July 2015 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.

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<p><b>Superannuation</b> Self-funded, based on 9.5% of own labour assumed at \$41,619.</p>	\$3,954		
<p><b>Insurance Comprehensive Vehicle</b> 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>	\$3,603		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><b>Insurance Goods in Transit</b> Based on an insured sum of \$50,000 at an insurance rate of 0.8%. 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><b>Insurance Personal Sickness and Accident/Income</b> 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>	\$485		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><b>Insurance Public Liability</b> Assumes policy for public liability claims up to \$10 million.</p>	\$436		

<b>Cost items assumptions used in the example</b>	<b>Example: Typical cost per year</b>	<b>Your costs: \$</b>	<b>Variations in this cost item</b>
<p><b>Insurance Workers' Compensation</b></p> <p>Assumed at the rate of 4.7% for the assumed labour rate of the business owner of \$41,619. Assumes vehicle is primarily travelling intrastate.</p>	\$1,956		<p>The rate is current as at 2014–2015 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><b>Business Administration Costs</b></p> <p>Includes maintenance of records, preparation of tax returns, mobile phone charges, consumer price index and sundry business expenses.</p>	\$2,612		<p><b>Accounting/bookkeeping fees</b> may be lower if the business prepares its own BAS and accounts.</p> <p><b>Mobile phone charges</b> will vary significantly depending on level of use.</p> <p><b>Other costs:</b> 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>
<p><b>Total annual fixed costs</b></p>	<b>\$46,407.50</b>		
<p><b>Total hourly fixed costs</b></p> <p>Assuming 1,672 vehicle operation hours.</p>	<b>\$27.62</b>		<p>Assumes that the annual fixed costs of the business are spread over 1,672 vehicle operation hours per year.</p>

**Part 2 – Variable Costs – Per Kilometre and Per Hour****Note:** All costs are exclusive of GST

<b>Cost items assumptions assumes 28,600 km travelled per year</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
<b>Fuel</b> Based on retail diesel fuel cost as at 14 July 2015 of 111.92 cents per litre, which is net of GST. Assumes 62.89 litres consumed per 100 km.	70.39 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.
<b>Tyres</b> Assumes cost of \$644.44 per tyre (10 tyres) based on vehicle specific average performance and replaced after 80,000 km.	8.06 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 tyres and any discount arrangements.
<b>Servicing, Repairs and Maintenance</b> Based on rate of 52.42 cents per km.	52.42 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.
<b>Total variable costs per km</b>	<b>130.87 cents</b>		

<b>Total variable costs per driving hour</b>	<b>Typical cost per km</b>	<b>Your costs per km</b>	<b>Variations in this cost item</b>
Assumes 18 km travelled per hour.	\$23.57		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 – 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.

<b>Base hourly rate<sup>1</sup></b>	<b>Casual/loaded hourly rate<sup>2</sup></b> (includes allowance for leave, etc.)	<b>Casual overtime rate<sup>3</sup></b> For the first two hours over 7.6 per day or 38 per week	<b>Casual overtime rate<sup>3</sup></b> For hours worked over 10 per day or 48 per week
Typical base and casual rates paid to employee drivers per hour			
\$23.74	\$24.77	\$31.71	\$41.62
Range of rates typically paid in Victoria <sup>4</sup>			
\$23.74 to \$28.49	\$24.77 to \$29.72	\$31.71 to \$38.05	\$41.62 to \$49.94

#### Notes:

- Base hourly rate:** The base hourly rate is based on the rate in the ‘Road Transport and Distribution Award 2010’ for an employee driver of a SemiTrailer (‘the Award rate’). The base hourly rate is calculated by first working out the minimum amount an employee driver working a 38 hour week would be paid under the Award over one year (including 4 weeks annual leave, 10 days personal/carer’s leave, 10 public holidays and 17.5% annual leave loading). This amount is then converted to an hourly rate for working 38 hours per week over 44 weeks (one year less the paid leave and public holiday entitlements of a full-time employee).  
The Award rate is accurate as at 1 July 2015, but is varied from time to time by the Fair Work Commission. You can find information about the most recently published minimum employee rates by visiting [www.fwc.gov.au](http://www.fwc.gov.au) or contacting your association or union.
- Casual/loaded rate:** The casual/loaded rate includes an additional 25% loading. This is compensation for not receiving the paid annual leave, personal/carer’s leave and public holidays that ongoing employees enjoy. The casual/loaded rate is calculated on the Award rate.
- Casual overtime rates:** Employee drivers in Victoria would typically receive payment at overtime rates 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% loading for hours thereafter. For each hour of overtime worked a casual must also be paid 10% of 1/38th of the minimum wage specified in the Award for their classification. The overtime rates are calculated on the Award rate.
- The range of rates in Victoria:** This part of the table sets out a 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 an enterprise 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. The top rate in each range is calculated by adding 20% to the bottom rate.

**Part 4 – Hourly Totals****1. Hourly total for hours up to 7.6 hours a day, 1,672 hours a year**

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Fixed Costs</b>	\$27.62		Assuming fixed costs spread over 1,672 hours.
<b>Variable Costs</b>	\$23.57		Assuming 18 km travelled per hour.
<b>Labour</b>	\$23.74		This worked example is based on a labour rate of \$23.74 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (up to 1,672 hours)</b>	\$74.93		Note that this is not a prescribed or recommended rate. Owner drivers are strongly recommended to consider their own circumstances and obtain advice.

**2. Total per hour – for hours in excess of 7.6 hours per day / 1,672 hours a year**

This model assumes that the owner driver will recover fixed annual costs over 1,672 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.

<b>TOTALS</b>			
<b>Totals per driving hour</b>	<b>Typical costs</b>	<b>Your figures</b>	<b>Notes</b>
<b>Variable Costs</b>	\$23.57		Assuming 18 km travelled per hour.
<b>Labour (overtime rates)</b>	\$31.71		This worked example is based on a nominal penalty labour rate of \$31.71 per hour. See discussion on rates for labour in Part 3.
<b>Total per hour (over 1,672 hours)</b>	\$55.28		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.business.vic.gov.au/ownerdrivershirers](http://www.business.vic.gov.au/ownerdrivershirers)

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.

**Veterinary Practice Act 1997**

## ENDORSEMENT OF REGISTRATION AS A SPECIALIST PRACTITIONER

Under section 8 of the **Veterinary Practice Act 1997**, the following veterinary practitioner has been granted endorsement of registration as a specialist practitioner by the Veterinary Practitioners Registration Board of Victoria.

SPEC NO.	NAME	SPECIALISATION
Endorsement No.: 168	Dr Philippa Jane McLaren	In the category of: Veterinary Clinical Pathology

Dated 2 March 2016

MS LOUISA KING  
Registrar  
Veterinary Practitioners Registration Board of Victoria

**Veterinary Practice Act 1997**

## ENDORSEMENT OF REGISTRATION AS A SPECIALIST PRACTITIONER

Under section 8 of the **Veterinary Practice Act 1997**, the following veterinary practitioner has been granted endorsement of registration as a specialist practitioner by the Veterinary Practitioners Registration Board of Victoria.

SPEC NO.	NAME	SPECIALISATION
Endorsement No.: 167	Dr Andrew John Worth	In the category of: Veterinary Surgery Small Animal

Dated 13 January 2016

MS LOUISA KING  
Registrar  
Veterinary Practitioners Registration Board of Victoria

**Victorian Managed Insurance Authority Act 1996**

## DECLARATION OF PARTICIPATING BODY

I, Robin Scott MP, being the Minister responsible for administering the **Victorian Managed Insurance Authority Act 1996** (the Act), pursuant to section 4(1)(c) of the Act, hereby declare the Grampians Central West Waste and Resource Recovery Group to be a participating body for the purposes of the Act.

This declaration remains valid until revoked.

Dated 31 March 2016

ROBIN SCOTT MP  
Minister for Finance

**Water Act 1989****BLUE ROCK ENVIRONMENTAL ENTITLEMENT AMENDMENT 2016**

The Minister, under the provisions of the **Water Act 1989**, makes the following Instrument.

**1. Title**

This Instrument is called the Blue Rock Environmental Entitlement Amendment 2016.

**2. Purpose**

The purpose of this Instrument is to amend the Blue Rock Environmental Entitlement 2013 to increase the Water Holder's entitlement share of Blue Rock Reservoir to 9.45 per cent to reflect the change in the recorded volume of Blue Rock Reservoir.

**3. Authorising provisions**

This Instrument is made in accordance with section 48K of the **Water Act 1989**.

**4. Commencement**

This Instrument comes into effect on the day it is published in the Victoria Government Gazette.

**5. Amendment of Clause 7**

For paragraph 7.1(a) of the Bulk Entitlement, **substitute** –

‘7.1 (a) a 9.45% share of the total storage capacity of Blue Rock reservoir, where the total storage capacity is 198,280 ML at full supply level of 140.00 metres AHD; and’

**6. Amendment of Clause 8**

In paragraph 8.1 (a) of the Bulk Entitlement, for the words ‘store 9.0%’ **substitute** ‘store 9.45%’.

**7. Amendment of Clause 16**

In sub-clause 16.2 of the Bulk Entitlement, for the numbers ‘0.09’ substitute ‘0.0945’.

Dated 21 March 2016

LISA NEVILLE MP

Minister for Environment, Climate Change and Water

**Water Act 1989****BULK ENTITLEMENT (GIPPSLAND WATER – BLUE ROCK) CONVERSION ORDER 1997  
MINOR AMENDMENT NOTICE 2016**

I, Lisa Neville, Minister for Environment, Climate Change and Water, as Minister administering the **Water Act 1989**, by notice amend the Bulk Entitlement (Gippsland Water – Blue Rock) Conversion Order 1997.

**Title**

1. This Instrument is called the Bulk Entitlement (Gippsland Water – Blue Rock) Minor Amendment Notice 2016.

**Purpose**

2. The purpose of this Notice is to amend to the Bulk Entitlement (Gippsland Water – Blue Rock) Conversion Order 1997 (the Bulk Entitlement) to increase Central Gippsland Region Water Corporation's share of Blue Rock Reservoir to 17.08 per cent to reflect the change in the recorded volume of Blue Rock Reservoir and clarify operational arrangements.

**Authorising provisions**

3. This Notice is made in accordance with section 45 of the **Water Act 1989**.

**Commencement**

4. This Notice comes into effect on the day it is published in the Victoria Government Gazette.

**Amendments to definitions in Clause 4**

5. In clause 4 of the Bulk Entitlement for the definition of ‘storage management costs’, **substitute** –

‘**“storage management costs”** means the total annual cost incurred by the Storage Manager to perform the tasks specified in the relevant instrument of Appointment.’

6. In clause 4 of the Bulk Entitlement insert the following definition –

‘**“Water Resource Management Costs”** means the total annual cost incurred by the Resource Manager to perform the tasks specified in the relevant instrument of Appointment.’

7. In clause 4 of the Bulk Entitlement –

(a) **revoke** the definition for ‘capacity share’

(b) **revoke** the definition for ‘river regulation costs’.

**Amendment of Clause 7**

8. For sub-clause 7(a) of the Bulk Entitlement, **substitute** –

‘7 (a) a 17.08% share of the total storage capacity of Blue Rock reservoir, where the total storage capacity is 198,280 ML at full supply level of 140.00 metres AHD; and’

**Amendment of Clause 8**

9. In paragraph 8.1(a) of the Bulk Entitlement, for the words ‘store 16.27%’ **substitute** ‘store 17.08%’.

**Amendment of Clause 14**

10. In sub-clause 14.1 of the Bulk Entitlement, for the words ‘costs incurred by the Resource Manager to perform the tasks specified in the relevant instrument of appointment’, **substitute** –

‘Water Resource Management Costs’.

11. In sub-clause 14.3 of the Bulk Entitlement, for the words ‘provides a regulated service for the purposes of section 4A of’, **substitute** –

‘provides a prescribed service in accordance with Part 1A of’.

**Amendment of Clause 15**

12. In sub-clause 15.2 of the Bulk Entitlement –

(a) for the words ‘The amount the Entitlement Holder must pay the Storage Manager under sub-clause 15.1 is to be calculated by the Storage Manager as a percentage of the annual storage management charge for Blue Rock Reservoir as follows:’ **substitute** –  
‘The amount the Entitlement Holder must pay the Storage Manager under sub-clause 15.1 is to be calculated by the Storage Manager as a percentage of the annual storage management costs for Blue Rock Reservoir as follows:’

(b) for the numbers ‘0.1627’ **substitute** ‘0.1708’.

Dated 21 March 2016

LISA NEVILLE MP  
Minister for Environment, Climate Change and Water

**Water Act 1989**BULK ENTITLEMENT (LATROBE RESERVE) ORDER 2013  
MINOR AMENDMENT NOTICE 2016

I, Lisa Neville, Minister for Environment, Climate Change and Water, as Minister administering the **Water Act 1989**, by notice amend the Bulk Entitlement (Latrobe Reserve) Order 2013.

**1. Title**

This Instrument is called the Bulk Entitlement (Latrobe Reserve) Minor Amendment Notice 2016.

**2. Purpose**

The purpose of this Notice is to amend the Bulk Entitlement (Latrobe Reserve) Order 2013 to decrease the drought reserve in Blue Rock Reservoir to 18.87 per cent to reflect the change in the recorded volume of Blue Rock Reservoir.

**3. Authorising provisions**

This Notice is made in accordance with section 45 of the **Water Act 1989**.

**4. Commencement**

This Notice comes into effect on the day it is published in the Victoria Government Gazette.

**5. Amendment of Clause 7**

For paragraph 7.1(a) of the Bulk Entitlement, **substitute** –

‘7.1 (a) an 18.87% share of the total storage capacity of Blue Rock reservoir, where the total storage capacity is 198,280 ML at full supply level of 140.00 metres AHD; and’

**6. Amendment of Clause 8**

In paragraph 8.1 (a) of the Bulk Entitlement, for the words ‘store 22.73%’ **substitute** ‘store 18.87%’.

Dated 21 March 2016

LISA NEVILLE MP  
Minister for Environment, Climate Change and Water

**Water Act 1989**BULK ENTITLEMENT (LATROBE – LOY YANG A) CONVERSION ORDER 1996  
MINOR AMENDMENT NOTICE 2016

I, Lisa Neville, Minister for Environment, Climate Change and Water, as Minister administering the **Water Act 1989**, by notice amend the Bulk Entitlement (Latrobe – Loy Yang A) Conversion Order 1996.

**1. Title**

This Instrument is called the Bulk Entitlement (Latrobe – Loy Yang A) Minor Amendment Notice 2016.

**2. Purpose**

The purpose of this Notice is to amend to the Bulk Entitlement (Latrobe – Loy Yang A) Conversion Order 1996 (the Bulk Entitlement) to increase AGL Loy Yang Partnership’s share of Blue Rock Reservoir to 17.22 per cent to reflect the change in the recorded volume of Blue Rock Reservoir.

**3. Authorising provisions**

This Notice is made in accordance with section 45 of the **Water Act 1989**.

**4. Commencement**

This Notice comes into effect on the day it is published in the Victoria Government Gazette.

**5. Amendment of Clause 7**

For paragraph 7(a) of the Bulk Entitlement, **substitute** –

‘7 (a) a 17.22% share of the total storage capacity of Blue Rock reservoir, where the total storage capacity is 198,280 ML at full supply level of 140.00 metres AHD; and’

**6. Amendment of Clause 8**

In paragraph 8.1 (a) of the Bulk Entitlement, for the words ‘store 16.40%’ **substitute** ‘store 17.22%’.

**7. Amendment of Clause 15**

In paragraph 15.2 (b) of the Bulk Entitlement, for the numbers ‘0.1640’ **substitute** ‘0.1722’.

Dated 21 March 2016

LISA NEVILLE MP  
Minister for Environment, Climate Change and Water

**Water Act 1989****BULK ENTITLEMENT (LATROBE – LOY YANG B) CONVERSION ORDER 1996  
MINOR AMENDMENT NOTICE 2016**

I, Lisa Neville, Minister for Environment, Climate Change and Water, as Minister administering the **Water Act 1989**, by notice amend the Bulk Entitlement (Latrobe – Loy Yang B) Conversion Order 1996.

**1. Title**

This Instrument is called the Bulk Entitlement (Latrobe – Loy Yang B) Minor Amendment Notice 2016.

**2. Purpose**

The purpose of this Notice is to amend to the Bulk Entitlement (Latrobe – Loy Yang B) Conversion Order 1996 (the Bulk Entitlement) to increase the share of Blue Rock Reservoir held under this entitlement to 8.61 per cent to reflect the change in the recorded volume of Blue Rock Reservoir.

**3. Authorising provisions**

This Notice is made in accordance with section 45 of the **Water Act 1989**.

**4. Commencement**

This Notice comes into effect on the day it is published in the Victoria Government Gazette.

**5. Amendment of Clause 7**

For paragraph 7 (a) of the Bulk Entitlement, **substitute** –

‘7 (a) an 8.61% share of the total storage capacity of Blue Rock reservoir, where the total storage capacity is 198,280 ML at full supply level of 140.00 metres AHD; and’

**6. Amendment of Clause 8**

In paragraph 8.1 (a) of the Bulk Entitlement, for the words ‘store 8.20%’ **substitute** ‘store 8.61%’.

**7. Amendment of Clause 14**

In paragraph 14.2 (b) of the Bulk Entitlement, for the numbers ‘0.0820’ **substitute** ‘0.0861’.

Dated 21 March 2016

LISA NEVILLE MP  
Minister for Environment, Climate Change and Water

**Water Act 1989****BULK ENTITLEMENT (LATROBE – LOY YANG 3/4 BENCH) CONVERSION ORDER 1996  
MINOR AMENDMENT NOTICE 2016**

I, Lisa Neville, Minister for Environment, Climate Change and Water, as Minister administering the **Water Act 1989**, by notice amend the Bulk Entitlement (Latrobe – Loy Yang 3/4 Bench) Conversion Order 1996.

**1. Title**

This Instrument is called the Bulk Entitlement (Latrobe – Loy Yang 3/4 Bench) Minor Amendment Notice 2016.

**2. Purpose**

The purpose of this Notice is to amend the Bulk Entitlement (Latrobe – Loy Yang 3/4 Bench) Conversion Order 1996 (the Bulk Entitlement) to increase the share of Blue Rock Reservoir held under this entitlement to 10.95 per cent to reflect the change in the recorded volume of Blue Rock Reservoir.

**3. Authorising provisions**

This Notice is made in accordance with section 45 of the **Water Act 1989**.

**4. Commencement**

This Notice comes into effect on the day it is published in the Victoria Government Gazette.

**5. Amendment of Clause 7**

For paragraph 7 (a) of the Bulk Entitlement, **substitute** –

‘7 (a) a 10.95% share of the total storage capacity of Blue Rock reservoir, where the total storage capacity is 198,280 ML at full supply level of 140.00 metres AHD; and’

**6. Amendment of Clause 8**

In paragraph 8.1 (a) of the Bulk Entitlement, for the words ‘store 10.43%’ **substitute** ‘store 10.95%’.

**7. Amendment of Clause 15**

In paragraph 15.2 (b) of the Bulk Entitlement, for the numbers ‘0.1043’ **substitute** ‘0.1095’.

Dated 21 March 2016

LISA NEVILLE MP  
Minister for Environment, Climate Change and Water

**Water Act 1989****BULK ENTITLEMENT (LATROBE – SOUTHERN RURAL) CONVERSION ORDER 1996  
MINOR AMENDMENT NOTICE 2016**

I, Lisa Neville, Minister for Environment, Climate Change and Water, as Minister administering the **Water Act 1989**, by notice amend the Bulk Entitlement (Latrobe – Southern Rural) Conversion Order 1996.

**1. Title**

This Instrument is called the Bulk Entitlement (Latrobe – Southern Rural) Minor Amendment Notice 2016.

**2. Purpose**

The purpose of this Notice is to amend to the Bulk Entitlement (Latrobe – Southern Rural) Conversion Order 1996 (the Bulk Entitlement) to increase the share of Blue Rock Reservoir held under this entitlement to 2.10 per cent to reflect the change in the recorded volume of Blue Rock Reservoir.



**3. Authorising provisions**

This Notice is made in accordance with section 45 of the **Water Act 1989**.

**4. Commencement**

This Notice comes into effect on the day it is published in the Victoria Government Gazette.

**5. Amendment of Clause 9**

For sub-clause 9 (a) of the Bulk Entitlement, **substitute** –

‘9 (a) a 2.10% share of the total storage capacity of Blue Rock Reservoir, where the total storage capacity is 198,280 ML at full supply level of 140.00 metres AHD; and’

**6. Amendment of Clause 10**

In paragraph 10.1 (a) of the Bulk Entitlement, for the words ‘store 2.0%’ **substitute** ‘store 2.10%’.

**7. Amendment of Clause 18**

In paragraph 18.2 (b) of the Bulk Entitlement, for the numbers ‘0.02’ **substitute** ‘0.021’.

Dated 21 March 2016

LISA NEVILLE MP  
Minister for Environment, Climate Change and Water

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**Water Act 1989****BULK ENTITLEMENT (LATROBE – YALLOURN) CONVERSION ORDER 1996  
MINOR AMENDMENT NOTICE 2016**

I, Lisa Neville, Minister for Environment, Climate Change and Water, as Minister administering the **Water Act 1989**, by notice amend the Bulk Entitlement (Latrobe – Yallourn) Conversion Order 1996.

**1. Title**

This Instrument is called the Bulk Entitlement (Latrobe – Yallourn) Minor Amendment Notice 2016.

**2. Purpose**

The purpose of this Notice is to amend to the Bulk Entitlement (Latrobe – Yallourn) Conversion Order 1996 (the Bulk Entitlement) to increase the share of Blue Rock Reservoir held under this entitlement to 15.72 per cent to reflect the change in the recorded volume of Blue Rock Reservoir.

**3. Authorising provisions**

This Notice is made in accordance with section 45 of the **Water Act 1989**.

**4. Commencement**

This Notice comes into effect on the day it is published in the Victoria Government Gazette.

**5. Amendment of Clause 7**

For paragraph 7 (a) of the Bulk Entitlement, **substitute** –

‘7 (a) a 15.72% share of the total storage capacity of Blue Rock reservoir, where the total storage capacity is 198,280 ML at full supply level of 140.00 metres AHD; and’

**6. Amendment of Clause 8**

In paragraph 8.1 (a) of the Bulk Entitlement, for the words ‘store 14.97%’ **substitute** ‘store 15.72%’.

**7. Amendment of Clause 15**

In paragraph 15.2 (b) of the Bulk Entitlement, for the numbers '0.1497' **substitute** '0.1572'.  
Dated 21 March 2016

LISA NEVILLE MP  
Minister for Environment, Climate Change and Water

**Water Act 1989**

## PUBLIC NOTICE

## Sale of Surfacewater Winterfill Licences in the Merri River Catchment

In accordance with section 57 of the **Water Act 1989**, Gippsland and Southern Rural Water Corporation (trading as Southern Rural Water) (SRW), as the delegate for the Minister for Environment, Climate Change and Water, offers for sale via an auction process Section 51 Take and Use Surfacewater Licences within the Merri River Catchment.

The sale is only open to persons who meet SRW's eligibility requirements and will be made available as follows:

- **Merri River Catchment:** 590 ML (parcels from 10 ML up to 150 ML).

Expressions of interest are invited from those people that are interested in securing a licence and meet SRW's eligibility requirements.

Expressions of interest must be received by SRW by 4 pm Friday 23 April 2016.

To meet eligibility requirements, persons interested in purchasing a licence must:

- own or occupy land within the Merri River Catchment; and
- utilise or plan to utilise surfacewater for irrigation or commercial purposes within the Merri River Catchment; and
- have been notified prior that they were eligible to participate in the auction.

Those people that apply will be advised of their eligibility and of the auction date and details prior to the auction.

The licences will be issued with conditions which include:

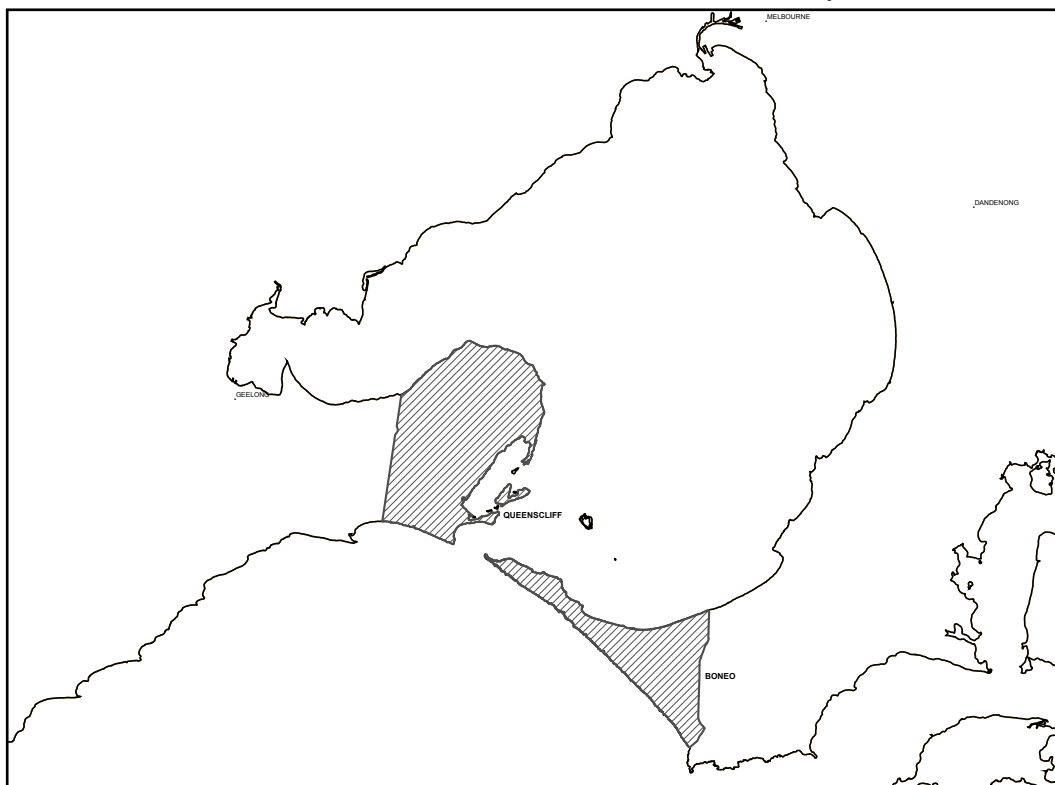
- restriction to only pump or harvest water from 1 July to 31 October in any year; and
- requirement to take the water from licensed works; and
- requirement to comply with the Irrigation Development Guidelines where relevant; and
- minimum passing flow requirements at the Woodford Gauging Site; and
- standard surfacewater licence conditions as set out in the Ministerial Policies for Managing Take and Use Licences available from the Victorian Water Register.

Licences may be issued for an initial period of up to 5 years, after which time they may be renewed in accordance with section 58 of the **Water Act 1989**.

For an expression of interest form or for further information contact Southern Rural Water on 1300 139 510.

**Water Act 1989****SALE OF GROUNDWATER LICENCES FROM THE  
BONEO GROUNDWATER MANAGEMENT UNIT**

Southern Rural Water is auctioning Section 51 Take and Use Groundwater Licences from the Boneo Groundwater Management Unit (GMU) shown on the map below. The total volume available will be 1,300 ML. The auction will be held between 23 and 27 May 2016.



The announcement of this auction is in accordance with section 57 of the **Water Act 1989**, where Gippsland and Southern Rural Water Corporation (trading as Southern Rural Water) is acting as the delegate for the Minister for Environment, Climate Change and Water.

The auction is open to those who complete the application form and meet the eligibility requirements. The application forms are available from our website, [srw.com.au](http://srw.com.au). Applications will be open from 9 am Monday 18 April and close 4 pm Friday 13 May 2016.

To meet eligibility requirements applicants must:

- own or occupy land within the Boneo GMU;
- provide a plan to use the water; and
- describe how they will manage disposal of water.

Successful applicants will be advised of the conditions that will apply to a licence.

The conditions for a licence will include the:

- requirement to take the water from licensed works; and
- standard licence conditions as set out in the Ministerial Policies for Managing Take and Use Licences available from the Victorian Water Register.

Licences may be issued for a period of up to 5 years, after which time they may be renewed in accordance with section 58 of the **Water Act 1989**.

For further information, please contact Terry Flynn at Southern Rural Water on 1300 139 510.

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**Planning and Environment Act 1987**

**CASEY PLANNING SCHEME**

**Notice of Approval of Amendment**

**Amendment C205**

The Minister for Planning has approved Amendment C205 to the Casey Planning Scheme.

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

The Amendment rezones the Amstel Golf Course (20E Scioto Street, Cranbourne, and parts of the land at 980, 980P and 1000 Cranbourne–Frankston Road, 1–11 Ronneback Walk and 23–25 Willow Glen Boulevard, Cranbourne) from a Farming Zone – Schedule 2 (FZ2) to a General Residential Zone – Schedule 1 (GRZ1), replaces Schedule 12 to the Development Plan Overlay (DPO12), extends its application to the entire Amstel Golf Course Site and amends the Schedule to Clause 52.01.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Casey City Council, Magid Drive, Narre Warren.

RACHAEL JOINER  
Director

Planning Services and Impact Assessment  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

**COLAC OTWAY PLANNING SCHEME**

**Notice of Approval of Amendment**

**Amendment C84**

The Minister for Planning has approved Amendment C84 to the Colac Otway Planning Scheme.

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

The Amendment rezones part of 150 Sand Road, Glenaire (Crown Allotment 2027 and Crown Allotment 2028), from Public Conservation and Resource Zone to Rural Conservation Zone.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Colac Otway Shire Council, 2–6 Rae Street, Colac.

RACHAEL JOINER  
Director

Planning Services and Impact Assessment  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

## LODDON PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C36

The Minister for Planning has approved Amendment C36 to the Loddon Planning Scheme.

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

The Amendment generally applies to all land within the Farming Zone in the Shire of Loddon. The Amendment specifically applies to land at Wedderburn, Mount Korong, Pyramid Hill, Yarrayne, Inglewood, Llanelly, Tarnagulla, Laanecoorie, McIntyre, Moliagul, Rheola, Wehla, Kingower, Brenanah, Skinners Flat, Nine Mile South, Eddington, Bridgewater, Newbridge, Boort and the Loddon River corridor.

The Amendment implements the Loddon Shire Council 'Rural Zones Review, 2012'. The Amendment amends Local Planning Policy Framework Clauses 21.02, 21.04 and 22.05, introduces the Rural Conservation Zone into the planning scheme, amends the Schedule to the Farming Zone and Rural Living Zone to increase the minimum subdivision lot size in those zones, and rezones land in the Farming Zone to the Rural Conservation Zone, Public Use Zone, Public Conservation and Resource Zone, Public Park and Recreation Zone, Township Zone, and Rural Living Zone.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Loddon Shire Council, 41 High Street, Wedderburn, Victoria 3518.

RACHAEL JOINER

Director

Planning Services and Impact Assessment

Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

## MELBOURNE PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C186 Part 2

The Minister for Planning has approved Amendment C186 Part 2 to the Melbourne Planning Scheme.

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

The Amendment amends the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps to apply heritage controls to nine properties on an interim basis until 31 March 2017.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Melbourne City Council, Level 3, 240 Little Collins Street, Melbourne.

RACHAEL JOINER

Director

Planning Services and Impact Assessment

Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**  
STONNINGTON PLANNING SCHEME  
Notice of Approval of Amendment  
Amendment C185 (Part 1)

The Minister for Planning has approved Amendment C185 (Part 1) to the Stonnington Planning Scheme.

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

The Amendment implements findings of the ‘Stonnington Neighbourhood Character Review Planisphere, 2013’ (SNCR) and the ‘Stonnington Neighbourhood Character Review Addendum, Planisphere, 2014’.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Stonnington City Council, 311 Glenferrie Road, Malvern.

RACHAEL JOINER  
Director  
Planning Services and Impact Assessment  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**  
STONNINGTON PLANNING SCHEME  
Notice of Approval of Amendment  
Amendment C185 (Part 2)

The Minister for Planning has approved Amendment C185 (Part 2) to the Stonnington Planning Scheme.

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

The Amendment implements findings of the ‘Stonnington Neighbourhood Character Review Planisphere, 2013’ (SNCR) and the ‘Stonnington Neighbourhood Character Review Addendum, Planisphere, 2014’. Specifically, the Amendment introduces schedules to the Neighbourhood Character Overlay, Design and Development Overlay and General Residential Zone and apply these to a number of precincts identified in the SNCR.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Stonnington City Council, 311 Glenferrie Road, Malvern.

RACHAEL JOINER  
Director  
Planning Services and Impact Assessment  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**  
**WANGARATTA PLANNING SCHEME**  
Notice of Approval of Amendment  
Amendment C48

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

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

The Amendment implements the ‘King River Rural Floodplain Study September 2004’ and ‘King River Tributaries Flood Mapping Study December 2004’ by amending the Floodway Overlay and Land Subject to Inundation Overlay for land in the floodway of the King River and its tributaries and inserts the studies as reference documents in the Wangaratta Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Rural City of Wangaratta, 62–68 Ovens Street, Wangaratta.

RACHAEL JOINER  
Director  
Planning Services and Impact Assessment  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**  
**WHITEHORSE PLANNING SCHEME**  
Notice of Approval of Amendment  
Amendment C172 (Part 1)

The Minister for Planning has approved Amendment C172 (Part 1) to the Whitehorse Planning Scheme.

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

The Amendment applies the Heritage Overlay to 7 places identified in the ‘City of Whitehorse Post 1945 Heritage Study’ and updates Clause 22.01 Heritage Buildings and Precincts.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Whitehorse City Council, 379–397 Whitehorse Road, Nunawading, Victoria 3131.

RACHAEL JOINER  
Director  
Planning Services and Impact Assessment  
Department of Environment, Land, Water and Planning

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**ORDERS IN COUNCIL****Crown Land (Reserves) Act 1978**

## DISSOLUTION OF INCORPORATED COMMITTEES OF MANAGEMENT

## Order in Council

The Governor in Council under section 14A(7) of the **Crown Land (Reserves) Act 1978** dissolves the incorporated committees of management described hereunder:—

1. the Sea Lake Court House Committee of Management Incorporated constituted by Order in Council of 5 June, 2007 and published in the Victoria Government Gazette on 7 June, 2007 page – 1087; File ref: 012015093;
2. the Windermere Mechanics Institute Committee of Management Incorporated constituted by Order in Council of 13 September, 2005 and published in the Government Gazette on 15 September, 2005 page – 2091; and
3. the Durham Ox Recreation Reserve Committee Incorporated constituted by Order in Council of 10 February, 2009 and published in the Government Gazette on 12 February, 2009 page – 299.

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

Dated 12 April 2016

Responsible Minister

HON LISA NEVILLE MP

Minister for Environment, Climate Change and Water

ANDREW ROBINSON  
Clerk of the Executive Council

**Electricity Industry Act 2000**ADVANCED METERING INFRASTRUCTURE (AMI TARIFFS)  
AMENDMENT ORDER 2016

## Order in Council

The Governor in Council under section 46D of the **Electricity Industry Act 2000** ('the Act') makes the following Order:

**1. Purpose**

The purpose of this Order is to amend the AMI Tariffs Order to make further provision for the structure, taking effect and choice of AMI tariffs during the period ending 31 December 2020 and for other matters.

**2. Definitions**

In this Order:

**AMI Tariffs Order** means the Advanced Metering Infrastructure (AMI Tariffs) Order made on 18 June 2013 under section 46D of the Act and published in the Victoria Government Gazette S 216 on 19 June 2013 as amended by the Order in Council made 22 December 2015 published in the Victoria Government Gazette S 430 on 23 December 2015.

**3. Commencement**

This Order commences on the day it is published in the Government Gazette.

#### 4. Amendments

The AMI Tariffs Order is amended in accordance with the Schedule.

Dated 12 April 2016

Responsible Minister

LILY D'AMBROSIO

Minister for Energy and Resources

ANDREW ROBINSON  
Clerk of the Executive Council

### SCHEDULE

#### 1. Definitions

- (a) **Insert** in clause 2 of the AMI Tariffs Order in their appropriate alphabetical order the following definitions:

*'additional reversion period'* means the period commencing 1 January 2017 and ending 31 December 2020;

*'charging parameter'* has the same meaning as it has in the National Electricity Rules;

*'cost reflective flexible AMI distribution tariff'* means a flexible AMI distribution tariff that is not a TOU flexible AMI distribution tariff and which was or is first made available from 1 January 2017;

Note: See also clauses 2A(3) and 2A(4).'

*'cost reflective flexible AMI retail tariff'* means a flexible AMI retail tariff that is not a TOU flexible AMI retail tariff and which was or is first made available from 1 January 2017;

Note: See also clauses 2A(3) and 2A(4).'

*'demand based price'* has the same meaning as it has in the National Electricity Rules;

*'tariff structure statement'* has the same meaning as it has in the National Electricity Rules;

*'Time of use flexible AMI distribution tariff'* or *'TOU flexible AMI distribution tariff'* means a flexible AMI distribution tariff that varies not according to demand but according to specified peak, shoulder and off peak times;

Note: See also clause 2A(2).'

*'Time of use flexible AMI retail tariff'* or *'TOU flexible AMI retail tariff'* means a flexible AMI retail tariff that varies not according to demand but according to specified peak, shoulder and off peak times;

Note: See also clause 2A(2).'

- (b) **Insert**, after the definitions of flat AMI distribution tariff and flat AMI retail tariff, the following additional note:

'3. See also clause 2A(1).'

- (c) In the definition of Energy Retail Code, for 'version 10 dated May 2012' **substitute** 'version 11 dated 1 January 2015'.

- (d) In the definition of price comparator website, for 'Primary Industries' **substitute** 'Economic Development, Jobs, Transport and Resources'.

#### 2. New interpretation clause inserted

**Insert** after clause 2 of the AMI Tariffs Order:

##### **2A. Further interpretation provisions**

- (1) For the purposes of the definitions of flat AMI distribution tariff and flat AMI retail tariff, the 'other characteristics' referred to in paragraph (d) of both definitions include, but are not limited to, demand for electricity.

- (2) For the purposes of the definitions of TOU flexible AMI distribution tariff and TOU flexible AMI retail tariff:
  - (a) the specified peak, shoulder and off peak times are those times that are, from time to time, specified by a distributor or retailer as the case may be; and
  - (b) those specified peak, shoulder and off peak times may be the same as, or may differ from the times set out in the Schedule.
- (3) For the purposes of the definitions of cost reflective flexible AMI distribution tariff and cost reflective flexible AMI retail tariff, and without limitation:
  - (a) any tariff:
    - (i) with a charging parameter to which is applied a demand based price where the time period for that price is a period of actual or agreed demand; or
    - (ii) which otherwise involves such a demand based price, is a cost reflective flexible AMI distribution tariff or cost reflective flexible AMI retail tariff, as the case may be;
  - (b) a cost reflective flexible AMI distribution tariff includes any such tariff notified pursuant to clause 6.18.1C of the National Electricity Rules;
  - (c) a cost reflective flexible AMI distribution tariff includes a trial, temporary or short term cost reflective flexible AMI distribution tariff;
  - (d) a cost reflective flexible AMI retail tariff includes a trial, temporary or short term cost reflective flexible AMI retail tariff;
  - (e) a cost reflective flexible AMI distribution tariff in respect of which the demand usage charge or demand charging parameter is set as zero (either for a period or indefinitely), does not thereby cease to be a cost reflective flexible AMI distribution tariff; and
  - (f) a cost reflective flexible AMI retail tariff in respect of which the demand usage charge or demand charging parameter is set as zero (either for a period or indefinitely), does not thereby cease to be a cost reflective flexible AMI retail tariff.
- (4) The following are not, and are not to be taken to be either cost reflective flexible AMI distribution tariffs or cost reflective flexible AMI retail tariffs:
  - (a) critical peak rebates; and
  - (b) any other incentive (financial or non-financial) to reduce demand:
    - (i) which is not included as part of the basis upon which tariffs and charges are calculated; and
    - (ii) which a distributor or retailer provides directly to a small customer.

**3. Amendment to clause 7**

In clause 7(1)(b)(ii)(1) of the AMI Tariffs Order, for 'clause 31(c)(i)', **substitute** 'clause 49A(6A)(i)'.

**4. New clause 7A inserted**

**Insert** after clause 7 of the AMI Tariffs Order:

**7A. Small customers must opt-in to cost reflective flexible AMI retail tariffs**

- (1) Subject to clause 7A(3), during the opt-in period, a retailer must not sell, or supply and sell electricity to a small customer at a tariff that is a cost reflective flexible AMI retail tariff unless:

- (a) that customer has given explicit informed consent to that tariff being that cost reflective flexible AMI retail tariff; and
- (b) the retailer has, prior to that customer giving explicit informed consent, advised the customer, either in writing or orally:
  - (i) that the customer may exercise the right conferred pursuant to clause 8A(1) to opt-out from that cost reflective flexible AMI retail tariff; and
  - (ii) of:
    - (1) whether that customer may be, or is liable to pay a fee in accordance with clause 49A of the Energy Retail Code as a result of the customer giving notice pursuant to clause 8A(1) or otherwise exercising the rights conferred on the customer pursuant to clause 8A; and
    - (2) the amount of that fee, or if the amount cannot reasonably be determined at the time of the giving of the advice by the retailer, the manner of calculation of the fee.
- (2) Clause 7A(1) applies despite anything to the contrary in the electricity contract between the retailer and the small customer.
- (3) A customer may give explicit informed consent to a tariff that is a cost reflective flexible AMI retail tariff where the date on which that tariff is to have effect is a date prior to the date on which the customer gives that consent but only where the explicit informed consent also extends to the tariff having such an effect.
- (4) In this clause:
 

*opt-in period* means the period commencing 1 January 2017 and ending 31 December 2020.’

## 5. New clause 8A inserted

**Insert** after clause 8 of the AMI Tariffs Order:

### ‘8A. Small customers may opt-out of cost reflective flexible AMI retail tariff during the additional reversion period

*Opting-out from a cost reflective flexible AMI retail tariff*

- (1) Subject to clause 8A(3), during the additional reversion period, a small customer who has given consent to a tariff that is a cost reflective flexible AMI retail tariff may, by written or oral notice to a retailer, require that retailer to cease sale, or supply and sale of electricity to him or her at a tariff that is a cost reflective flexible AMI retail tariff and to commence instead:
  - (a) sale, or supply and sale at the AMI retail tariff:
    - (i) that is not a cost reflective flexible AMI retail tariff; and
    - (ii) which last applied before the retailer commenced sale, or supply and sale at a cost reflective flexible AMI retail tariff, **(previously applying AMI retail tariff)**; or
  - (b) if that previously applying AMI retail tariff has been replaced by or varied to another AMI retail tariff (not itself being a cost reflective flexible AMI retail tariff) that would have applied to the customer had he or she not consented to a cost reflective flexible AMI retail tariff **(replacement AMI retail tariff)**, sale or supply and sale at the replacement AMI retail tariff.

Note: The effect of clause 8A(1) is that a small customer can revert to either a flat AMI retail tariff or a TOU flexible AMI retail tariff.

- (2) The small customer is not required in the notice to specify which relevant AMI retail tariff is to apply.
- (3) Clause 8A(1) applies only in the following circumstances:
  - (a) the small customer has remained with the same retailer throughout the cost reflective flexible AMI retail tariff period;
  - (b) the notice is given to that retailer;
  - (c) the notice is in relation to the same premises as those at which electricity has been sold, or supplied and sold to the customer by that retailer during the cost reflective flexible AMI retail tariff period; and
  - (d) that retailer is, at the time the notice is given, still the retailer for electricity sold, or supplied and sold to the customer at those premises.
- (4) Subject to clause 8A(6), a retailer must:
  - (a) comply with a notice given under clause 8A(1); and
  - (b) apply the relevant AMI retail tariff to electricity sold, or supplied and sold to the small customer commencing from not later than 2 business days after receipt by the retailer of the notice.
- (5) The relevant AMI retail tariff that the retailer must apply may be an AMI retail tariff that is, or is otherwise:
  - (a) a closed tariff; or
  - (b) an open tariff.

A retailer must not, pursuant to this clause 8A(5), apply a cost reflective flexible AMI retail tariff.
- (6) A retailer is not obliged to comply with a notice given under clause 8A(1) if:
  - (a) the configuration of the metering installation by means of which the electricity sold, or supplied and sold to the small customer under the cost reflective flexible AMI retail tariff is metered, does not permit reversion to a relevant AMI retail tariff. A retailer must give written notice of that fact to a small customer if such is the case; or
  - (b) the notice results in a new or varied electricity contract and the small customer cancels that contract during the cooling-off period.

*Limitation on charges – retailers*

- (7) A retailer may not impose on a small customer any fee or charge as a result of that customer giving notice pursuant to clause 8A(1) or otherwise exercising the rights conferred on him or her pursuant to this clause.
- (8) Clause 8A(7) does not prevent a retailer from charging the small customer:
  - (a) a fee determined in accordance with clause 49A(6A)(i) of the Energy Retail Code; and
  - (b) any other fee or charge that would be payable by the small customer independently of that customer:
    - (i) giving notice pursuant to clause 8A(1); or
    - (ii) otherwise exercising the rights conferred on him or her pursuant to this clause.
- (9) To avoid doubt, clause 8A(8) does not permit a retailer to charge, as a result of a small customer:
  - (a) giving notice pursuant to clause 8A(1); or
  - (b) otherwise exercising the rights conferred on him or her pursuant to this clause,

the \$20 that would or might otherwise be permitted to be charged pursuant to clause 49A(6A)(ii) of the Energy Retail Code.

*Miscellaneous*

- (10) This clause has effect:
- (a) despite anything to the contrary in:
    - (i) the electricity contract; or
    - (ii) any other agreement or contract, between the small customer and the retailer; and
  - (b) notwithstanding that a new or varied electricity contract between the small customer and retailer is or may be required to be entered into.
- (11) In this clause:
- cost reflective flexible AMI retail tariff period*** means the period commencing from immediately before the date the small customer gave consent to a cost reflective flexible AMI retail tariff and ending on the date on which the customer gives notice pursuant to clause 8A(1);
- previously applying AMI retail tariff*** has the meaning given it by clause 8A(1)(a);
- relevant AMI retail tariff*** means:
- (a) the previously applying AMI retail tariff; or
  - (b) the replacement AMI retail tariff.
- replacement AMI retail tariff*** has the meaning given it by clause 8A(1)(b).’

**6. Amendment to clause 9**

**Insert** after clause 9(2) of the AMI Tariffs Order:

‘(3) This clause 9 does not apply in any case where clause 9A applies.’

**7. New clause 9A inserted**

**Insert** after clause 9 of the AMI Tariffs Order:

**‘9A. Distributor’s distribution tariffs must include a choice of AMI distribution tariffs**

- (1) This clause 9A:
  - (a) applies to any tariff structure statement submitted, or to be submitted in respect of the initial regulatory control period;
  - (b) does not apply to any tariff structure statement submitted, or to be submitted, in respect of any other regulatory control period;
  - (c) applies to all pricing proposals for the regulatory years 2017, 2018, 2019 and 2020; and
  - (d) does not apply to pricing proposals for any other regulatory year.
- (2) The tariffs for each tariff class included by a distributor in a tariff structure statement and a pricing proposal, where the customers of that class may include domestic customers with advanced metering infrastructure, must include at least:
  - (a) one TOU flexible AMI distribution tariff; and
  - (b) one flat AMI distribution tariff.

This clause does not prevent a tariff structure statement or a pricing proposal having one or more cost reflective AMI distribution tariffs.
- (3) For the purposes of clause 9A(2) at least one TOU flexible AMI distribution tariff must be consistent with the common form distribution tariff structure in the Schedule.

- (4) In this clause:
- initial regulatory control period* has the same meaning as it has in clause 11.75.1 of the National Electricity Rules;
- tariff structure statement* includes a proposed, or revised proposed tariff structure statement submitted pursuant to clauses 6.8.2 and 6.10.3 (as those clauses stand amended by clause 11.76.2) of the National Electricity Rules;
- regulatory control period* has the same meaning as it has in the National Electricity Rules;
- regulatory year* has the same meaning as it has in the National Electricity Rules.’

**8. New clause 10A inserted**

**Insert** after clause 10 of the AMI Tariffs Order:

**‘10A. Distributor to assign distribution tariffs to small customers in accordance with a retailer’s direction**

*Additional transition period – direction a retailer may give*

- (1) During the additional transition period, a retailer may, by notice in writing, direct a distributor to assign to a small customer of that retailer an AMI distribution tariff from the tariff class applicable to that small customer.
- (2) A direction pursuant to clause 10A(1) may not be given by a retailer unless the small customer has:
- (a) a deemed contract with the retailer pursuant to section 39(1) of the Act;
  - (b) a deemed contract with the retailer pursuant to section 37 of the Act but only when that contract is varied; or
  - (c) first entered into with the retailer a new or varied electricity contract for sale of electricity at:
    - (i) an AMI retail tariff; or
    - (ii) a new or varied AMI retail tariff.
- (3) During the additional transition period and where a small customer has already been assigned an AMI distribution tariff, a distributor must not assign a different AMI distribution tariff to that small customer except:
- (a) in accordance with a direction; or
  - (b) where the assignment is consequent on a change of tariff class and that change is in accordance with the provisions of the distribution determination that applies to, or the tariff structure statement that relates to the electricity network services provided by that distributor. However a distributor must not assign pursuant to this paragraph a cost reflective flexible AMI distribution tariff.

*Additional reversion period – small customer giving notice pursuant to clause 8A(1) – direction a retailer may give*

- (4) During the additional reversion period, if:
- (a) a retailer receives from a small customer notice pursuant to clause 8A(1); and
  - (b) at the time that the notice is given by the small customer, that customer is on a cost reflective flexible AMI distribution tariff,
- the retailer may, by notice in writing, direct a distributor to assign to that small customer an AMI distribution tariff in accordance with clause 10A(5).

- (5) The distributor must assign pursuant to clause 10A(4):
- (a) the AMI distribution tariff:
    - (i) that is not a cost reflective flexible AMI distribution tariff; and
    - (ii) which last applied before the distributor commenced distribution or supply to the small customer at a cost reflective flexible AMI distribution tariff; or
  - (b) if that AMI distribution tariff has been replaced by or varied to another AMI distribution tariff (not itself being a cost reflective flexible AMI distribution tariff) that would have applied to the customer had distribution or supply to the small customer at a cost reflective flexible AMI distribution tariff not commenced, that replacement or varied AMI distribution tariff.
- (6) The AMI distribution tariff that the distributor must assign pursuant to clause 10A(5) may be an AMI distribution tariff that is, or is otherwise:
- (a) a closed tariff; or
  - (b) an open tariff.

A distributor must not, pursuant to this clause 10A(6), assign a cost reflective flexible AMI distribution tariff.

*Distributor's obligations when a direction given*

- (7) A distributor must assign an AMI distribution tariff in accordance with a direction except where:
- (a) the retailer neglects or fails to specify, or sufficiently specify in the notice the AMI distribution tariff to be assigned;
  - (b) the retailer neglects or fails to provide sufficient details in the notice to enable the distributor to identify:
    - (i) the small customer; or
    - (ii) the metering installation of that customer;
  - (c) in the case of a direction pursuant to clause 10A(1), the AMI distribution tariff specified in the notice is no longer an open tariff; or
  - (d) otherwise the distributor reasonably determines that the AMI distribution tariff specified in the notice cannot be assigned to the small customer.
- (8) An AMI distribution tariff assigned in accordance with a direction must be applied to the electricity distributed and supplied to the small customer under that tariff commencing from not later than 2 business days after receipt by the distributor of the notice containing the direction except where:
- (a) the retailer giving the direction specifies in the notice that it is a retailer to whom the small customer has transferred from another retailer, in which case the AMI distribution tariff must be applied to the electricity distributed and supplied to that customer under that tariff commencing from the later of:
    - (i) the date of transfer of the customer; or
- Note: The *Market Settlement and Transfer Procedures* published by AEMO pursuant to clause 7.2.8 of the National Electricity Rules make provision for the date of transfer, see *MSATS Procedures: CATS Procedure Principles and Obligations*.
- (ii) 10 business days prior to receipt by the distributor of the notice containing the direction; or
  - (b) the retailer in the notice specifies another date for the assignment to take effect, being a date later than the 2 business days.



*Distributor's obligations when no direction given*

- (9) Where a retailer has not given a direction and a small customer has not already been assigned an AMI distribution tariff, the distributor must:
- (a) assign an AMI distribution tariff in accordance with the provisions of the distribution determination or tariff structure statement that applies to the electricity network services provided by that distributor; but
  - (b) not assign to the small customer:
    - (i) a cost reflective flexible AMI distribution tariff; or
    - (ii) the TOU flexible AMI distribution tariff referred to in clause 9A(3).
- (10) Where a retailer has not given a direction and a small customer has been assigned an AMI distribution tariff which is not a cost reflective flexible AMI distribution tariff, a distributor must not assign that small customer a cost reflective flexible AMI distribution tariff.

*Limitation on charges – distributors*

- (11) A distributor may not impose on a retailer any fee or charge as a result of that retailer:
- (a) giving a direction; or
  - (b) otherwise exercising the rights conferred on the retailer pursuant to this clause.
- (12) Clause 10A(11) does not prevent a distributor from charging the retailer any other fee or charge that would be payable by the retailer independently of that retailer:
- (a) giving a direction; or
  - (b) otherwise exercising the rights conferred on that retailer pursuant to this clause.

*Miscellaneous*

- (13) This clause has effect despite anything to the contrary:
- (a) in any agreement or contract between the retailer and a distributor;
  - (b) in any agreement or contract between the distributor and the small customer; and
  - (c) in the distribution determination that applies, or the tariff structure statement that relates to the electricity network services provided by a distributor.
- (14) This clause does not:
- (a) derogate from or limit any restriction or requirement imposed on a retailer pursuant to clauses 7A and 8A; or
  - (b) limit any right given to a small customer by those clauses.
- (15) In this clause and unless the context otherwise requires:
- additional transition period*** means the period commencing 1 January 2017 and ending 31 December 2020;
- assign*** includes re-assign;
- direction*** means a direction pursuant to clause 10A(1) or 10A(4).'

**9. Direction to Commission – amendment of instruments**

**Insert** after clause 13 of the AMI Tariffs Order:

**'14. Further direction to Commission – amendment of instruments**

The Commission must, as soon as practicable after the commencement of the Advanced Metering Infrastructure (AMI Tariffs) Amendment Order 2016, amend the Energy Retail Code and any other instrument made by the Commission so that they are consistent with the amendments made by that Order.'

**Local Government Act 1989**  
ALTERATION OF ELECTORAL STRUCTURE OF  
BALLARAT CITY COUNCIL

Order in Council

The Governor in Council under section 220Q(k) of the **Local Government Act 1989** alters the boundaries of wards of Ballarat City Council as described in plan LEGL./15-513 contained in the Schedule of this Order and lodged in the Central Plan Office.

Under section 220S(1)(a) of the **Local Government Act 1989**, this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of Ballarat City Council.

Dated 12 April 2016

Responsible Minister:

NATALIE HUTCHINS MP

Minister for Local Government

ANDREW ROBINSON  
Clerk of the Executive Council

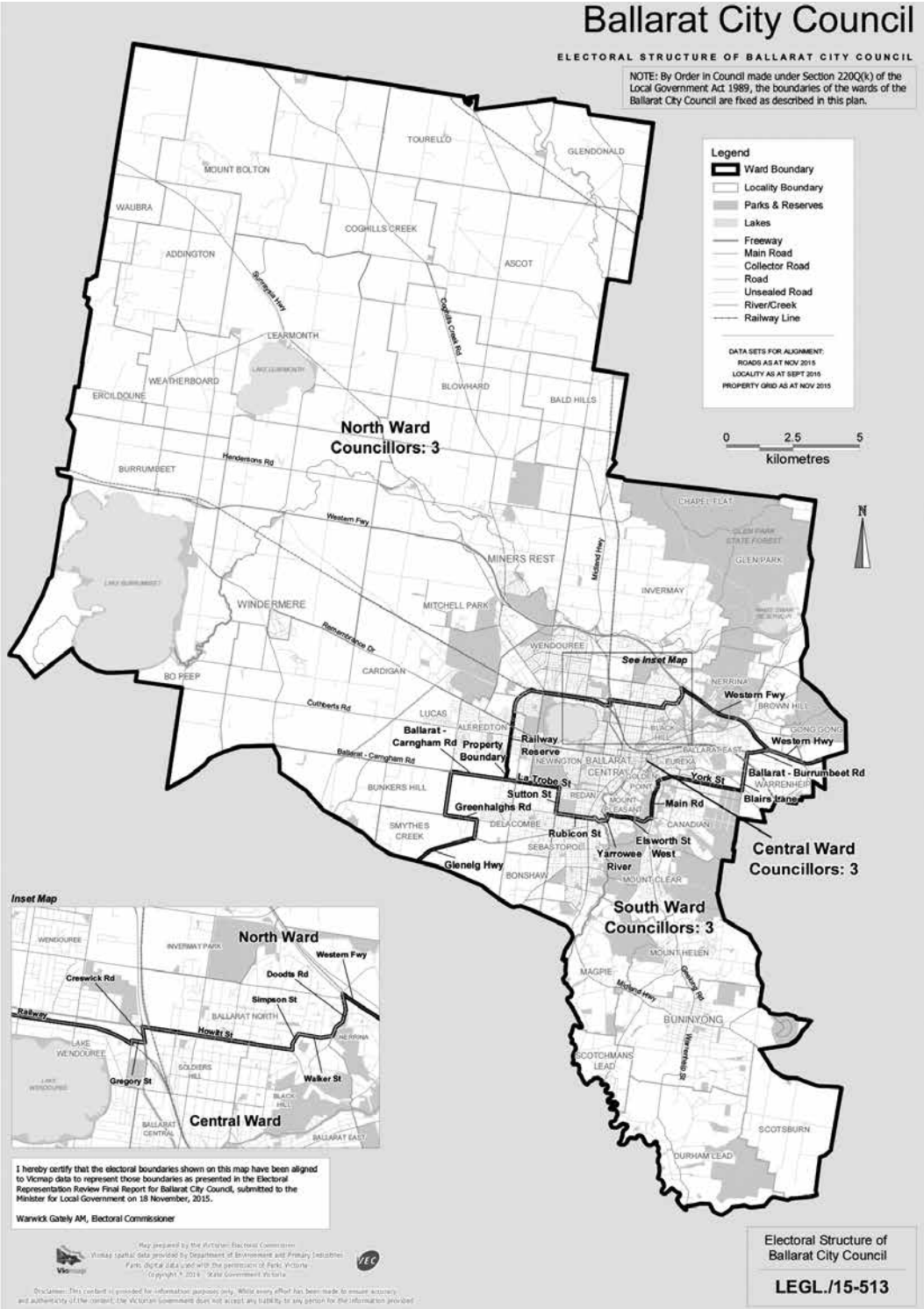
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SCHEDULE

**Ballarat City Council**

ELECTORAL STRUCTURE OF BALLARAT CITY COUNCIL

NOTE: By Order in Council made under Section 220Q(k) of the Local Government Act 1989, the boundaries of the wards of the Ballarat City Council are fixed as described in this plan.



**Local Government Act 1989**

ALTERATION OF ELECTORAL STRUCTURE OF THE  
BASS COAST SHIRE COUNCIL

Order in Council

The Governor in Council under section 220Q(k), (l), (m) and (n) of the **Local Government Act 1989** alters the boundaries, numbers and names of wards and alters the number of councillors assigned to each ward of Bass Coast Shire Council as described in plan LEGL./15-509 contained in the Schedule of this Order and lodged in the Central Plan Office.

Under section 220S(1)(a) of the **Local Government Act 1989**, this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of Bass Coast Shire Council.

Dated 12 April 2016

Responsible Minister:

NATALIE HUTCHINS MP

Minister for Local Government

ANDREW ROBINSON  
Clerk of the Executive Council

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**Local Government Act 1989**

ALTERATION OF ELECTORAL STRUCTURE OF  
BAW BAW SHIRE COUNCIL

Order in Council

The Governor in Council under section 220Q(k), (l), (m) and (n) of the **Local Government Act 1989** alters the boundaries, number and names of wards and alters the number of councillors assigned to each ward of Baw Baw Shire Council as described in plan LEGL./15-511 contained in the Schedule of this Order and lodged in the Central Plan Office.

Under section 220S(1)(a) of the **Local Government Act 1989**, this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of Baw Baw Shire Council.

Dated 12 April 2016

Responsible Minister:

NATALIE HUTCHINS MP

Minister for Local Government

ANDREW ROBINSON  
Clerk of the Executive Council

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SCHEDULE

**Baw Baw Shire Council**

ELECTORAL STRUCTURE OF BAW BAW SHIRE COUNCIL

NOTE: By Order in Council made under section 220(1)(k), (l), (m) and (n) of the Local Government Act 1989, the boundaries of wards, the number and names of wards and the number of councillors assigned to each ward of the Baw Baw Shire Council are fixed as described in this plan.

Inset Map



**Legend**

- Ward Boundary
- Locality Boundary
- Parks & Reserves
- Lakes
- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- Railway Line
- River/Creek

DATA SETS FOR ALIGNMENT:  
ROADS AS AT NOV 2015  
LOCALITY AS AT SEP 2015  
PROPERTY GRID AS AT NOV 2015

I hereby certify that the electoral boundaries shown on this map have been aligned to Vicmap data to represent those boundaries as presented in the Electoral Representation Review Final Report for Baw Baw Shire Council, submitted to the Minister for Local Government on 11 November, 2015.

Warwick Gately AM, Electoral Commissioner

Electoral Structure of  
Baw Baw Shire Council  
**LEGL./15-511**

Map prepared by the Victorian Electoral Commission  
Vicmap spatial data provided by Department of Environment and Primary Industries  
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**Local Government Act 1989**

ALTERATION OF ELECTORAL STRUCTURE OF THE  
MELTON CITY COUNCIL

Order in Council

The Governor in Council under section 220Q(k) and (n) of the **Local Government Act 1989** alters the boundaries of wards and alters the number of councillors assigned to wards of the Melton City Council as described in plan LEGL./15-508 contained in the Schedule of this Order and lodged in the Central Plan Office.

Under section 220S(1)(a) of the **Local Government Act 1989**, this Order comes into operation on the date it is published in the Government Gazette.

These changes are to have effect for the purposes of the next general election of Melton City Council.

Dated 12 April 2016

Responsible Minister:

NATALIE HUTCHINS MP

Minister for Local Government

ANDREW ROBINSON  
Clerk of the Executive Council

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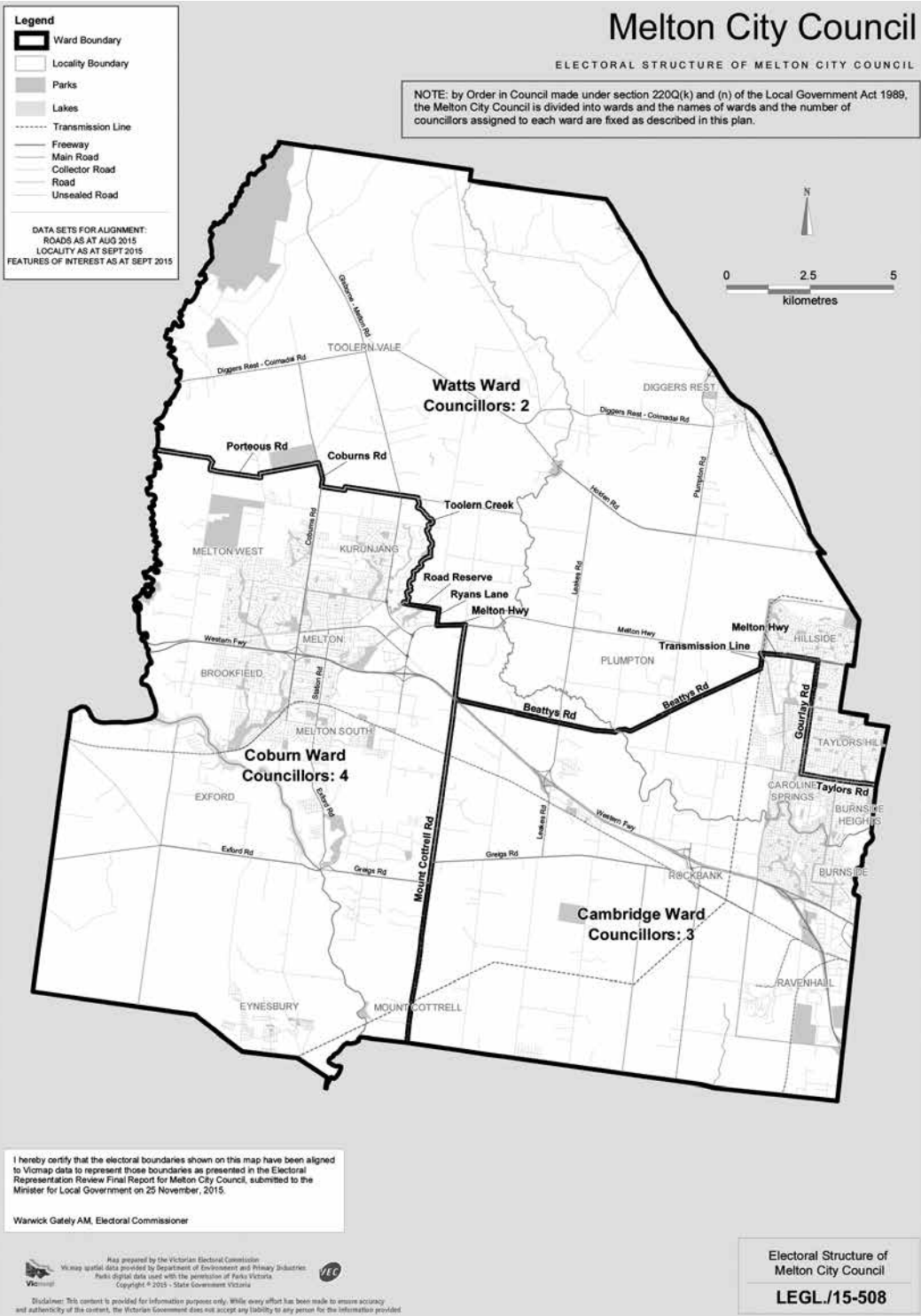


SCHEDULE

Melton City Council

ELECTORAL STRUCTURE OF MELTON CITY COUNCIL

NOTE: by Order in Council made under section 220Q(k) and (n) of the Local Government Act 1989, the Melton City Council is divided into wards and the names of wards and the number of councillors assigned to each ward are fixed as described in this plan.



**Local Government Act 1989**

ALTERATION OF ELECTORAL STRUCTURE OF THE  
WELLINGTON SHIRE COUNCIL

Order in Council

The Governor in Council under section 220Q(i), (m) and (n) of the **Local Government Act 1989** divides the municipal district of the Wellington Shire Council into wards, gives names to each of the wards and alters the number of Councillors assigned to each ward of that Council as described in plan LEGL./15-507 contained in the Schedule of this Order and lodged in the Central Plan Office.

Under section 220S(1)(a) of the **Local Government Act 1989**, this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of Wellington Shire Council.

Dated 12 April 2016

Responsible Minister:

NATALIE HUTCHINS MP

Minister for Local Government

ANDREW ROBINSON  
Clerk of the Executive Council

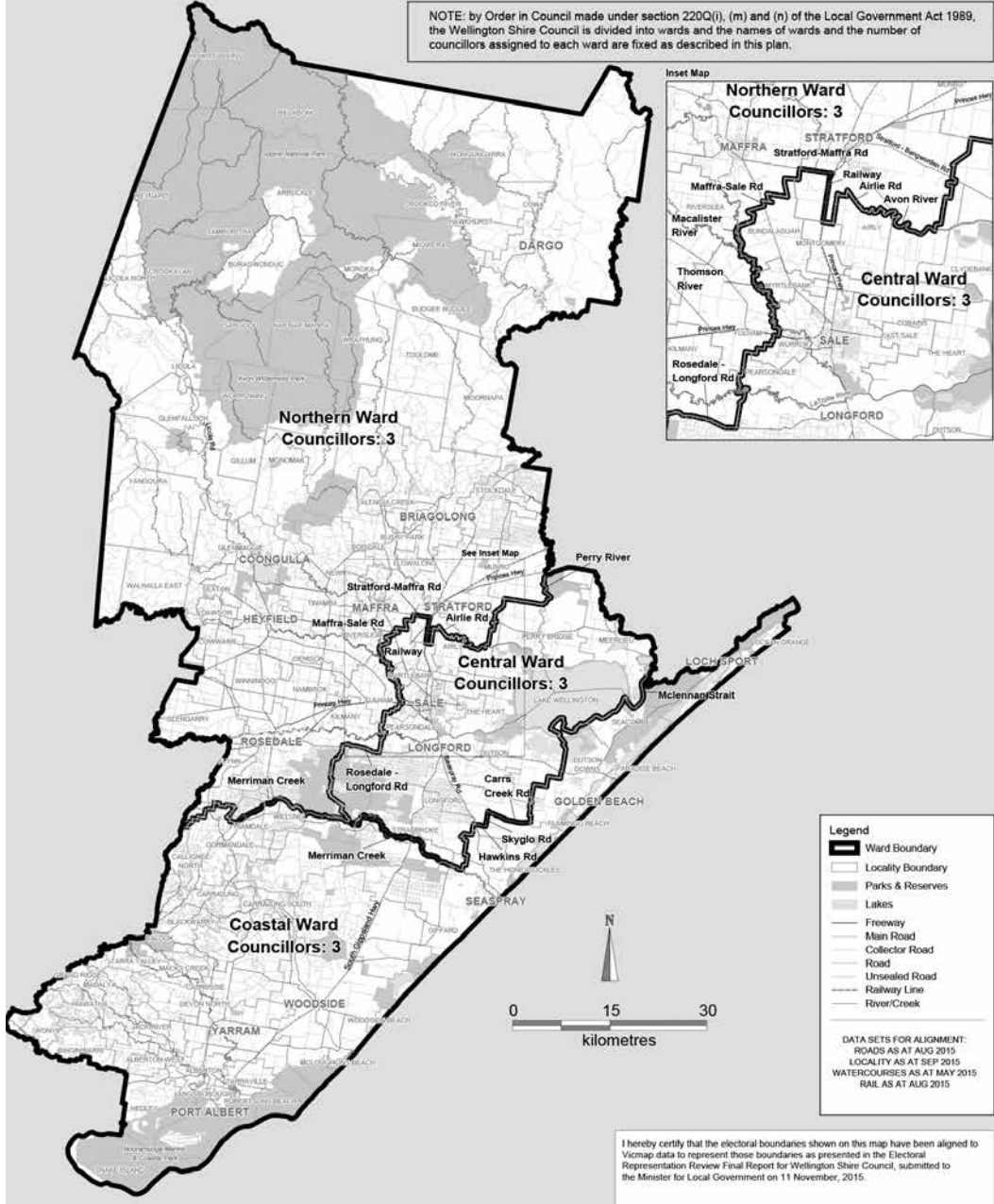
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SCHEDULE

# Wellington Shire Council

ELECTORAL STRUCTURE OF WELLINGTON SHIRE COUNCIL

NOTE: by Order in Council made under section 220Q(i), (m) and (n) of the Local Government Act 1989, the Wellington Shire Council is divided into wards and the names of wards and the number of councillors assigned to each ward are fixed as described in this plan.



Map prepared by the Victorian Electoral Commission  
 Vicmap spatial data provided by Department of Environment and Primary Industries  
 Parks digital data used with the permission of Parks Victoria  
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Electoral Structure of Wellington Shire Council  
**LEGL./15-507**

**Plant Biosecurity Act 2010****ORDER DECLARING CONTROL AREAS IN VICTORIA FOR THE  
CONTROL OF GRAPE PHYLLOXERA**

## Order in Council

The Governor in Council, under section 19(1) of the **Plant Biosecurity Act 2010**, makes the following Order –

**1 Purpose**

The purpose of this Order is to declare control areas in Victoria for the purposes of preventing the spread of the pest grape phylloxera from the control areas to other parts of Victoria.

**2 Authorising provision**

This Order is made under section 19(1) of the **Plant Biosecurity Act 2010**.

**3 Commencement**

This Order comes into operation on the day it is published in the Government Gazette.

**4 Revocation**

The Order made under section 19 of the **Plant Biosecurity Act 2010** on 21 July 2015, declaring areas in Victoria to be control areas for the purpose of preventing the spread of grape phylloxera, and published in Government Gazette G29 on 23 July 2015, pages 1621–1626, is **revoked**.

**5 Definitions**

In this Order –

**‘grape phylloxera’** means the pest *Daktulosphaira vitifoliae* (Fitch);

**‘host material’** means host plants; and earth material, package or used equipment associated with the cultivation, harvesting, handling, transport or processing of host plants;

**‘host plant’** means plants and plant products of the genus *Vitis*, including potted vines, cuttings, rootlings, grapes, grape marc, grape must and germplasm.

**6 Declaration of control areas for preventing the spread of grape phylloxera to other parts of Victoria**

- (1) The area described in the Schedule 1, known as the North East Phylloxera Infested Zone, is declared to be a control area for the purpose of preventing the spread of grape phylloxera to other parts of Victoria.
- (2) The area described in the Schedule 2, known as the Nagambie Phylloxera Infested Zone, is declared to be a control area for the purpose of preventing the spread of grape phylloxera to other parts of Victoria.
- (3) The area described in the Schedule 3, known as the Upton Phylloxera Infested Zone, is declared to be a control area for the purpose of preventing the spread of grape phylloxera to other parts of Victoria.
- (4) The area described in the Schedule 4, known as the Mooroopna Phylloxera Infested Zone, is declared to be a control area for the purpose of preventing the spread of grape phylloxera to other parts of Victoria.
- (5) The area described in the Schedule 5, known as the Maroondah Phylloxera Infested Zone, is declared to be a control area for the purpose of preventing the spread of grape phylloxera to other parts of Victoria.
- (6) The area described in the Schedule 6, known as the Whitebridge Phylloxera Infested Zone, is declared to be a control area for the purpose of preventing the spread of grape phylloxera to other parts of Victoria.

**7 Prohibitions, restrictions and requirements to apply in a control area**

- (1) For the purpose of preventing the spread of the pest grape phylloxera from a control area described in clause 6, the removal of any host material from a control area is prohibited.
- (2) Subclause (1) does not apply to a person who removes table grapes from the control area described in clause 6 that have been treated for the control of grape phylloxera in accordance with the Act.

**8 Expiry**

This Order expires 12 months after the day it is published in the Government Gazette.

**SCHEDULE 1 – NORTH EAST PHYLLOXERA EXCLUSION ZONE**

The area of land bounded by a line commencing at the intersection of the boundaries of the parishes of Dueran East, Toombullup and Whitfield South, then in a northerly direction along the western boundary of the parish of Whitfield South to the intersection of the boundaries of the parishes of Whitfield South, Toombullup and Toombullup North, then in a westerly, then northerly, then easterly direction along the southern, western and northern boundaries of the parish of Toombullup North to the intersection of the boundaries of the parishes of Toombullup North, Rothersey and Tatong, then in a generally northerly direction along the western boundaries of the parish of Tatong, Lurg, Winton, Mokoan, Boweya, Boomahnoomoonah and Bundalong to the intersection of the western boundary of the parish of Bundalong and the Murray River, then in a generally easterly direction along the Murray River to the intersection of the Murray River and the eastern boundary of the parish of Wodonga, then in a generally southerly direction along the eastern boundaries of the parishes of Wodonga, Baranduda, Yackandandah and Bruarong to the intersection of the boundaries of the parishes of Bruarong, Kergunyah and Dederang, then in a straight line in a southerly direction to the intersection of Lambert Lane and Mt Jack Track, then in a southerly direction along Mt Jack Track to the intersection of Mt Jack Track and Running Creek Road, then in a westerly direction along Running Creek Road to the intersection of Running Creek Road and Kancoona Gap Track, then in a southerly direction along Kancoona Gap Track to the intersection of Kancoona Gap Track and Link Road, then in a westerly direction along Link Road to the intersection of Link Road and Barker Road, then in a generally southerly direction along Barker Road to the intersection of Barker Road and Rolland Road, then in a straight line in a south easterly direction to the intersection of Kancoona South Road and Havilah Road, then in a south easterly direction along Havilah Road to the intersection of Havilah Road and Mt Porepunkah Road, then in a southerly direction along Mt Porepunkah Road to the intersection of Mt Porepunkah Road and Smart Creek–Tawonga Gap Track, then in a south easterly direction along Smart Creek–Tawonga Gap Track to the intersection of Smart Creek–Tawonga Gap Track and Tawonga Gap Track, then in a southerly direction along Tawonga Gap Track to the intersection of Tawonga Gap Track and Big Flat Track, then in a south easterly direction along Big Flat Track to the intersection of Big Flat Track and Dungey Track, then in a straight line in a southerly direction to the intersection of Razorback Walking Track and Razorback Track, then in a south westerly direction along Razorback Track to the intersection of Razorback Track and Bungalow Spur Walking Track, then in a straight line in a south westerly direction to the intersection of Cobbler Lake Track and Cobbler Lake Track and Abbeyards Road, then in a straight line in a north westerly direction to the intersection of the boundaries of the parishes of Matong North, Dandongadale and Winteriga, then in a generally westerly direction along the southern boundary of the parish of Winteriga to the intersection of the boundaries of the parishes of Winteriga, Matong North and Wabonga, then in a southern, then westerly direction along the eastern, then southern boundary of the parish of Wabonga to the intersection of the parishes of Wabonga, Whitfield South and Cambatong, then in a southerly direction along the western boundary of the parish of Cambatong to the intersection of the boundaries of the parishes of Cambatong, Dueran East and Merrijig, then in a westerly direction along the northern boundary of the parish of Merrijig to the intersection of the boundaries of the parishes of Merrijig, Dueran East and Gonzaga, then in a southerly, then westerly direction along

the eastern then southern boundaries of the parish of Gonzaga to the intersection of the southern boundary of the parish of Gonzaga and Glenroy Road, then in a south westerly direction along Glenroy Road to the intersection of Glenroy Road and Mt Buller Road, then in a westerly direction along Mt Buller Road to the intersection of Mt Buller Road and Scullys Lane, then in a northerly direction along Scullys Lane to the intersection of Scullys Lane and Graves Road, then in a westerly direction along Graves Road to the intersection of Graves Road and Old Tolmie Road, then in a straight line in a north westerly direction to the intersection of Saligari Road and Barwite Road, then in a westerly direction along Barwite Road to the intersection of Barwite Road and Mansfield–Whitfield Road, then in a northerly, then north easterly direction along Mansfield–Whitfield Road to the intersection of the Mansfield–Whitfield Road and the southern boundary of the parish of Toombullup, then in an easterly direction along the southern boundary of the parish of Toombullup to the point of commencement.

#### **SCHEDULE 2 – NAGAMBIE PHYLLOXERA INFESTED ZONE**

The area of land bounded by a line commencing at the intersection of the boundaries of the parishes of Wirrate, Whroo and Bailieston, then in an easterly direction along the northern boundary of the parish of Bailieston to the intersection of the parishes of Bailieston, Murchison and Noorilim, then in an easterly, then north easterly direction along the northern boundary of the parish of Noorilim to the intersection of the boundary of the parish of Noorilim and Day Road, then in westerly direction along Day Road to the intersection of Day Road and Murchison–Goulburn Weir Road, then in a northerly direction along Murchison–Goulburn Weir Road to the intersection of Murchison–Goulburn Weir Road and Buffalo Swamp Road, then in a westerly direction along Buffalo Swamp Road to the intersection of Buffalo Swamp Road and Willow Road, then in a northerly direction along Willow Road to the intersection of Willow Road and Bendigo–Murchison Road, then in a south easterly direction along Bendigo–Murchison Road to the intersection of Bendigo–Murchison Road and Stewart Road, then in a northerly direction along Stewart Road to the intersection of Stewart Road and Chinamans Hill Road, then in an easterly direction along Chinamans Hill Road to the intersection of Chinamans Hill Road and Hammond Road, then in a north easterly direction along Hammond Road to the intersection of Hammond Road and McMillan Road, then in an easterly direction along McMillan Road to the intersection of McMillan Road and Murchison–Tatura Road, then in a southerly direction along Murchison–Tatura Road to the intersection of Murchison–Tatura Road and River Road, then in a north easterly direction along River Road to the intersection of River Road and Freestone Road, then in a straight line in a south easterly direction to the intersection of Cassidys Road and Duggans Road, then in a southerly direction along Duggans Road, which becomes Dargalong Road, to the intersection of Dargalong Road and the Goulburn Valley Freeway, then in a south westerly direction along the Goulburn Valley Freeway to the intersection of the Goulburn Valley Freeway and the northern boundary of the parish of Wahring, then in an easterly direction along the northern boundary of the parish of Wahring to the intersection of the boundary of the parishes of Wahring, Dargalong and Bunganail, then in a southerly direction along the eastern boundary of the parish of Wahring to the intersection of the boundaries of the parishes of Wahring, Bunganail, Monea North and Wormangal, then in a southerly then westerly direction along the eastern and southern boundaries of the parish of Wormangal to the intersection of the boundaries of the parishes of Wormangal, Avenel and Tabilk, then in a westerly direction along the southern boundary of the parish of Tabilk to the intersection of the boundary of the parish of Tabilk and the Tocumwal Railway Line, then in a southerly direction along the Tocumwal Railway Line to the intersection of the Tocumwal Railway Line and Aerodrome Road, then in a generally easterly direction along Aerodrome Road to the intersection of Aerodrome Road and Hughes Street, then in a south easterly direction along Hughes Street to the intersection of Hughes Street and Henry Street, then in a westerly direction along Henry Street to the intersection of Henry Street and Lambing Gully Road, then in a southerly direction along Lambing Gully Road to the intersection of Lambing Gully Road and the Hume Freeway, then in a south westerly direction along the Hume Freeway to the intersection of the Hume Freeway and the northern boundary of the Department of Defence Munitions Depot, then in a westerly direction

along the northern boundary of the Department of Defence Munitions Depot to the intersection of northern boundary of the Department of Defence Munitions Depot and Seymour–Avenel Road, then in a southerly direction along Seymour–Avenel Road to the intersection of Seymour–Avenel Road and O’Connors Road, then in a westerly direction along O’Connors Road to the intersection of O’Connors Road and the Tocumwal Railway Line, then in a north westerly direction along the Tocumwal Railway Line to the intersection of the Tocumwal Railway Line and the southern boundary of the parish of Avenel, then in a westerly direction along the southern boundary of the parish of Avenel to the intersection of the boundaries of the parishes of Avenel, Mangalore and Northwood, then in a generally southerly, then westerly, then northerly direction along the eastern, southern and western boundaries of the parish of Northwood to the intersection of the boundaries of the parishes of Northwood, Puckapunyal and Mitchell, then in a generally northerly direction along the western boundary of the parish of Mitchell to the intersection of the parishes of Mitchell, Wirrate and Bailieston, then in a northerly direction along the western boundary of the parish of Bailieston to the point of commencement.

### **SCHEDULE 3 – UPTON PHYLLOXERA INFESTED ZONE**

The area commencing at grid reference 610200 (Longwood North topographic map, 7924-2-N, 2008), then in a straight line in a westerly direction to grid reference 570200, then in a straight line in a southerly direction to grid reference 570180, then in a straight line in a westerly direction to grid reference 520180, then in a straight line in a southerly direction to grid reference 520110 (Longwood South topographic map, 7924-2-S, 2008), then in a straight line in a south easterly direction to grid reference 530090, then in a straight line in a southerly direction to grid reference 530080, then in a straight line in an easterly direction to grid reference 610080, then in a northerly direction to the point of commencement.

### **SCHEDULE 4 – MOOROOPNA PHYLLOXERA INFESTED ZONE**

The area of land bounded by a line commencing at the point where the northern boundary of the Parish of Mooroopna joins with the western boundary of that parish; then easterly along the northern boundary of that parish to the junction with the Goulburn River, then generally southerly along the western bank of the Goulburn River to the junction of the Goulburn River with the southern boundary of the Parish of Toolamba, then westerly along the southern boundary of that parish to the western boundary of that parish; then northerly along the western boundary of that parish and the western boundary of the Parish of Mooroopna to the point of commencement.

### **SCHEDULE 5 – MAROONDAH PHYLLOXERA INFESTED ZONE**

The area of land bounded by a line commencing at the intersection of the Warburton Highway and the Maroondah Highway, then in a south westerly direction along the Maroondah Highway to the intersection of the Maroondah Highway and Plymouth Road, then in a westerly direction along Plymouth Road, which becomes Warranwood Road, to the intersection of Warranwood Road and Wonga Road, then in a north westerly direction along Wonga Road to the intersection of Wonga Road and Croydon Road, then in a north westerly direction along Croydon Road to the intersection of Croydon Road and Ringwood–Warrandyte Road, then in a northerly direction along Ringwood–Warrandyte Road to the intersection of Ringwood–Warrandyte Road and Brumbys Road, then in a north easterly direction along Brumbys Road to the point of termination, then in a straight line in an easterly direction to the intersection of Yarra Road and Holloway Road, then in an easterly direction along Holloway Road to the intersection of Holloway Road and Brushy Park Road, then in a northerly direction along Brushy Park Road to the intersection of Brushy Park Road and Black Springs Road, then in an easterly direction along Black Springs Road to the intersection of Black Springs Road and Stanley Street, then in a northerly direction along Stanley Street to the point of termination, then in a straight line in an easterly direction to the intersection of Edward Street and Switchback Road, then in an easterly direction along Switchback Road to the intersection of Switchback Road and Victoria Road, then in a northerly direction along Victoria Road to the intersection of Victoria Road and MacIntyre Road, then in a straight line in a westerly direction to the intersection of Wendy Way and Skyline Road, then in a northerly direction along Skyline Road

to the intersection of Skyline Road and the western boundary of the Yarra Ranges Shire, then in a northerly direction along the boundary of the Yarra Ranges Shire to the intersection of the boundary of the Yarra Ranges Shire and Old Kinglake Road, then in an easterly direction along Old Kinglake Road to the intersection of Old Kinglake Road and Steels Creek Road, then in a northerly direction along Steels Creek Road to the intersection of Steels Creek Road and Hunts Lane, then in an easterly direction along Hunts Lane to the intersection of Hunts Lane and Melba Highway, then in a southerly direction along Melba Highway to the intersection of the Melba Highway and Old Toolangi Road, then in an easterly direction along Old Toolangi Road to the intersection of Old Toolangi Road and Beachs Lane, then in an easterly direction along Beachs Lane, which becomes Loop Track to the intersection of Loop Track and Pauls Creek Road, then in a straight line in a south easterly direction to the intersection of Rowson Road and Ainsworth Avenue, then in a straight line in a southerly direction to the intersection of Healesville–Yarra Glen Road and Donavans Road, then in an easterly direction along Healesville–Yarra Glen Road to the intersection of Healesville–Yarra Glen Road and Healesville–Kinglake Road, then in a south easterly direction along Healesville–Kinglake Road to the intersection of Healesville–Kinglake Road and the Maroondah Highway, then in an easterly direction along the Maroondah Highway to the intersection of the Maroondah Highway and Don Road, then in a south easterly direction along Don Road to the intersection of Don Road and Mt Riddell Road, then in a south westerly direction along Mt Riddell Road to the intersection of Mt Riddell Road and Airlie Road, then in a westerly direction along Airlie Road to the intersection of Airlie Road and Maroondah Highway, then in a south westerly direction along the Maroondah Highway to the intersection of the Maroondah Highway and Healesville–Koo wee rup Road, then in southerly direction along the Healesville–Koo wee rup Road to grid reference 700221 (Juliet South topographic map, 8022-4-S), then in a straight line in a south westerly direction to the Yarra River (grid reference 694217), then in a north westerly direction along the Yarra River to the intersection of the Yarra River and Woori Yallock Creek, then in a straight line in a southerly direction to the intersection of Yarraloch Way and Killara Road, then in a southerly direction along Killara Road to the intersection of Killara Road and the Warburton Rail Trail, then in a westerly direction along the Warburton Rail Trail to the intersection of the Warburton Rail Trail and the Warburton Highway, then in a north-westerly direction along Warburton Highway to the point of commencement.

#### **SCHEDULE 6 – WHITEBRIDGE PHYLLOXERA INFESTED ZONE**

The area of land bounded by a line commencing at the intersection of Three Chain Road and Bolgers Lane, then in a southerly direction along Bolgers Lane to the intersection of Bolgers Lane and Rochford Road, then in an easterly direction along Rochford Road to the intersection of Rochford Road and Monument Creek Road, then in a southerly direction along Monument Creek Road to the intersection of Monument Creek Road and Ochiltrees Road, then in an easterly direction along Ochiltrees Road to the intersection of Ochiltrees Road and Lukes Road, then in a northerly direction along Lukes Road to the intersection of Lukes Road and Boundary Road, then in an easterly direction along Boundary Road to the intersection of Boundary Road and Parks Road, then in a northerly direction along Parks Road to the intersection of Parks Road and McMasters Lane, then in a north easterly direction along McMasters Lane to the intersection of McMasters Lane and Three Chain Road, then in a generally westerly direction along Three Chain Road to the point of commencement.

#### **Note:**

Section 20(1) of the Act provides an offence for a person who causes or permits the movement of any plant, plant product, used package, used equipment or earth material into or from a control area or within a control area or within a specified part of a control area contrary to any prohibition or restriction in an order declaring an area to be a control area if the person knows or may reasonably be expected to know that the place has been declared to be a control area, unless the person is authorised to do so under a permit issued by the Secretary. The maximum penalty for this offence is 60 penalty units in the case of an individual and 300 penalty units in the case of a body corporate.



Under section 20(2) of the Act, it is an offence for a person to transport, move or take any plant, plant product, used package, used equipment or earth material into or out of a control area, past a sign posted on or within sight of a public highway passing in or out of a control area contrary to a prohibition in an order if the sign indicates that the movement of those items into or out of the control area is prohibited. A penalty of 10 penalty units applies.

Section 20(3) of the Act provides that a person who contravenes any prohibition or restriction in an order declaring a place to be a control area, where that person is not liable for the offence in section 20(1) of the Act, is guilty of an offence and is liable to a penalty not exceeding 10 penalty units in the case of an individual and 60 penalty units in the case of a body corporate, unless the person is authorised to do so under a permit issued by the Secretary and complies with the conditions of that permit.

Dated 12 April 2016

Responsible Minister:  
HON JAALA PULFORD MP  
Minister for Agriculture

ANDREW ROBINSON  
Clerk of the Executive Council

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**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 Rule was first obtainable from SAI Global Bookshop, 85 Buckhurst Street, South Melbourne, on the date specified:

18. *Statutory Rule:* Local Government  
(General)  
Amendment  
Regulations 2016

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