

# Victoria Government Gazette

By Authority of Victorian Government Printer

# No. G 17 Thursday 28 April 2016

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#### **Advertisers Please Note**

As from 28 April 2016

The last Special Gazette was No. 116 dated 26 April 2016.

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

## How To Submit Copy

- See our webpage www.gazette.vic.gov.au
- or contact our office on 8523 4601 between 8.30 am and 5.30 pm Monday to Friday

# PRIVATE ADVERTISEMENTS

#### NOTICE OF DISSOLUTION OF PARTNERSHIP

Notice is hereby given in accordance with section 41 of the **Partnership Act 1958** (Act) that the partnership trading under the name of Mt William Winery (ABN 86 615 912 245) between the D. & A. Cousins Partnership, the trustee for the N. S. Smith Family Trust and Joan Smith, is dissolved pursuant to section 36(c) of the Act, with effect from 30 April 2016.

THOMSON GEER, lawyers,

Level 39, Rialto South Tower,

525 Collins Street, Melbourne, Victoria 3000.

#### DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership between Dat Ly and Thi Diem Thuy Tran, and carrying on activity under the name of Rainbow Café has been dissolved with effect on 29 February 2016.

SETTLE EASY LAW, solicitors, 620 Whitehorse Road, Mitcham, Victoria 3132.

Re: VICTOR SABALIAUSKAS (also known as Vikotras Salaliauskas) late of 6 Aruma Court, Bundoora, retired ward nurse, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 November 2015, are required by the trustee, Viktoras Antanas Sabaliauskas, 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 he has notice.

A. B. NATOLI PTY, solicitors, Suite 3, Level 1, 85–87 Charles Street, Kew, Victoria 3101.

Re: EDITH MARGUERITE MARIE CLAY, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 October 2015, are required by the trustees, Godfrey Paul Clay and Gregory Charles Clay, to send particulars to them, care of the undersigned solicitors, by 28 June 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

AITKEN PARTNERS PTY LTD, solicitors, Level 28, 140 William Street, Melbourne 3000.

#### Re: PAMELA JOAN WILLIAMS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 February 2016, are required by the trustees, Victoria Louise Lucas and Rowena Margaret Adelaide Rudge, to send particulars to them, care of the undersigned solicitors, by 28 June 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

AITKEN PARTNERS PTY LTD, solicitors, Level 28, 140 William Street, Melbourne 3000.

Re: PETER MATTHEWS, also known as Peter Douglas Matthews, Peter Douglas Noble and Peter Douglas Noble-Matthews, late of 12 Holloway Close, Sunbury, Victoria 3429, carpenter, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 29 November 2015, are required by the trustees, Anthony Dean Ralph and Geoffrey Andrew Ralph, care of PO Box 60, Gisborne, Victoria 3437, to send particulars of their claims to them, by 27 June 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice. Probate was granted in Victoria on 31 March 2016.

JOANNA PAPPAS, also known as Joana Pappas and Joanne Pappas, late of 186 George Street, Doncaster, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 January 2016, are required by the executor, Christos Pappas, in the Will called Chris Pappas, also known as Christopher Pappas, care of Arthur J. Dines & Co., solicitors, 2 Enterprise Drive, Bundoora, in the said State, to send particulars to him by 27 June 2016, after which date the executor may convey or distribute the assets, having regard only to the claims to which he has notice.

Dated 28 April 2016

ARTHUR J. DINES & CO., solicitors, 2 Enterprise Drive, Bundoora 3083.

JEAN MARY CHAMPION, late of 59 Diane Crescent, Croydon, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 3 June 2015, are required by the executors, Kerry Dawson and Ian Denis Champion, to send particulars thereof to them, care of the undermentioned solicitors, within two months from 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.

SALLY REES, late of 4 Elizabeth Street, Coburg, in the State of Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 1 April 2016, are required to send particulars thereof to the executor, care of the undermentioned solicitors, by 30 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.

BECKWITH CLEVERDON REES, solicitors, 294 Collins Street, Melbourne 3000.

JOHN CHARLES WILLIAM SEARIES, late of 142 Fellows Road, Point Lonsdale, in the State of Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 10 November 2015, are required to send particulars thereof to the executor, care of the undermentioned solicitors, by 30 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.

BECKWITH CLEVERDON REES, solicitors, 294 Collins Street, Melbourne 3000.

Re: HERMANN LISSAUER (also known as Hermann Mark Lissauer) deceased.

Creditors, next-of-kin and others having claims in respect of the estate of HERMANN LISSAUER (also known as Hermann Mark Lissauer) late of Arcare Aged Care, 141 Kooyong Road, Caulfield North, Victoria, who died on 28 February 2016 are to send particulars of their claims to the personal representative/s, care of the undermentioned solicitors, by 29 June 2016, after which date the personal representative/s may convey or distribute the assets having regard only to the claims of which they then have notice.

BRUCE M. COOK & ASSOCIATES, solicitors, Level 4, 114 William Street, Melbourne 3000.

ROBERT RAYMOND LEWINS, late of 72 Lakesfield Drive, Lysterfield, Victoria 3156, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the will/estate of the abovenamed deceased, who died on 13 November 2015, are required by the executor, personal representative and trustee Ian David Bennetts, care of 765D Hawthorn Road, Brighton East, Victoria 3187, to send particulars of their claims to him by 29 June 2016, after which date the executor, personal representative and trustee may convey or distribute the assets and distribute the estate, having regard only to the claims of which he then has notice. Probate was granted in Victoria on 8 February 2016.

Dated 19 April 2016

CITY PACIFIC LAWYERS, 765D Hawthorn Road, Brighton East, Victoria 3187 Ph: (03) 9592 3356 Fax: (03) 9592 3357 EAM:RP:150137 Contact Elizabeth Anne Michael. Re: MARGARET EDOWYNE FOUNTAYNE ENGLAND, late of Sir Eric Pearce House, 273 Church Street, Richmond, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 February 2015, are required by the trustees, David Blaise Fountayne England and Caroline Margaret Fountayne Daniell, to send particulars to the trustees, care of PO Box 290, East Melbourne, Victoria 8002, by 28 June 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

Re: PETER FRANCIS LUMLEY, late of 7 Mair Street, Brighton, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 20 November 2013, are required to send particulars of their claim to the executors, care of the undermentioned solicitors, by 3 July 2016, after which date the executors will convey or distribute the assets, having regard only to the claims of which the executor then has notice.

DAVIS LAWYERS,

Level 15, 200 Queen Street, Melbourne 3000.

#### Re: ROBIN ALDERMAN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of ROBIN ALDERMAN, late of Mercy Place Nursing Home, 2 Clark Street, Abbotsford, Victoria and formerly of 2A Council Street, Clifton Hill, Victoria and previously of 244 Holden Street, North Fitzroy, Victoria, deceased, who died on 21 December 2015, are required by the executor to send particulars of their claim to him, care of the undermentioned solicitors, by 14 October 2016, after which date the said executor will distribute the assets of the deceased having regard only to the claims of which he then shall have notice.

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

#### Re: Estate of ROY ALFRED BORCHARD.

Creditors, next-of-kin or others having claims in respect of the estate of ROY ALFRED BORCHARD, late of 140 Stradbroke Avenue, Swan Hill, in the State of Victoria, retired, deceased, who died on 31 July 2013, 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.

Re: ALINA DANUTA CADE, late of 25 Fortuna Avenue, Balwyn North, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 January 2016, are required by the executors, Equity Trustees Limited, to send particulars of such claims to them at the undermentioned address by 29 June 2016, after which date they may convey or distribute the assets, having regard only to the claims of which they then have notice.

EQUITY TRUSTEES LIMITED, Level 2, 575 Bourke Street, Melbourne, Victoria 3000.

NANCY BERYL EQUID, late of 2 Cook Avenue, Rosebud, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 November 2015, are required by the deceased's personal representatives, Rodney John Equid and David William Equid, care of their solicitors at the address below, to send particulars to them by 30 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.

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

Re: SUZANNE JOCELYN CECIL, late of 10 Cole Court, Toorak.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 January 2016, are required by the trustees of the said estate of SUZANNE JOCELYN CECIL, care of Level 9, 224–236 Queen Street, Melbourne, to send particulars

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to them by 30 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.

GRINDAL & PATRICK LAWYERS, Level 9, 224–236 Queen Street, Melbourne 3000.

MAURICE HOARE, late of 3 Bretonneux Street, Seymour, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 September 2015, are required by Timothy Francis Patrick Hoare, the administrator of the Will of the deceased, to send particulars of their claims to him, care of the undermentioned solicitor, by 30 June 2016, after which date he will convey or distribute the assets, having regard only to the claims of which he then has notice.

KIRBY & CO.,

Level 4, 488 Bourke Street, Melbourne 3000.

Re: GORDON JOSEPH MILNE, late of 7 Merchiston Grove, Strathmore, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 February 2016, are required by the trustees, Alexander Hugh Milne, Jennifer Mary Eldridge and David Gordon Milne, all care of Level 11, 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee, care of the undermentioned solicitors, by 30 June 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

McKEAN PARK, lawyers,

Level 11, 575 Bourke Street, Melbourne, Victoria 3000.

MERLE IRENE DIPNALL, late of Brimlea Aged Care, 21 Railway Parade, Murrumbeena in the State of Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 29 March 2015, are required by Edward Mathew Fairlie Dipnall and Gillian Anne Walker, the executors and trustees of the estate of the said named deceased, to send particulars of their claims to them, care of McNab, McNab & Starke, Level 10, 552 Lonsdale Street, Melbourne 3000, by 18 July 2016, after which date they may convey or distribute the assets of the estate, having regard only to the claims of which they then have notice.

ROBERT FAIRLIE DIPNALL, late of 11 Paget Street, Hughesdale, in the State of Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 14 May 2015, are required by Edward Mathew Fairlie Dipnall and Gillian Anne Walker, the executors and trustees of the estate of the said named deceased, to send particulars of their claims to them, care of McNab, McNab & Starke, Level 10, 552 Lonsdale Street, Melbourne 3000, by 18 July 2016, after which date they may convey or distribute the assets of the estate, having regard only to the claims of which they then have notice.

Re: Estate of JOHANNES DE HAAN, late of 2/51 Greenhill Road, Bayswater, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 December 2015, are required by the trustees to send particulars to the trustees, care of the undermentioned solicitors, by 28 July 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

MAHONS with Yuncken & Yuncken, solicitors, 177 Surrey Road, Blackburn 3130. SM:CH2160227

MARJORIE BERYL TIVENDALE, formerly of 'Oakdene', 10B, 516 Toorak Road, Toorak, Victoria, but late of 18 Montclaire Avenue, Brighton, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 31 December 2015, are required by the executor, Wendy Robin Bowen, to send particulars to the executor, care of Marsh & Maher of Level 2, 100 Wellington Parade, East Melbourne, by 30 June 2016, after which date the executor intends to convey or distribute the assets of the estate, having regard only to the claims of which the executor may have notice.

MARSH & MAHER, solicitors, Level 2, 100 Wellington Parade, East Melbourne 3002. Re: NORMA ADELAIDE GULBIS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 January 2016, are required by the trustee, Liza May Binder, care of the address below, to send particulars to the trustee by 28 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.

O'HALLORAN DAVIS, solicitors, 12–14 Kirk Street, Moe 3825.

Re: DAWN ISABELLE JOHNSTON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 February 2016, are required by the trustee, Michael John Surowka, care of the below address, to send particulars to the trustee by 28 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.

O'HALLORAN DAVIS, solicitors, 12–14 Kirk Street, Moe 3825.

NOEL STANLEY ROBINSON, late of Nazareth House, 16 Cornell Street, Camberwell, Victoria, retired cabinet maker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 14 November 2015, are required by the executor, Michael Robinson, of 36 Lyall Road, Berwick, Victoria, retired, to send particulars to him (care of the undersigned) by 28 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.

Creditors, next-of-kin or others having claims in respect of the estate of RAYMOND KEITH WINDSOR (commonly known as Ray Windsor) and also known as Ray Keith Windsor, deceased, late of 65 Gordons Road, South Morang, Victoria who died on 31 December 2015, are to send particulars of their claims to the executor, care of the undermentioned solicitors, by 28 June 2016, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice. RIGBY COOKE.

Level 11, 360 Elizabeth Street, Melbourne, Victoria 3000.

Re: COLIN LESLIE MONDS, late of 10 Austin Avenue, McCrae, Victoria, electrician, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 September 2015, are required by the trustees, Sandhurst Trustees Limited, ACN 004 030 737, and Lois Jean Monds, care of Sandhurst Trustees, 18 View Street, Bendigo, Victoria, to send particulars to the trustees by 28 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.

SANDHURST TRUSTEES LIMITED, 18 View Street, Bendigo 3550.

TROJANO DARVENIZA, late of Shepparton Aged Care, Pine Road, Shepparton, deceased.

Creditors, next-of-kin and others having claims in respect of the will of the abovenamed deceased, who died on 23 May 2015, are required by the executors, Leo Gerard Darveniza and Monica Enid Mary Darveniza, care of 145 High Street, Nagambie, Victoria 3608, to send particulars of their claims to them by 29 July 2016, after which date the executors may convey and distribute the estate, having regard only to the claims of which they have notice. Probate was granted in Victoria on 15 April 2016.

Dated 18 April 2016 TBA LAW, 145 High Street, Nagambie, Victoria 3608, PO Box 35, Nagambie, Victoria 3608. Ph: (03) 5794 2334 Fax: (03) 5794 2998 JRB:16030 Contact Jacqueline Rayner Brauman. Re: DOUGLAS GEORGE DOWE, late of 16 Holskamp Street, Mount Waverley, Victoria 3149, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 November 2015, are required by the executors, John Douglas Dowe and Wendy Anne Dowe, to send particulars to them, care of the undermentioned solicitors, by 1 July 2016, after which date the executors may convey and distribute the assets having regard only to the claims of which they then have notice.

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

Re: ALVA MARY GREENWOOD, late of 11 Ivor Street, Wonthaggi, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 October 2015, are required by the deceased's executor and trustee, Doreen Harriet Sagy, to send particulars of such claims to her, in care of the undermentioned laywer, by 7 July 2016, after which date the said legal personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

WILLIAM E. RYAN, lawyer, 5B Church Street, Leongatha 3953.

Re: The estate of ERICA MARGARET STRONG, late of 19 Balcombe Park Lane, Beaumaris, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 October 2015, are required by the executors, Stuart Mark Strong, Alistair David Strong and Nigel Robert Strong, to send particulars to them, care of the undersigned solicitors, by a date not later than two (2) months from the date of publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

WILLIS SIMMONDS LAWYERS,

legal practitioners,

6/1 North Concourse, Beaumaris 3193.

#### ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 2 June 2016 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Zdravko Gievski of 64 Conrad Street, St Albans, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 11256 Folio 949, upon which is erected a house under construction and known as 16 Vintage Way, Caroline Springs, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AH912636K) affects the said estate and interest. The Sheriff is unable to provide access to this property.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract of sale. Payment is by cheque only.

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice. vic.gov.au, for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

#### ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 2 June 2016 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Paul Anthony Rintel of 7 Pinanga Place, Little Mountain, Queensland, sole proprietor of an estate in fee simple in Crown Allotment 115, Section B, Parish of Dimboola, being the whole of the land described on Certificate of Title Volume 9011 Folio 730, upon which is vacant land and known as Lochiel Street, Dimboola, will be auctioned by the Sheriff.

The Sheriff is unable to provide access to this property.

This property is subject to GST.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract of sale. Payment is by cheque only.

Refer RACV Vic Roads Country Directory Edition Page 546 F10. The property can be located from Australia Post Dimboola, travel north-west on Lloyd Street (Dimboola–Rainbow Road) for approximately 350 metres, turn left

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into Lochiel Street and travel for approximately 200 metres, veering to the right and continuing on for approximately 350 metres, turn right and follow this road for approximately 250 metres, taking in a left turn. The property is situated to the left hand side of the road.

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice. vic.gov.au, for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

#### ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 16 June 2016 at 1.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Donna Coghlan of 17 Woodbury Street, Strathdale, as shown on Certificate of Title as Donna Maree Coghlan, joint proprietor with Bryan John Coghlan of an estate in fee simple in the land described on Certificate of Title Volume 8725 Folio 840, upon which is erected a house and known as 17 Woodbury Street, Strathdale, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AF282077V), Registered Caveat (Dealing Number AL860169R) and Registered Caveat (Dealing Number AL929949H) affect the said estate and interest. The Sheriff is unable to provide access to this property.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract of sale. Payment is by cheque only.

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice. vic.gov.au, for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

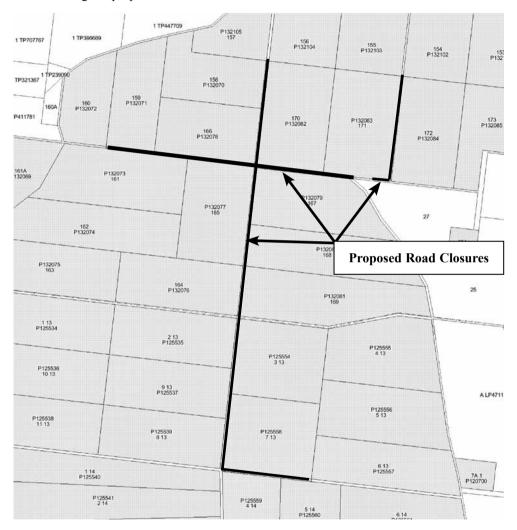
SHERIFF

#### GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES NOTICES

## BULOKE SHIRE COUNCIL

Road Closures

Notice is hereby given that Council is considering a request from the Department of Environment, Land, Water and Planning to close and plan to license these roads to adjoining perpetual leases. Map below is showing the proposed Lake Buloke roads.



Any objections must be lodged in writing to the Chief Executive Officer (PO Box 1, Wycheproof, Victoria 3527) by close of business 1 June 2016. Queries should be directed to Naga Sundararajah, Senior Assets Engineer on 1300 520 520.

JOHN HICKS Chief Executive Officer



# MANSFIELD SHIRE NOTICE OF ADOPTION BY COUNCIL

# Community Local Law No. 2

#### Meetings Procedures and Common Seal Local Law 2016

Notice is given pursuant to section 119 2A(3) of the Local Government Act 1989 that Mansfield Shire Council resolved to adopt and make Local Law No. 2 – Meetings Procedures and Common Seal Local Law 2016 at its 19 April 2016 meeting.

A copy of the Community Local Law No. 2, and Guidelines for Representations to Council Meetings made under Clause 19.1 of the Local Law, can be inspected at the municipal office at 33 Highett Street, Mansfield. Alternatively, you can view a copy online at www.mansfield.vic.gov.au

#### PART 1 – PRELIMINARY

Part 1 of the Local Law No. 2 outlines the objectives of the Local Law, which are to:

- a) provide for the orderly conduct of Council meetings, Special Committee meetings and other meetings conducted by, or on behalf of, the Council where Council has resolved that the provisions of the Local Law are to apply;
- b) provide procedures for efficient, fair and open decision making;
- c) promote and encourage community participation in the system of local government by providing mechanisms for the Council to ascertain the community's views and expectations;
- d) regulate and govern the:
  - (i) election of the Mayor, the Deputy Mayor and the Chair of any Special Committee;
  - (ii) administration of the Council's powers and functions;
  - (iii) use of the Common Seal; and
- e) provide generally for the peace, order and good government of the municipal district.

#### PART 2 - ELECTION OF MAYOR, DEPUTY MAYOR AND OTHER CHAIRS

Outlines the processes involved in the election of the Mayor, Deputy Mayor and other Chairs of meetings conducted by or on behalf of the Council.

#### PART 3 – MEETINGS

Outlines the Chair's duties and responsibilities for Ordinary meetings, Special meetings or other meetings conducted by or on behalf of the Council. It includes provisions around the achievement of a quorum at meetings and leave of absence requirements.

## PART 4 – BUSINESS – DESCRIPTION AND PROCEDURES

Provides for the business to be conducted at an Ordinary meeting or Special Committee meeting. The Order of Business includes items such as:

- Confirmation of the Minutes of a Meeting;
- Reports from Councillors;
- Representations (including submissions from the public and the receipt of joint letters/petitions);
- Public Question Time; and
- Speaking Times for members of the public.

Provisions around the application of the Local Law to meetings of Special Committees are also included.

#### PART 5 – MINUTES

Outlines the responsibilities by the Chief Executive Officer for arranging the taking and keeping of minutes, including the matters to be recorded.

## PART 6 - VOTING AT MEETINGS

Outlines how voting on motions is to be conducted, which must be by hand, and details how and when a Division may be called.

# PART 7 – ADDRESSING THE MEETING

Outlines how participants in meetings are to conduct themselves, including how to address the Chair and those present at the meeting. Provisions around the Chair addressing abusive, defamatory or insulting or other such inappropriate behaviour are also included. The ability to suspend Standing Orders is also included to allow a free flowing discussion at appropriate times during a meeting.

## **PART 8 – OTHER MEETING PROCEDURES**

Outlines procedures for other matters and issues that may arise during an Ordinary meeting or Special Committee meeting, including:

- Adjournment and Resumption of Meetings;
- Motions and Amendments to Motions;
- Speaking Times for Councillors and Rights of Reply;
- · Points of Order;
- Notices of Motion;
- Notice of Amendment or Rescission;
- Dealing with Urgent Business; and
- other duties of the Chair.

#### PART 9 - THE COUNCIL'S COMMON SEAL

Outlines the purpose of the Common Seal, the requirement that it must only be used upon resolution by Council and the Chief Executive Officer's responsibility to safeguarded the Seal at all times.

#### PART 10 - OFFENCES AND PENALITIES

Outlines the offences and penalties for those not adhering to the direction of the Chair, signing a fraudulent petition/joint letter and for using the Common Seal without authority.

#### **SCHEDULES**

- Schedule 1 outlines the responsibilities of the Chief Executive Officer for Council and Special Committee Meetings, including fixing meeting dates and timelines for the circulation of agendas and minutes.
- Schedule 2 provides a standard form for the lodgement of a Rescission Motion by a Councillor(s).

## Schedule 1: Responsibilities of the Chief Executive Officer

The responsibilities of the Chief Executive Officer under this Local Law are to ensure that:

- 1. The dates, time and place for all Ordinary Council meetings are fixed by the Council from time to time.
- 2. Notice of the date, time and place of Council Meetings and Special Committee meetings is given to the community by way of a public notice and Council's website at least seven (7) days before the meeting, unless an urgent Special meeting is required whereby a minimum forty eight (48) hours' notice must be given.
- 3. Notice to Councillors is given at least seven (7) days before the meeting, unless an urgent Special meeting is required whereby a minimum forty eight (48) hours' notice must be given.
- 4. The notice for any meeting states:
  - a) the date, time and place of the meeting; and
  - b) the business to be dealt with at the meeting.
- 5. The notice of meeting and the meeting agenda is sent by electronic means, or as otherwise specified by a Councillor.
- 6. The agenda for all meetings is prepared and given to all Councillors at least four (4) clear business days before a Meeting, except in the case of an emergency when a reasonable attempt must be made to provide Councillors within this timeframe.
- 7. The minutes of all Meetings are taken and that a copy is given to the Councillors at least two (2) clear business days prior to the Meeting at which those minutes are to be confirmed.
- 8. Notices of motion received at least five (5) clear business days prior to a Meeting are included on the agenda for that Meeting.
- 9. A register of notices of motion is kept.
- 10. Support the Mayor in the discharge of his or her duties under this Local Law, in accordance with Section 94A (db) of the Act.

Schedule 2: Rescission Motions

Schedule 2 RESCISSION MOTIONS						
The following form must be used for the lodgement of a notice of intention to move that a resolution passed by Council be rescinded or amended.						
It is the intention of Councillor to move at the Ordinary/Special Meeting of Council to be held on / /20 :						
That the motion of Council passed on / /20 , namely:						
be rescinded or amended.						
Subject to this motion being carried, in its place Cr proposes to move the following motion:						
Councillor Councillor						
OFFICE USE ONLY This notice was received by me at am/pm on / /20						
Relevant Manager/Officer notified of receipt of rescission/amendment motion atam/pm on / /20						
Chief Executive Officer						



LOCAL LAW NO. 12

Meetings Procedure and Use of Common Seal

Notice is given that the Maroondah City Council, at its meeting held on 18 April 2016, made Local Law No. 12 Meetings Procedure and Use of Common Seal pursuant to the provisions of the Local Government Act 1989.

The purposes and general purport is of the Local Law is to regulate:

- the proceedings of Ordinary and Special Meetings of Maroondah City Council, such including procedures for motions and debate, quorums for meetings and the recording of minutes;
- 2. the manner in which the Mayor and Acting Chairman are to be elected;
- 3. the procedures for the use of the Common Seal of Council; and
- 4. the proceedings of special committees.

Local Law No 12 will become operative from 1 October 2016 and Local Laws No. 7 & No. 9 are to be revoked on 30 September 2016.

A copy of the Local Law may be inspected at the City Offices, Braeside Avenue, Ringwood, during normal office hours and is available on Council's website.

> STEPHEN KOZLOWSKI Chief Executive Officer

# Planning and Environment Act 1987

BOROONDARA PLANNING SCHEME

Notice of the Preparation of an Amendment

#### Amendment C239

The Boroondara City Council has prepared Amendment C239 to the Boroondara Planning Scheme.

The land affected by the Amendment is 800 Toorak Road, Hawthorn East.

The Amendment proposes to amend the Concept Plan – 800 Toorak Road Comprehensive Development Plan August 2005. The Amendment will allow for one additional floor level on Module 4, on the western side of the office complex, by varying the maximum allowable height for Module 4 from RL55.3 to RL61.00. The new floor will be built on the disused rooftop garden. It will provide conference and staff training rooms for Coles. You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, City of Boroondara Planning Counter, First Floor, 8 Inglesby Road, Camberwell, Victoria 3124; and at the Department of Environment, Land, Water and Planning website, 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 30 May 2016. Submissions should be lodged online at http://www.boroondara.vic.gov.au/C239

Submissions can also be sent via email to strategic.planning@boroondara.vic.gov.au or mail to Amendment C239, Strategic Planning Department, Boroondara City Council, Private Bag 1, Camberwell 3124.

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.

> PHIL STORER Chief Executive Officer Boroondara City Council

#### Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

Notice of the Preparation of an Amendment

#### Amendment C212

#### Authorisation No. A03294

The Greater Bendigo City Council has prepared Amendment C212 to the Greater Bendigo Planning Scheme. The Amendment affects various properties throughout the municipality of the City of Greater Bendigo.

The Amendment proposes to change various provisions of the Greater Bendigo Planning Scheme to correct mapping anomalies, delete redundant controls and correct text errors. The Amendment also proposes to rezone one council-owned site located at 15–17 Balmoral Drive, Golden Square, from Public Park and Recreation Zone to General Residential Zone, which Council has resolved to sell.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, City of Greater Bendigo, Planning Department, Hopetoun Mill, 15 Hopetoun Street, Bendigo, Victoria 3550 and at the Heathcote Service Centre, 125 High Street, Heathcote; or at the Department of Environment, Land, Water and Planning website, 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 30 May 2016. A submission must be sent to the City of Greater Bendigo, Planning Department, PO Box 733, Bendigo, Victoria 3555.

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.

> CRAIG NIEMANN Chief Executive Officer

#### Planning and Environment Act 1987

FRANKSTON PLANNING SCHEME

Notice of the Preparation of an Amendment

#### Amendment C100

The Frankston City Council has prepared Amendment C100 to the Frankston Planning Scheme.

The Amendment affects all land within the municipality.

The Amendment proposes to introduce a revised Local Planning Policy Framework (LPPF) consisting of a Municipal Strategic Statement (MSS) and Local Planning Policies (LPPs).

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: 8.20 am to 5.00 pm at the Frankston Civic Centre, 30 Davey Street, Frankston; and at the Department of Environment, Land, Water and Planning website, 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 3 June 2016.

A submission must be sent to: Strategic Planning Department, Frankston City Council, PO Box 490, Frankston, Victoria 3199.

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.

> MICHAEL PAPAGEORGIOU Planning and Environment Manager

#### **Planning and Environment Act 1987**

MELBOURNE PLANNING SCHEME

# Notice of the Preparation of an Amendment Amendment C270

The Minister for Planning has prepared Amendment C270 to the Melbourne Planning Scheme.

The land affected by the Amendment is land within the Hoddle Grid and Southbank (the Central City). The Amendment proposes to introduce permanent built form provisions relating to:

- street wall height;
- street, side and rear building setbacks (including setback requirement for buildings within the same site);
- overshadowing and wind; and
- floor area ratio (floor area of a building compared to its site area) and uplift provisions.

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: at the Department of Environment, Land, Water and Planning website, www.delwp. vic.gov.au/central-city; during office hours (by appointment only), at the office of the Department of Environment, Land, Water and Planning, Level 15, 1 Spring Street, Melbourne; and during office hours, at the office of the City of Melbourne, Level 3, 240 Little Collins Street, Melbourne.

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, including online, 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 is seeking.

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

The closing date for submissions is 30 May 2016.

Submissions can be sent via the online form at: www.delwp.vic.gov.au/central-city

Alternatively, a hard copy submission can be sent to: the Minister for Planning, care of the Department of Environment, Land, Water and Planning, Submission to Melbourne C270, GPO Box 500, Melbourne, Victoria 8002.

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.

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

#### Planning and Environment Act 1987 MELTON PLANNING SCHEME

Notice of the Preparation of an Amendment

#### Amendment C162

The Growth Areas Authority (now known as the Metropolitan Planning Authority or MPA) has prepared Amendment C162 to the Melton Planning Scheme.

The Amendment applies to land bounded by the Western Freeway to the north, Hopkins Road to the east, Middle Road to the south and the Outer Metropolitan Ring (OMR) road reservation to the west.

The Amendment proposes to implement the 'Mt Atkinson & Tarneit Plains Precinct Structure Plan' (PSP). The Mt Atkinson and Tarneit Plains Precinct will include residential development to accommodate an expected population of more than 18,500 residents, and create over 18,000 jobs in a variety of sectors.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report, free of charge, at the following locations: during office hours, at the office of the planning authority, Metropolitan Planning Authority, Level 25, 35 Collins Street, Melbourne, or at any time on the MPA website, http://www.mpa.vic.gov.au/planningactivities/greenfields-planning/planningscheme-amendments/; during office hours, at the office of Melton City Council, 232 High Street, Melton, 3337; and at any time at the Department of Environment, Land, Water and Planning website, www.delwp.vic.gov.au/ public-inspection A public drop-in information session will be held on Wednesday 11 May 2016 between 4.30 pm to 8.00 pm at Caroline Springs Civic Centre Library, 193–201 Caroline Springs Boulevard, Caroline Springs.

Any person may make a submission to the planning authority about the Amendment in writing to Metropolitan Planning Authority, Level 25, 35 Collins Street, Melbourne, Victoria 3000, or via email to amendments@mpa.vic. gov.au. The closing date for submissions is Monday 30 May 2016.

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

For more information visit www.mpa.vic. gov.au or call Ben Hawkins, Senior Structure Planner or Nicholas Power, Senior Urban Planner on (03) 9651 9600.

> PETER SEAMER Chief Executive Officer



Planning and Environment Act 1987 MITCHELL PLANNING SCHEME

Notice of the Preparation of an Amendment

#### Amendment C112

Mitchell Shire Council has prepared Amendment C112 to the Mitchell Planning Scheme.

The land affected by the Amendment is 300 Northern Highway, Wallan (Lot 1 TP950066F).

The Amendment proposes to apply the Public Acquisition Overlay (PAO11) to the land at 300 Northern Highway, Wallan, to reserve the land for the purposes of public open space.

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, at the following places: Mitchell Shire Council Offices, 4A and 4B (Level 1), 61 High Street, Wallan; Wallan Customer and Library Service Centre, Wellington Square, 12/81 High Street, Wallan; and at the Department of Environment, Land, Water and Planning website, 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 Friday 27 May 2016. A submission must be sent to Mitchell Shire Council, Submission to Amendment C112, at 113 High Street, Broadford, Victoria 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.

> SUZANE BECKER Manager Strategic Planning

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 28 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.

- HAROLD, Geoffrey, late of 400 Waanyarra Road, Waanyarra, Victoria 3551, deceased, who died on 21 January 2016.
- HULSKAMP, Johan Petrus, late of Unit 1, 10–12 Bertram Street, Elsternwick, Victoria 3185, academic, deceased who died on 29 January 2016, Grant of Probate dated 12 April 2016.
- ROWLANDS, William Henry, late of 49 Shiers Street, Alphington, Victoria 3078, retired, deceased, who died on 20 October 2015, Grant of Probate dated 13 April 2016.
- SUBASA, Katrina, late of 5 Queen Street, Lalor, Victoria 3075, deceased, who died on 8 February 2016.

WILLIS, John Charles Ernest, late of Eventide Homes, 111 Patrick Street, Stawell, Victoria 3380, deceased, who died on 26 April 2015.

Dated 19 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 30 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.

BOOTH, Frank Lindsay, late of Wintringham Hostel, 79 Swallow Street, Port Melbourne, Victoria 3207, deceased, who died on 27 December 2015.

BOTTCHER, Eunice, late of Willowbrooke Aged Care Home, 9A Willow Road, Upper Ferntree Gully, Victoria 3156, deceased, who died on 26 December 2015.

DOOLEY, Veronica Mary, late of Loganville Hostel, 205 Bignell Road, Bentleigh East, Victoria 3165, deceased, who died on 24 January 2016.

HIGGINS, Phyllis Joy, late of Peninsula Grange, 2 Booker Avenue, Mornington, Victoria 3931, deceased who died on 26 February 2016.

INGLIS, Susan Elizabeth, late of Opal Gracedale, 205 Warrandyte Road, Ringwood North, Victoria 3134, deceased, who died on 27 January 2016.

Dated 21 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 5 July 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.

- BLYTHE, Margaret Helen, late of Baptcare Strathalan Community, 2–34 Erskine Road, Macleod, Victoria 3085, retired, deceased, who died on 11 June 2015.
- BROWN, Colin, late of Flat 36, 9 Pampas Street, North Melbourne, Victoria 3051, deceased, who died on 17 February 2016.
- MORRIS, Kevin Michael, late of Amity At Edithvale, 256–260 Station Street, Edithvale, Victoria 3196, pensioner, deceased, who died on 10 November 2015.

Dated 26 April 2016

STEWART MacLEOD Manager

# Cemeteries and Crematoria Act 2003

# SECTION 41(1)

Notice of Approval of Cemetery Trust Fees and Charges

I, Bryan Crampton, as Delegate of the Secretary to the Department of Health and Human Services for the purposes of section 40(2) of the Cemeteries and Crematoria Act 2003, give notice that I have approved the scales of fees and charges fixed by the following cemetery trust.

The approved scales of fees and charges will take effect from the date of publication of this notice in the Victoria Government Gazette and will be published on the internet.

The fees will be published on the internet at http://www.health.vic.gov.au/cemeteries

Nhill Cemetery Trust

Orbost Cemetery Trust

Dated 21 April 2016

BRYAN CRAMPTON Manager Cemeteries and Crematoria Regulation Unit

#### Cemeteries and Crematoria Act 2003 SECTION 41(1)

# Notice of Approval of Cemetery Trust

Fees and Charges

I, Bryan Crampton, as Delegate of the Secretary to the Department of Health and Human Services for the purposes of section 40(2) of the **Cemeteries and Crematoria Act** 2003, give notice that I have approved the scales of fees and charges fixed by the following cemetery trust.

The approved scales of fees and charges will take effect from the date of publication of this notice in the Victoria Government Gazette and will be published on the internet.

The fees will be published on the internet at http://www.health.vic.gov.au/cemeteries

Boolarra Cemetery Trust

Glenmaggie Cemetery Trust

Dated 19 April 2016

BRYAN CRAMPTON Manager Cemeteries and Crematoria Regulation Unit

#### **Coastal Management Act 1995**

NOTICE OF APPROVAL OF MANAGEMENT PLAN

Coastal Management Plan for Kingston

The Coastal Management Plan for the Kingston foreshore has been approved by the Minister for Environment, Climate Change and Water, pursuant to section 32 of the **Coastal Management Act 1995**.

The management plan takes effect on the date this notice is published in the Victoria Government Gazette.

The management plan provides for the management of the coastal Crown land between Charman Road, Mentone in the north, and Osprey Lane, Carrum in the south.

A copy of the management plan is available on request, free of charge, by contacting 136 186 during office hours or on the departmental website, www.delwp.vic.gov.au

> VICTORIA PURDUE Program Manager, Regional Planning and Approvals Port Phillip Region Department of Environment, Land, Water, and Planning

#### Forests Act 1958

#### REVOCATION OF DETERMINATION OF FIREWOOD COLLECTION AREA

I, Daniel McLaughlin, District Manager, Northern Rivers District, 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. S29, page 1, 25 February 2016.

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

Dated 21 April 2016

DANIEL MCLAUGHLIN District Manager, Northern Rivers District Parks Victoria as delegate of the Secretary to the Department of Environment, Land, Water and Planning

# **Geographic Place Names Act 1998**

# NOTICE OF REGISTRATION OF GEOGRAPHIC NAMES

The Registrar of Geographic Names hereby gives notice of the registration of the undermentioned place names.

Road Naming:

Change Request Number	Road Name	Locality	Naming Authority and Location
81119	Thaw Lane	Kensington	Melbourne City Council The road traverses north from Wight Street.
89576	Produce Drive	Epping	Whittlesea City Council (Private Road – located at the Melbourne Wholesale Fruit, Vegetable and Flower Market). The road traverses south from Cooper Street.
89576	Sunraysia Road	Epping	Whittlesea City Council (Private Road – located at the Melbourne Wholesale Fruit, Vegetable and Flower Market). The road traverses south from Cooper Street.
89576	Badalya Road	Epping	Whittlesea City Council (Private Road – located at the Melbourne Wholesale Fruit, Vegetable and Flower Market). The road traverses west from Produce Drive.
89576	Haymarket Road	Epping	Whittlesea City Council (Private Road – located at the Melbourne Wholesale Fruit, Vegetable and Flower Market). The road traverses east from Badalya Road.
89893	Buchan Lane	East Melbourne	Melbourne City Council The road traverses south from Albert Street.
90625	Mackinnon Place	East Melbourne	Melbourne City Council The road traverses east from Simpson Street.
92092	Lambton Arms Road	Burrumbeet	Ballarat City Council The road traverses east from Station Street.
92153	Pumpkin Lane	St Kilda	Port Phillip City Council The road traverses south from Blessington Street and is a continuation of the existing Pumpkin Street.
92185	Brook Crescent	Portsea	Mornington Peninsula Shire Council (Private Road) The road traverses south from Relph Avenue.

Office of Geographic Names Land Victoria 570 Bourke Street Melbourne 3000

#### **Interpretation of Legislation Act 1984**

Plumbing Amendment Regulations 2016 S.R. No. 31/2016 NOTICE OF INCORPORATION OF MATERIAL AND

#### ADDRESS FOR INSPECTION OF DOCUMENTS

In accordance with section 32 of the **Interpretation of Legislation Act 1984**, I give notice that the Plumbing Amendment Regulations 2016 apply, adopt or incorporate matter from the documents set out in the table below.

Provision in subordinate instrument	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 5	AS/NZS 3500.1 Plumbing and drainage Part 1: Water services, published jointly by Standards Australia and Standards New Zealand on 15 December 2003, reissued incorporating Amendment No. 1 November 2005 and Amendment No. 2 December 2010.	The whole
Regulation 8(1)	AS 2118.2–2010 Automatic fire sprinkler systems Part 2: Drencher Systems, published by Standards Australia on 20 August 2010.	The whole
Regulation 8(2)	AS 2118.3–2010 Automatic fire sprinkler systems Part 3: Deluge Systems, published by Standards Australia on 20 August 2010.	The whole
Regulation 8(3)	AS 1851–2012 Routine service of fire protection systems and equipment, published by Standards Australia on 3 December 2012.	The whole
Regulation 10	AS/NZS 4859.1 Materials for the thermal insulation of buildings Part 1: General criteria and technical provisions, published jointly by Standards Australia and Standards New Zealand on 15 October 2002.	The whole

#### Table of applied, adopted or incorporated matter

A copy of the material applied, adopted or incorporated by this subordinate instrument has been lodged with the Clerk of the Parliaments. A copy of all matter so applied, adopted or incorporated into the Plumbing Amendment Regulations 2016 is available for inspection by the public, free of charge, during normal business hours at 8 Nicholson Street, Melbourne 3000, telephone 136 186.

RICHARD WYNNE MP Minister for Planning

#### Marine Safety Act 2010

#### SECTION 208(2)

#### Notice of Boating Activity Exclusion Zone

I, Mandy-Finn Taylor, Acting District Manager, Port Phillip Western Port, Melbourne Region, as delegate of Parks Victoria the waterway manager for the Local Port of Port Phillip and the waters of Western Port Bay, hereby give notice under section 208(2) of the **Marine Safety Act 2010** that persons and vessels not associated with the respective 2016 Life Saving Victoria Carnivals are prohibited from entering and remaining in the waters marked on land by signs and flags and extending approximately 400 metres off shore adjacent to the Life Saving Clubs detailed in Table 1.

The exclusion zones have effect for the dates, times, locations and events specified in Table 1 below.

Date	Event Name	Location*	Back up*	Start Time	End Time
1 May 2016	LSV IRB Carnival	Dromana LSC	Point Leo LSC	7.00 am	4.00 pm
7 May 2016**	LSV IRB Carnival	Dromana LSC	Point Leo LSC	7.00 am	4.00 pm
26 June 2016	LSV IRB Carnival	Point Leo LSC	Dromana LSC	7.00 am	4.00 pm

#### Table 1: 2016 Life Saving Victoria IRB Carnival

\*Exclusion zones will be located immediately adjacent to the Life Saving Clubs and will be clearly marked on shore and in the water by flags and buoys.

\*\*Denotes alternative date.

# PARKS VICTORIA

#### **Owner Drivers and Forestry Contractors Act 2005**

#### FORESTRY INDUSTRY COUNCIL - RATES AND COSTS SCHEDULE 2015

Haulage and Harvesting - Plantation Sector

This Rates and Costs Schedule (Schedule) is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005**. Under the Act, hirers must give this Schedule to all harvesting contractors at least three business days before the contractor is engaged for a period of at least 30 days; or on the thirtieth day if the contractor is engaged for a total period of at least 30 days in any three month period.

# This Schedule applies to haulage and harvesting contractors who are harvesting forest products' in plantation forests.

This Schedule is a general guide only. This schedule does not set minimum rates that must be paid, but sets out a costing model based on typical overheads to assist contractors and their hirers to better understand the operating costs of a harvesting and haulage business. Contractors can use the Schedule as a guide to plan their own unique cost structures.

Schedules are usually revised annually, and hirers must provide harvesting contractors with any revised Schedule as soon as practicable after it is published.

#### HOW TO USE THIS SCHEDULE

**Example:** A contractor wants to tender for a forestry contract in the plantation sector, using two medium rubber tyred harvesters and one medium forwarder.

- The contractor refers to **Table 1** and selects the machinery s/he wants to utilise.
- The rates chosen should reflect the market rate payable for the product and the needs of the hirer.
- The contractor then multiplies the hourly rate for each piece of machinery by the hours of intended use.
- Having used **Table 1** to select the relevant machinery, it is possible to calculate the daily income required as follows:

Two harvesters @ \$280 per hour x eight engine hours per day (2 x \$280 x 8)	\$4,480.00
One forwarder @ \$198 per hour x ten engine hours per day	\$1,980.00

#### Daily income

#### \$6,460.00

- The contract will indicate the tonnage expected to be harvested and loaded, which can then be converted into daily or weekly output.
- Say the volume is 250 tonnes per day.
- \$6,460.00 divided by 250 = \$25.84 per tonne to cut and load onto the truck or landing.
- Go to **Table 2** to apportion your fixed and variable costs.
- Costs should be around 87 per cent of income, depending on how the contract is negotiated.

However, contractors are strongly advised to seek professional accounting advice relevant to their own situation and discuss all issues with their hirer to ensure there is no misunderstanding concerning payment structures.

The indicative rates represented in **Table 1** of this schedule have been developed using prices and rates current as at 1 July 2015. The rates are supported by costing assumptions for harvesting (**Table 2**) and haulage (**Table 3**).

<sup>&</sup>lt;sup>1</sup> Harvesting contractor and forest products are defined in the **Owner Drivers and Forestry Contractors Act 2005**.

**Table 1** sets out machine wet hire<sup>2</sup> hourly rates for harvesting, forwarding, loading and haulage equipment that may be drawn on to establish particular harvesting systems. The rates are inclusive of all on-costs including labour, overheads, return on capital, management and supervision.

In establishing a rate for a task, it should be borne in mind that production costs are impacted by a number of variables including:

- Volume per hectare
- Tree size, volume and form
- The number of products to be cut and moved to roadside
- Slope of the terrain
- Distance from landing to the centre of the coupe
- Planting regimes
- Harvesting patterns (third row, fifth row thinnings)
- Harvesting programs (clearfall or thinnings)
- Truck tare weights and log lengths
- Access and environmental issues
- Product segregation

• Markets

Any of these variables or a combination of them will have an impact on costs. Great care should be taken in using the indicative figures set out in the Schedule, as the overhead cost structure of individual businesses may vary significantly.

For rates inclusive of the costs listed above and an explanation of the methodology used, please refer to the native forest rates and cost schedules. These schedules are helpful for developing rates that are priced per volume or weight.

# Table 1: Forestry Industry Council – Plantation Harvesting Cost Schedules – Charge out rates (July 2015)

Harvest	Harris of Israel	A 44 - 14 - 44 - 2		Machinery cost per engine hour (wet hire)			
Phase	Phase Harvest Input Attributes		ributes	Equipment (New)	Average	Equipment (Mid-Life)	
Felling	Tracked Feller Buncher	Saw Head	150–225 kW	\$232	\$209	\$186	
Extraction	Tracked Skidder (Dozer)	Winch	91–120 kW	\$167	\$155	\$143	
Extraction	Tracked Grapple Skidder	Dozer	121–150 kW	\$204	\$187	\$167	
Extraction	Tracked Grapple Skidder	Purpose Built	175–225 kW	\$232	\$215	\$197	
Extraction	Skidder	Winch	110–130 kW	\$155	\$144	\$132	
Extraction	Skidder	Grapple	131–180 kW	\$204	\$174	\$143	
Extraction	Shovel	Escavator	121–150 kW	\$153	\$174	\$160	
Extraction	Shovel	Purpose Built	151–225 kW	\$269	\$241	\$209	
Extraction	Forwarder	Small	12–14 t	\$186	\$174	\$160	
Extraction	Forwarder	Medium	15–18 t	\$215	\$198	\$180	

<sup>&</sup>lt;sup>2</sup> 'Wet hire' represent rates per hour for the supply of machinery, labour (including on-costs), management and supervision, overheads such as business support and workshop, and are inclusive of a return on the capital and recompense for the effort for undertaking a business.

# 852 G 17 28 April 2016

Harvest Phase		Attributes		Machinery cost per engine hour (wet hire)			
	Harvest Input			Equipment (New)	Average	Equipment (Mid-Life)	
Extraction Cable		Tower	Tower > 300 kW		\$198	\$174	
Extraction	Cable	Swing	> 300 kW	\$329	\$298	\$269	
Extraction	Tailhold	Dozer	121–150 kW	\$54	\$48	\$43	
Processing	Harvester / Rubber Tyred	Small	120–175 kW	\$269	\$247	\$221	
Processing	Harvester / Rubber Tyred	Medium	176–225 kW	\$312	\$280	\$251	
Processing	Harvester / Tracked Base	Small	20 Equivalent	\$197	\$180	\$160	
Processing	Harvester / Tracked Base	Medium	22 Equivalent	\$263	\$247	\$228	
Processing	Harvester / Tracked Base	Medium	24 Equivalent	\$282	\$258	\$232	
Processing	Harvester / Tracked Base	Large	26 Equivalent	\$286	\$269	\$251	
Load-out	Excavator	Loader	19–22 t	\$143	\$132	\$120	
Load-out	Excavator	Loader	28–34 t	\$167	\$155	\$143	
Load-out	Rubber Tyred Loader	Loader	91–125 kW	\$155	\$144	\$132	
Load-out	Rubber Tyred Loader	Loader	126–170 kW	\$174	\$161	\$150	
Support	Support Machine	Dozer	91–120 kW	\$142	\$122	\$104	
Short-Haul	Truck	Twin Steer	Tri	\$144	\$138	\$132	
Long-Haul	Truck	B-Double	Tri	\$167	\$137	\$107	

# Table 2: Harvest Schedule Indexation Mechanism

Cost component	Fixed or Variable	F	
Fuels and Oils	Variable	Shell Terminal Gate Price (Melbourne) less GST Input Tax Credit less Off Road Use Rebate – Average price at 1 July	Ground-based: 14.0% Cable: 10.5%
Labour	Variable	Timber Industry Award 2010 – Level 5 employee Workers compensation, Victorian levy rate code A0303K (%) gazetted industry rate Legislated rate for superannuation contributions by employer	Ground-based: 28.0% Cable: 35.0%

Cost component	Fixed or Variable	i issumptions i i opoi tion			
Parts, Tyres, Repairs and Maintenance	Variable	ABS Producer Price Indexes Stage 1, Commodities (Domestic and Imports) Catalogue 6427	Ground-based: Cable:	11.9% 10.5%	
Finance and Insurance	Variable	ABS Consumer Price Index, Insurance (Miscellaneous) Catalogue 6401	Ground-based: Cable:	11.9% 10.5%	
Administration and Overheads	Variable	ABS Consumer Price Index, all groups, and all capital cities	Ground-based: Cable:	4.2% 3.5%	
Capital component – depreciation	Variable	Adjusted each year in line with other costs		30.0%	

Index component	Fixed or Variable	Assumptions/Source	Starting proportion
Fuels and Oils	Variable	Shell Terminal Gate Price (Melbourne) less GST Input Tax Credit less Off Road Use Rebate – Average price at 1 July	24.5%
Labour	Variable	Timber Industry Award 2010 – Level 5 employee Workers compensation, Victorian levy rate code A0303K (%) gazetted industry rate Legislated rate for superannuation contributions by employer	23.1%
Parts, Tyres, Repairs and Maintenance	Variable	ABS Producer Price Indexes Stage 1, Commodities (Domestic and Imports) Catalogue 6427	12.6%
Finance and Insurance	Variable	ABS Consumer Price Index, Insurance (Miscellaneous) Catalogue 6401	4.9%
Administration and Overheads	Variable	ABS Consumer Price Index, all groups, and all capital cities	4.9%
Capital component – Depreciation	Variable	Adjusted each year in line with other costs	30.0%

#### **Owner Drivers and Forestry Contractors Act 2005**

FORESTRY INDUSTRY COUNCIL - RATES AND COSTS SCHEDULE 2015

Haulage – Single Shift B Double – Native Forests

#### A. INTRODUCTION

This Rates and Costs Schedule (Schedule) is published under section 14 of the **Owner Drivers** and Forestry Contractors Act 2005. Under the Act, this Schedule must be given by hirers to any haulage contractor at least three business days before the contractor is engaged for a period of at least 30 days; or on the thirtieth day if the contractor is engaged for a total period of at least 30 days in any three month period.

This Schedule applies to haulage contractors transporting forest products<sup>1</sup> sourced from native forests using a prime mover and B Double trailers in a single shift (up to 12 hours per day) operation.<sup>2</sup>

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

Schedules are usually revised annually, and hirers must provide harvesting contractors with any revised Schedule as soon as practicable after it is published.

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

#### HOW TO USE THIS SCHEDULE

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

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

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

Subject	Assumptions			
Hours and kilometres	Haulage occurs 46 weeks, 9 days per fortnight, (207 days) per year, over one 12 hour shift per day (including loading and unloading times). Total hours worked per year: 2,484 (assumes 85,000 kilometres travelled per year).			
Vehicle	Based on a bogie drive prime mover and B Double trailers subject to a lease arrangement, over a 5 year lease term with a 30% residual, with a comparison interest rate of 6% per year.			
Terrain and road conditions	<ul> <li>The costs in this Schedule have been based on the typical vehicle life, maintenance costs, wear and tear and tyre consumption of a vehicle travelling:</li> <li>a higher proportion of travel in short haul (&lt;100 km) than in long haul (&gt;100 km); and</li> <li>on both sealed and unsealed roads.</li> </ul>			

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

<sup>&</sup>lt;sup>1</sup> 'Haulage Contractor' and 'Forest Products' are defined in the **Owner Drivers and Forestry Contractors Act 2005**.

<sup>&</sup>lt;sup>2</sup> Hirers are required to provide haulage contractors with the Schedule that most closely relates to the vehicle and type of operation.

Subject	Assumptions			
Wages	The Schedule assumes that the owner/manager is employed by the business.			
Fuel	Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST of \$1.18 per litre (average daily rate in June 2015). Assumes fuel consumption of 1.6 km per litre.			

# **B. OPERATING COSTS**

Note: All costs are exclusive of GST

Cost items Assumptions used in the example		Example: typical cost per year	Your costs: \$	Variations in this cost item		
1. • • •	Equip: Truck (bogie- Jinker Vehicle Total:	-drive) (tri-axle) e	Current capital value 309,000 220,000 60,000 \$589,520	\$95,735		<ul> <li>Assumes interest is charged at 6% per annum. Interest rates may vary over time.</li> <li>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.</li> <li>Assumes support vehicle is used exclusively for business use.</li> </ul>
<ul> <li>Finance</li> <li>Hire purchase and loan repayments for term of 5 years, interest of 6% p.a. and 30% residual value.</li> </ul>		\$75,155				
•			\$94,695		<ul> <li>Labour costs are based on market rates in the industry in 2014. Labour costs may vary in particular regions or with different industrial arrangements. Labour costs may increase or decrease over time.</li> <li>WorkCover premium is assumed at the industry rate of 4.7%. Contractors may be subject to a significantly higher premium based on their claims history.</li> <li>Assumes owner is employed by the business as driver/manager, at a salary of \$82,920 per year plus on-costs. The payment for the owner's labour will vary based on market factors – see the discussion in Section D.</li> </ul>	
Wa	age \$	Super \$	W/Cover \$	Total \$		
82	,920	7,877.40	3,897	94,9695		

Cost items Assumptions used in the example		Example: typical cost per year	Your costs: \$	Variations in this cost item
4. •	<b>Repairs and Maintenance</b> Assumes annual tyre cost of \$20,986.77, based on annual travel of 85,775 km per year. Assumes \$31,964.47 for scheduled servicing, repairs and maintenance.	\$52,951.24		<ul> <li>Contractors with older or less reliable vehicles may incur greater maintenance costs and may also have periods of no income during repairs.</li> <li>The operating costs of a particular vehicle will vary with the age and condition of that vehicle.</li> </ul>
5. •	OHS / Fatigue Management Maintenance of safety systems (\$744 per person per annum). Cost of personal protective equipment and clothing (\$558 per person per year).	\$1,303		• Changes to regulation or industry best practice may increase costs.
6. •	<b>Fuel and Lubricants</b> Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST, of \$1.18 per litre (average daily rate in June 2015). Based on consumption rate of 1.6 km/litre, assumes average annual consumption of 53,125 litres to travel 85,000 km (\$62,597). Lubricants at \$3,405/year.	\$66,002		<ul> <li>Rises and falls in the cost of fuel have an impact upon the costs of the business.</li> <li>Fuel consumption varies significantly depending on the vehicle's age and condition, the class/gradient of roads, and whether trips are short or long haul.</li> </ul>
(a) •	Insurance Comprehensive, public liability, third party Based on operator over the age of 25, has at least 5 years experience and no claims history. Public liability cover (up to \$10 million). Insurance – income protection	\$7,851.60 \$2,434.60		<ul> <li>Rates may be higher for interstate trucks.</li> <li>Vehicle insurance costs may vary depending upon the age of the vehicle insured, the provider, any excess payable and claims history.</li> <li>The cost of loss of business earnings insurance will vary significantly with the individual's age and health history, the amount of income insured and the period of benefits.</li> </ul>
8. •	Registration, permits and TAC fees Vehicle registration fee of \$13,446.72 and TAC charge of \$1,095.19 (net of GST). Assumes annual payment, garaged in low risk area.	\$14,541.91		<ul> <li>Additional licences may be payable for certain types of operations (eg interstate, oversize). Additional administration charges may apply to registration fees if they are paid in instalments.</li> <li>TAC charges will be higher if the vehicle is garaged in a medium or high risk area.</li> </ul>

Cost items Assumptions used in the example	Example: typical cost per year	Your costs: \$	Variations in this cost item
<ul> <li>9. Administration and sundries</li> <li>Five (5) hours per week paid administration (\$120 per week, \$6,332/year).</li> <li>Accountant is used for BAS, tax and company returns, audits (\$2,434.42).</li> <li>Phone charges (\$4,115.16).</li> <li>Bank charges (\$1,399.71).</li> <li>Home office expenses (\$852.75).</li> <li>Professional memberships, consultants and training (\$2,153.40).</li> <li>Sundry expenses (tools, etc) (\$608.34).</li> </ul>	\$17,894.79		<ul> <li>Accounting/bookkeeping fees may be lower if the business prepares its own BAS and accounts.</li> <li>Mobile phone charges will vary significantly depending on level of use and the service provider.</li> <li>Other costs: Accommodation and other costs should be allowed for where relevant.</li> <li>This example is based on a business that is already up and running, and does not take into account the costs of starting a business (eg registering a company, purchasing a computer).</li> </ul>
Total annual costs	\$353,408		
Cost per hour assuming 2,484 hours/year	\$142.27/hour		
Cost per km assuming 85,000 km/year	\$4.16/km		

# C. FACTORS INFLUENCING TOTAL OPERATING COSTS

The costs of operating a particular forestry haulage business are influenced by a number of factors:

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

#### D. PAYMENT FOR THE BUSINESS OWNER'S LABOUR

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

The Schedule assumes the owner/manager drives the vehicle for one 12 hour shift per day (including loading and unloading time) at a base wage of \$80,897 year (plus superannuation and WorkCover).

The wages that are typically paid to employee drivers are a useful guide to the market for the labour services of driving a vehicle.

Set out below are rates that would typically be paid for driving a vehicle if this work was performed by an employee rather than a contractor. These rates will vary over time, and should be used as a general guide only. Unions, industry associations, newspaper job advertisements and other haulage contractors are sources of advice about the going rates in your area.

In the general freight industry, employee drivers are generally paid a per hour rate, usually based on an industrial award or agreement. The base and casual hourly rates paid in the transport industry under the Road Transport and Distribution Award 2010 are set out in the table below. Typically, in Victoria, employers pay up to 20 per cent higher than the minimum award rate for an experienced driver.

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						
\$24.78	\$43.45					
Range of rates typically paid in Victoria <sup>4</sup>						
\$24.78 to \$29.73	\$25.86 to \$31.03	\$33.10 to \$39.72	\$43.45 to \$52.14			

#### Notes:

1. **Base hourly rate:** The base hourly rate is based on the rate in the Road Transport and Distribution Award 2010 for an employee driver at Transport Worker Grade 8 (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 or contacting your association or union.

- 2. **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.
- 3. **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.

4. **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.

#### E. RETURN ON THE CONTRACTOR'S INVESTMENT

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

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

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

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

#### Footnotes:

- 1 Haulage contractor and forest products are defined in the **Owner Drivers and Forestry Contractors Act 2005**.
- 2 Hirers are required to provide haulage contractors with the Schedule that most closely relates to the vehicle and type of operation.

#### **Owner Drivers and Forestry Contractors Act 2005**

FORESTRY INDUSTRY COUNCIL - RATES AND COSTS SCHEDULE 2015

Haulage – Single Shift Jinker – Native Forests

#### A. INTRODUCTION

This Rates and Costs Schedule (Schedule) is published under section 14 of the **Owner Drivers** and Forestry Contractors Act 2005. Under the Act, hirers must give this Schedule to any haulage contractor at least three business days before the contractor is engaged for a period of at least 30 days; or on the thirtieth day if the contractor is engaged for a total period of at least 30 days in any three month period.

This Schedule applies to haulage contractors transporting forest products<sup>1</sup> sourced from native forests using a prime mover and jinker in a single shift (up to 12 hours per day) operation.<sup>2</sup>

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

Schedules are usually revised annually, and hirers must provide harvesting contractors with any revised Schedule as soon as practicable after it is published.

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

#### HOW TO USE THIS SCHEDULE

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

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

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

Subject	Assumptions			
Hours and kilometres	Haulage occurs 46 weeks, 9 days per fortnight, (207 days) per year, over one 12 hour shift per day (including loading and unloading times).			
	Total hours worked per year: 2,484 (assumes 85,000 kilometres travelled per year).			
Vehicle	Based on a bogie drive prime mover and tri-axle jinker subject to a lease arrangement, over a five year lease term with a 30% residual, with a comparison interest rate of 6% per year.			
Terrain and road conditions	The costs in this Schedule have been based on the typical vehicle life, maintenance costs, wear and tear and type consumption of a vehicle travelling:			
	• a higher proportion of travel in short haul (<100 km) than in long haul (>100 km); and			
	• on both sealed and unsealed roads.			
Wages	The Schedule assumes that the owner/manager is employed by the business.			
Fuel	Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST of \$1.18 per litre (average daily rate for June 2015). Assumes fuel consumption of 1.8 km per litre.			

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

# **B. OPERATING COSTS**

Note: All costs are exclusive of GST

Cost items Assumptions used in the example		Example: typical cost per year	Your costs: \$	Variations in this cost item		
•	repayme interest	drive) tri-axle) e rchase and lo ents for term of 6% p.a. a	of 5 years,	\$74,468		<ul> <li>Assumes interest is charged at 6% per annum. Interest rates may vary over time.</li> <li>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.</li> <li>Assumes support vehicle is used exclusively for business use.</li> </ul>
<ul> <li>residual value.</li> <li>3. Labour</li> <li>Owner is employed by the business on a wage, all-inclusive of sick leave, annual leave, public holidays, penalty rates and long service leave.</li> <li>Superannuation (9.5%) and WorkCover premiums (industry average rate of 4.7%).</li> <li>Based on one 12 hour shift per day, 207 days per year (total 2,484 hours per year).</li> </ul>		\$107,811		<ul> <li>Labour costs are based on market rates in the industry in 2006. Labour costs may vary in particular regions or with different industrial arrangements. Labour costs may increase or decrease over time.</li> <li>WorkCover premium is assumed at the industry rate of 4.7%. Contractors may be subject to a significantly higher premium based on their claims history.</li> <li>Assumes owner is employed by the business as driver/manager, at a salary of \$94,405 per year plus on-costs. The payment for the owner's labour will vary based on market factors – see the discussion in Section D.</li> </ul>		
Wa	ige \$	Super \$	W/Cover \$	Total \$		
-	\$94,405 \$8,968 \$4,437		\$107,811			
<ul> <li>4. Repairs and Maintenance</li> <li>Assumes annual tyre cost of \$14,540, based on annual travel of 85,000 km per year.</li> <li>Assumes \$29,059 for scheduled servicing, repairs and maintenance.</li> </ul>		\$43,588		<ul> <li>Contractors with older or less reliable vehicles may incur greater maintenance costs and may also have periods of no income during repairs.</li> <li>The operating costs of a particular vehicle will vary with the age and condition of that vehicle.</li> </ul>		

Cost items Assumptions used in the example	Example: typical cost per year	Your costs: \$	Variations in this cost item
<ul> <li>5. OHS / Fatigue Management</li> <li>Maintenance of safety systems (\$745 per person per annum).</li> <li>Cost of personal protective equipment and clothing (\$558 per person per year).</li> </ul>	\$1,303		• Changes to regulation or industry best practice may increase costs.
<ul> <li>6. Fuel and Lubricants</li> <li>Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST, of \$1.18 per litre (average daily rate in June 2015).</li> <li>Based on consumption rate of 1.6km/litre, assumes average annual consumption of 53,125 litres to travel 85,000 km (\$62,597).</li> <li>Lubricants at \$3,405/year.</li> </ul>	\$66,002		<ul> <li>Rises and falls in the cost of fuel have an impact upon the costs of the business.</li> <li>Fuel consumption varies significantly depending on the vehicle's age and condition, the class/gradient of roads, and whether trips are short or long haul.</li> </ul>
<ul> <li>7. Insurance <ul> <li>(a) Comprehensive, public liability, third party</li> </ul> </li> <li>Based on operator over the age of 25, has at least 5 years experience and no claims history.</li> <li>Public liability cover (up to \$10 million).</li> <li>(b) Insurance – income protection</li> </ul>	\$7,851.60 \$2,434.60		<ul> <li>Rates may be higher for interstate trucks.</li> <li>Vehicle insurance costs may vary depending upon the age of the vehicle insured, the provider, any excess payable and claims history.</li> <li>The cost of loss of business earnings insurance will vary significantly with the individual's age and health history, the amount of income insured and the period of benefits.</li> </ul>
<ul> <li>8. Registration, permits and TAC fees</li> <li>Vehicle registration fee of \$6,740 and TAC charge of \$1,095 (net of GST).</li> <li>Assumes annual payment, garaged in low risk area.</li> </ul>	\$7,835		<ul> <li>Additional licences may be payable for certain types of operations (eg interstate, oversize). Additional administration charges may apply to registration fees if they are paid in instalments.</li> <li>TAC charges will be higher if the vehicle is garaged in a medium or high risk area.</li> </ul>

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Cost items Assumptions used in the example	Example: typical cost per year	Your costs: \$	Variations in this cost item
<ul> <li>9. Administration and sundries</li> <li>Five (5) hours per week paid administration (\$120 per week, \$6,332/year).</li> <li>Accountant is used for BAS, tax and company returns, audits (\$2,434.42).</li> <li>Phone charges (\$4,115.16).</li> <li>Bank charges (\$1,399.71).</li> <li>Home office expenses (\$852.75).</li> <li>Professional memberships, consultants and training (\$2,153.40).</li> <li>Sundry expenses (tools, etc) (\$608.34).</li> </ul>	\$17,894.79		<ul> <li>Accounting/bookkeeping fees may be lower if the business prepares its own BAS and accounts.</li> <li>Mobile phone charges will vary significantly depending on level of use and the service provider.</li> <li>Other costs: Accommodation and other costs should be allowed for where relevant.</li> <li>This example is based on a business that is already up and running, and does not take into account the costs of starting a business (eg registering a company, purchasing a computer).</li> </ul>
Total annual costs	\$329,188		
Cost per hour assuming 2,484 hours/year	\$132.52/hour		
Cost per km assuming 85,000 km/year	\$3.87/km		

# C. FACTORS INFLUENCING TOTAL OPERATING COSTS

The costs of operating a particular forestry haulage business are influenced by a number of factors:

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

# D. PAYMENT FOR THE BUSINESS OWNER'S LABOUR

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

The Schedule assumes the owner/manager drives the vehicle for one 12 hour shift per day (including loading and unloading time) at a base wage of \$94,405 year (plus superannuation and WorkCover).

The wages that are typically paid to employee drivers are a useful guide to the market for the labour services of driving a vehicle.

Set out below are rates that would typically be paid for driving a vehicle if this work was performed by an employee rather than a contractor. These rates will vary over time, and should be used as a general guide only. Unions, industry associations, newspaper job advertisements and other haulage contractors are sources of advice about the going rates in your area.

In the general freight industry, employee drivers are generally paid a per hour rate, usually based on an industrial award or agreement. The base and casual hourly rates paid in the transport industry under the Road Transport and Distribution Award 2010 are set out in the table below. Typically, in Victoria, employers pay up to 20% higher than the minimum award rate for an experienced driver.

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 ra	tes paid to employee driver	s per hour			
\$24.78	\$24.78 \$25.86 \$33.10 \$43.45				
Range of rates typically paid in Victoria <sup>4</sup>					
\$24.78 to \$29.73	\$25.86 to \$31.03	\$33.10 to \$39.72	\$43.45 to \$52.14		

Notes:

1. **Base hourly rate:** The base hourly rate is based on the rate in the Road Transport and Distribution Award 2010 for an employee driver at Transport Worker Grade 8 (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 or contacting your association or union.

- 2. **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.
- 3. **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.

4. **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.

# E. RETURN ON THE CONTRACTOR'S INVESTMENT

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

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

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

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

#### Footnotes:

- 1 Haulage contractor and forest products are defined in the **Owner Drivers and Forestry Contractors Act 2005**.
- 2 Hirers are required to provide haulage contractors with the Schedule that most closely relates to the vehicle and type of operation.

#### **Owner Drivers and Forestry Contractors Act 2005**

FORESTRY INDUSTRY COUNCIL - RATES AND COSTS SCHEDULE 2015

Harvesting – Native Forests

# A. INTRODUCTION

This Rates and Costs Schedule (Schedule) is published under section 14 of the **Owner Drivers and Forestry Contractors Act 2005**. Under the Act, hirers must give this Schedule to all harvesting contractors at least three business days before the contractor is engaged for a period of at least 30 days; or on the thirtieth day if the contractor is engaged for a total period of at least 30 days in any three month period.

This Schedule applies to harvesting contractors harvesting forest products<sup>1</sup> in native forests.

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

Schedules are usually revised annually, and hirers must provide harvesting contractors with any revised Schedule as soon as practicable after it is published.

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

#### How to use this Schedule

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

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

Because of these potential variations, great care should be taken in using the indicative figures set out in the Schedule, as the overhead cost structure of individual business may vary significantly. The Schedule is based on the following assumptions about the type of harvesting operation:

Subject	Assumptions
Equipment mix and contract term	A mechanical harvesting operation using a harvester, two excavators, skidder, vehicles, dozer, mixture of old and new equipment, subject to a five year finance contract.
Finance	Based on \$985,000 of the total \$1,588,902 of equipment costs being under finance, and assumes 5 years and 6% interest, \$0 residual.
Fuel	Based on retail diesel fuel cost (terminal gate price), net of tax rebates and net of GST of \$0.92 per litre (average daily rate for June 2015).
Hand falling	A mechanical harvester will generally require some hand falling in order to fully utilise a coupe. The example in this Schedule assumes that such hand falling is performed by an existing crew member.
Terrain and yield	<ul> <li>undulating terrain;</li> <li>a snigging distance up to 350 metres; and</li> <li>a yield of 400-800 m<sup>3</sup> of total product per hectare.</li> </ul>
Volume	35,000 m <sup>3</sup> is harvested annually under a five year contract.
Wages	Assumes owner manager is employed by the business as manager/logging team leader on a salary of \$107,968 per annum, four person crew, paid at \$77,282 per annum (plus on-costs).
Weeks per year	Harvesting can occur 46 weeks per year, and there is minimal time lost for wet weather, coupe shifts and protests.

TING COSTS	
<b>OPER</b> /	
m.	

Note: All costs are exclusive of GST

	Cost items		Example:	Your	Variations in this cost item
	Assumptions used in the example		typical cost per year	costs: S	
<b>.</b>	Equipment	S			• This figure is based on a mechanical harvesting operation
•	Harvester (new)	740,000			harvesting $35,000 \text{ m}^3$ per year, using a mixture of new and
٠	Excavator 1 (new)	310,000			oldet/second-hand equipment over a rive year contract. A smaller operation will require a different equipment mix
٠	Excavator 2 (3 years old)	134,726			• The one-rating costs of narricular equipment will vary with
٠	Skidder (2 years old)	224,543			the age and condition of the equipment.
•	Vehicles	112,271			• The equipment mix will be different for a hand falling
٠	Dozer (over 10 years old)	67,363			operation. The same crew will be required, but there will
٠	Total capital value	\$1,588,902			be no harvester.
•	Based on annual volume of 35,000 m <sup>3</sup> under a five year contract.				<ul> <li>Assumes support vehicle(s) used exclusively for business use.</li> </ul>
તં	Finance		\$228,541		• Assumes interest is charged at 6% per annum. Interest
•	Hire purchase and loan repayments for equipment listed in item 1 above.	ent listed in			<ul> <li>If a greater (or lesser) proportion of the capital investment</li> </ul>
•	Based on \$985,000 of the total equipment costs of \$1.589	of \$1.589			is borrowed, finance cost will be higher (or lower)
	million being intanced with the balance being the owners own funds invested, and assumes five year finance contract, 6% interest, \$0 residual.	ne owners nce contract,			- ferra and a
<i>ж</i>	Repairs and Maintenance		\$91,350		<ul> <li>Based on a mixture of new and older equipment.</li> </ul>
•	Includes costs of parts and labour based on trade qualified fitter.	e qualified			• Contractors with less reliable equipment may incur greater maintenance costs and may also experience delays or losses of production.
					Major repairs may be treated as a depreciation expense and written off over several years.
					<ul> <li>Assumes that basic machine oil and grease servicing carried out by crew.</li> </ul>

	4	Cost item Assumptions used in		s the example		Example: typical cost per year	Your costs: \$		Variations in this cost item
4.00	<b>Fuel and Lubricants</b> Based on consumption 3.5 litres per m <sup>3</sup> . Based on retail diesel tax rebates and net of rate in June 2015).	ubricants nsumption rt m <sup>3</sup> . tail diesel fi and net of G 2015).	of 122,50( lel cost (te iST of \$0.!	<b>Fuel and Lubricants</b> Based on consumption of 122,500 litres of fuel per year, 3.5 litres per m <sup>3</sup> . Based on retail diesel fuel cost (terminal gate price), net of tax rebates and net of GST of \$0.92 per litre (average daily rate in June 2015).	l per year, price), net of verage daily	\$112,324		• •	Rises and falls in the cost of fuel have an impact upon the costs of the business. Fuel consumption may vary significantly from 1.7 to 4.0 litres per m <sup>3</sup> depending upon the equipment used, terrain, yield slope, soil type and product (see below).
v. •	Floatwork Assumes m locations sin hours each,	Floatwork Assumes movement of four plocations six times per annun hours each, at \$170 per hour.	four piece annum at <i>i</i> hour.	Floatwork Assumes movement of four pieces of machinery between locations six times per annum at an average time of three hours each, at \$170 per hour.	ry between ae of three	\$12,240			This cost may be higher or lower depending upon the number of locations. Additional float costs may be incurred if there is a need for further movements (e.g weather, protest action).
• •	Labour Four person of Based on an of \$79,214 pp penalty rates. Crew workin 45 engine ho inc. lunch br on-costs of su 8.6% travel Manager/log, per year.	Labour Four person crew (owner manage Based on an annual base salary fi of \$79,214 per year, inclusive of penalty rates. Crew working a single shift, 2,00 45 engine hours per week = 60 hd inc. lunch breaks, working 235 dd on-costs of superannuation (9.5% 8.6%) travel costs (inc. fuel and c Manager/logging team leader (LT per year.	er manage e salary f $\hat{n}$ shusive of i shift, 2,000 ek = 60 ho ek = 60 ho fuel and o fuel and o leader (LT	Labour Four person crew (owner manager plus three workers). Based on an annual base salary for machine operator of \$79,214 per year, inclusive of all leave, holidays and penalty rates. Crew working a single shift, 2,000 engine hours per year, 45 engine hours per week = 60 hours on site per week inc. lunch breaks, working 235 days per year. In addition, on-costs of superannuation (9.5%) and Work Cover (at 8.6%) travel costs (inc. fuel and oil) are included. Manager/logging team leader (LTL) employed at \$110,667 per year.	orkers). erator days and is per year, er week in addition, over (at ed. at \$110,667	\$416,539			Labour costs are based on typical rates paid in the industry in 2014. Generally piece rates are paid of \$2 to \$2.50 per m <sup>3</sup> , or \$60–\$75,000 per year depending upon volume. Labour costs may vary in particular regions or with trial arrangements. Employee costs may increase or decrease over time depending on market factors (eg a labour shortage). Work Cover premium is assumed at the industry basic rate of $8.6\%$ . Contractors may be subject to a significantly higher premium depending on their claims history. Payment for the owner/manager's labour will vary significantly based on market factors – see section D below. Some crews employ an extra person, often in a training role to work on a landing manually preparing and grading logs, but not operating a machine.
		Wage \$	Super 9.5%	W/Cover 8.6%	Other on-costs \$				
Tot No.	Worker 1 Worker 2 Worker 3 LTL/manager Totals	79,214 79,214 79,214 110,667 348,309	7,525 7,525 7,525 10,513 33,089	6,812 6,812 6,812 6,812 9,517 29,955	1,296 1,296 1,299 1,299 5,186	\$416,539			

Cost items Assumptions used in the example	Example: typical cost per year	Your costs: \$	Variations in this cost item
<ul> <li>7. Insurance</li> <li>Comprehensive – vehicles and equipment value</li> </ul>	\$27,164		• This cost is based on the typical insurance policies in place for the equipment above.
<ul> <li>(\$1.589 million) (\$14,056).</li> <li>Loss of business earnings/loss of profits (\$9,115).</li> <li>Dublic lightling (for \$10 million) (\$2 000).</li> </ul>			<ul> <li>Insurance costs may vary depending upon the age of the vehicle or equipment insured, the provider, any excess payable and claims history.</li> </ul>
			• In the case of loss of business earnings insurance, the cost will vary with the individual's age and health history, the amount of income insured and the period of benefits.
8. Occupational Health and Safety	\$5,868		Changes to OHS regulations or improvement responses to
<ul> <li>Maintenance of safety systems and training.</li> </ul>			external OHS system audits may increase costs.
• Cost of personal protective equipment (\$609 per person).			
9. Administration	\$42,417		• Cost may vary depending on whether bookkeeping
Management of business records (eg employee records, invoices promote invoices banking) and other			is outsourced or undertaken by business and on the complexity of accounts.
myorces, payments, invorces, vanking) and outer management/administration tasks (\$37,560).			• This example is based on a business that is already up
• Use of accountant/bookkeeper to prepare Business Activity Statements, tax and company returns and audits (\$4,857).			and running, and does not take into account the costs of starting a business (eg registering a company).
10. Other overheads	\$38,276		Mobile phone charges will vary significantly depending
• Bank charges (\$1,241).			on level of use and the service provider.
• Telephone and power $($7,756)$ .			Other costs: Accommodation and other costs should be
• Training, consultants, memberships (\$1,490).			
• Office expenses (\$3,103).			<ul> <li>Costs will vary with the size of the business (eg number of employees) and the service providers.</li> </ul>
• Sundries (\$25,258).			
Total annual costs	\$974,719		
Cost per m <sup>3</sup> (Assuming 35,000 m <sup>3</sup> )	\$27.85 per m <sup>3</sup>		

# C. FACTORS INFLUENCING TOTAL OPERATING COSTS

The costs of operating a particular native forest harvesting business are influenced by a number of factors:

Variable	Impact
Efficiency and productivity	The Schedule is based on a typical harvesting business using reasonably up-to-date technical and business practices. However, the forestry industry is constantly evolving, and all participants in the supply chain must be looking for new harvesting and business methods to generate savings in overhead costs. Given the highly competitive nature of the timber industry, hirers expect harvesting contractors to work in cooperation with the hirer to continually improve their methods and achieve optimum planning and operations, and to generate shared cost savings and improved efficiency by adapting to new methods and technologies.
Climate and Weather	The number of days per year in which harvesting is able to occur will affect the contractor's operating costs. Where fewer days are worked, the contractor will generally have a reduced volume over which their fixed (annualised) costs can be spread, or need more or better equipment to harvest the same contracted volume over a shorter period.
Yield	This Schedule is based on a yield of 600–1,000 m <sup>3</sup> total product per hectare. Lower yield can impact on cost by increasing fuel usage and slowing production. Differences in yield could lead to variations in total costs of between 5%–10%.
Terrain: Distance to landings	The costs in this Schedule have been based on flat to undulating terrain and a snigging distance up to 350 metres. Increased snig distance will increase fuel usage and slow production and increase repair and maintenance costs. Differences in terrain and distance to landings could lead to variations in total costs of between 5%–10%.
Terrain: Slope and soil type	This may increase fuel usage and maintenance costs resulting in an overall increase in the operating costs of the machinery of up to 30% for a coupe that predominantly has slopes in excess of 20–25 degrees. More specialised equipment or operators may reduce cost increase for slope.
Products to be harvested: Piece size and form	Generally will be covered by taking into consideration coupe yield. Small trees can be very hard to bark and time consuming to handle resulting in significant drop in production, increased fuel wage and repair costs. Large trees over 80 cm diameter may not be able to be felled using mechanical harvesters and require hand falling.
Guaranteed volume	This Schedule is based on a guaranteed contract volume of 35,000 m <sup>3</sup> a year and a typical equipment mix for that volume. Where a smaller volume is harvested, a different equipment and labour mix will be required, and different operating costs will result. Further, when considering the cost per cubic metre, there will be a lower volume over which to spread the business's fixed (annual costs). These factors will result in a different profit margin. In general terms, this means that the capital costs of investment in equipment can be spread over a higher volume, resulting in a lower per cubic metre operating cost.
Contract terms	If the contract term and base volume are secure, the contractor's fixed (annual) costs, including depreciation of plant and equipment, can be secured over the period of the contract. Shorter contract terms (less than the useful life of the equipment), or uncertain contract volumes, will involve a higher cost to harvest, as the fixed costs cannot be spread over the longer contract period/base volume. In addition, higher finance costs may result if the contract period/base volume is less secure.

Variable	Impact
Hand falling	Costs for a crew operating with 100% hand falling will be significantly different. This kind of operation will have a reduced capacity (estimated at $20-25,000 \text{ m}^3$ for a three person crew and $30-35,000 \text{ m}^3$ for a 4 person crew) and will require a different equipment mix, thus incurring different finance, repairs, insurance and fuel costs.

# D. PAYMENT FOR THE BUSINESS OWNER'S LABOUR

This Schedule incorporates a salary of \$110,667 for the owner manager's work in managing the business and acting as logging team leader. However, the owner may take payment for their labour in the form of a wage, profits, trust distributions, dividends or a combination of these, depending on their accountant's advice.

However, the amount the owner/manager could expect to receive for their own labour will vary with the size and complexity of the harvesting operation, the expertise and performance of the manager, and may vary between regions. The return is also likely to vary over time with changes in market conditions and demand for the skills.

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

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

#### E. RETURN ON THE CONTRACTOR'S INVESTMENT

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

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

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

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

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

# Footnotes:

1 'Harvesting contractor' and 'forest products' are defined in the **Owner Drivers and Forestry Contractors Act** 2005.

#### Planning and Environment Act 1987

MOUNT ALEXANDER PLANNING SCHEME

Notice of Approval of Amendment

Amendment C61

The Minister for Planning has approved Amendment C61 to the Mount Alexander Planning Scheme.

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

The Amendment amends the Local Planning Policy Framework including the Municipal Strategic Statement, the Schedule to the Rural Living Zone at Clause 35.03, Schedules 1 to 4 of the Significant Landscape Overlay at Clause 42.03 and the Schedule to Clause 81.01 Incorporated Documents to implement the findings of the 'Review of the Mount Alexander Planning Scheme – Stage 1', 2010, and the 'Review of the Mount Alexander Municipal Strategic Statement and local planning policies', 2014, and includes the 'Castlemaine Commercial Centre Study', 2012 and the 'Mount Alexander Rural Land Study', 2014 as reference documents in the 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 and free of charge, during office hours, at the offices of the Mount Alexander Shire Council, Civic Centre, Corner Lyttleton and Lloyd Streets, Castlemaine.

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

#### **Planning and Environment Act 1987**

VICTORIA PLANNING PROVISIONS

Notice of Approval of Amendment

Amendment VC129

The Minister for Planning has approved Amendment VC129 to the Victoria Planning Provisions (VPP) and Melbourne and Port Phillip planning schemes in Victoria.

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

The Amendment changes the Victoria Planning Provisions and Melbourne and Port Phillip planning schemes in Victoria by introducing a provision into Clause 37.04 (Capital City Zone) to require that a permit granted must include any condition required by the schedule to the zone.

The Amendment is available for public inspection on the Department of Environment, Land, Water and Planning (DELWP) website, www.delwp.vic.gov.au/public-inspection

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

# **ORDERS IN COUNCIL**

# Crown Land (Reserves) Act 1978 NOTICE OF INTENTION TO REVOKE TEMPORARY RESERVATIONS Order in Council

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

GEELONG – The temporary reservation by Order in Council of 16 November, 1999 of an area of 1.512 hectares of land formerly being Crown Allotment 2, Section 44A, City of Geelong, Parish of Corio as a site for Court House and Police purposes, revoked as to part by Order in Council of 1 June, 2010 so far as the balance remaining containing 1.351 hectares, more or less. – (Rs 4025)

TIMBOON – The temporary reservation by Order in Council of 7 April, 1999 of an area of 57 hectares, more or less, of land in the Parishes of Elingamite and Timboon as a site for Public Purposes (Rail Trail) **so far only as** the portion containing 2253 square metres being Crown Allotment 2014, Parish of Timboon as shown on Original Plan No. OP123608 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (2008771)

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

Dated 26 April 2016

Responsible Minister

HON LISA NEVILLE MP Minister for Environment, Climate Change and Water

> ANDREW ROBINSON Clerk of the Executive Council

# Crown Land (Reserves) Act 1978 REVOCATION OF TEMPORARY RESERVATIONS

Order in Council

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** revokes the following temporary reservations:

HARCOURT – The temporary reservation by Order in Council of 13 February, 1884 of an area of 13 hectares, more or less, of land in the Township of Harcourt, Parish of Harcourt (formerly described as Crown Allotment 19, Section 10A) as a site for Public Recreation, revoked as to part by various Orders **so far only as** Crown Allotments 2015 [area 3391 square metres, more or less] and 2016 [area 3.0 hectares, more or less], Township of Harcourt, Parish of Harcourt as shown on plan LEGL./14-581 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (0606585)

LAKES ENTRANCE – The temporary reservation by Order in Council of 3 November 1993 of an area of 2639 square metres of land being Crown Allotment 61F, Township of Lakes Entrance, Parish of Colquhoun as a site for Police purposes so far only as the portion containing 660 square metres being Crown Allotment 2020, Township of Lakes Entrance, Parish of Colquhoun as indicated by hatching on plan GP3501 published in the Government Gazette on 18 February, 2016 – page 270. – (Rs 163240) LINTON - The temporary reservation by Order in Council of 25 July, 1950 of an area of 5944 square metres, more or less, of land in the Township of Linton, Parish of Argyle (now described as Crown Allotment 6A, Section 14) as a site for Police purposes so far only as the portion containing 2786 square metres being Crown Allotment 2009, Township of Linton, Parish of Argyle as shown on Original Plan No. OP123680 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. - (Rs 6554)

LINTON – The temporary reservation by Order in Council of 8 December, 1981 of an area of 312 square metres of land being Crown Allotment 6, Section 14, Township of Linton, Parish of Argyle as a site for Police purposes. – (Rs 6554)

KOETONG – The temporary reservation by Order in Council of 5 October, 1993 of an area of 747 hectares, more or less, of land being Crown Allotments 53A, 53B, 54 and 54D, Parish of Koetong as a site for Facilities for the study of the natural environment **so far only as** the portion containing 4.251 hectares being Crown Allotment 2068, Parish of Koetong as shown on Original Plan No. OP123695 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (Rs 1108282) WYCHEPROOF – The temporary reservation by Order in Council of 29 July, 1958 of an area of 7082 square metres, more or less, of land in the Township of Wycheproof, Parish of Bunguluke (now described as Crown Allotment 12, Section A) as a site for a Swimming Pool **so far only as** the portion containing 2916 square metres being Crown Allotment 2002, Township of Wycheproof, Parish of Bunguluke as shown on Original Plan No. OP123523 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (Rs 7738)

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

Dated 26 April 2016

Responsible Minister

HON LISA NEVILLE MP Minister for Environment, Climate Change and Water

> ANDREW ROBINSON Clerk of the Executive Council

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

Order in Council

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

MUNICIPAL DISTRICT OF THE MOUNT ALEXANDER SHIRE COUNCIL

HARCOURT – Water supply and drainage purposes; area 3391 square metres, more or less, being Crown Allotment 2015, Township of Harcourt, Parish of Harcourt as shown on plan LEGL./14-581 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (0606585)

HARCOURT-Study of the natural environment; area 3.0 hectares, more or less, being Crown Allotment 2016, Township of Harcourt, Parish of Harcourt as shown on Plan No. LEGL./14-581 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (0606585)

#### MUNICIPAL DISTRICT OF THE SHIRE OF TOWONG

KOETONG – Government school forest plantation; being Crown Allotments 2065 [area 2527 square metres] and 2068 [area 4.251 hectares], Parish of Koetong as shown on Original Plan No. 123695 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (Rs 1108282)

# MUNICIPAL DISTRICT OF THE SHIRE OF YARRIAMBIACK

WIALL – Water supply purposes; being Crown Allotments 2F [area 4766 square metres] and 2001 [area 3.309 hectares], Parish of Wiall as shown on Original Plan No. 123843 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (01L4-1202)

WIALL – Public purposes; being Crown Allotment 2002 [area 1.406 hectares], Parish of Wiall as shown on Original Plan No. 123843 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (0104719)

#### MUNICIPAL DISTRICT OF THE BULOKE SHIRE COUNCIL

WYCHEPROOF – Educational purposes, area 2916 square metres, being Crown Allotment 2002, Township of Wycheproof, Parish of Bunguluke as shown on Original Plan No. OP123523 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (0104580)

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

Dated 26 April 2016

Responsible Minister

HON LISA NEVILLE MP

Minister for Environment,

Climate Change and Water

ANDREW ROBINSON Clerk of the Executive Council

#### Crown Land (Reserves) Act 1978

# AMENDMENT OF TEMPORARY RESERVATION – TOWNSHIP OF BROADFORD

#### Order in Council

The Governor in Council under section 4(1) of the **Crown Land (Reserves) Act 1978** amends the following Order in Council:–

BROADFORD – The Order in Council made on 27 August, 1907 and published in the Government Gazette on 4 September, 1907 – page 4066 of the temporary reservation of an area of 17 acres 1 rood 4 perches [6.991 hectares], more or less of land in the Township of Broadford, Parish of Broadford (now described as Crown Allotment 19, Section 51) as a site for 'Public Gardens' ...

... by deletion of the words 'Public Gardens' from the reservation purpose and substitution therefor of the words 'Public Recreation'.

File Ref: Rs 03194 [0902539]

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

Dated 26 April 2016

**Responsible Minister** 

HON LISA NEVILLE MP

Minister for Environment, Climate Change and Water

> ANDREW ROBINSON Clerk of the Executive Council

# Crown Land (Reserves) Act 1978

# REVOCATION OF TEMPORARY RESERVATIONS

Order in Council

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** revokes the following temporary reservations:-

WILLIAMSTOWN – Crown Allotment 21E, Section 1, Township of Williamstown, Parish of Cut-paw-paw, area 1.126 hectares, deemed to be temporarily reserved under section 4(1) of the **Crown Land (Reserves) Act 1978** for the purposes of the Port of Melbourne pursuant to the Order in Council of 24 October, 2006 and published in the Government Gazette of 26 October, 2006 page 2339 made under section 64(4)(b) of the **Port Services Act 1995**.

PORT MELBOURNE – Crown Allotment 2053, area 28.3 square metres, City of Port Melbourne, Parish of Melbourne South, deemed to be temporarily reserved under section 4(1) of the **Crown Land (Reserves) Act 1978** for the purposes of the Port of Melbourne pursuant to the Order in Council of 10 September, 2013 and published in the Government Gazette of 12 September, 2013 page 2348 made under section 64(4)(b) of the **Port Services Act 1995**.

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

Dated 26 April 2016

Responsible Minister

HON LISA NEVILLE MP Minister for Environment, Climate Change and Water

> ANDREW ROBINSON Clerk of the Executive Council

#### Land Act 1958

CLOSURE OF UNUSED ROAD

Order in Council

The Governor in Council under section 349 of the Land Act 1958 and with the concurrence in writing of the municipality in which the road is situated and the owners of land adjoining the road closes the following unused road:

#### MUNICIPAL DISTRICT OF THE EAST GIPPSLAND SHIRE COUNCIL

BAIRNSDALE – The road in the Township of Bairnsdale, Parish of Bairnsdale being Crown Allotment 2024 as shown on Original Plan No. OP123855 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (1600413)

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

Dated 26 April 2016

Responsible Minister

HON LISA NEVILLE MP

Minister for Environment,

Climate Change and Water

ANDREW ROBINSON Clerk of the Executive Council

#### Port Management Act 1995

# DECLARATION OF LAND UNDER SECTION 5(1A) OF THE **PORT MANAGEMENT ACT 1995** AS PORT OF MELBOURNE LAND

# Order in Council

The Governor in Council, under section 5(1A) of the **Port Management Act 1995**, Orders that –

- on and from 28 April 2016, the Order dated 15 April 2014 and published in gazette No. G16 on 17 April 2014 declaring the areas of land coloured green on plans numbered LEGL./14-170, LEGL./13-034 and LEGL./13-035, lodged in the Central Plan Office of the Department of Transport, Planning and Local Infrastructure, to be port of Melbourne land be revoked; and
- on and from 28 April 2016, the areas of land coloured green on plans numbered LEGL./16-133, LEGL./13-034 and LEGL./13-035, lodged in the Central Plan Office are declared to be port of Melbourne land.

Dated 26 April 2016

**Responsible Minister** 

LUKE DONNELLAN

Minister for Ports

ANDREW ROBINSON Clerk of the Executive Council This page was left blank intentionally

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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 Rules were first obtainable from SAI Global Bookshop, 85 Buckhurst Street, South Melbourne, on the date specified:

Suc	et, South Melbourne, 0	in the date specified.
26.	Statutory Rule:	Bail Amendment Regulations 2016
	Authorising Act:	Bail Act 1977
	Date first obtainable:	27 April 2016
	Code A	
27.	Statutory Rule:	Children, Youth and Families Amendment (Bail) Regulations 2016
	Authorising Act:	Children, Youth and Families Act 2005
	Date first obtainable:	27 April 2016
	Code A	
28.	Statutory Rule:	Non-Emergency Patient Transport Regulations 2016
	Authorising Act:	Non-Emergency Patient Transport Act 2003
	Date first obtainable: Code D	27 April 2016
29.	Statutory Rule:	Transfer of Land (Fees) Regulations 2016
	Authorising Act:	Transfer of Land Act 1958
	Date first obtainable: Code B	27 April 2016
30.	Statutory Rule:	Subdivision (Registrar's Fees) Regulations 2016
	Authorising Act:	Subdivision Act 1988 Transfer of Land Act 1958
	Date first obtainable: Code A	27 April 2016

31.	Statutory Rule:	Plumbing
		Amendment
		Regulations 2016
	Authorising Act:	Building Act 1993
	Date first obtainable:	27 April 2016
	Code A	

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