



# Victoria Government Gazette

By Authority of Victorian Government Printer

**No. G 27 Thursday 6 July 2017**

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**GENERAL**

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**Advertisers Please Note**

As from 6 July 2017

The last Special Gazette was No. 239 dated 5 July 2017.

The last Periodical Gazette was No. 1 dated 17 May 2017

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**How To Submit Copy**

- See our webpage [www.gazette.vic.gov.au](http://www.gazette.vic.gov.au)
  - or contact our office on 8523 4601 between 8.30 am and 5.30 pm Monday to Friday
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## PRIVATE ADVERTISEMENTS

### DISSOLUTION OF PARTNERSHIP

In accordance with section 41 of the **Partnership Act 1958**, Simon Malcolm Muir and Ian Michael Preuss give notice that the partnership hereto before conducted by them together with Nicholas John Salm under the name S.M. Muir & I.M. Preuss & N.J. Salm, trading as Black Bear Brew of 571 Galls Gap Road, Strathbogie, Victoria 3666, has been dissolved with effect from 30 June 2017.

ROBERTSON HYETTS SOLICITORS,  
386 Hargreaves Street, Bendigo, Victoria 3550.

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### DISSOLUTION OF PARTNERSHIP

In accordance with section 41 of the **Partnership Act 1958**, Kayelyn Maree Hall, hereby provides public notification of her retirement as a partner and the dissolution of the partnership trading as Island Hair of Shop 4, 34–38 Thompson Avenue, Cowes, Victoria 3922, and that the individual, Victoria Laurelle Carkeet, will now proceed to operate as a sole trader from the above address.

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Estate GRAHAM LESLIE McKAY, late of 13 Wattle Street, Koondrook, deceased.

Creditors, next-of-kin and others having claims in respect of the abovenamed deceased, who died on 18 February 2017, are required by the executor, Christine Joy McBrien, to send particulars of such claims to her, in care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

Dated 30 June 2017

BASILE & CO. PTY LTD, legal practitioners,  
consultants and conveyancers (Vic. and NSW),  
46 Wellington Street, Kerang, Victoria 3579.  
RB:GR:17147

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Re: Estate of BETTY GRACE MACMILLAN, late of 5 Jaserfold Street, North Balwyn, Victoria, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of the deceased, who

died on 7 July 2016, are required by the trustee, Kieran John Moore, to send particulars of their claims to the trustee, care of the undermentioned legal practitioners, by a date not later than two months from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

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HEATHER JUNE WALSH, late of 88 Holmes Road, Moonee Ponds, Victoria 3039, retired medical secretary, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 February 2017, are required by the personal representative, Damian Laurence Walsh, of 66 Parsons Road, Eltham, Victoria 3095, to send particulars to him by 15 September 2017, after which he will convey or distribute the assets, having regard only to the claims of which he then has notice.

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Re: PHYLLIS MAY GOSS, late of 2 Denbigh Street, Frankston, Victoria, home duties, deceased.

Creditors, next-of-kin and all others having claims in respect of the estate of the abovementioned deceased, who died on 27 October 2016, are required by the administrators, Anne-Marie Goss and Patricia Margaret Goss, to send particulars of such claims to them, care of the undermentioned solicitors, by 7 September 2017, after which date the administrators may convey or distribute the assets, having regard only to the claims of which they then have notice.

DAVIS LAWYERS,  
Level 15, 200 Queen Street, Melbourne,  
Victoria 3000.

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Re: Estate of MOLLY SAINT, late of Hailey House, 703 Norman Street, Ballarat North, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased,

who died on 8 September 2016, are required by the executor and trustee, Sally Macarthur Clyde, to send particulars of their claims to her at the address below within 14 days of the publication of this notice, after which date the executor and trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

Mrs Sally Macarthur Clyde,  
care of DE GROOTS, wills and estate lawyers,  
PO Box 3084, South Melbourne, Victoria 3205.

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Re: MARK ANDREW AQUILINA,  
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 December 2016, are required by the trustees, Monica Withers, Paul Joseph Aquilina and Robert Anthony Aquilina, all care of Featherbys Lawyers of 14 Ninth Avenue, Rosebud, Victoria, to send particulars to the trustees by 7 September 2017, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

FEATHERBYS LAWYERS, solicitors,  
14 Ninth Avenue, Rosebud 3939.

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ELFRIDA RIMSANS, late of 60 Fraser Crescent, Wantirna South, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 April 2017, are required by Ivars Teodores Kere, the executor of the Will of the deceased, to send particulars of their claims to him, care of the undermentioned solicitor, by 30 September 2017, 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.

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Re: ALBERT EDWARD ROBERT  
BLASHKI, late of Cheltenham Manor,  
10–12 Bendigo Street, Cheltenham, Victoria,  
managing director/business owner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 February 2017, are required by

the trustees, Philip Albert Blashki and Simon Philip Blashki, care of 40–42 Scott Street, Dandenong, Victoria 3175, to send particulars to the trustees by 4 September 2017, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

M&K LAWYERS GROUP PTY LTD,  
40–42 Scott Street, Dandenong 3175.

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Re: MARY ISABELLA LEE, late of  
63 Regent Street, Moama, New South Wales,  
housewife, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 August 2016, are required by the trustees, Ian Raymond Hendy and Gerard Desmond Kennedy, care of 40–42 Scott Street, Dandenong, Victoria 3175, to send particulars to the trustees by 4 September 2017, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

M&K LAWYERS GROUP PTY LTD,  
40–42 Scott Street, Dandenong 3175.

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ARIJA HELGA JAKOVICKIS, late of  
154 Through Road, Camberwell, 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 5 October 2015, are required by Inese Edwards, the executor and trustee of the estate of the said named deceased, to send particulars of their claims to her, care of McNab McNab & Starke, Level 10, 552 Lonsdale Street, Melbourne 3000, by 1 September 2017, after which date she may convey or distribute the assets of the estate, having regard only to the claims of which she then has notice.

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MARGARET PREECE, late of Unit 5,  
49 McMahon Street, St Arnaud, Victoria 3478,  
retired school teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 16 October 2016, are required by the executor, Roy John Preece, care of the undermentioned solicitors, to send particulars of their claims to him by 9 September

2017, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

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Re: LAURENCE CRESSWELL  
CHAMBERS, late of Unit 3, 62 Fir Street,  
Whittlesea, Victoria, military serviceman,  
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 April 2016, are required by the trustee, Anthony John Mahon, to send particulars to the trustee, care of the undermentioned solicitors, by 8 September 2017, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors,  
Level 1, 177 Surrey Road, Blackburn 3130.  
PH:21600180.

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Re: NORMA PATRICIA HARRISON, late  
of Vermont Aged Care, 770 Canterbury Road,  
Vermont, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 April 2017, are required by the trustee, Sharon Michelle Summers, to send particulars to the trustee, care of the undermentioned solicitors, by 6 September 2017, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors,  
Level 1, 177 Surrey Road, Blackburn 3130.  
LH:2170784

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Re: PHYLLIS RUBY McDERMAID, late of  
26 Champion Street, Doncaster East, Victoria,  
process worker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 February 2017, are required by the trustees, Jennifer Anne Demos, William James McDermaid and Leslie Ross McDermaid, to send particulars to the trustees, care of the undermentioned solicitors, by 8 September

2017, 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,  
Level 1, 177 Surrey Road, Blackburn 3130.  
PH:2170371

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Re: HEATHER PATRICIA PRITCHARD,  
late of 31–33 Government Road, Seaspray,  
Victoria, factory administrator, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 July 2014, are required by the trustee, Ronald Geoffrey Thompson, to send particulars to the trustee, care of the undermentioned solicitors, by 8 September 2017, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors,  
Level 1, 177 Surrey Road, Blackburn 3130.  
PH:2141806

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Re: Estate of VIVA MERLE STRETTON,  
late of 1/141 South Road, Brighton, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 June 2017, are required by the trustees to send particulars to the trustees, care of the undermentioned solicitors, by 6 October 2017, 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,  
Level 1, 177 Surrey Road, Blackburn 3130.  
SM:CH2170410

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Re: JANET LILLIAN WALSH, late of  
17 Dewrang Crescent, Blackburn, Victoria,  
retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 March 2017, are required by the trustees, Joan Margaret Stanford and Shirley Anne Stanford, to send particulars to the trustees, care of the undermentioned solicitors, by 13 September 2017, 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, Level 1, 177 Surrey Road, Blackburn 3130.  
LH:2170476

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PAMELA DARYL MARTIN, late of 251–259 Waterview Boulevard, Craigieburn, Victoria 3064, typist, deceased.

Creditors, next-of-kin and others having claims in respect of the deceased, who died on 19 August 2016, are required by Heath Martin, care of Phillips & Wilkins, solicitors, 823 High Street, Thornbury, Victoria 3071, the executor, to send particulars to them by 4 September 2017, after which date they may convey or distribute the assets, having regard only to the claims of which they then have notice.

PHILLIPS & WILKINS, solicitors,  
823 High Street, Thornbury, Victoria 3071.

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Creditors, next-of-kin and others having claims in respect of the estate of RHONDA EUGENE O'TOOLE, deceased, late of 20 Richmond Crescent, Werribee, house duties, who died on 29 February 2016, are requested to send particulars of their claims to the executor, Deborah Susanne Gwynn, care of the undersigned solicitors, by 6 September 2017, after which date she will convey or distribute the assets, having regard only to the claims of which she then has notice.

SLATER & GORDON, solicitors,  
485 La Trobe Street, Melbourne 3000.

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ANNA URBAN, late of 10a Kingsley Street, St Albans, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 September 2016, are required by the executor, Amanda Henderson, to send particulars to her, care of the undermentioned solicitors, by 3 September 2017, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

STIDSTON WARREN LAWYERS,  
Suite 1, 10 Blamey Place, Mornington 3931.

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Re: PETRE ENE, also known as Peter Ene, late of Unit 2, 38 Woorack Road, Carnegie, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 May 2016, are required by the administrator, Suzanne Mary Lyttleton, to send particulars to her by a date not later than two months from the date of publication hereof, after which date the administrator will convey or distribute the assets, having regard only to the claims of which she then has notice.

SUZANNE MARY LYTTLETON, lawyer,  
Box 40/103 Beach Street, Port Melbourne 3207.  
Telephone: 9646 4477.

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Re: NOELLE ISABELL HAWKER, late of 441 Waterfall Gully Road, Rosebud, Victoria 3939, home maker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 17 May 2017, are required by the executor, Karen June Hawker, to send particulars to her, care of the undermentioned solicitors, by 8 September 2017, after which date the executor may convey and distribute the assets, having regard only to the claims of which she then has notice.

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

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HEATHER LOIS BOREHAM, late of 12 Osterley Street, Werribee, in the State of Victoria, student, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 December 2016, are required by the personal representative, Rintje Taekema of 46 Haigh Street, Moe, to send particulars to him, care of the undermentioned solicitors, by 5 September 2017, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

VERHOEVEN & CURTAIN, solicitors,  
Suite 4, 46 Haigh Street, Moe 3825.

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Re: LAURA AMY KROEHNERT, late of 27 Shierlaw Avenue, Canterbury, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 February 2017, are required to send particulars of their claims to the executor,

care of GPO Box 1946, Melbourne, Victoria 3001, by 29 September 2017, after which date the executor may convey or distribute the assets, having regard only to the claims of which he may then have notice.

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

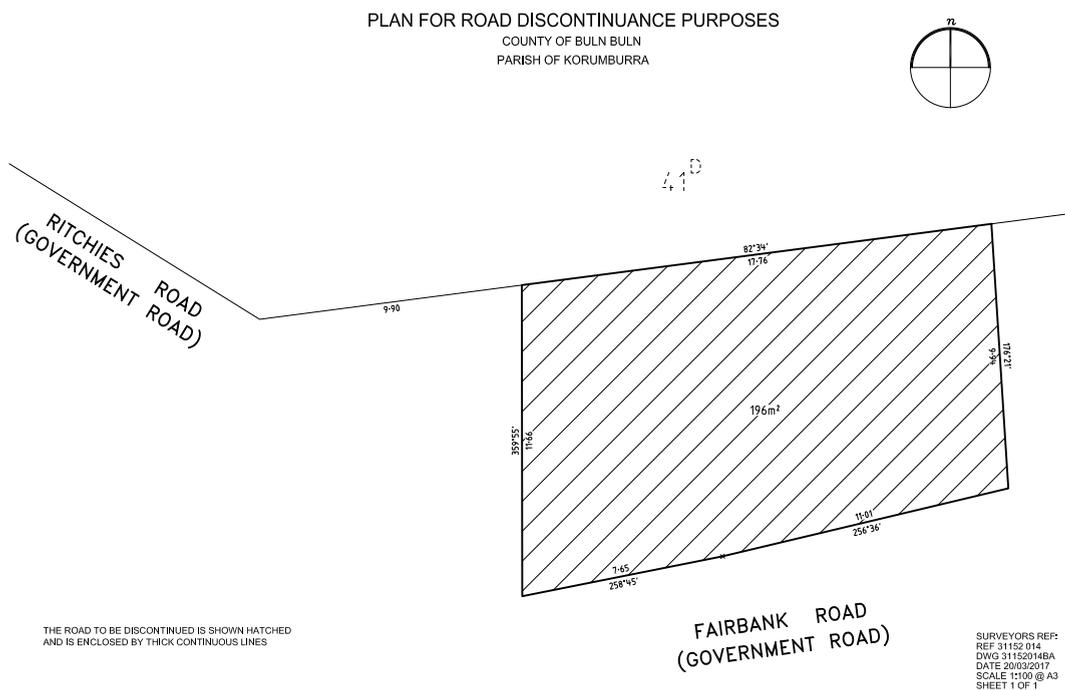
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**GOVERNMENT AND OUTER BUDGET  
SECTOR AGENCIES NOTICES**

**SOUTH GIPPSLAND SHIRE COUNCIL**

**Road Discontinuance Part Fairbank Road, Arawata**

The South Gippsland Shire Council at its ordinary meeting held 24 May 2017, pursuant to sections 206, 223 and Schedule 10, Clause (3) of the **Local Government Act 1989**, having received no submissions under section 223 of the Act, discontinued 196 m<sup>2</sup> of part Fairbank Government Road Reserve, Arawata, Parish of Korumburra, shown hatched in the plan below as the part government road is not required for public traffic.



**TIM TAMLIN**  
Chief Executive Officer



### Road Management Plan Review Report

Pursuant to section 54(5) of the **Road Management Act 2004**, Loddon Shire Council has conducted a review of its Road Management Plan and produced a written report summarising the findings and conclusions of the review.

The purpose of the review is to ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads and classes of road to which the plan applies are appropriate.

A copy of the report may be inspected at Council's municipal offices, 41 High Street, Wedderburn, and 37 Peppercorn Road, Serpentine, or accessed online on Council's website, [www.loddon.vic.gov.au](http://www.loddon.vic.gov.au)

Any enquiries about the review report can be directed to Indivar Dhakal, Manager Technical Services on 03 5494 1200.



### ROAD MANAGEMENT PLAN Notice of Proposed Amendment to Road Management Plan

In accordance with section 54(6) of the **Road Management Act 2004** (Act), the Maribyrnong City Council, as the relevant road authority (Council), gives notice that it intends to amend its existing road management plan which is presently titled the 'Maribyrnong City Council Road Management Plan 2013' (proposed amendment).

It is intended that the proposed amendment (following the adoption by Council of the written report summarising the findings and conclusions of the review conducted by Council under section 54(5) of the Act and regulation 9(2) of the Road Management (General) Regulations 2016 (Regulations) of the existing road management plan of Council (review report)) will result in Council making a substantially new road management plan to be titled the 'Maribyrnong City Council Road Management Plan 2017'.

The purpose of the proposed amendment is:

- to ensure that the standards in relation to and the priorities to be given to the construction, inspection, maintenance and repair of the roads and the classes of roads to which the road management plan applies under section 41 of the Act are safe, efficient and appropriate for the use and needs of Council's community, and the wider public;
- to improve the systems, processes and procedures previously adopted and used by Council in connection with its road management functions and the discharge of its duty to inspect, maintain and repair public roads for which Council is the coordinating road authority or the responsible road authority, based on reasonable policy and operational decisions and the resources available to and the priorities of Council;
- to set more relevant and attainable standards and better policies to enable Council to discharge its duties and perform its road management functions under the Act;
- to make changes arising from roads or parts of roads under the administration of Council being, or having become, roads or parts of roads for which Council is the coordinating road authority or being, or having become, public roads since the existing road management plan was made by Council; and
- to make other changes to the procedures or responsibilities of Council which are of an administrative, declaratory or machinery nature.

The general purport of the proposed amendment is that:

- it will incorporate appropriate cross-referencing to updated policy documents and procedures of Council;
- it will adopt revised construction, repair and maintenance standards in order to reflect updated and revised specifications and procedures of Council;
- it will better reflect the current and future funding levels and resources of Council;
- it will, in relation to the roadways, pathways, road infrastructure and road-related infrastructure for which Council is responsible (to what are considered by

Council to be more relevant, appropriate and attainable standards and procedures), raise standards and establish new procedures in order to provide for frequent inspections and maintenance of public roads and to increase the periods of time within which defects are to be repaired;

- it will improve the administrative procedures and systems within Council and enable Council to better deal with changes of a declaratory or machinery nature; and
- it will generally improve the manner in which Council, utilising the road management plan as a policy document, performs its road management functions.

The road management plan will apply to all of the roads, roadways, pathways, road infrastructure and road-related infrastructure within the municipal district of the Council for which Council is the coordinating or responsible road authority under the Act and which are otherwise listed on Council's register of public roads under section 19 of the Act.

A copy of the proposed amendment which will result in Council making a substantially new road management plan to be titled the 'Maribyrnong City Council Road Management Plan 2017' and the review report (produced in accordance with regulation 9(2) of the Regulations) may be inspected at or obtained at the Council's Offices, corner Hyde and Napier Streets, Footscray, or accessed online by viewing the Council's Internet website and following the links.

Any person who is aggrieved by the proposed amendment may make a submission on the proposed amendment to Council by 5 pm on 3 August 2017.

Submissions must be in writing and addressed to the Chief Executive Officer at PO Box 58, Footscray, Victoria 3011, or delivered to the Council's municipal offices at the address referred to above.

Any enquiries about the proposed amendment or the review report can be directed to Pragnesh Shah, Coordinator Asset Management, on 9091 5617 or email: Pragnesh.shah@maribyrnong.vic.gov.au

STEPHEN WALL  
Chief Executive Officer



#### ADOPTION OF ROAD MANAGEMENT PLAN

In accordance with the **Road Management Act 2004**, Council at its meeting on Monday 26 June 2017, resolved to adopt the Road Management Plan 2017. Copies of the Road Management Plan are available on Council's website: [www.ngshire.vic.gov.au](http://www.ngshire.vic.gov.au) or for inspection at the Council Offices during business hours.

MICHAEL BAILEY  
Chief Executive Officer



Moreland City Council

#### Road Management Act 2004

##### REVIEW OF ROAD MANAGEMENT PLAN

In accordance with section 54(5) of the **Road Management Act 2004** (Act), and section 8(3) of the Road Management (General) Regulations 2016 (Regulations), the Moreland City Council (Council) gives notice that it has completed a review of its Road Management Plan (Plan) and proposes to amend the plan in a manner contemplated by section 41 of the Act.

The purpose of the review is consistent with section 9(1) of the Regulations to 'ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of roads and classes of road to which the plan applies are appropriate.' The review applies to all the roads and classes of roads to which the Plan applies.

A copy of the report summarising the findings and conclusions of the review and proposed amendments may be inspected or obtained from Council's Municipal Offices at the Civic Centre, 90 Bell Street, Coburg 3058, or accessed online by viewing Council's website, [www.moreland.vic.gov.au](http://www.moreland.vic.gov.au) and following the links, from 30 June 2017.

Any person may make a submission to Council on the proposed amendments during the public submission period from 30 June 2017 until 29 July 2017.

Any enquiries about the proposed amendments can be directed to Rosalyn Sutcliffe, Coordinator Asset Management, by calling 9384 9293 or by emailing [rsutcliffe@moreland.vic.gov.au](mailto:rsutcliffe@moreland.vic.gov.au)

DR NERINA DI LORENZO  
Chief Executive Officer

#### NILLUMBIK SHIRE COUNCIL

##### Meeting Procedure Local Law

Notice is hereby given that, pursuant to section 119 of the **Local Government Act 1989**, the Nillumbik Shire Council, at its 27 June 2017 Ordinary Meeting, resolved to make a new Local Law entitled the Meeting Procedure Local Law.

The purpose and general purport of the Local Law is to:

- a) regulate proceedings at Council Meetings, Special Committee Meetings and other meetings conducted by or on behalf of Council where Council has resolved that the provisions of this Local Law are to apply;
- b) regulate proceedings for the election of the Mayor, Deputy Mayor and Chairpersons;
- c) facilitate community engagement by providing opportunities at meetings for community members to express their views
- d) ensure the efficient and orderly conduct of meetings;
- e) regulate the use and keeping of the common seal;
- f) ensure the peace, order and good government of the municipal district; and
- g) revoke the current Meeting Procedure Local Law made by Council on 28 April 2015.

The Local Law may be inspected at the Civic Centre, Civic Drive, Greensborough during normal office hours and copies may be obtained free of charge. The Local Law may also be viewed at Council's website, [www.nillumbik.vic.gov.au](http://www.nillumbik.vic.gov.au)

The Local Law is to commence on the day after notice of its making appears in the Victoria Government Gazette.

MARK STOERMER  
Chief Executive Officer

#### SWAN HILL RURAL CITY COUNCIL

##### Road Management Act 2004

##### Road Management Plan Review Completion

In accordance with section 54(5) of the **Road Management Act 2004** and with section 9 of the Road Management (General) Regulations 2016, Swan Hill Rural City Council gives notice that at its 27 June 2017 meeting, Council adopted its reviewed Road Management Plan after no submissions were received from the public.

Copies of the Road Management Plan and a written report (schedule of changes) summarising the findings and conclusions of the review are available for copying or inspection at Council's offices at 45 Splatt Street, Swan Hill, during normal hours, and are also available on the Swan Hill Rural City Council website: [www.swanhill.vic.gov.au](http://www.swanhill.vic.gov.au)

For any further information regarding the plan, please contact Oliver McNulty on 5036 2333.

JOHN McLINDEN  
Chief Executive Officer



#### NOTICE OF COMMUNITY LOCAL LAW 2014

Whitehorse City Council, through delegated authority, adopted changes to the 'Procedures for Work and Protection of Council Assets', an incorporated document of the Whitehorse City Council Community Local Law 2014.

The changes are effective 6 July 2017.

The Community Local Law 2014 and its revised incorporated document can be viewed on Council's website at [www.whitehorse.vic.gov.au/Community-Local-Law-2014.html](http://www.whitehorse.vic.gov.au/Community-Local-Law-2014.html)

Copies of the document are available for inspection at and obtainable from Council's Service Centres located at: Whitehorse Civic Centre, 379–397 Whitehorse Road, Nunawading; Forest Hill Chase Shopping Centre, Shop 275, Canterbury Road, Forest Hill; and Box Hill Town Hall, 1022 Whitehorse Road, Box Hill.

## YARRA RANGES SHIRE COUNCIL

Order 1/2013 Made Under  
Sections 25(2) and 26(2) of the  
**Domestic Animals Act 1994**

In accordance with section 25(3) and section 26(3) of the **Domestic Animals Act 1994**, notice is hereby given that on, 1 May 2017, Yarra Ranges Council resolved to amend Schedule A of Order 1/2013 made under section 25(2) and section 26(2) of the **Domestic Animals Act 1994** to:

- (a) remove Sunset Reserve, Chirnside Park, as an area designated for dogs to be exercised off lead; and
- (b) include Kimberley Reserve dog agility park as an area designated for dogs to be exercised off lead.

The Order seeks to regulate the behaviours of dogs and cats and prescribe the places in the municipality where dogs and cats are prohibited and where dogs can be exercised on or off lead. The Order comes into effect on the day it was made. Further information can be obtained by contacting the Council on 1300 368 333, or on the Council's website, [www.yarraranges.vic.gov.au](http://www.yarraranges.vic.gov.au)

GLENN PATTERSON  
Chief Executive Officer

**Planning and Environment Act 1987**

## LATROBE PLANNING SCHEME

Notice of the Preparation of an Amendment  
Amendment C102

The Latrobe City Council has prepared Amendment C102 to the Latrobe Planning Scheme.

The land affected by the Amendment applies to all Council managed conservation reserves located throughout the municipality that adjoin residential areas. The Amendment also affects land located at 25 and 50 Sheepwash Creek Road, Flynn.

The Amendment proposes to update the Schedule to Clause 52.17 Native Vegetation by including Burgan (*Kunzea ericoides*) as a

scheduled weed, whereby a planning permit is not required to remove, destroy or lop Burgan in conservation reserves managed by Council which share boundaries with residential areas.

The Amendment also proposes to correct a mapping error by deleting the Public Acquisition Overlay Schedule 1 (PAO1) from 25 Sheepwash Creek Road, Flynn, and applying the PAO1 to 50 Sheepwash Creek Road, Flynn.

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, Latrobe City Council, 141 Commercial Road, Morwell, Victoria 3840; 34–38 Kay Street, Traralgon, Victoria 3844; 9–11 Philip Parade, Churchill, Victoria 3842; 44 Albert Street, Moe, Victoria 3825, and at the Department of Environment, Land, Water and Planning website, [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection)

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

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. The closing date for submissions is 14 August 2017. A submission must be sent to Tegan McKenzie, Latrobe City Council, PO Box 264, Morwell, Victoria 3840, or online at [www.latrobe.vic.gov.au/C102Burgan](http://www.latrobe.vic.gov.au/C102Burgan) on the 'Have Your Say' page. Alternatively, submissions can be sent to [Latrobe@latrobe.vic.gov.au](mailto:Latrobe@latrobe.vic.gov.au) – Attention: Tegan McKenzie.

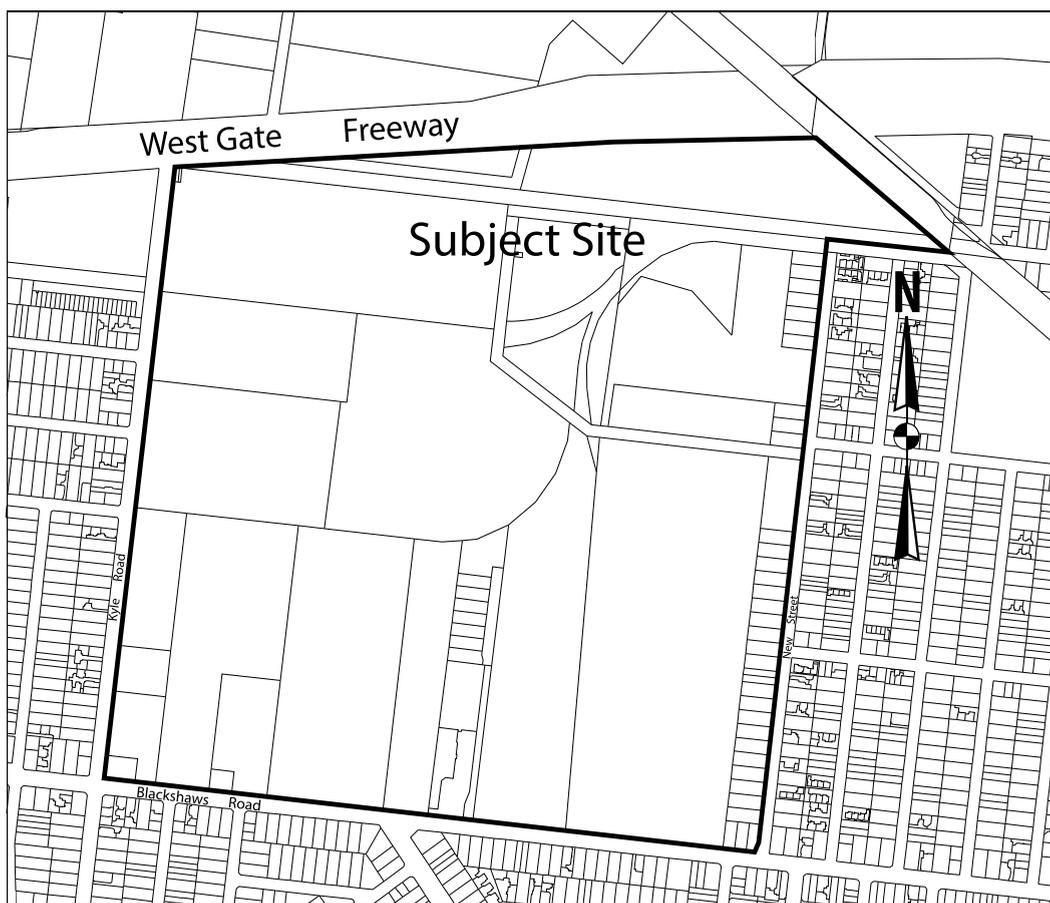
The planning authority must make a copy of every submission available at its office for any person to inspect, free of charge, for two months after the Amendment comes into operation or lapses.

GARY VAN DRIEL  
Chief Executive Officer

**Planning and Environment Act 1987**  
**HOBSONS BAY PLANNING SCHEME**  
Notice of the Preparation of an Amendment  
Amendment C88

The Hobsons Bay City Council has prepared Amendment C88 to the Hobsons Bay Planning Scheme.

The land affected by the Amendment is bound by New Street, Kyle Road, Blackshaws Road and the West Gate Freeway, known as Precinct 15 as identified in the Hobsons Bay Industrial Land Management Strategy 2008.



The Amendment proposes to:

- rezone land generally bounded by New Street, Kyle Road, Blackshaws Road and the West Gate Freeway (excluding 70–84 Kyle Road), known as Precinct 15 as identified in the Industrial Land Management Strategy, from Industrial 1 and 3 Zones to Comprehensive Development Zone – Schedule 2 and incorporate the associated Comprehensive Development Plan;
- rezone 70–84 Kyle Road, Altona North, from Industrial 1 Zone to Special Use Zone – Schedule 6;
- apply the Environmental Audit Overlay to address contamination issues to Precinct 15 except 48 New Street, South Kingsville, and 70–84 Kyle Road, Altona North;

- apply the Development Contributions Plan Overlay and apply the associated Development Contributions Plan to Precinct 15 (excluding 70–84 Kyle Road), Altona North;
- amend the schedule to Clause 52.28 to prohibit gaming within Precinct 15;
- remove Heritage Overlay – Schedule 166 from 40–68 Kyle Road, Altona North; and
- amend the schedule to Clause 52.01: Public Open Space Contribution and Subdivision to require and collect an open space contribution for Precinct 15.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, during office hours, at the following locations: Hobsons Bay City Council, 115 Civic Parade, Altona 3018; Altona Library, 123 Queen Street; Altona Meadows Library, Shop 2, Central Square Shopping Centre; Altona North Library, corner Millers Road and McArthurs Road; Newport Library, 13 Mason Street; Williamstown Library, 104–108 Ferguson Street; and at the Department of Environment, Land, Water and Planning website, [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection)

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

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. The closing date for submissions is 1 September 2017. A submission must be sent to the Hobsons Bay City Council, PO Box 21, Altona, Victoria 3018.

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.

KAYLENE JOHNSON  
Acting Manager Strategy and Advocacy

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**Planning and Environment Act 1987**  
**WELLINGTON PLANNING SCHEME**  
Notice of the Preparation of an Amendment  
Amendment C96

The Wellington Shire Council has prepared Amendment C96 to the Wellington Planning Scheme.

The land affected by the Amendment is land in Heyfield. Specific changes to the zones are proposed for 3, 21, 21A, 29, 31 and 39 Draper Road, Heyfield, and land at the end of Burnett Court, Heyfield.

The Amendment proposes to implement the recommendations of the 'Heyfield Low Density Residential Land Supply Study (March 2017)'.

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 offices of the planning authority, Wellington Shire Council, 18 Desailly Street, Sale; 156 Grant Street, Yarram; the Heyfield Library, 42 Macfarlane Street, Heyfield; and at the Department of Environment, Land, Water and Planning website, [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection)

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

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. The closing date for submissions is Monday 7 August 2017. A submission must be sent to the Wellington Shire Council, Strategic Planning, PO Box 506, Sale, Victoria 3850.

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

DAVID MORCOM  
Chief Executive Officer

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

#### **WHITTLESEA PLANNING SCHEME**

#### **Notice of the Preparation of an Amendment Amendment C204**

The Whittlesea City Council has prepared Amendment C204 to the Whittlesea Planning Scheme.

The land affected by the Amendment is land in the Plenty Valley Town Centre.

The Amendment proposes to implement the land use and built form outcomes of the Plenty Valley Town Centre Structure Plan.

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 Whittlesea; and at the Department of Environment, Land, Water and Planning website, [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection)

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

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

The closing date for submissions is Monday 7 August 2017. A submission must be sent to the Chief Executive Officer, City of Whittlesea, Locked Bag 1, Bundoora MDC 3083.

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.

LIANA THOMPSON  
Acting Chief Executive Officer

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 7 September 2017, 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.

ABERTON, Mabel Jean, late of Stratton House Aged Care, 19 Jolimont Road, Forest Hill, Victoria 3131, retired, deceased, who died on 7 March 2017.

ARAMINI, Pietro, late of Mecwacare Noel Miller Centre, 9–15 Kent Street, Glen Iris, Victoria 3146, deceased who died on 6 August 2016.

BAILEY, Peter Francis, late of Catholic Homes, Corpus Christi, 80 Clayton Road, Clayton, Victoria 3168, pensioner, deceased, who died on 10 February 2017.

COOPER, Kennedy Edwin, late of Apartment 117, Bapcare Templestowe Orchards Community, 107 Anderson Creek Road, Doncaster East, Victoria 3109, retired, deceased, who died on 20 December 2016.

DOWLING, Joseph Michael, late of East Grampians Health Service Aged Care, 70 Lowe Street, Ararat, Victoria 3377, pensioner, deceased, who died on 23 April 2017.

KAY, Dean Stuart, late of 29 Lithgow Street, Beveridge, Victoria 3753, deceased, who died on 12 January 2017.

KROSCHER, Charles Henry, late of ACSAG George Vowell Nursing Home, corner Nepean Highway and Cobb Road, Mount Eliza, Victoria 3930, deceased, who died on 22 May 2017.

- LARKINS, Karen Faye, late of 1/48 Hillside Road, Rosanna, Victoria 3084, deceased, who died on 26 January 2017.
- MARQUART, Michael Friedrich, late of 31 Thomas Street, Clayton, Victoria 3168, deceased, who died on 3 November 2016.
- McKEAGNEY, Michael Joseph, late of 93 Cedar Street, Thomastown, Victoria 3074, deceased, who died on 12 April 2017.
- SAJN, Milan, late of Regis Karingal Manor, 101F Major Road, Fawkner, Victoria 3060, pensioner, deceased, who died on 6 March 2017.
- SHARP, Robert John, late of Lexington Gardens Retirement Village, 70/114 Westall Road, Springvale, Victoria 3171, pensioner, deceased, who died on 2 April 2017.
- SOBIERAJ, Zygmunt, late of Bupa Aged Care Coburg, 24 Sutherland Street, Coburg, Victoria 3058, deceased, who died on 5 November 2016.
- TABUTEAU, Evelyn Margaret, late of Amaroo Lodge Aged Care, 36 Kennedy Street, Euroa, Victoria 3666, deceased, who died on 20 February 2017.
- THREADGOLD, Judith May, late of Andrina Private Nursing Home, 80 William Road, Carrum Downs, Victoria 3201, deceased, who died on 27 April 2017.
- TURNER, David Frederick, late of Unit 1, 2 Baynes Street, Bendigo, Victoria 3550, pensioner, deceased, who died on 17 February 2017.
- WATT, Timothy James, late of 11 Kokoda Avenue, Hamilton, Victoria 3300, deceased, who died on 22 April 2017.
- CONGDON, Peter Gordon William, AKA Peter Gordon William Congdon, in the Will known as Peter Gordon William Congdon, late of Unit 6, 11 Early Street, Mansfield, Victoria 3722, deceased, who died on 12 January 2017.
- COOK, Patricia Isabelle, late of Uniting Agewell Condare Court, 8 Joffre Street, Camberwell, Victoria 3124, deceased, who died on 31 March 2017.
- CROSBY, Ronald George, late of RSL Park, 85 Overport Road, Frankston South, Victoria 3199, deceased, who died on 22 February 2017.
- GRANT, Mary Josephine, late of Whittlesea Lodge, 30–32 Fir Street, Whittlesea, Victoria 3757, deceased, who died on 30 June 2016.
- JARMYN, Mary Ellen, late of Grace Mckellar 45–95 Ballarat Road, Geelong North, Victoria 3215, deceased, who died on 23 February 2017.
- JENNINGS, Peter James, late of Unit 4, 23 Hazel Drive, Lower Templestowe, Victoria 3107, deceased, who died on 13 May 2017.
- KUCZYNSKI, Irene Elizabeth, late of Dousta Galla Avondale Heights, 120 North Road, Avondale Heights, Victoria 3034, deceased, who died on 9 February 2017.
- MURPHY, Sandra Maie, late of Boyne Russell House, 184 Victoria Street, Brunswick, Victoria 3056, deceased, who died on 1 November 2016.
- PROSSER, Roma Maued, late of 124 Victoria Street, Altona Meadows, Victoria 3028, deceased, who died on 15 May 2017.
- WILLIAMS, Russell, late of 157/1 Fullard Road, Narre Warren, Victoria 3805, deceased, who died on 9 August 2016.

Dated 29 June 2017

Dated 30 June 2017

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 8 September 2017, 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.

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 11 September 2017, 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.

ADAMS, Raymond Francis, late of Unit 1, 101 Mount View Parade, Croydon, Victoria 3136, deceased, who died on 6 December 2016.

BABOS, Matyas, late of Unit 11, 7–9 Francis Street, Yea, Victoria 3717, deceased, who died on 20 February 2017.

BEASLEY, Graeme Robin, late of 29 Woodvale Road, Boronia, Victoria 3155, unemployed, deceased, who died on 4 February 2017.

KELLETT, Gail Louise, late of Estia Health, 34–42 Brooklyn Road, Melton South, Victoria 3338, pensioner, deceased, who died on 1 March 2017.

LANGFORD, Trevor Charles, late of Montgomery House, 294 Kooyong Road, Caulfield, Victoria 3162, deceased, who died on 19 March 2017.

Dated 3 July 2017

#### INTERIM EXEMPTION

Application No. H122/2017

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by Women's Liberation Halfway House Inc. (the applicant). The application for exemption is to enable the applicant to:

- (a) Advertise for and employ only women to work in the applicant's refuge service; and
- (b) Provide services and accommodation to women only and their children, including boys aged up to 17 years,

(the exempt conduct).

Upon reading the material filed in support of this application, including the affidavit of Anne Jenkins, and having had regard to an earlier exemption which expired on 7 March 2017, the Tribunal is satisfied that it is appropriate to grant an interim exemption from sections 16, 44, 52, 107 and 182 to enable the applicant to engage in the exempt conduct until the application is finally heard and determined.

In granting this exemption, the Tribunal noted:

- The applicant provides high security crisis accommodation and other support services to women and to their children, including boys aged up to 17 years. The women and their

children have experienced family violence. Given the services are offered to women who have experienced violence, usually by men, it is appropriate that accommodation and services are offered to women only and that the staff providing those services are only women.

- Previous exemptions have been granted to the applicant in similar terms, the last of which expired on 7 March 2017. Pending the Tribunal considering whether the exceptions contained in sections 28, 60 and 88 apply to the exempt conduct, it is appropriate to grant an interim exemption as the exempt conduct may amount to prohibited discrimination.
- When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter). Arguably, this exemption limits the right to equality and in particular the right to equal and effective protection against discrimination of men who wish to be employed by the applicant and/or access its services. I am satisfied that for the purposes of this interim exemption, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an interim exemption from the operation of sections 16, 44, 52, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 31 August 2017.

Dated 3 July 2017

ANNA DEA  
Senior Member

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

On Saturday 29 July 2017 at 11.00 am on site

**Reference:** F14/5593.

**Address of Property:** 30 Weighbridge Road, Windermere, Victoria 3352.

**Crown Description:** Crown Allotment 2010, Parish of Windermere.

**Terms of Sale:** Deposit 10%, Balance 60 days or earlier by mutual agreement.

**Area:** 4634 m<sup>2</sup>.

**Officer Co-ordinating Sale:** Garry McKenzie, Garry McKenzie & Associates Pty Ltd, 206 Doveton Street South, Ballarat, Victoria 3350.

**Selling Agent:** Ballarat Real Estate, 402 Sturt Street, Ballarat, Victoria 3350.

ROBIN SCOTT MP  
Minister for Finance

Uniting (Victoria and Tasmania) Limited  
51 Princes Highway

Dandenong, Victoria 3175

Principal Officer: Prudence Anne Walker

Deputy Principal Officer: Lisa Milani

Dated 30 June 2017

JENNIFER HICKEY

Director, Statutory and Forensic Services

Community Services Programs and Design

Delegate of the Secretary to the Department of

Health and Human Services

Department of Treasury and Finance

SALE OF CROWN LAND  
BY PUBLIC AUCTION

On Saturday 5 August 2017 at 11.00 am  
at 15 School Road, Warrenbayne

**Reference:** F15/1289.

**Address of Property:** 15 School Road,  
Warrenbayne.

**Crown Description:** Crown Allotment 152G,  
Parish of Samaria, Title Plan No. TP954998F.

**Terms of Sale:** Deposit 10%, Balance 60 days.

**Area:** 1.873 ha.

**Officer Co-ordinating Sale:** Peter Joustra,  
Land and Property Group, Department of  
Treasury and Finance, Level 5, 1 Treasury  
Place, Melbourne, Victoria 3002.

**Selling Agent:** Benalla Residential Rural Real  
Estate, 72 Bridge Street, Benalla, Victoria  
3672.

ROBIN SCOTT MP  
Minister for Finance

**Associations Incorporation Reform Act 2012**

SECTION 134

I, David Joyner, under delegation provided by the Registrar, hereby give notice that, pursuant to section 134(1) of the Act, the registration of the incorporated associations mentioned below have been cancelled on this day.

Melton Rural Property Owners Group  
Incorporated

Dated 6 July 2017

DAVID JOYNER

Deputy Registrar of

Incorporated Associations

PO Box 4567

Melbourne, Victoria 3001

**Associations Incorporation Reform Act 2012**

SECTION 138

I, David Joyner, Deputy Registrar of Incorporated Associations, under delegation provided by the Registrar, hereby give notice that an application for the voluntary cancellation of incorporation, pursuant to section 136 of the Act, has been received by the Registrar from each of the associations mentioned below:

Alpine Saints Football Netball Club Inc.;  
Balmoral Rodeo Association Inc.; Dance Focus  
Inc.; Dunolly Bealiba Community Emergency  
Support Group Inc.; Empty Space Project Inc.;  
Glen Waverley Badminton Club Inc.; Jeep  
Owners Club, Victoria Inc.; Knox Gardens  
Pre-School Inc.; Lake Tanganyika Community  
Housing Project of Victoria Incorporated;  
Lethbridge Environment Group (LEG) Inc.;  
Lysterfield Christian Education Centre Inc.;  
Maffra Chamber of Commerce and Industry  
Inc.; Mandala Foundation Inc.; Manor Lakes

**Adoption Act 1984**

Sections 21 and 22

APPLICATION FOR APPROVAL AS AN  
ADOPTION AGENCY

After considering the application from the following welfare organisation, which has applied for approval as an 'approved agency' for the purposes of conducting negotiations and making arrangements for the adoption of children, I grant the application of approval as an 'approved agency', in accordance with section 22 of the **Adoption Act 1984**.

Residents' Association Inc.; Melbourne Cricket Club Tennis Section Inc.; Monbulk Night T.O.W.N. Club Inc.; Moyston Hall Committee Incorporated; Orrong Road Kindergarten Inc.; Phillip Island Food Fanatics Inc.; Pier Port Hotel Social Club Inc.; Probus Ladies Club Clayton Inc.; Rally The Saints Inc.; Say No to Sky Rail Incorporated; St Kilda Mauritian Social Club Inc.; Swan Hill Eisteddfod Inc.; Tatura Badminton Club Inc.; The Barry Road Community Activity Centre Inc.; The Byrneside Depression Drainage Group Inc.; The Laurel Club of Ballarat Legacy Inc.; The Paul Foundation Inc.; The Victorian Country Tennis Association Inc.; Tourism Hepburn Incorporated Inc.; Western Port Mariners Club Inc.

I further advise that unless a person makes a written objection to cancellation to the Registrar within 28 days of the date of this notice, I intend to cancel the incorporation of the incorporated associations mentioned above.

Dated 6 July 2017

DAVID JOYNER  
Deputy Registrar of  
Incorporated Associations  
GPO Box 4567  
Melbourne, Victoria 3001

#### **Agent-General and Commissioners for Victoria Act 2007**

I, Philip Dalidakis, Minister for Small Business, Innovation and Trade, under section 11(1) of the **Agent-General and Commissioners for Victoria Act 2007**, direct the Commissioner for Victoria, Mr Michael Kapel, to perform functions and carry out duties under the Act in the below listed post territories, with the position to remain based in San Francisco, from 1 November 2017.

Post Territories:

|                     |                    |                                  |
|---------------------|--------------------|----------------------------------|
| Antigua and Barbuda | Dominica           | Panama                           |
| Argentina           | Dominican Republic | Paraguay                         |
| Bahamas             | Ecuador            | Peru                             |
| Barbados            | El Salvador        | Saint Kitts and Nevis            |
| Belize              | Grenada            | Saint Lucia                      |
| Bolivia             | Guatemala          | Saint Vincent and the Grenadines |
| Brazil              | Guyana             | Suriname                         |
| Canada              | Haiti              | Trinidad and Tobago              |
| Chile               | Honduras           | United States of America         |
| Colombia            | Jamaica            | Uruguay                          |
| Costa Rica          | Mexico             | Venezuela                        |
| Cuba                | Nicaragua          |                                  |

Dated 18 June 2017

THE HON. PHILIP DALIDAKIS MP  
Minister for Small Business, Innovation and Trade



**SOUTHERN  
METROPOLITAN**  
CEMETERIES TRUST

Honouring and celebrating life

**Cemeteries and Crematoria Act 2003**

**NOTICE OF INTENT TO ADOPT NEW  
CEMETERY FEES**

In accordance with section 39 of the **Cemeteries and Crematoria Act 2003**, Southern Metropolitan Cemeteries Trust (SMCT) gives notice of new proposed fees and charges relating to pricing for cemetery services.

**Objectives**

The objective of the proposed fee schedule is to set fees that promote efficiency and equity (through a choice of services at the minimum cost to the community) and ongoing financial sustainability (to recover legacy costs) of SMCT consistent with the requirements of the **Cemeteries and Crematoria Act 2003**.

A primary function of the consultation process is to allow members of the public to comment on any proposed fees before they are finalised. Public input provides valuable information and can improve the overall quality of decision making.

**Submissions**

Submissions on the proposed fees are invited and must be received no later than 5.00 pm on 4 August 2017. The submissions will be considered before the proposed regulations are made. Please note that submissions are subject to the **Freedom of Information Act 1982** and copies will be provided to the Scrutiny of Acts and Regulations Committee.

Email submissions are preferred and can be sent to: [Enquiries@smct.org.au](mailto:Enquiries@smct.org.au) with the subject 'SMCT Fee Regulations'.

Alternatively, submissions can be made by post marked 'SMCT Fee Regulations' and addressed to: Director of Finance and Business Services, Southern Metropolitan Cemeteries Trust, PO Box 1159, Clayton, Victoria 3169.

Further information can be obtained from the SMCT website at [www.smct.org.au](http://www.smct.org.au)

NOEL RENWICK  
Director of Finance and Business Services

HERITAGE  
VICTORIA  
HERITAGE  
VICTORIA  
HERITAGE  
VICTORIA

**Heritage Act 1995**

**NOTICE OF REGISTRATION**

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

Number: H0517

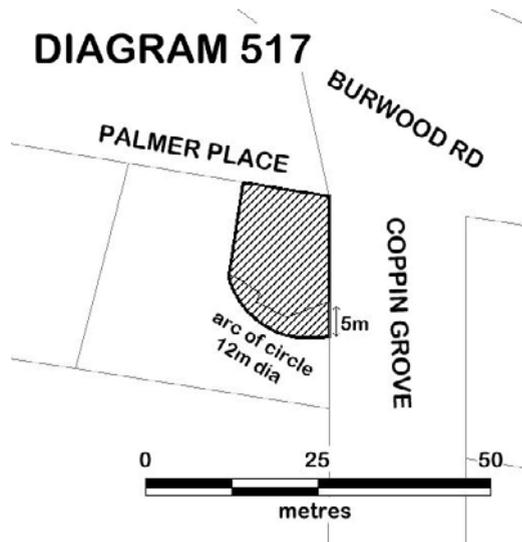
Category: Heritage Place

Place: Former Invergowrie Lodge

Location: 8 Palmer Place, Hawthorn

Boroondara City

All of the place shown hatched on Diagram 517 encompassing all of Lot 1 and part of Lot 2 on Plan of Subdivision 413738.



Dated 6 July 2017

TIM SMITH  
Executive Director

**Corrections Act 1986**NOTICE OF AN AWARD OF DAMAGES  
TO A PRISONER

In accordance with section 104Y of the **Corrections Act 1986**, notice is given that an award of damages has been made to prisoner Colin Earl Graham in a claim against a private prison in the State of Victoria. The award money, excluding medical expenses, has been paid into the Prisoner Compensation Quarantine Fund, where it will be held for an initial period of 12 months from 6 July 2017.

Creditors and victims in relation to criminal acts of Colin Earl Graham are invited to seek further information from the Secretary to the Department of Justice and Regulation. To do so, please contact the Victims Register PCQF Co-ordinator at the Victims Support Agency on 1800 819 817.

Dated 6 July 2017

**Electricity Industry Act 2000**NOTICE OF REVOCATION OF  
ELECTRICITY GENERATION LICENCE

The Essential Services Commission's predecessor, the Office of the Regulator-General, issued an electricity generation licence (licence number EG02-1997) to the Hazelwood Power Partnership (Hazelwood Power) to generate electricity at the Hazelwood Power Station.

The Commission has revoked the licence, at the request of Hazelwood Power, in accordance with section 29(3) of the **Electricity Industry Act 2000** and the terms of the licence. The licence revocation is effective from 28 June 2017.

DR RON BEN-DAVID  
Chairperson

**Electricity Industry Act 2000**NOTICE OF REVOCATION OF  
ELECTRICITY TRADER LICENCE

The Essential Services Commission's predecessor, the Office of the Regulator General, issued an electricity trader licence (licence number ET\_01/1994) to the State Electricity Commission of Victoria (ABN 58 155 836 293) (SECV).

The Commission has revoked the licence, at the request of the SECV, in accordance with section 29(3) of the **Electricity Industry Act 2000** and the terms of the licence. The licence revocation is effective from 21 June 2017.

DR RON BEN-DAVID  
Chairperson

**Electricity Industry Act 2000**NOTIFICATION OF VARIATION OF  
LICENCE TO SELL ELECTRICITY

The Essential Services Commission (Commission) gives notice under section 30(b) of the **Electricity Industry Act 2000** (Vic.) (EIA) that on 21 June 2017, pursuant to section 29(1)(b) of the EIA, the Commission varied GloBird Energy Pty Ltd's (ACN 600 285 827) electricity retail licence (ER02/2015) to change its address.

The varied licence continues on an ongoing basis. A copy of the licence is available on the Commission's website, [www.esc.vic.gov.au](http://www.esc.vic.gov.au), or can be obtained by calling the Commission on (03) 9032 1300.

DR RON BEN-DAVID  
Chairperson

**Food Act 1984**REGISTRATION OF A  
FOOD SAFETY PROGRAM TEMPLATE

I, Dr Milena Canil, as delegate of the Secretary to the Department of Health and Human Services, under section 19DB of the **Food Act 1984** (the Act) –

1. state that the template entitled **Coles Food Safety Program template Version 10** (the template) is registered for use; and
2. specify that this template is suitable for use by food businesses trading as **Coles** carried out at, on or from class 2 food premises.

In this instrument –

'**class 2 food premises**' means food premises declared to be class 2 food premises under section 19C of the Act.

This instrument takes effect on the date it is published in the Government Gazette.

DR MILENA CANIL  
Senior Manager  
Food Safety Unit

**Food Act 1984**

REVOCATION OF REGISTRATION OF A FOOD SAFETY PROGRAM TEMPLATE

I, Dr Milena Canil, as delegate of the Secretary to the Department of Health and Human Services –

(a) noting that the **Coles Food Safety Plan template Version 9** was registered under section 19DB of the **Food Act 1984** (the Act) in a notice published in the Government Gazette on 18 February 2016;

(b) revoke the registration of that food safety program template under section 19DB of the Act.

This revocation takes effect on the date this notice is published in the Government Gazette.

DR MILENA CANIL  
Senior Manager  
Food Safety Unit

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**Gas Industry Act 2001**

NOTIFICATION OF GRANT OF LICENCE TO SELL GAS

The Essential Services Commission (the Commission) gives notice under section 39 of the **Gas Industry Act 2001** (Vic.) (GIA) that, pursuant to section 26(1) of the GIA, the Commission has granted a licence to sell gas to GloBird Energy Pty Ltd (ACN 600 285 827).

The licence is granted on an ongoing basis. A copy of the licence is available on the Commission's website, [www.esc.vic.gov.au](http://www.esc.vic.gov.au), or can be obtained by calling the Commission on (03) 9032 1300.

DR RON BEN-DAVID  
Chairperson

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**Victorian Managed Insurance Authority Act 1996**

I, Robin Scott MP, being the Minister responsible for administering the **Victorian Managed Insurance Authority Act 1996**, pursuant to section 25A of the Act, direct the Victorian Managed Insurance Authority (VMIA) to provide Industrial Special Risk insurance to NTT Data Payment Services Victoria.

This Direction is effective from 1 July 2017 to 30 June 2019 (both dates inclusive), with VMIA to determine the premiums payable, as well as any policy terms and conditions as it sees fit. The insurance is to be provided at a commercial rate.

Dated 20 June 2017

ROBIN SCOTT MP  
Minister for Finance

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**Geographic Place Names Act 1998**

## CORRIGENDUM

In the Victoria Government Gazette No. G26, 29 June 2017, page 1386, under **Geographic Place Names Act 1998**, Notice of Registration of Geographic Names, Feature Naming, Place name, Booran Reserve, Naming Authority and Location, should read, located at the corner of Booran and Glen Huntly Roads, Glen Huntly.

Office of Geographic Names

Land Use Victoria  
570 Bourke Street  
Melbourne 3000

DAVID R. BOYLE  
Registrar of Geographic Names

**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:

| <b>Change Request Number</b> | <b>Road Name</b> | <b>Locality</b> | <b>Naming Authority and Location</b>   |
|------------------------------|------------------|-----------------|--|
| 88618                        | Paul Chase       | Marysville      | Murrindindi Shire Council<br>The road traverses west from Buxton–Marysville Road.                        |
| 100518                       | Dodd Lane        | St Kilda        | Port Phillip City Council<br>The road traverses north from Dickens Street.                               |
| 101015                       | Aditi Lane       | Epping          | Whittlesea City Council<br>Formerly known as Isis Lane.<br>The road traverses south from Tesselaar Road. |
| 101111                       | Havelock Street  | Wodonga         | Wodonga City Council<br>Extending Havelock Street to intersect with Osburn Street.                       |

Office of Geographic Names

Land Use Victoria  
570 Bourke Street  
Melbourne 3000

DAVID R. BOYLE  
Registrar of Geographic Names

**Interpretation of Legislation Act 1984****VICTORIAN ENERGY EFFICIENCY TARGET AMENDMENT  
(WEATHER SEALING) REGULATIONS 2017**

## Notice of Incorporation of Documents and Address for Inspection of Documents

As required by section 32(3) of the **Interpretation of Legislation Act 1984**, notice is given that the Victorian Energy Efficiency Target Amendment (Weather Sealing) Regulations 2017 ('the Regulations') apply, adopt or incorporate the following document:

**Table of Applied, Adopted or Incorporated Matter**

| <b>Statutory Rule Provision</b>  | <b>Title of applied, adopted or incorporated document</b>   | <b>Matter in applied, adopted or incorporated document</b> |
|--|---|--|
| Regulation 6 which substitutes regulation 6(2)(b) of the Principal Regulations | The Building Code of Australia comprising –<br>(a) Volume One of the Australian Building Codes Board Series including any variations or additions in the Appendix Victoria set out in the Appendices to that Volume; and<br>(b) Volume Two of the Australian Building Codes Board Series including any Victorian additions set out in Appendix A of that Volume | Part 3.8.5   |
| Regulation 9 which substitutes Schedule 15 to the Principal Regulations        | The Building Code of Australia comprising –<br>(a) Volume One of the Australian Building Codes Board Series including any variations or additions in the Appendix Victoria set out in the Appendices to that Volume; and<br>(b) Volume Two of the Australian Building Codes Board Series including any Victorian additions set out in Appendix A of that Volume | Part 3.8.5   |

A copy of the material applied, adopted or incorporated by the Regulations has been lodged with the Clerk of the Parliaments and is available for inspection by the public, free of charge, during normal business hours at the Essential Services Commission, Level 37, 2 Lonsdale Street, Melbourne, Victoria 3000, telephone (03) 9032 1300.

HON. LILY D'AMBROSIO MP  
Minister for Energy, Environment and Climate Change

## Owner Drivers and Forestry Contractors Act 2005

### FORESTRY INDUSTRY COUNCIL – RATES AND COSTS SCHEDULE 2016–17

#### 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 contractors are 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   |
|--|---|
| <b>Equipment mix and contract term</b> | 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.                               |
| <b>Finance</b>                         | Based on \$994,850 of the total \$1,604,791 of equipment costs being under finance, and assumes 5 years and 6% interest, \$0 residual.  |
| <b>Fuel</b>                            | Based on retail diesel fuel cost (terminal gate price), net of tax rebates and net of GST of \$1.05 per litre (average daily rate for June 2104).   |
| <b>Hand falling</b>                    | 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. |
| <b>Terrain and yield</b>               | <ul style="list-style-type: none"> <li>● undulating terrain.</li> <li>● a snagging distance up to 350 metres.</li> <li>● a yield of 400–800 m<sup>3</sup> of total product per hectare.</li> </ul>      |
| <b>Volume</b>                          | 35,000 m <sup>3</sup> is harvested annually under a five-year contract.   |
| <b>Wages</b>                           | 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).                      |
| <b>Weeks per year</b>                  | Harvesting can occur 46 weeks per year, and there is minimal time lost for wet weather, coupe shifts and protests.  |

**B. OPERATING COSTS**

Note: All costs are exclusive of GST

| <p><b>Cost items</b><br/>Assumptions used in the example</p>   | <p>Example:<br/>typical cost<br/>per year</p> | <p>Your<br/>costs: \$</p> | <p>Variations in this cost item</p>   |
|--|---|---------------------------|---|
| <p><b>1. Equipment</b></p> <ul style="list-style-type: none"> <li>● Harvester (new) \$ 747,400</li> <li>● Excavator 1 (new) 313,100</li> <li>● Excavator 2 (3 years old) 136,073</li> <li>● Skidder (2 years old) 226,788</li> <li>● Vehicles 113,394</li> <li>● Dozer (over 10 years old) 68,037</li> <li>● <b>Total capital value</b> \$1,604,792</li> <li>● Based on annual volume of 35,000 m<sup>3</sup> under a five year contract.</li> </ul> |   |                           | <ul style="list-style-type: none"> <li>● This figure is based on a mechanical harvesting operation harvesting 35,000 m<sup>3</sup> per year, using a mixture of new and older / second hand equipment over a five year contract. A smaller operation will require a different equipment mix.</li> <li>● The operating costs of particular equipment will vary with the age and condition of the equipment.</li> <li>● The equipment mix will be different for a hand falling operation. The same crew will be required, but there will be no harvester.</li> <li>● Assumes support vehicle(s) used exclusively for business use.</li> </ul> |
| <p><b>2. Finance</b></p> <ul style="list-style-type: none"> <li>● Hire purchase and loan repayments for equipment listed in item 1 above.</li> <li>● Based on \$994,850 of the total equipment costs of 1.605 million being financed with the balance being the owners own funds invested, and assumes five year finance contract, 6% interest, \$0 residual.</li> </ul>   | <p>\$230,826</p>                              |                           | <ul style="list-style-type: none"> <li>● Assumes interest is charged at 6% per annum. Interest rates may vary over time.</li> <li>● If a greater (or lesser) proportion of the capital investment is borrowed, finance cost will be higher (or lower) accordingly.</li> </ul>   |
| <p><b>3. Repairs and Maintenance</b></p> <ul style="list-style-type: none"> <li>● Includes costs of parts and labour based on trade qualified fitter.</li> </ul>   | <p>\$92,264</p>                               |                           | <ul style="list-style-type: none"> <li>● Based on a mixture of new and older equipment.</li> <li>● Contractors with less reliable equipment may incur greater maintenance costs and may also experience delays or losses of production.</li> <li>● Major repairs may be treated as a depreciation expense and written off over several years.</li> <li>● Assume that basic machine oil and grease servicing carried out by crew.</li> </ul>   |

| <p><b>Cost items</b><br/><b>Assumptions used in the example</b></p>  | <p><b>Example:</b><br/><b>typical cost</b><br/><b>per year</b></p> | <p><b>Your</b><br/><b>costs: \$</b></p> | <p><b>Variations in this cost item</b></p>   |                                    |                                    |          |        |       |       |       |          |        |       |       |       |          |        |       |       |       |             |         |        |       |       |        |         |        |        |       |                  |  |  |
|--|--|---|--|------------------------------------|------------------------------------|----------|--------|-------|-------|-------|----------|--------|-------|-------|-------|----------|--------|-------|-------|-------|-------------|---------|--------|-------|-------|--------|---------|--------|--------|-------|------------------|--|--|
| <p><b>4. Fuel and Lubricants</b></p> <ul style="list-style-type: none"> <li>Based on consumption of 122,500 litres of fuel per year, 3.5 litres per m<sup>3</sup></li> <li>Based on retail diesel fuel cost (terminal gate price), net of tax rebates and net of GST of \$1.05 per litre (average daily rate in June 2016).</li> </ul>   | <p>\$128,625</p>   |   | <ul style="list-style-type: none"> <li>Rises and falls in the cost of fuel have an impact upon the costs of the business.</li> <li>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).</li> </ul>   |                                    |                                    |          |        |       |       |       |          |        |       |       |       |          |        |       |       |       |             |         |        |       |       |        |         |        |        |       |                  |  |  |
| <p><b>5. Floatwork</b></p> <ul style="list-style-type: none"> <li>Assumes movement of four pieces of machinery between locations 6 times per annum at an average time of 3 hours each, at \$172 per hour.</li> </ul>   | <p>\$12,362</p>  |   | <ul style="list-style-type: none"> <li>This cost may be higher or lower depending upon the number of locations.</li> <li>Additional float costs may be incurred if there is a need for further movements (e.g. weather, protest action).</li> </ul>  |                                    |                                    |          |        |       |       |       |          |        |       |       |       |          |        |       |       |       |             |         |        |       |       |        |         |        |        |       |                  |  |  |
| <p><b>6. Labour</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>Manager/logging team leader (LTL) employed at \$110,667 per year.</li> </ul>   | <p>\$416,540</p>   |   | <ul style="list-style-type: none"> <li>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.</li> <li>Labour costs may vary in particular regions or with trial arrangements. Employee costs may increase or decrease over time depending on market factors (e.g. a labour shortage).</li> <li>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.</li> <li>Payment for the owner/manager's labour will vary significantly based on market factors – see section D below.</li> <li>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.</li> </ul> |                                    |                                    |          |        |       |       |       |          |        |       |       |       |          |        |       |       |       |             |         |        |       |       |        |         |        |        |       |                  |  |  |
| <table border="1"> <thead> <tr> <th></th> <th><b>Wage</b><br/><b>\$</b></th> <th><b>Super</b><br/><b>9.5%</b></th> <th><b>W/Cover</b><br/><b>8.6%</b></th> <th><b>Other</b><br/><b>on-costs \$</b></th> </tr> </thead> <tbody> <tr> <td>Worker 1</td> <td>79,214</td> <td>7,525</td> <td>6,812</td> <td>1,296</td> </tr> <tr> <td>Worker 2</td> <td>79,214</td> <td>7,525</td> <td>6,812</td> <td>1,296</td> </tr> <tr> <td>Worker 3</td> <td>79,214</td> <td>7,525</td> <td>6,812</td> <td>1,299</td> </tr> <tr> <td>LTL/manager</td> <td>110,667</td> <td>10,513</td> <td>9,517</td> <td>1,299</td> </tr> <tr> <td>Totals</td> <td>348,309</td> <td>33,088</td> <td>29,953</td> <td>5,190</td> </tr> </tbody> </table> |  | <b>Wage</b><br><b>\$</b>                | <b>Super</b><br><b>9.5%</b>  | <b>W/Cover</b><br><b>8.6%</b>      | <b>Other</b><br><b>on-costs \$</b> | Worker 1 | 79,214 | 7,525 | 6,812 | 1,296 | Worker 2 | 79,214 | 7,525 | 6,812 | 1,296 | Worker 3 | 79,214 | 7,525 | 6,812 | 1,299 | LTL/manager | 110,667 | 10,513 | 9,517 | 1,299 | Totals | 348,309 | 33,088 | 29,953 | 5,190 | <p>\$416,540</p> |  |  |
|  | <b>Wage</b><br><b>\$</b>   | <b>Super</b><br><b>9.5%</b>             | <b>W/Cover</b><br><b>8.6%</b>  | <b>Other</b><br><b>on-costs \$</b> |                                    |          |        |       |       |       |          |        |       |       |       |          |        |       |       |       |             |         |        |       |       |        |         |        |        |       |                  |  |  |
| Worker 1   | 79,214   | 7,525                                   | 6,812  | 1,296                              |                                    |          |        |       |       |       |          |        |       |       |       |          |        |       |       |       |             |         |        |       |       |        |         |        |        |       |                  |  |  |
| Worker 2   | 79,214   | 7,525                                   | 6,812  | 1,296                              |                                    |          |        |       |       |       |          |        |       |       |       |          |        |       |       |       |             |         |        |       |       |        |         |        |        |       |                  |  |  |
| Worker 3   | 79,214   | 7,525                                   | 6,812  | 1,299                              |                                    |          |        |       |       |       |          |        |       |       |       |          |        |       |       |       |             |         |        |       |       |        |         |        |        |       |                  |  |  |
| LTL/manager  | 110,667  | 10,513                                  | 9,517  | 1,299                              |                                    |          |        |       |       |       |          |        |       |       |       |          |        |       |       |       |             |         |        |       |       |        |         |        |        |       |                  |  |  |
| Totals   | 348,309  | 33,088                                  | 29,953   | 5,190                              |                                    |          |        |       |       |       |          |        |       |       |       |          |        |       |       |       |             |         |        |       |       |        |         |        |        |       |                  |  |  |

| Cost items<br>Assumptions used in the example   | Example:<br>typical cost<br>per year | Your<br>costs: \$ | Variations in this cost item   |
|---|--------------------------------------|-------------------|--|
| <b>7. Insurance</b> <ul style="list-style-type: none"> <li>● Comprehensive- vehicles and equipment value \$1.605 million) (\$14,197).</li> <li>● Loss of business earnings/ loss of profits (\$9,206).</li> <li>● Public liability (for \$10 million) (\$4,034).</li> </ul>   | \$27,437                             |                   | <ul style="list-style-type: none"> <li>● This cost is based on the typical insurance policies in place for the equipment above.</li> <li>● Insurance costs may vary depending upon the age of the vehicle or equipment insured, the provider, any excess payable and claims history.</li> <li>● 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.</li> </ul> |
| <b>8. Occupational Health and Safety</b> <ul style="list-style-type: none"> <li>● Maintenance of safety systems and training.</li> <li>● Cost of personal protective equipment (\$615 per person)</li> </ul>  | \$5,927                              |                   | <ul style="list-style-type: none"> <li>● Changes to OHS regulations or improvement responses to external OHS System audits may increase costs.</li> </ul>  |
| <b>9. Administration</b> <ul style="list-style-type: none"> <li>● Management of business records (eg employee records, invoices, payments, invoices, banking) and other management/administration tasks (\$37,936).</li> <li>● Use of accountant/bookkeeper to prepare Business Activity Statements, tax and company returns and audits (\$4,906).</li> </ul> | \$42,842                             |                   | <ul style="list-style-type: none"> <li>● Cost may vary depending on whether bookkeeping is outsourced or undertaken by business and on the complexity of accounts.</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 (e.g. registering a company).</li> </ul>   |
| <b>10. Other overheads</b> <ul style="list-style-type: none"> <li>● Bank charges (\$1,253)</li> <li>● Telephone and power (\$7,843)</li> <li>● Training, consultants, memberships (\$1,505)</li> <li>● Office expenses (\$3,134)</li> <li>● Sundries (\$25,511)</li> </ul>  | \$38,659                             |                   | <ul style="list-style-type: none"> <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>● Costs will vary with the size of the business (e.g. number of employees) and the service providers.</li> </ul>  |
| <b>Total annual costs</b>   | <b>\$995,482</b>                     |                   |  |
| Cost per m <sup>3</sup> : Assuming 35,000 m <sup>3</sup>  | \$28.44 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   |
|--|--|
| <b>Efficiency and productivity</b>                       | 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.<br>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. |
| <b>Climate and Weather</b>                               | 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.   |
| <b>Yield</b>   | 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%.   |
| <b>Terrain:<br/>Distance to landings</b>                 | The costs in this Schedule have been based on flat to undulating terrain and a snagging distance up to 350 metres. Increased snag 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%.  |
| <b>Terrain:<br/>Slope and soil type</b>                  | 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.   |
| <b>Products to be harvested:<br/>Piece size and form</b> | 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.  |
| <b>Guaranteed volume</b>                                 | 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' 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.     |
| <b>Contract terms</b>                                    | 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.   |
| <b>Hand falling</b>                                      | Costs for a crew operating with 100% hand falling will be significantly different. This kind of operation will have a reduced capacity (estimated at 20–25,000 m <sup>3</sup> for a three person crew and 30–35,000 m <sup>3</sup> 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, 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**.

### Owner Drivers and Forestry Contractors Act 2005

#### FORESTRY INDUSTRY COUNCIL – RATES AND COSTS SCHEDULE 2016–17

##### 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 contractors are 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<sup>1</sup> 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 @ \$283 per hour x eight engine hours per day (2 x \$283 x 8) | \$4,528.00        |
| One forwarder @ \$200 per hour x ten engine hours per day                    | \$2,000.00        |
| <b>Daily income</b>  | <b>\$6,528.00</b> |

- 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.
- **\$6,528.00** divided by 250 = **\$26.13** 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 2016. The rates are supported by costing assumptions for harvesting (**Table 2**) and haulage (**Table 3**).

**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.

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

<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.

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
- Markets
- 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

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 2016)**

| Harvest Phase | Harvest Input           | Attributes    |            | Machinery cost per engine hour (wet hire) |         |                      |
|---------------|-------------------------|---------------|------------|---|---------|----------------------|
|               |                         |               |            | Equipment (New)                           | Average | Equipment (Mid-Life) |
| Felling       | Tracked Feller Buncher  | Saw Head      | 150–225 kW | \$234                                     | \$211   | \$188                |
| Extraction    | Tracked Skidder (Dozer) | Winch         | 91–120 kW  | \$169                                     | \$157   | \$144                |
| Extraction    | Tracked Grapple Skidder | Dozer         | 121–150 kW | \$206                                     | \$189   | \$169                |
| Extraction    | Tracked Grapple Skidder | Purpose Built | 175–225 kW | \$234                                     | \$217   | \$199                |
| Extraction    | Skidder                 | Winch         | 110–130 kW | \$157                                     | \$145   | \$133                |
| Extraction    | Skidder                 | Grapple       | 131–180 kW | \$206                                     | \$176   | \$144                |
| Extraction    | Shovel                  | Excavator     | 121–150 kW | \$155                                     | \$176   | \$162                |
| Extraction    | Shovel                  | Purpose Built | 151–225 kW | \$272                                     | \$243   | \$211                |
| Extraction    | Forwarder               | Small         | 12–14 t    | \$188                                     | \$176   | \$162                |
| Extraction    | Forwarder               | Medium        | 15–18 t    | \$217                                     | \$200   | \$182                |
| Extraction    | Cable                   | Tower         | > 300 kW   | \$223                                     | \$200   | \$176                |
| Extraction    | Cable                   | Swing         | > 300 kW   | \$332                                     | \$301   | \$272                |
| Extraction    | Tailhold                | Dozer         | 121–150 kW | \$550                                     | \$480   | \$430                |
| Processing    | Harvester/ Rubber Tyred | Small         | 120–175 kW | \$272                                     | \$249   | \$223                |

| Harvest Phase | Harvest Input              | Attributes |               | Machinery cost per engine hour (wet hire) |         |                      |
|---------------|----------------------------|------------|---------------|---|---------|----------------------|
|               |                            |            |               | Equipment (New)                           | Average | Equipment (Mid-Life) |
| Processing    | Harvester/<br>Rubber Tyred | Medium     | 176–225 kW    | \$315                                     | \$283   | \$254                |
| Processing    | Harvester/<br>Tracked Base | Small      | 20 Equivalent | \$199                                     | \$182   | \$162                |
| Processing    | Harvester/<br>Tracked Base | Medium     | 22 Equivalent | \$266                                     | \$249   | \$230                |
| Processing    | Harvester/<br>Tracked Base | Medium     | 24 Equivalent | \$285                                     | \$261   | \$234                |
| Processing    | Harvester/<br>Tracked Base | Large      | 26 Equivalent | \$289                                     | \$272   | \$254                |
| Load-out      | Excavator                  | Loader     | 19–22 t       | \$144                                     | \$133   | \$121                |
| Load-out      | Excavator                  | Loader     | 28–34 t       | \$169                                     | \$157   | \$144                |
| Load-out      | Rubber Tyred<br>Loader     | Loader     | 91–125 kW     | \$157                                     | \$145   | \$133                |
| Load-out      | Rubber Tyred<br>Loader     | Loader     | 126–170 kW    | \$176                                     | \$163   | \$152                |
| Support       | Support Machine            | Dozer      | 91–120 kW     | \$143                                     | \$123   | \$105                |
| Short-Haul    | Truck                      | Twin Steer | Tri           | \$145                                     | \$139   | \$133                |
| Long-Haul     | Truck                      | B-Double   | Tri Tri       | \$169                                     | \$138   | \$108                |

**Table 2: Harvest Schedule Indexation Mechanism**

| Cost component                               | Fixed or Variable | Assumptions   | Proportion of costs budgeting       |
|--|-------------------|---|-------------------------------------|
| <b>Fuels and Oils</b>                        | 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%<br>Cable: 10.5% |
| <b>Labour</b>                                | Variable          | Timber Industry Award 2010 – Level 5 employee<br>Workers compensation, Victorian levy rate code A0303K (%) gazetted industry rate<br>Legislated rate for superannuation contributions by employer | Ground-based: 28.0%<br>Cable: 35.0% |
| <b>Parts, Tyres, Repairs and Maintenance</b> | Variable          | ABS Producer Price Indexes Stage 1, Commodities (Domestic and Imports) Catalogue 6427.  | Ground-based: 11.9%<br>Cable: 10.5% |
| <b>Finance and Insurance</b>                 | Variable          | ABS Consumer Price Index, Insurance (Miscellaneous) Catalogue 6401  | Ground-based: 11.9%<br>Cable: 10.5% |

| Cost component                          | Fixed or Variable | Assumptions  | Proportion of costs budgeting     |
|---|-------------------|--|-----------------------------------|
| <b>Administration and Overheads</b>     | Variable          | ABS Consumer Price Index, all groups, and all capital cities | Ground-based: 4.2%<br>Cable: 3.5% |
| <b>Capital component – depreciation</b> | Variable          | Adjusted each year in line with other costs                  | 30.0%                             |

**Table 3: Haulage Schedule Indexation Mechanism**

| Index component                              | Fixed or Variable | Assumptions/Source  | Starting proportion |
|--|-------------------|---|---------------------|
| <b>Fuels and Oils</b>                        | Variable          | Shell Terminal Gate Price (Melbourne) less GST Input Tax Credit less Off Road Use Rebate – Average price at 1 July.   | 24.5%               |
| <b>Labour</b>                                | Variable          | Timber Industry Award 2010 – Level 5 employee<br>Workers compensation, Victorian levy rate code A0303K (%) gazetted industry rate<br>Legislated rate for superannuation contributions by employer | 23.1%               |
| <b>Parts, Tyres, Repairs and Maintenance</b> | Variable          | ABS Producer Price Indexes Stage 1, Commodities (Domestic and Imports) Catalogue 6427.  | 12.6%               |
| <b>Finance and Insurance</b>                 | Variable          | ABS Consumer Price Index, Insurance (Miscellaneous) Catalogue 6401  | 4.9%                |
| <b>Administration and Overheads</b>          | Variable          | ABS Consumer Price Index, all groups, and all capital cities  | 4.9%                |
| <b>Capital component – Depreciation</b>      | 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 2016****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.

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

| <b>Subject</b>                     | <b>Assumptions</b>  |
|------------------------------------|---|
| <b>Hours and kilometres</b>        | Haulage occurs 46 weeks, 9 days per fortnight, (207 days) per year, over one 12-hour shift per day (including loading and unloading times).<br>Total hours worked per year: 2,484 (assumes 85,000 kilometres travelled per year).   |
| <b>Vehicle</b>                     | 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.   |
| <b>Terrain and road conditions</b> | 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: <ul style="list-style-type: none"> <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> |
| <b>Wages</b>                       | The Schedule assumes that the owner/manager is employed by the business.  |
| <b>Fuel</b>                        | Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST of \$1.05 per litre (average daily rate for June 2016). Assumes fuel consumption of 1.8 km per litre.   |

**B. OPERATING COSTS**

Note: All costs are exclusive of GST

| Cost items Assumptions used in the example  |  | Example: typical cost per year | Your costs: \$  | Variations in this cost item   |
|---|--|--------------------------------|---|--|
| <b>1. Equipment</b>   | <b>Current capital value</b>   |                                |   |  |
| <ul style="list-style-type: none"> <li>● Truck (bogie-drive) \$291,203</li> <li>● Jinker (tri-axle) \$111,342</li> <li>● Vehicle \$60,600</li> <li>● <b>Total: \$463,145</b></li> </ul> |  |                                | <ul style="list-style-type: none"> <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> |  |
| <b>2. Finance</b>   | Hire purchase and loan repayments for term of 5 years, interest of 6% p.a. and 30% residual value.   | \$75,213                       |   |  |
| <b>3. Labour</b>  | Owner is employed by the business on a wage, all-inclusive of sick leave, annual leave, public holidays, penalty rates and long service leave. | \$107,810                      |   | <ul style="list-style-type: none"> <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 <b>Section D</b>.</li> </ul> |
| Wage \$   | Super \$   | Total \$                       |   |  |
| \$94,405  | \$8,968  | \$107,810                      |   |  |
| <b>4. Repairs and Maintenance</b>   |  | \$44,035                       |   | <ul style="list-style-type: none"> <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>   |
| Assumes annual tyre cost of \$14,685, based on annual travel of 85,000 km per year.   |  |                                |   |  |
| Assumes \$29,350 for scheduled servicing, repairs and maintenance.  |  |                                |   |  |

| Cost items Assumptions used in the example  | Example: typical cost per year | Your costs: \$ | Variations in this cost item   |
|---|--------------------------------|----------------|--|
| <p><b>5. OHS/Fatigue Management</b></p> <ul style="list-style-type: none"> <li>● Maintenance of safety systems (\$762 per person per annum).</li> <li>● Cost of personal protective equipment and clothing (\$564 per person per year).</li> </ul>  | \$1,326                        |                | <ul style="list-style-type: none"> <li>● Changes to regulation or industry best practice may increase costs.</li> </ul>  |
| <p><b>6. Fuel and Lubricants</b></p> <ul style="list-style-type: none"> <li>● Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST, of \$1.05 per litre (average daily rate in June 2016).</li> <li>● Based on consumption rate of 1.6 km/litre, assumes average annual consumption of 53,125 litres to travel 85,000 km (\$55,781).</li> <li>● Lubricants at \$3,439/year.</li> </ul> | \$59,220                       |                | <ul style="list-style-type: none"> <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>   |
| <p><b>7. Insurance</b></p> <p><b>(a) Comprehensive, public liability, third party</b></p> <ul style="list-style-type: none"> <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> </ul> <p><b>(b) Insurance – income protection</b></p>  | \$7,390.12<br><br>\$2,458.95   |                | <ul style="list-style-type: none"> <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> |
| <p><b>8. Registration, permits and TAC fees</b></p> <ul style="list-style-type: none"> <li>● Vehicle registration fee of \$6,807 and TAC charge of \$1,106 (net of GST).</li> <li>● Assumes annual payment, garaged in low risk area.</li> </ul>  | \$7,913                        |                | <ul style="list-style-type: none"> <li>● Additional licences may be payable for certain types of operations (e.g. interstate, oversize). Additional administration charges may apply to registration fees if they are paid in instalments.</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  |
|---|---|----------------|---|
| <p><b>9. Administration and sundries</b></p> <ul style="list-style-type: none"> <li>● Five (5) hours per week paid administration (\$121.20 per week, \$6395.32/year)</li> <li>● Accountant is used for BAS, tax and company returns, audits (\$2,458.76)</li> <li>● Phone charges (\$4,156.31)</li> <li>● Bank charges (\$1,413.71)</li> <li>● Home office expenses (\$861.28)</li> <li>● Professional memberships, consultants and training (\$2,174.93)</li> <li>● Sundry expenses (tools, etc.) (\$614.42)</li> </ul> | <p>\$18,074.73</p>  |                | <ul style="list-style-type: none"> <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 (e.g. registering a company, purchasing a computer).</li> </ul> |
| <p><b>Total annual costs</b><br/>                     Cost per hour assuming 2,484 hours/year<br/>                     Cost per km assuming 85,000 km/year</p>  | <p><b>\$323,441</b><br/>                     \$130.31/hour<br/>                     \$3.81/km</p> |                |   |

### C. FACTORS INFLUENCING TOTAL OPERATING COSTS

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

| Variable                           | Impact   |
|------------------------------------|--|
| <b>Environment days per year</b>   | The number of days and total kilometres travelled per year in which haulage occurs will affect the contractor's operating costs. Fewer work days means that the business' fixed costs are spread over a shorter period, increasing the total cost per hour/kilometre of running the business. More work days per year allows the business' fixed costs to be spread over a longer period, decreasing the total cost per hour.  |
| <b>Terrain and road conditions</b> | 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.  |
| <b>Contract term</b>               | 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.<br>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><br>(includes allowance for leave, etc.) | Casual overtime rate <sup>3</sup><br>For the first two hours<br>over 7.6 per day or 38<br>per week | Casual overtime rate <sup>3</sup><br>For hours worked over<br>10 per day or 48 per<br>week |
|---|--|--|--|
| Typical base and casual rates paid to employee drivers per hour |  |  |  |
| \$24.78   | \$25.86  | \$33.10  | \$43.45  |
| Range of rates typically paid in Victoria <sup>4</sup>          |  |  |  |
| \$24.78 to \$29.73  | \$5.86 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 2016, but is varied from time to time by the Fair Work Commission. You can find information about the most recently published minimum employee rates by visiting [www.fwc.gov.au](http://www.fwc.gov.au) or contacting your association or union.
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:**

- <sup>1</sup> Haulage contractor and forest products are defined in the **Owner Drivers and Forestry Contractors Act 2005**.
- <sup>2</sup> 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 2016–17

#### 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 bogie bogie 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.

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

| Subject                            | Assumptions   |
|------------------------------------|---|
| <b>Hours and kilometres</b>        | 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).  |
| <b>Vehicle</b>                     | Based on a bogie drive prime mover and bogie bogie B Double trailers subject to a lease arrangement, over a 5-year lease term with a 30% residual, with a comparison interest rate of 9% per year.  |
| <b>Terrain and road conditions</b> | 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: <ul style="list-style-type: none"> <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> |
| <b>Wages</b>                       | The Schedule assumes that the owner/manager is employed by the business.  |
| <b>Fuel</b>                        | Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST of \$1.05 per litre (average daily rate in June 2016). Assumes fuel consumption of 1.6 km per litre.  |

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

<sup>2</sup> Hirers are required to provide haulage contractors with the Schedule that most closely relates to the vehicle and type of 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  |          |       |  |                    |  |  |
|--|--|--------------------------------|----------------|---|----------|-------|--|--------------------|--|--|
| <p><b>1. Equipment</b></p> <ul style="list-style-type: none"> <li>● Truck (bogie-drive)</li> <li>● Jinker (tri-axle)</li> <li>● Vehicle</li> <li>● <b>Total: \$594,890</b></li> </ul>  | <p><b>Current capital value</b></p> <ul style="list-style-type: none"> <li>\$312,090</li> <li>\$222,200</li> <li>\$60,600</li> <li><b>\$594,890</b></li> </ul> |                                |                | <ul style="list-style-type: none"> <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>   |          |       |  |                    |  |  |
| <p><b>2. Finance</b></p> <ul style="list-style-type: none"> <li>● Hire purchase and loan repayments for term of 5 years, interest of 6% p.a. and 30% residual value.</li> </ul>  |  | \$96,692                       |                |   |          |       |  |                    |  |  |
| <p><b>3. Labour</b></p> <ul style="list-style-type: none"> <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> |  | \$94,694                       |                | <ul style="list-style-type: none"> <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 <b>Section D</b>.</li> </ul> |          |       |  |                    |  |  |
| <table border="1"> <tr> <td>Wage \$</td> <td>Super \$</td> <td>W/Cover \$</td> </tr> <tr> <td>82,920</td> <td>7,877.40</td> <td>3,897</td> </tr> </table>  | Wage \$  | Super \$                       | W/Cover \$     | 82,920  | 7,877.40 | 3,897 |  | Total \$<br>94,694 |  |  |
| Wage \$  | Super \$   | W/Cover \$                     |                |   |          |       |  |                    |  |  |
| 82,920   | 7,877.40   | 3,897                          |                |   |          |       |  |                    |  |  |
| <p><b>4. Repairs and Maintenance</b></p> <ul style="list-style-type: none"> <li>● Assumes annual tyre cost of \$21,196.64, based on annual travel of 85,775 km per year.</li> <li>● Assumes \$32,284.11 for scheduled servicing, repairs and maintenance.</li> </ul>   |  | \$53,480.75                    |                | <ul style="list-style-type: none"> <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   |
|---|--------------------------------|----------------|--|
| <p><b>5. OHS/Fatigue Management</b></p> <ul style="list-style-type: none"> <li>● Maintenance of safety systems (\$751 per person per annum).</li> <li>● Cost of personal protective equipment and clothing (\$564 per person per year).</li> </ul>  | \$1,315                        |                | <ul style="list-style-type: none"> <li>● Changes to regulation or industry best practice may increase costs.</li> </ul>  |
| <p><b>6. Fuel and Lubricants</b></p> <ul style="list-style-type: none"> <li>● Based on retail diesel fuel cost (terminal gate price), net of fuel tax rebate and net of GST, of \$1.05 per litre (average daily rate in June 2016).</li> <li>● Based on consumption rate of 1.6 km/litre, assumes average annual consumption of 53,125 litres to travel 85,000 km (\$55,781).</li> <li>● Lubricants at \$3,439/year.</li> </ul> | \$59,220                       |                | <ul style="list-style-type: none"> <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>   |
| <p><b>7. Insurance</b></p> <p><b>(a) Comprehensive, public liability, third party</b></p> <ul style="list-style-type: none"> <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> </ul> <p><b>(b) Insurance – income protection</b></p>  | \$7,390.12<br><br>\$2,458.95   |                | <ul style="list-style-type: none"> <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> |
| <p><b>8. Registration, permits and TAC fees</b></p> <ul style="list-style-type: none"> <li>● Vehicle registration fee of \$13,581.19 and TAC charge of \$1,106.14 (net of GST).</li> <li>● Assumes annual payment, garaged in low risk area.</li> </ul>   | \$14,687.33                    |                | <ul style="list-style-type: none"> <li>● Additional licences may be payable for certain types of operations (e.g. interstate, oversize). Additional administration charges may apply to registration fees if they are paid in instalments.</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  |
|--|---|----------------|---|
| <p><b>9. Administration and sundries</b></p> <ul style="list-style-type: none"> <li>● Five (5) hours per week paid administration (\$121.20 per week, \$6,395.32/year)</li> <li>● Accountant is used for BAS, tax and company returns, audits (\$2,458.76)</li> <li>● Phone charges (\$4,156.31)</li> <li>● Bank charges (\$1,413.71)</li> <li>● Home office expenses (\$861.28)</li> <li>● Professional memberships, consultants and training (\$2,174.93)</li> <li>● Sundry expenses (tools, etc.) (\$614.42)</li> </ul> | <p>\$18,074.73</p>  |                | <ul style="list-style-type: none"> <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 (e.g. registering a company, purchasing a computer).</li> </ul> |
| <p><b>Total annual costs</b><br/>                     Cost per hour assuming 2,484 hours/year<br/>                     Cost per km assuming 85,000 km/year</p>   | <p><b>\$348,013</b><br/> <b>\$140.10/hour</b><br/> <b>\$4.09/km</b></p> |                |   |

### C. FACTORS INFLUENCING TOTAL OPERATING COSTS

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

| Variable                           | Impact   |
|------------------------------------|--|
| <b>Environment days per year</b>   | <ul style="list-style-type: none"> <li>• The number of days and total kilometres travelled per year in which haulage occurs will affect the contractor's operating costs.</li> <li>• Fewer work days means that the business' fixed costs are spread over a shorter period, increasing the total cost per hour/kilometre of running the business.</li> <li>• More work days per year allows the business' fixed costs to be spread over a longer period, decreasing the total cost per hour.</li> </ul>  |
| <b>Terrain and road conditions</b> | <ul style="list-style-type: none"> <li>• 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.</li> </ul>  |
| <b>Contract term</b>               | <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul> |

### 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><br>(includes allowance for leave, etc.) | Casual overtime rate <sup>3</sup><br>For the first two hours<br>over 7.6 per day or 38<br>per week | Casual overtime rate <sup>3</sup><br>For hours worked over<br>10 per day or 48 per<br>week |
|---|--|--|--|
| Typical base and casual rates paid to employee drivers per hour |  |  |  |
| \$24.78   | \$25.86  | \$33.10  | \$43.45  |
| Range of rates typically paid in Victoria <sup>4</sup>          |  |  |  |
| \$24.78 to \$29.73  | \$5.86 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 2016, but is varied from time to time by the Fair Work Commission. You can find information about the most recently published minimum employee rates by visiting [www.fwc.gov.au](http://www.fwc.gov.au) or contacting your association or union.
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.

**Plant Biosecurity Act 2010**

**ORDER DECLARING A RESTRICTED AREA IN NORTHERN VICTORIA  
FOR THE CONTROL OF QUEENSLAND FRUIT FLY**

I, Jaala Pulford, Minister for Agriculture, being of the reasonable belief that Queensland fruit fly (*Bactrocera tryoni* (Froggatt)) is present in Victoria, make the following Order under section 32(1) of the **Plant Biosecurity Act 2010** declaring the area described in Clause 6 of this Order to be a restricted area.

**1. Objectives**

The objectives of this Order are –

- (a) to declare a restricted area for the control of Queensland fruit fly in Victoria; and
- (b) to specify the prohibitions, restrictions and requirements which are to operate in relation to the restricted area.

**2. Authorising provision**

This Order is made under section 32(1) of the **Plant Biosecurity Act 2010** ('the Act').

**3. Commencement**

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

**4. Revocation**

The Order made under section 32(1) of the **Plant Biosecurity Act 2010**, and published in Victoria Government Gazette G28 on 14 July 2016 at pages 1839–1842, is **revoked**.

**5. Definitions**

In this Order –

**Queensland fruit fly host material** means the plants specified in Clause 7.

**6. Declaration of a restricted area for the control of Queensland fruit fly**

The area described in the Schedule, known as the Greater Sunraysia Pest Free Area, is declared to be a restricted area for the control of Queensland fruit fly.

**7. Affected plants**

This Order affects the following plants, and the fruits of such plants –

|                      |                          |            |
|----------------------|--------------------------|------------|
| Abiu                 | Carambola (Starfruit)    | Granadilla |
| Acerola              | Cashew Apple             | Grape      |
| Apple                | Casimiroa (White Sapote) | Grapefruit |
| Apricot              | Cherimoya                | Grumichama |
| Avocado              | Cherry                   | Guava      |
| Babaco               | Chilli                   | Hog Plum   |
| Banana               | Citron                   | Jaboticaba |
| Black Sapote         | Cocoa Berry              | Jackfruit  |
| Blackberry           | Cumquat                  | Jew Plum   |
| Blueberry            | Custard Apple            | Ju Jube    |
| Boysenberry          | Date                     | Kiwifruit  |
| Brazil Cherry        | Durian                   | Lemon      |
| Breadfruit           | Eggplant                 | Lime       |
| Caimito (Star Apple) | Feijoa                   | Loganberry |
| Cape Gooseberry      | Fig                      | Longan     |
| Capsicum             | Goji Berry               | Loquat     |

|               |              |                         |
|---------------|--------------|-------------------------|
| Lychee        | Peach        | Raspberry               |
| Mandarin      | Peacharine   | Rollinia                |
| Mango         | Pear         | Santol                  |
| Mangosteen    | Pepino       | Sapodilla               |
| Medlar        | Persimmon    | Shaddock                |
| Miracle Fruit | Plum         | Soursop                 |
| Mulberry      | Plumcot      | Strawberry              |
| Nashi         | Pomegranate  | Sweetsop (Sugar Apple)  |
| Nectarine     | Prickly Pear | Tamarillo               |
| Orange        | Pummelo      | Tangelo                 |
| Passionfruit  | Quince       | Tomato                  |
| Pawpaw        | Rambutan     | Wax Jambu (Rose Apple). |

## 8. Prohibitions, restrictions and requirements

- (a) The movement of any Queensland fruit fly host material into the restricted area described in Clause 6 is prohibited.
- (b) Subclause (1) does not apply to a person who brings any Queensland fruit fly host material into the restricted area under and in accordance with a permit issued by an inspector under the Act and complies with any conditions set out in the permit.
- (c) The owners and occupiers of land described in the Schedule must give an inspector access to such land for the purposes of inspection, deployment of any lures or traps, application of any treatment or performance of any other actions which are necessary for the eradication or prevention of spread of the pest.

## 9. Inspector may issue directions

An inspector is authorised to issue a direction to any owner or occupier of any land found within the area of land described in Schedule requiring the owner or occupier to –

- (a) strip Queensland fruit fly host material from plants, and collect and dispose of that material; or
- (b) treat or destroy that material.

## 10. Expiry

This Order remains in force for a period of 12 months after the date that it is published in the Victoria Government Gazette.

### Schedule

The area of land bounded by a line commencing at the intersection of the Murray River and Grigg Road, then in a southerly direction along Grigg Road, which becomes Kerang–Koondrook Road, to the intersection of Kerang–Koondrook Road and Airport Road, then in a westerly direction along Airport Road to the intersection of Airport Road and the Murray Valley Highway, then in a southerly direction along the Murray Valley Highway to the intersection of the Murray Valley Highway and Collins Road, then in a southerly direction along Collins Road to the intersection of Collins Road and Old Kerang Road, then in a westerly direction along Old Kerang Road to the intersection of Old Kerang Road and Taverner Road, then in a north-westerly direction along Taverner Road to the intersection of Taverner Road and Smith Road, then in a westerly direction along Smith Road to the intersection of Smith Road and Boort–Kerang Road, then in a northerly direction along Boort–Kerang Road to the intersection of Boort–Kerang Road and Shelley Lane, then in a westerly direction along Shelley Lane to the intersection of Shelley Lane and Dip Road, then in a northerly direction along Dip Road to the intersection of Dip Road and Kerang–Quambatook Road, then in a westerly direction along Kerang–Quambatook Road and Lalbert–

Kerang Road, then in a westerly direction along Lalbert–Kerang Road to the intersection of Lalbert–Kerang Road and Charleston Road, then in a northerly direction along Charleston Road to the intersection of Charleston Road and McDonald Road, then in a northerly direction along McDonald Road to the intersection of McDonald Road and Lake Charm–Quambatook Road, then in a generally westerly direction along Lake Charm–Quambatook Road to the intersection of Lake Charm–Quambatook Road and Bael Bael–Boga Road, then in a northerly direction along Bael Bael–Boga Road to the intersection of Bael Bael–Boga Road and Baulch Road, then in a westerly direction along Baulch Road to the intersection of Baulch Road and Lookout Road, then in a northerly direction along Lookout Road to the intersection of Lookout Road and Teagues Road, then in a westerly direction along Teagues Road to the intersection of Teagues Road and Steer Road, then in a northerly direction along Steer Road to the intersection of Steer Road and Quarry Road, then in a westerly direction along Quarry Road to the intersection of Quarry Road and Jam Pot Road, then in a northerly direction along Jam Pot Road to the intersection of Jam Pot Road and Lake Boga–Ultima Road, then in a westerly direction along Lake Boga–Ultima Road to the intersection of Lake Boga–Ultima Road and Quambatook Road, then in a northerly direction along Quambatook Road to the intersection of Quambatook Road and Greenham Road then in a north-westerly direction along Greenham Road, which becomes Williams Road, to the intersection of Williams Road and Hucker Road, then in a westerly direction along Hucker Road to the intersection of Hucker Road and Woorinen–Goschen Road, then in a northerly direction along Woorinen–Goschen Road to the intersection of Woorinen –Goschen Road and Blackwire Road, then in a westerly direction along Blackwire Road to the intersection of Blackwire Road and O’Connor Road, then in a northerly direction along O’Connor Road to the intersection of O’Connor Road and Bulga Road, then in a westerly direction along Bulga Road to the intersection of Bulga Road and French Road, then in a northerly direction along French Road to the intersection of French Road and Chillingollah Road, then in a westerly direction along Chillingollah Road to the intersection of Chillingollah Road and Evans Road, then in a northerly direction along Evans Road to the intersection of Evans Road and Chinkapook–Nyah West Road, then in a westerly direction along Chinkapook–Nyah West Road to the intersection of Chinkapook–Nyah West Road and Templeton Road, then in a northerly direction along Templeton Road to the intersection of Templeton Road and Miralie–Cockamba Road, then in a westerly direction along Miralie–Cockamba Road to the intersection of Miralie–Cockamba Road and Rogers Lane, then in a northerly direction along Rogers Lane, which becomes Salt Pan Road, to the intersection of Salt Pan Road and the Mallee Highway, then in a westerly direction along the Mallee Highway to the intersection of the Mallee Highway and Fire Access Road, then in northerly direction along Fire Access Road, which becomes Wilkins Road, which becomes Lighthouse Road to the intersection of Lighthouse Road and Haysdale–Kooloonong Road, then in a westerly direction along Haysdale–Kooloonong Road, which becomes Boundary Bend–Kooloonong Road, to the intersection of Boundary Bend–Kooloonong Road and O’Bree Road, then in a westerly direction along O’Bree Road, which becomes Ferry Road to the intersection of Ferry Road and Paul Lane, then in a northerly direction along Paul Lane to the intersection of Paul Lane and the Murray Valley Highway, then in a westerly direction along the Murray Valley Highway to the intersection of the Murray Valley Highway and Lake Carpul Road, then in a generally southerly direction along Lake Carpul Road to the intersection of Lake Carpul Road and Lake Powell Road, then in a south-westerly direction along Lake Powell Road to the intersection of Lake Powell Road and Sealake–Robinvale Road, then in a northerly direction along Sealake–Robinvale Road to the intersection of Sealake–Robinvale Road and Annuello–Wemen Road, then in a north-westerly direction along Annuello–Wemen Road to the intersection of Annuello–Wemen Road and McLean Road, then in a westerly direction along McLean Road, which becomes Kelly Road to the intersection of Kelly Road and Boothey Road, then in a straight line in a south-westerly direction to the intersection of Benham Track and Angle Track, then in a north-easterly direction along Angle Track to the intersection of Angle Track and Hattah–Robinvale Road, then in a westerly direction along Hattah–Robinvale Road to the intersection of Hattah–Robinvale Road and Shorts Pipeline Track, then in a north-easterly direction along Shorts Pipeline Track to the intersection of Shorts Pipeline Track and Messengers Mailbox Track, then in a straight line in a northerly direction to the

intersection of Cantala Track and River Track, then in a northerly direction along River Track to the intersection of River Track and Goosefoot Track, then in a westerly direction along Goosefoot Track to the intersection of Goosefoot Track and Reed Road, then in a northerly direction along Reed Road to the intersection of Reed Road and Dry Lakes Road, then in a westerly direction along Dry Lakes Road to the intersection of Dry Lakes Road and Dumosa Track, then in a southerly, then westerly direction along Dumosa Track to the intersection of Dumosa Track and Nowingi Track, then in a westerly direction along Nowingi Track to the intersection of Nowingi Track and the Calder Highway, then in a northerly direction along the Calder Highway to the intersection of the Calder Highway and North West Angle Road, then in a westerly direction along North West Angle Road to the intersection of North West Angle Road and Doering Road, then in a northerly direction along Doering Road to the intersection of Doering Road and Yatpool West Road, then in a westerly direction along Yatpool West Road to the intersection of Yatpool West Road and Thurla Road, then in a northerly direction along Thurla Road to the intersection of Thurla Road and Red Cliffs–Meringur Road, then in a westerly direction along Red Cliffs–Meringur Road to the intersection of Red Cliffs–Meringur Road and Meridian Road, then in a northerly direction along Meridian Road to the intersection of Meridian Road and the Sturt Highway, then in a south-westerly direction along the Sturt Highway to the intersection of the Sturt Highway and Keera Road, then in a westerly direction along Keera Road to the intersection of Keera Road and Amos Lane, then in a northerly direction along Amos Lane to the intersection of Amos Lane and Old Mail Road, then in a north-easterly direction along Old Mail Road to the intersection of Old Mail Road and Deadmans Track, then in a northerly direction along Deadmans Track to the intersection of Deadmans Track and Snaggy Point Track, then in a north-easterly direction along Snaggy Point Track to the intersection of Snaggy Point Track and Glass House Track, then in a north-westerly direction along Glass House Track to the intersection of Glass House Track and the Murray River, then in a generally south-easterly direction along the Murray River to the point of commencement.

**Notes**

Section 33 of the Act provides that it is an offence for a person to knowingly cause or permit the movement of any plant, plant product, plant vector, used package, used equipment, earth material or beehive to which the declaration of the restricted area applies into, within or from that area or to contravene any prohibition, restriction or requirement specified in this order, unless authorised to do so by a permit issued by an inspector and in accordance with that permit. A maximum penalty of 60 penalty units applies in the case of a natural person and 300 penalty units in the case of a body corporate.

Section 35(2) of the Act provides that an order under section 32 may authorise an inspector to issue directions to any person to do any of the things listed in section 35(1). Section 35(3) of the Act provides that a person must not contravene any direction of an inspector under section 35(2). A penalty of 60 penalty units applies.

Terms used in this Order that are defined in the Act have that meaning.

Dated 22 June 2017

HON. JAALA PULFORD MP  
Minister for Agriculture

## PREVENTION OF CRUELTY TO ANIMALS REGULATIONS 2008

## Ministerial Approval Under Regulation 32(2)

Under regulation 32(2) of the Prevention of Cruelty to Animals Regulations 2008, I approve a trapped animal being left alive in a large leghold trap for wild dogs for up to 72 hours, in the parishes specified in the Schedule, being areas declared to be approved areas under section 15AB(3) of the **Prevention of Cruelty to Animals Act 1986**, if the trap is set or used by an employee or agent of the Department of Environment, Land, Water and Planning, or Parks Victoria for the purpose of wild dog control.

**Commencement**

This approval takes effect on 1 July 2017 and remains in force until 16 December 2018 unless earlier revoked.

**SCHEDULE**

Acheron, Adjie, Albacutya, Angora, Babatchio, Banyarmbite, Baranduda, Barga, Baring, Baring North, Barwidgee, Beechworth, Beenak, Beethang, Beloka, Bemboka, Bemm, Benambra, Bendock, Berontha, Berringama, Berrmarr, Bete Bolong North, Bete Bolong South, Betka, Bidwell, Big Desert, Billian, Bindi, Bingo-Munjie, Bingo-Munjie North, Bingo-Munjie South, Binnican, Binnuc, Birregun, Bogong North, Bolga, Bonang, Bondi, Boola Boola, Boonderoot, Boorgunyah, Boorolite, Boorpuk, Bow-Worrung, Bralak, Bramby, Briagolong, Bright, Brimbonga, Broadlands, Bruarong, Buchan, Buckland, Budgee Budgee, Bulgaback, Bullioh, Bullumwaal, Bundara-Munjie, Bundowra, Bungamero, Bungil, Bungil East, Bungywarr, Bunurouk, Bunyip, Buragwonduc, Burrowye, Burrungabugge, Butgulla, Buxton, Byawatha, Cabanandra, Combatong, Canabore, Carboor, Carneek, Changue, Chilpin, Chinaman Flat, Cobbannah, Cobon, Cobungra, Colac Colac, Colquhoun, Colquhoun East, Colquhoun North, Combienbar, Conga Wonga, Coaggalah, Coolumbooka, Coolungubra, Cooma, Coongulla, Coopracambra, Coornburt, Corryong, Cowa, Crookayan, Cudgewa, Curlip, Daalko, Dahwedarre, Dandongadale, Dargo, Dattuck, Deddick, Dederang, Dellicknora, Derndang, Detarka, Doledrook, Doodwuk, Dorchap, Dueran, Dueran East, Edi, Eildon, El Dorado, Ellinging, Enano, Enochs Point, Ensay, Errinundra, Eucambene, Eumana, Eurandelong, Everton, Flowerdale, Freeburgh, Fumina, Fumina North, Gelantipy East, Gelantipy West, Gembrook, Gibbo, Gillingall, Gillum, Ginap, Glenaladale, Glendale, Glenmaggie, Glenmore, Glenwatts, Gonzaga, Goolengook, Goongerah, Goulburn, Gracedale, Granton, Granya, Gunamalary, Gundowring, Gungarlan, Guttamura, Harrierville, Hinno-Munjie, Howqua, Howqua West, Jamieson, Jemba, Jilwain, Jinderboine, Jindivick, Jingallala, Jinjelic, Jimkee, Jirrah, Kaerwut, Kalk Kalk, Kancobin, Karawah, Karlo, Keelangie, Kergunyah, Kergunyah North, Kevington, Kianeeck, Kinglake, Kirkenong, Koetong, Koola, Koomberar, Kooragan, Koorool, Kooroon, Kosciusko, Kowat, Kuark, Kurnbrunin, Licola, Licola North, Little Billy, Lochiel, Lodge Park, Loomat, Loongelaat, Loyola, Ludrik-Munjie, , Maffra, Magdala South, Magorra, Maharatta, Majorlock, Mallacoota, Manango, Maneroo, Manpy, Maramingo, Marlooh, Marroo, Matlock, Matong, Matong North, Mellick-Munjie, Merrijig, Miowera, Mirimbah, Mitta Mitta, Mittyman, Mohican, Monda, Monomak, Moolpah, Moondarra, Moonip, Moonkan, Moonlight, Moornapa, Moorngag, Morekana, Morockdong, Moroka, Mowamba, Moyangul, Moyhu, Mudgeegonga, Mullagong, Mullawye, Mullindolingong, Murmungee, Murramurrangbong, Murrindal East, Murrindal West, Murrindindi, Murrungowar, Myrree, Myrtleford, Nangana, Nanowie, Nappa, Nar-Be-Thong, Nariel, Nar-Nar-Goon, Narrang, Narrobuk, Narrobuk North, Nayook, Nayook West, Neerim, Neerim East, Nerran, Newmerella, Ngallo, Niagaroon, Nillahcootie, Nindoo, Ninnie, Noojee, Noojee East, Noonga, Noorinbee, Noorongong, Nowa Nowa, Nowa Nowa South, Nowyeo, Noyong, Numbie-Munjie, Numbruk, Nungal, Nungatta, Nunniong, Nurong, Nypo, Omeo, Onyim, Orbost, Orbost East, Panbulla, Patchewollock, Patchewollock North, Perenna, Pigick, Pinnak, Porepunkah, Purgagoolah, Quag-Munjie, Red Bluff, Rothesay, Sargood, Sarsfield, St. Clair, Stanley, Steavenson, Suggan Buggan, Tabbara, Tabberabbera, Taggerty, Talgarno, Tallandoon, Tambo, Tamboon, Tamboritha, Tangambalanga, Tanjil, Tanjil East, Tarkeeth, Tarrawarra North, Tatong, Tatonga, Tawanga, Telbit, Telbit West, Terlite-Munjie, Theddora, Thologolong, Thorkidaan, Thornton, Thowgla, Tildesley

East, Tildesley West, Timbarra, Tingaringy, Tintaldra, Tongaro, Tonghi, Tongio-Munjie East, Tongio-Munjie West, Tonimbuk, Tonimbuk East, Toolome, Toombon, Toombullup, Toombullup North, Toongabbie North, Toonyarak, Toorong, Torbreck, Towamba, Towong, Tubbut, Tullyvea, Tyamoonya, Tyirra, Wabba, Wabonga, Wabonga South, Wa-De-Lock, Wagra, Walhalla, Walhalla East, Wallaby, Wallowa, Walwa, Wamba, Wandiligong, Wangarabell, Warburton, Warrambat, Warraquil, Wat Wat, Wathe, Wau Wauka, Wau Wauka West, Waygara, Weeragua, Welumla, Wentworth, Wermatong, Werrap, Whitfield, Whitfield South, Whorouly, Wibenduck, Willoby, Windarra, Winteriga, Winyar, Wirrbibial, Wollonaby, Wongungarra, Wonnangatta, Woodbourne, Woolenook, Woongulmerang East, Woongulmerang West, Woori Yallock, Wooyoot, Worooa, Worrowing, Wrathung, Wrixon, Wuk Wuk, Wurrin, Wurutwun, Wyangil, Wyeedoo, Wyperfeld, Wy-Yung, Yaapeet, Yabba, Yackandandah, Yallum, Yalmy, Yambulla, Yangoura, Yarak, Yeerik, Yonduk, Youpella, Yuonga.

Dated 28 June 2017

HON. JAALA PULFORD MP  
Minister for Agriculture

Note: Regulation 32(2) provides that:

‘A trapped animal must not be left alive in the trap for more than 24 hours or, in the case of a large leghold trap for wild dogs, as otherwise approved by the Minister.’

### Subordinate Legislation Act 1994

#### NOTICE OF DECISION

#### **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**

I, Jaala Pulford, Minister for Agriculture, and Minister responsible for administering the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, give notice under section 12 of the **Subordinate Legislation Act 1994** (the Act) that the proposed Agricultural and Veterinary Chemicals (Control of Use) Regulations 2017 have been the subject of a Regulatory Impact Statement (RIS). Public comments and submissions were invited and twenty eight submissions were received.

After consideration of these submissions in accordance with section 11 of the Act, I have further considered the proposed Agricultural and Veterinary Chemicals (Control of Use) Regulations 2017 (the Regulations) and I give notice of my intention to proceed with the making of the Regulations with some minor amendments. These are:

- limiting the labelling requirement in regulation 9 to only apply to veterinary chemical products used for the treatment of a stock animal. Labelling of veterinary chemical products for domestic animals are adequately covered under **Drugs, Poisons and Controlled Substances Act 1981**;
- labelling requirements in regulation 10 will be altered to refer to the ‘species, age, breed and sex’ of the animal to be treated. Reference to ‘type’ will be removed. This harmonises with changes made to the labelling and prescription requirements in the **Drugs, Poisons and Controlled Substances Regulations 2017**;
- changes to the title and structure of regulation 12, to better communicate requirements for notification of spraying by aircraft or mister.

My reasons for making this decision are that the Regulations are required to protect –

- (a) the health of the general public and users of those products;
- (b) the environment;
- (c) the health and welfare of animals; and
- (d) domestic and export trade.

Dated 26 June 2017

HON. JAALA PULFORD MP  
Minister for Agriculture

**Water Act 1989****GOULBURN-MURRAY RURAL WATER CORPORATION**

## Extension of Goulburn-Murray Irrigation District

Notice is hereby given that Goulburn-Murray Rural Water Corporation intends to extend the Goulburn-Murray Irrigation District by including the lands described as:

**Description of Lands to be Included in the Goulburn-Murray Irrigation District**

| <b>Volume</b> | <b>Folio</b> | <b>Lot No./Crown Allotment</b> | <b>Plan No./Section</b> | <b>Parish</b> | <b>Area (Ha)</b> |
|---------------|--------------|--------------------------------|-------------------------|---------------|------------------|
| 10655         | 064          | 3                              | PS448842A               | Yarrawonga    | 0.40             |
|               |              | CA 32B                         | Sec G                   | Boort         | 4.15             |
| 11648         | 785          | CA 15                          | Sec F                   | Barwo         | 130.31           |
| 11648         | 785          | CA 17                          | Sec F                   | Barwo         | 88.91            |
| 11648         | 785          | CA 18                          | Sec F                   | Barwo         | 75.34            |
| 11648         | 785          | CA 18A                         | Sec F                   | Barwo         | 24.14            |

The Corporation invites submissions in respect to the proposal. Any submissions should set out the grounds on which the submission is made and may be received by the Corporation within one month of publication of this notice in the Victoria Government Gazette. A copy of the proposal may be inspected free of charge at the office of Goulburn-Murray Rural Water Corporation, 40 Casey Street, Tatura, during business hours.

PAT LENNON  
Managing Director

**Planning and Environment Act 1987**  
**BALLARAT PLANNING SCHEME**  
Notice of Approval of Amendment  
Amendment C178

The Minister for Planning has approved Amendment C178 to the Ballarat Planning Scheme.

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

The Amendment implements the findings of the Burrumbeet Floodway Investigation (Water Technology Pty Ltd 2013) by applying Land Subject to Innundation Overlay and Floodway Overlay to properties within the Burrumbeet Creek Catchment. The Amendment introduces an incorporated document 'Burrumbeet Creek Local Floodplain Development Plan 2015 Incorporated Document' and a revised Clause 21.04 – Environmental Resilience (Municipal Strategic Statement) to ensure risks associated with flooding are addressed.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Ballarat City Council, 25 Armstrong Street South, Ballarat, Victoria 3350.

ALISON GLYNN  
Director  
State Planning Services  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**  
**CARDINIA PLANNING SCHEME**  
Notice of Approval of Amendment  
Amendment C221

The Minister for Planning has approved Amendment C221 to the Cardinia Planning Scheme.

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

The Amendment rezones part of Lots 27–39 Vantage Drive, Pakenham, and Lot A of PS738364V to General Residential Zone Schedule 1.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Cardinia Shire Council, 20 Siding Avenue, Officer.

ALISON GLYNN  
Director  
State Planning Services  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**  
CENTRAL GOLDFIELDS PLANNING SCHEME  
Notice of Approval of Amendment  
Amendment C27

The Minister for Planning has approved Amendment C27 to the Central Goldfields Planning Scheme.

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

The Amendment alters the planning scheme maps and the Schedule to the Heritage Overlay so that the Central Goldfields Planning Scheme is consistent with the Victorian Heritage Register.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the Central Goldfields Shire Council, 22 Nolan Street, Maryborough, Victoria 3465.

ALISON GLYNN  
Director  
State Planning Services  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**  
MELBOURNE PLANNING SCHEME  
Notice of Approval of Amendment  
Amendment C312

The Minister for Planning has approved Amendment C312 to the Melbourne Planning Scheme.

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

The Amendment corrects a mapping error to amend the boundaries of the Special Use Zone – Schedule 1 and the Comprehensive Development Zone to land at 550 Epsom Road, Flemington.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Melbourne City Council, Melbourne Town Hall, 90–120 Swanston Street, Melbourne.

ALISON GLYNN  
Director  
State Planning Services  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**

## MONASH PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C134

The Minister for Planning has approved Amendment C134 to the Monash Planning Scheme.

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

The Amendment amends the Schedules to Clause 52.03 and Clause 81.01 to include the new incorporated document titled 'M-City: Cambro Road Loading Bay Facility, May 2017' to exempt development and use associated with the M-City project from the need for a planning permit.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Monash City Council, at 293 Springvale Road, Glen Waverley.

ALISON GLYNN

Director

State Planning Services

Department of Environment, Land, Water and Planning

**Planning and Environment Act 1987**

## MONASH PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C135

The Minister for Planning has approved Amendment C135 to the Monash Planning Scheme.

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

The Amendment:

- rezones part of 10–12 Railway Avenue, Oakleigh, and part of 110–112 Carnish Road, Oakleigh South, from the Industrial 1 Zone and Road Zone, Category 1 to Public Use Zone 4 – Transport, and deletes the Design and Development Overlay – Schedule 1 from the land; and
- rezones Moroney Street, Oakleigh; part of Haughton Road, Oakleigh; and parts of Warrigal Road in Hughesdale and Oakleigh to the Road Zone, Category 1.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of Monash City Council, 293 Springvale Road, Glen Waverley.

ALISON GLYNN

Director

Statutory Planning Services

Department of Environment, Land, Water and Planning

**Planning and Environment Act 1987**  
**MORNINGTON PENINSULA PLANNING SCHEME**  
Notice of Approval of Amendment  
Amendment C208

The Minister for Planning has approved Amendment C208 to the Mornington Peninsula Planning Scheme.

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

The Amendment applies a heritage overlay (HO399) to 33–33A Jacksons Road, Mount Eliza, on an interim basis.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of Mornington Peninsula Shire at 90 Besgrove Street, Rosebud; 2 Queen Street, Mornington; and 21 Marine Parade, Hastings.

ALISON GLYNN  
Director  
State Planning Services  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**  
**MURRINDINDI PLANNING SCHEME**  
Notice of Approval of Amendment  
Amendment C64

The Minister for Planning has approved Amendment C64 to the Murrindindi Planning Scheme.

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

The Amendment will correct an anomaly in the Murrindindi Planning Scheme by rezoning land under private management from a public zone to an appropriate zone suitable for private timber production, that is the Farming Zone. The Amendment rezones various parcels of Hancock Victorian Plantations land in the Buxton, Narbethong and Kinglake West/Pheasant Creek areas from Public Conservation and Resource to Farming Zone.

The proposed rezoning is to facilitate the ongoing use of land for private plantation forestry, with a Farming Zone proposed to better reflect the private use and management of the land rather than the continued use of a public zoning for the land.

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

ALISON GLYNN  
Director  
State Planning Services  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**  
STONNINGTON PLANNING SCHEME  
Notice of Approval of Amendment  
Amendment C242

The Minister for Planning has approved Amendment C242 to the Stonnington Planning Scheme. The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment introduces interim heritage protection to 1034–1040 Malvern Road, Armadale (Blairholme House) (HO528), until 13 March 2018.

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

ALISON GLYNN  
Director  
State Planning Services  
Department of Environment, Land, Water and Planning

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**Planning and Environment Act 1987**  
STONNINGTON PLANNING SCHEME  
Notice of Approval of Amendment  
Amendment C254

The Minister for Planning has approved Amendment C254 to the Stonnington Planning Scheme. The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment applies the Heritage Overlay (HO586) to 221 Burke Road, Glen Iris, on an interim basis until 7 April 2018.

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

ALISON GLYNN  
Director  
State Planning Services  
Department of Environment, Land, Water and Planning

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

## REVOCATION OF TEMPORARY RESERVATIONS

## Order in Council

The Lieutenant-Governor as the Governor's deputy, with the advice of the Executive Council, under section 10 of the **Crown Land (Reserves) Act 1978** revokes the following temporary reservations:

DOWLING FOREST – The temporary reservation for Public purposes by Order in Council of 26 August, 2014 of former Crown Allotment R, Parish of Dowling Forest [area 92.80 hectares] **so far only as** Crown Allotments 2019 [area 67.75 hectares] and 2020 [area 11.92 hectares], Parish of Dowling Forest as shown on Original Plan No. OP123551 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning.

DOWLING FOREST – Crown Allotments 2026 [area 2.378 hectares] and 2029 [area 19.45 hectares], Parish of Dowling Forest as shown on Original Plan No. OP123551 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning and deemed, pursuant to section 5(a) of the **Parks and Crown Land Legislation Amendment Act 2013**, to be temporarily reserved for Public purposes under section 4(1) of the **Crown Land (Reserves) Act 1978**.

File reference 0506597

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

Dated 4 July 2017

Responsible Minister

HON LILY D'AMBROSIO MP

Minister for Energy, Environment and Climate Change

ANDREW ROBINSON  
Clerk of the Executive Council

**Crown Land (Reserves) Act 1978**

## REVOCATION OF TEMPORARY RESERVATIONS – MERNDA

## Order in Council

The Lieutenant-Governor as the Governor's Deputy, with the advice of the Executive Council, under section 10 of the **Crown Land (Reserves) Act 1978** revokes the following temporary reservations:

MORANG – The temporary reservation by Order in Council of 4 December, 2001 of an area of land in the Parish of Morang, as a site for Conservation, recreation, leisure and tourism, formerly described as Crown Allotment 2, Section 20, Parish of Morang, revoked as to part by Order in Council of 31 July, 2007 **so far only as** Crown Allotment 2047, Parish of Morang [area 2111 square metres] as shown on Original Plan No. OP123883 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (P369803)

MORANG – The land formerly described as Crown Allotment 2012, Parish of Morang and deemed to be temporarily reserved as a site for Conservation, recreation, leisure and tourism pursuant to the provisions of section 5(7) of the **Crown Land (Reserves) Act 1978**, **so far only as** Crown Allotment 2049, Parish of Morang [area 1142 square metres] as shown on Original Plan No. OP124127 lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning. – (P377637)

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

Dated 4 July 2017

Responsible Minister

HON LILY D'AMBROSIO MP

Minister for Energy, Environment and Climate Change

ANDREW ROBINSON  
Clerk of the Executive Council

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**Crown Land (Reserves) Act 1978**

RESERVATION OF LAND – WESTGATE PARK EXTENSION

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council under section 4(1) of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown land for the purposes of 'conservation, recreation, leisure and tourism':—

MUNICIPAL DISTRICT OF THE PORT PHILLIP CITY COUNCIL

PORT MELBOURNE – Conservation, recreation, leisure and tourism; the lands in the City of Port Melbourne, Parish of Melbourne South being Crown Allotment 2073 [area 1.008 hectares] as shown on plan OP124246; Crown Allotment 2074 [area 1.303 hectares] as shown on plan OP124247 and Crown Allotment 2076, as shown on plan OP124290, All plans lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning.

File reference: LA/20/3230

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

Dated 4 July 2017

Responsible Minister

HON LILY D'AMBROSIO MP

Minister for Energy, Environment and Climate Change

ANDREW ROBINSON  
Clerk of the Executive Council

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**LATE NOTICES**

**Planning and Environment Act 1987**  
**MOONEE VALLEY PLANNING SCHEME**  
Notice of the Preparation of an Amendment  
Amendment C169

The Moonee Valley City Council has prepared Amendment C169 to the Moonee Valley Planning Scheme.

The land affected by the Amendment is:

- 109 properties affected by Heritage Overlay Schedule 2 (HO2) within Glass Street, Crisp Street, Cooke Street, Wright Street, and Dalene Street, Essendon
- 212 properties affected by Heritage Overlay Schedule 16 (HO16) within Ascot Vale Road, part Chaucer Street, Browning Street, Byron Street, Newton Parade, Elizabeth Street, and Maribyrnong Road, Moonee Ponds and Ascot Vale
- 74 properties affected by Heritage Overlay Schedule 25 (HO25) on Pin Oak Crescent, Flemington, and Racecourse Road, Flemington and Kensington
- 345–349 Ascot Vale Road, Moonee Ponds
- 18–20, 22, 26, 30, 34, 40, 42, 46, 50, 54, 56, 62, 66, and 72 Baroda Street, Travancore
- 46 Birdwood Street, North Essendon
- 319 Buckley Street, Aberfeldie
- 3 Crawford Street, Moonee Ponds
- 1A and 1B Darling Street, Moonee Ponds
- Part of the Eric Street road reserve, Essendon
- 118 Glass Street, Essendon
- 177A Mount Alexander Road and the road reserve on Wellington Street, Flemington
- 260 Mount Alexander Road, Travancore
- 750 Mount Alexander Road, Moonee Ponds
- 1071 Mount Alexander Road, Essendon
- 30, 32 and 33–35 Raleigh Street, Essendon
- 8, 10, 12, 14, 16, 18, 20 and 22 Shaftesbury Street, Essendon
- 17 Winifred Street, Essendon
- Part of the Wiseman Court road reserve, Essendon.

The Amendment proposes to correct a number of zone and overlay map and ordinance errors and anomalies.

In particular the Amendment seeks to:

- rezone part of 46 Birdwood Street, North Essendon, from Road Zone 1 to General Residential Zone 1;
- rezone part of the Wiseman Court road reserve, Essendon, from Public Park and Recreation Zone to General Residential Zone 1;

- rezone part of the Eric Street road reserve, Essendon, from Public Park and Recreation Zone to General Residential Zone 1;
- delete ESO2 from 177A Mount Alexander Road and part of the road reserve on Wellington Street, Flemington;
- apply HO23 to the rear portion of properties at 18–20, 22, 26, 30, 34, 40, 42, 46, 50, 54, 62, 66 and 72 Baroda Street, Travancore;
- apply HO35 to the rear portion of 56 Baroda Street, Travancore;
- delete HO5 from the rear portion of 319 Buckley Street, Aberfeldie;
- delete HO10 from the rear portion of 3 Crawford Street, Moonee Ponds;
- delete HO105 from 33–35 Raleigh Street, Essendon;
- delete HO141 from 260 Mount Alexander Road, Travancore;
- delete HO254 from 1A and 1B Darling Street, Moonee Ponds;
- delete HO301 from part of 30 and 32 Raleigh Street, Essendon;
- delete HO301 from the rear portion of 8, 10, 12, 14, 16, 18, 20 and 22 Shaftesbury Street, Essendon;
- delete DDO3 from 17 Winifred Street, Essendon;
- delete DDO10 from 118 Glass Street, Essendon, and from the rear portion of 1071 Mount Alexander Road, Essendon;
- amend the Schedule to Clause 43.01 to make reference to the ‘City of Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts – March 2014’ as an Incorporated Plan for Heritage Places HO2 (Glass Street Precinct), HO16 (Ascot Vale Road and Maribyrnong Road Precinct (Ascot Vale Estate)) and HO25 (Racecourse Road Precinct);
- amend the Schedule to Clause 43.01 (Heritage Overlay) to delete HO105;
- amend Schedule 1 to Clause 37.08 (Activity Centre Zone) to remove from four maps the ‘Existing Landmark Building’ status from 345–349 Ascot Vale Road, Moonee Ponds;
- amend Schedule 1 to Clause 37.08 (Activity Centre Zone) to show the Heritage Overlay which applies to the Clocktower Centre at 750 Mount Alexander Road, Moonee Ponds, on the Precinct Map at Clause 5.1-1 of the Schedule;
- amend Schedule 3 to Clause 43.02 (Design and Development Overlay) to update the Mount Alexander Road Corridor precinct maps with more legible maps and deletes 17 Winifred Street, Essendon, from Precinct B;
- amend Schedule 7 to Clause 43.02 (Design and Development Overlay) to update the Keilor Road Major Activity Centre Precinct Map with a more legible map; and
- amend Schedule 10 to Clause 43.02 (Design and Development Overlay) to correct the map so that 118 Glass Street and the rear portion of 1071 Mount Alexander Road, Essendon, are subject to the ‘Mt Alexander Corridor Urban Design Guidelines 2010’.

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 offices of the planning authority, Moonee Valley City Council, 9 Kellaway Avenue, Moonee Ponds, Victoria 3039; at the City of Moonee Valley website, [www.mvcc.vic.gov.au/C169](http://www.mvcc.vic.gov.au/C169); and at the Department of Environment, Land, Water and Planning website, <https://www.planning.vic.gov.au/planning-schemes/amending-a-planning-scheme/planning-documents-on-exhibition>

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 August 2017. A submission must be sent to: Strategic Planning Department, Moonee Valley City Council, PO Box 126, Moonee Ponds, Victoria 3039; or emailed to [council@mvcc.vic.gov.au](mailto:council@mvcc.vic.gov.au)

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.

NATALIE REITER  
Acting Chief Executive Officer

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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:

- |                            |   |                         |                                    |                               |             |             |          |                            |  |                         |                                     |                               |             |             |          |
|----------------------------|---|-------------------------|------------------------------------|-------------------------------|-------------|-------------|----------|----------------------------|--|-------------------------|-------------------------------------|-------------------------------|-------------|-------------|----------|
| 57. <i>Statutory Rule:</i> | Livestock Disease Control Regulations 2017  | <i>Authorising Act:</i> | Livestock Disease Control Act 1994 | <i>Date first obtainable:</i> | 5 July 2017 | <i>Code</i> | <i>E</i> | 61. <i>Statutory Rule:</i> | Country Fire Authority (Community Fire Refuges) Amendment Regulations 2017                             | <i>Authorising Act:</i> | Country Fire Authority Act 1958     | <i>Date first obtainable:</i> | 5 July 2017 | <i>Code</i> | <i>A</i> |
| 58. <i>Statutory Rule:</i> | Fisheries and Fisheries and Fisheries (Fees, Royalties and Levies) Amendment (Recreational Fishery Licences) Further Amendment Regulations 2017 | <i>Authorising Act:</i> | Fisheries Act 1995                 | <i>Date first obtainable:</i> | 5 July 2017 | <i>Code</i> | <i>A</i> | 62. <i>Statutory Rule:</i> | Child Wellbeing and Safety Regulations 2017  | <i>Authorising Act:</i> | Child Wellbeing and Safety Act 2005 | <i>Date first obtainable:</i> | 5 July 2017 | <i>Code</i> | <i>A</i> |
| 59. <i>Statutory Rule:</i> | Working with Children Amendment (Reportable Conduct) Regulations 2017   | <i>Authorising Act:</i> | Working with Children Act 2005     | <i>Date first obtainable:</i> | 5 July 2017 | <i>Code</i> | <i>A</i> | 63. <i>Statutory Rule:</i> | Tobacco (Victorian Health Promotion Foundation) Amendment Regulations 2017                             | <i>Authorising Act:</i> | Tobacco Act 1987                    | <i>Date first obtainable:</i> | 5 July 2017 | <i>Code</i> | <i>A</i> |
| 60. <i>Statutory Rule:</i> | Corrections Amendment Regulations 2017  | <i>Authorising Act:</i> | Corrections Act 1986               | <i>Date first obtainable:</i> | 5 July 2017 | <i>Code</i> | <i>B</i> | 64. <i>Statutory Rule:</i> | Local Government (Planning and Reporting) Amendment Regulations 2017                                   | <i>Authorising Act:</i> | Local Government Act 1989           | <i>Date first obtainable:</i> | 5 July 2017 | <i>Code</i> | <i>A</i> |
| 65. <i>Statutory Rule:</i> | Building Amendment Regulations 2017   | <i>Authorising Act:</i> | Building Act 1993                  | <i>Date first obtainable:</i> | 5 July 2017 | <i>Code</i> | <i>D</i> | 66. <i>Statutory Rule:</i> | Building (Building Legislation Amendment (Consumer Protection) Act 2016) Transitional Regulations 2017 | <i>Authorising Act:</i> | Building Act 1993                   | <i>Date first obtainable:</i> | 5 July 2017 | <i>Code</i> | <i>A</i> |

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# Printed as two volumes

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