



Victoria Government Gazette

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SPECIAL

**State Owned Enterprises Act 1992
STATE OWNED ENTERPRISES (STATE
BODY—MELBOURNE PARKS AND
WATERWAYS) ORDER 1994**

Dated 28 June 1994

Responsible Minister:

ALAN ROBERT STOCKDALE

Treasurer

KATHY WILSON

Acting Clerk of the Executive Council

The Governor in Council in the exercise of powers contained in section 14 of the **State Owned Enterprises Act 1992** declares that:

- (1) this Order may be cited as the **State Owned Enterprises (State Body—Melbourne Parks and Waterways) Order 1994**;
- (2) this Order comes into operation on 1 July 1994;
- (3) there is established, for the purposes of the **State Owned Enterprises Act 1992**, a body by the name of **Melbourne Parks and Waterways**;
- (4) the particular purpose of establishing the Body is to create a statutory body to assume certain functions of the **Melbourne Water Corporation**;
- (5) the functions of the Body are:
 - (a) to establish, operate and manage:
 - (i) public parks, gardens and ornamental plantations (including botanic gardens and zoological gardens);
 - (ii) areas for public recreation including areas for camping;
 - (iii) pleasure grounds for the amusement of people;
 - (b) to manage and control rivers, creeks and watercourses but excluding hydraulic drainage and water quality; and
 - (c) to act as delegate of any Body discharging functions of a kind

described in paragraphs (a) and (b).

- (6) The Body has power to do all things necessary or convenient to be done for or in connection with the performance of its functions.
- (7) Without limiting the generality of the other powers conferred on it, the Body may:
 - (a) be a member of a body corporate, association, partnership, trust or other body;
 - (b) form, or participate in the formation of, a body corporate, association, partnership, trust or other body;
 - (c) enter into a joint venture with a person or persons;
 - (d) act as a trustee;
 - (e) accept gifts, grants, bequests and devises; and
 - (f) with the consent of the Treasurer, provide funding to other bodies engaged in activities described in paragraph (5) (a).
- (8) The Body shall not borrow any money nor establish a bank overdraft facility exceeding five million dollars (\$5 000 000) without the consent in writing of the Treasurer.
- (9) There shall be a Board of Directors of the Body who shall be responsible for carrying out the affairs of the Body. The Board shall consist of not less than four (4) and not more than (9) Directors appointed by the Governor in Council. The Governor in Council shall appoint one of the Directors to be Chairman.
- (10) The Board shall consist of the following Directors:

Mr Ian L. Robertson
Mr Simon Molesworth
Mr Alan Thompson

Mr Barry Nicholls

Mr Rod Gowans.

Messrs Robertson, Molesworth and Gowans shall hold office for a period of three (3) years from 1 July 1994. Messrs Thompson and Nicholls shall hold office for a period of six (6) months from 1 July 1994.

- (11) The Chairman of the Board is Mr Alan Thompson.

- (12) The remuneration of each Director shall be as follows:

Mr Ian L. Robertson—nine thousand dollars (\$9 000) per annum

Mr Simon Molesworth—nine thousand dollars (\$9 000) per annum

Mr Alan Thompson, Mr Barry Nicholls and Mr Rod Gowans, as full-time Government employees, shall not be entitled to additional remuneration in respect of their membership or chairmanship of the Board.

- (13) Subject to this Order the Board may regulate its own proceedings.

- (14) Meetings of the Board shall be held at such times and places as the Board determines.

- (15) The Chairman may at any time convene a meeting but must do so when requested by a Director.

- (16) A majority of Directors constitutes a quorum of the Board.

- (17) A question arising at a meeting shall be determined by a majority of those Directors present and voting on that question and, if voting is equal, the person presiding has the casting, as well as a deliberative, vote.

- (18) The Board must ensure that minutes are kept of its meeting.

- (19) The Board may, in writing, delegate to two or more directors any of the Board's powers other than the power of delegation.

- (20) The Chairman and other Directors shall be paid such remuneration as is determined from time to time by the Treasurer.

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- (21) The Board, with the approval of the Treasurer, may appoint a Chief Executive Officer to have control of the day-to-day administration of the affairs of the Body in accordance with the policies and directions given to the Chief Executive Officer by the Board.

- (22) The terms and conditions of the appointment of the Chief Executive Officer shall be determined by the Minister on the recommendation of the Board.

- (23) The Board of Directors may at any time remove a Chief Executive Officer.

Definitions

'Board' means the Board of Directors of the Body.

'Body' means the body by the name of Melbourne Parks and Waterways established by this Order.

'Director' means a member of the Board.

State Owned Enterprises Act 1992
STATE OWNED ENTERPRISES
(REORGANISING BODY—MELBOURNE
WATER CORPORATION) ORDER 1994

Dated 28 June 1994

Responsible Minister:

ALAN ROBERT STOCKDALE

Treasurer

KATHY WILSON

Acting Clerk of the Executive Council

The Governor in Council in the exercise of powers contained in section 7 of the **State Owned Enterprises Act 1992** declares that:

- (1) this Order may be cited as the **State Owned Enterprises (Reorganising Body—Melbourne Water Corporation) Order 1994**;
- (2) this Order comes into operation on the day on which it is made;
- (3) Melbourne Water Corporation, for the purposes of the **State Owned Enterprises Act 1992**, is a reorganising body.

State Owned Enterprises Act 1992
DECLARATION UNDER PART 2 IN
RELATION TO THE MELBOURNE WATER
CORPORATION

The Governor in Council in the exercise of the powers contained in section 7 of the **State Owned Enterprises Act 1992** declares the Melbourne Water Corporation to be a reorganising body.

Dated 28 June 1994

Responsible Minister:

ALAN ROBERT STOCKDALE

Treasurer

KATHY WILSON

Acting Clerk of the Executive Council

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