



Victoria Government Gazette

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By Authority L. V. North, Government Printer Melbourne

SPECIAL

Local Government Act 1989

ORDER CONSTITUTING THE BARRABOOL AND WINCHELSEA SHIRE COUNCIL AND ALTERING THE MUNICIPAL DISTRICT OF THE GREATER GEELONG CITY COUNCIL AND THE MUNICIPAL DISTRICT OF THE SHIRE OF COLAC.

Whereas

1. On 17 August 1993 the Minister for Local Government, Mr Roger Murray Hallam (the Minister), required the Local Government Board to conduct a review under Part 10B of the *Local Government Act 1989* (the Act), on the most appropriate local government structure for the area comprising the municipal districts of the Barrabool Shire Council and the Shire of Winchelsea, together with the south-west coastal portion of the municipal district of the Greater Geelong City Council.

2. As required by section 220M of the Act, the Local Government Board has submitted a final report on the review to the Minister.

3. As required by sections 220M and 220P of the Act, the Minister has considered the report and has recommended to the Governor in Council that an Order in Council be made in the following terms.

Now therefore, the Governor in Council acting under Part 10C of the *Local Government Act 1989* orders that—

1. Definitions

In this Order

“Act” means the *Local Government Act 1989*.

“annexed area” means—

(a) in respect of the Barrabool and Winchelsea Shire Council, the area severed from the municipal district of the Greater Geelong City Council and included in the municipal district of the Shire as described in Schedule 1;

(b) in respect of the Shire of Colac, the area severed from the municipal district of the former Shire of

Winchelsea and included in the municipal district of the Shire of Colac as described in Schedule 3;

“appointed day” means the day on which this Order comes into operation.

“Commissioner” means the person appointed by clause 3(e) of this Order to administer the Shire during the period of administration.

“former Council” means a council specified in clause 3(c) of this Order.

“period of administration” means the period commencing on the appointed day and ending at 9 a.m. on the day on which the first meeting of the Shire is held under clause 9.

“the Shire” means the Barrabool and Winchelsea Shire Council constituted by clause 3 (a).

2. Commencement

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

3. Constitution of Shire

On the appointed day—

(a) there is constituted a body corporate constituted as a Shire Council by the name of Barrabool and Winchelsea Shire Council;

(b) the boundaries of the municipal district of the Shire shall be fixed as described in Schedule 1;

(c) the following Councils cease to exist—
(i) Barrabool Shire Council; and
(ii) Shire of Winchelsea,

(d) the persons holding office as Councillors of a former Council cease to hold such office; and

(e) Ms Toni Anne McCormack is appointed to administer the Shire during the period of administration.

4. Election of Councillors for Barrabool and Winchelsea Shire Council

4 (1) The first general election of Councillors of the Shire is to be held on 25 March 1995.

4 (2) For the purposes of holding the first election of Councillors, the Shire is deemed to

have decided under section 35 of the Act to hold triennial elections and sub-sections (2) and (3) of that section do not apply in respect of that decision.

4 (3) The next general election of Councillors after the first election is to be held on the first Saturday in August in 1998.

4 (4) Except as provided by this clause, the provisions of Part 3 of the Act apply to and in respect of the first and subsequent elections.

5. Division of Municipal District of Barrabool and Winchelsea Shire Council into Wards

5 (1) The Shire must submit a proposal to the Minister for Local Government by 1 October 1994 regarding—

- (a) whether the municipal district of the Shire should be divided into wards;
- (b) the number of Councillors to be returned at the first election and, if relevant, the number of Councillors assigned to each ward; and
- (c) if relevant, the name of each ward and the boundaries of each ward.

5 (2) The provisions of section 223 of the Act apply in respect of a proposal the Shire intends to submit to the Minister.

6. Barrabool and Winchelsea Shire Council is Successor in Law

6 (1) On the appointed day—

- (a) all property, rights and assets of the former Councils are vested in the Shire;
- (b) all liabilities of the former Councils are liabilities of the Shire;
- (c) the Shire is the successor in law of the former councils.

6 (2) Where, immediately before the appointed day, proceedings to which a former Council was a party were pending or existing in any court or tribunal, then, on and after the appointed day, the Shire is substituted for the former Council as a party to the proceedings and has the same rights in the proceedings as the former Council had.

6 (3) The Registrar of Titles, on being requested to do so and on delivery of any relevant certificate of title or instrument, must make any amendments in the Register that are necessary because of the operation of this Order.

6 (4) On and after the appointed day, any reference in any Act, regulation, local law,

subordinate instrument or other document whatsoever to a former Council is to be construed as a reference to the Shire, unless the contrary intention appears.

7. Commissioner of Barrabool and Winchelsea Shire Council

7 (1) The Commissioner is entitled to receive—

- (a) an allowance of \$ 370 per day; and
- (b) travelling and other expenses that may be allowed under any regulations made under the *Public Sector Management Act 1992* or in the absence of the above the expenses that would have been paid to officers in the Senior Executive Service under Public Service Determination No. 4.

7 (2) Such allowances and expenses are to be paid by the Shire.

7 (3) The Commissioner must, during the period of administration—

- (a) ensure that the operations of the Shire are carried out in the most efficient and economic manner possible;
- (b) report to the Minister on such matters and at such intervals as the Minister may specify.

7 (4) The Commissioner must exercise her powers and perform her functions subject to any written directions given by the Minister.

7 (5) The Chief Executive Officer of the Shire must call the first meeting of the Shire to be held by the Commissioner which must be held within 3 days of the appointed day.

7 (6) Section 89 (4) of the Act does not apply to the first meeting of the Shire.

7 (7) The provisions of Schedule 2 apply to the Commissioner and meetings of the Commissioner.

8. Staff of Barrabool and Winchelsea Shire Council

8 (1) On the appointed day all the members of staff of the former Councils become members of staff of the Shire with the same terms and conditions as those with the former Councils and with the benefit of all accrued rights.

8 (2) With effect from the appointed day, until revoked by the Shire—

- (a) Mr David Arthur Roach is the person authorised to exercise the powers and perform the duties and functions conferred or imposed on Chief

Executive Officers by this Order, the Act and any other Act, and any other authorisation given by a former Council or deemed to have been given by virtue of section 5 (2) of the *Local Government (Miscellaneous Amendments) Act 1993* has no effect;

- (b) all delegations made by a former Council or by the Chief Executive Officer of a former Council under section 98 of the Act remain in force.

9. First Meeting of Councillors of Barrabool and Winchelsea Shire Council

9 (1) After the first election of Councillors for the Shire has been held, the Chief Executive Officer of the Shire must call the first meeting of the Shire to be held by the Councillors which must be held within 10 days of the day on which the returning officer declares the result of the first election.

9 (2) At 9 a.m. on the day on which the first meeting of the Shire is held under sub-clause (1)—

- (a) the Commissioner goes out of office; and
- (b) the Councillors elected at the first election of the Shire assume office as Councillors of the Shire.

10. Changes to Boundaries of the Shire of Colac

10 (1) On the appointed day the boundaries of the municipal district of the Shire of Colac shall be fixed as described in Schedule 3.

10 (2) On 6 August 1994 the area described in Schedule 4 shall be added to the the Oudit Riding and the boundaries of the Riding shall be altered accordingly.

10 (3) Notwithstanding any reconstitution of the Shire of Colac effected by this clause, the Shire of Colac is deemed to be the same body on and after as before the appointed day and no act, matter or thing is in any way abated or affected by reason of any such reconstitution and any such act, matter or thing may be continued and concluded in all respects as if this Order had not been made.

11. Changes to Boundaries of the Greater Geelong City Council

11 (1) On the appointed day the boundaries of the municipal district of the Greater Geelong City Council shall be fixed as described in Schedule 5.

11 (2) Notwithstanding any reconstitution of the Greater Geelong City Council effected by this clause, the Greater Geelong City Council is deemed to be the same body on and after as before the appointed day and no act, matter or thing is in any way abated or affected by reason of any such reconstitution and any such act, matter or thing may be continued and concluded in all respects as if this Order had not been made.

12. Valuations—Transitional Provisions

12 (1) Until 30 September 1995—

(a) the Shire must use in relation to rateable land in its municipal district the valuation which applied at the time rates and charges were levied in respect of the 1993-1994 financial year unless a supplementary valuation has been or is made under section 13DF of the *Valuation of Land Act 1960* in respect of that land; and

(b) the Shire of Colac may use in relation to any rateable land in the annexed area valuations in force immediately before the appointed day.

12 (2) For the purposes of sub-clause (1) (a), if a supplementary valuation has been or is made the Shire can use that supplementary valuation.

12 (3) In respect of the 1994-1995 financial year—

(a) the Shire must continue to use

(i) in that part of its municipal district that was the municipal district of a former Council, the system of valuation used by the former Council immediately before the appointed day; and

(ii) in the relevant part of the annexed area, the system of valuation used by the Greater Geelong City Council in that part of the area immediately before the appointed day;

(b) the Shire of Colac may continue to use in the annexed area the system of valuation used by the former Shire of Winchelsea immediately before the appointed day.

12 (4) In respect of the 1995-1996 financial year the Shire is deemed to have decided to use a capital improved value system of valuation for

the whole of its municipal district and section 157 of the Act does not apply to that decision.

12 (5) If it has not already done so for the 1994-1995 financial year, the Shire of Colac must determine to use a system of valuation for the 1995-1996 financial year that applies to the whole of its municipal district and section 157 of the Act does not apply to that determination or any earlier determination.

13. Rates and Services in Annexed Areas— Transitional Provisions 1993/94

13 (1) A ratepayer is in respect of rateable land in an annexed area liable to pay to the Council of the municipal district from which the area is severed, the general rates, service rates and charges, municipal charge and state deficit levy in respect of the 1993-1994 financial year that the ratepayer would have been liable to pay to that Council had the annexed area not been severed.

13 (2) Subject to sub-clause (3), for the period commencing on the appointed day and ending on 30 September 1994 the Council of the municipal district from which an annexed area is severed must continue to provide the same services to and perform the same functions in the annexed area in the same manner as if the annexed area had not been severed and for that purpose any powers, duties or functions imposed or conferred by any Act on the Council of the municipal district to which an area is annexed are deemed to be imposed or conferred by that Act on the Council of the municipal district from which an annexed area is severed.

13 (3) The Council of the municipal district to which an annexed area is annexed may enter into an agreement with the Council of the municipal district from which the annexed area is severed specifying services to be provided and functions to be performed by the Council to which the annexed area is annexed.

13 (4) A Council may, with the agreement of the other Council, delegate under section 98 of the Act a power, duty or function to a member of staff of the other Council in respect of the period commencing on the appointed day and ending on 30 September 1994.

14. Rates—Transitional Provisions 1994-95

14 (1) Any rate or charge declared by the former City of South Barwon or by the former Barrabool Shire Council under sections 158 (1),

159(1) and 162 of the Act for the 1992-1993 financial year is deemed to be the rate or charge declared by the Shire for the 1994-95 financial year in relation to that part of the annexed area which was in the municipal district of the former City of South Barwon or the former Barrabool Council, as the case may be, immediately before 18 May 1993.

14 (2) The minimum rate fixed by the former Barrabool Shire Council under section 3(2) of the *Local Government (Consequential Provisions) Act 1989* for the 1992-1993 financial year is deemed to be the minimum rate fixed by the Shire for the 1994-1995 financial year in relation to that part of the annexed area which was in the municipal district of the former Barrabool Council immediately before 18 May 1993.

14 (3) Any rate or charge declared by a former Council under sections 158 (1), 159 (1) and 162 of the Act for the 1993-1994 financial year is deemed to be the rate or charge declared by the Shire for the 1994-95 financial year in relation to that part of the municipal district of the Shire that was in the municipal district of the former Council immediately before the appointed day.

14 (4) Any minimum rates fixed by a former Council under section 3 (2) of the *Local Government (Consequential Provisions) Act 1989* for the 1993-1994 financial year is deemed to be the minimum rates fixed by the Shire for the 1994-1995 financial year in relation to that part of the municipal district of the Shire that was in the municipal district of the former Council immediately before the appointed day.

14 (5) The date on which the Shire adopts its budget for the 1994-1995 financial year is deemed to be the date on which any rates or charges are declared or fixed by virtue of this clause.

14 (6) The Shire must not levy any rate or charge in relation to any rateable land in its municipal district which is additional to the rates and charges levied in respect of that land for the 1993-1994 financial year.

14 (7) The Shire of Colac may raise any general rates on land in the annexed area in respect of the 1994-1995 financial year by the application of differential rates.

15. Local Laws—Transitional Provisions

15 (1) On the appointed day the local laws made by a former Council which are specified in Schedule 6 are revoked.

15 (2) Sections 5 (3) and 91 (1) of the Act do not apply in respect of the common seal and meetings of the Shire during the period of administration.

15 (3) Unless amended or revoked by an Order in Council or by the Shire, the local laws made by a former Council, by the former City of South Barwon or by the Greater Geelong City Council and in force immediately before the appointed day continue to apply in the relevant part of the municipal district of the Shire for a period of 12 months from the appointed day as if the local laws were made by the Shire.

16. Planning Matters—Transitional Provisions

16 (1) Except where a planning scheme specifies the Minister administering the *Planning and Environment Act 1987* or any other person to be the responsible authority—

(a) the Shire is the responsible authority for the purposes of the *Planning and Environment Act 1987* in relation to the planning schemes in force in its municipal district;

(b) the Shire of Colac is the responsible authority for the purposes of the *Planning and Environment Act 1987* in relation to the planning scheme in force in the annexed area.

16 (2) Any reference in a planning scheme in force in the municipal district of the Shire or the Shire of Colac to a former Council or to the Greater Geelong City Council as a responsible authority for a particular purpose, is to be taken as a reference to the Shire or the Shire of Colac, as the case may be, in relation to the relevant part of its municipal district.

16 (3) For the purposes of the *Planning and Environment Act 1987* and the administration, amendment or enforcement of each of the planning schemes referred to in sub-clause (1)

(a) anything of a continuing nature (including a contract, agreement or proceeding) done, commenced or made by or in relation to a former Council or the Greater Geelong City Council in relation to its municipal district or an annexed area, as the case may be, may

be done, enforced or completed by or in relation to the Shire or the Shire of Colac, as the case may be;

(b) anything done by or in relation to a former Council or the Greater Geelong City Council that concerns a matter of a continuing nature in relation to its municipal district or an annexed area, as the case may be, has effect as if done by or in relation to the Shire or the Shire of Colac, as the case may be;

(c) the Shire must give to the Shire of Colac any document that it holds that is relevant to anything done by the former Shire of Winchelsea as a responsible, referral or planning authority in relation to the area annexed to the municipal district of the Shire of Colac;

(d) the Greater Geelong City Council must give to the Shire any document that it holds that is relevant to anything done by it as a responsible, referral or planning authority in relation to the area annexed to the municipal district of the Shire.

17. Borrowings—Transitional Provisions

For the purpose of Part 7 of the Act until a new budget is made by the Shire any proposed borrowings included in a budget or revised budget of a former Council are deemed to have been included in a budget or revised budget made by the Shire.

18. Corporate Plan—Transitional Provisions

For the purposes of section 153A of the Act, the Shire must prepare a corporate plan for the three year period commencing 1 October 1994 by 30 November 1994.

SCHEDULE 1

Boundaries of the Municipal District of the Barrabool and Winchelsea Shire Council
Clause 3 (b)

Commencing on the shore of Bass Strait at the mouth of the Thompson Creek; thence north-easterly by the Thompson Creek to Blackgate Road; thence easterly by that road to Breamlea Road; thence northerly by that road to Barwon Heads Road; thence westerly by that road to Lower Duneed Road; thence further westerly by that road and Mount Duneed Road to Pettavel Road; thence northerly by that road to the Princes Highway; thence further

northerly by the western boundary of allotment A, Portion 5, Parish of Duneed to the Waurn Ponds Creek; thence northerly by the eastern boundary of allotment 4, Parish of Barrabool and further northerly by Honeys Road to Barrabool Road; thence northerly by Merrawarp Road to the Barwon River; thence westerly by that river to the road forming the northern boundary of allotment 129, section A, Parish of Dorog; thence westerly by that road to the road forming the western boundary of allotment 127, section A; thence southerly by that road to the Warrambine Creek; thence further westerly by that creek to the western boundary of the Parish of Murdeduke; thence southerly by that boundary and the western boundaries of the Parishes of Mirnee, Karngun, Yan Yan Gurt, and Bamba to the south-western angle of allotment 38B, Parish of Bamba; thence southerly by a road to the north-western angle of allotment 45A2; thence further southerly by the western boundaries of the Parishes of Bamba and Lorne to the northern boundary of the Parish of Kaanglang; thence easterly by that boundary to the shore of Bass Strait, and thence north-easterly by that shore to the point of commencement.

SCHEDULE 2
Commissioner
Clause 7 (7)

1. The Commissioner—

- (a) must not, without the consent of the Minister, while in office directly or indirectly engage in any paid employment outside the duties of his or her office;
- (b) may resign the office in writing signed by him or her and delivered to the Governor in Council;
- (c) may at any time be removed from office by the Governor in Council.

2. If the Commissioner—

- (a) becomes bankrupt or his or her property becomes in any manner subject to control under the law relating to bankruptcy;
- (b) is convicted of an indictable offence or of an offence which, if committed in Victoria, would be an indictable offence;
- (c) becomes incapable of performing the duties of office;

(d) is removed from office or resigns the office; or

(e) dies—

the office as a Commissioner becomes vacant.

3. During the absence from office or illness of the Commissioner, a person nominated by the Minister shall act in the place of the Commissioner and while so acting shall have, exercise and discharge all the responsibilities, liabilities, rights, powers, authorities, duties and functions conferred or imposed on the Commissioner by or under this Order.

4. An act or decision of the Commissioner is not invalid by reason only of a defect or irregularity in or in connection with the appointment of the Commissioner.

5. No person shall be concerned to inquire whether any occasion had arisen requiring or authorising a person to act in the place of the Commissioner and all acts or things done or omitted to be done by the person, while so acting, shall be as valid and effectual and shall have the same consequence as if those acts or things had been done or omitted to be done by the Commissioner.

6. Where provision is made in any Act, regulation, rule, by-law, local law, instrument or document for the Mayor, a Councillor or the Chairperson or a member of a committee of the Shire or a former Council, to be a member of or to be represented on a board, Council, committee, commission or other body, or to be a trustee, or to be a member or director of a company, that provision has effect during the period of administration as if it provided for the Commissioner or some other person appointed by the Commissioner to be that member, representative, trustee or director.

7. Sections 71, 74 and 75 of the Act do not apply to the Commissioner.

8. Except as provided in this Order, the procedure for meetings of the Shire may be determined by the Commissioner.

SCHEDULE 3
Boundaries of the Municipal District of the
Shire of Colac
Clause 10 (1)

Enlarged and Re-defined
Previous Gazettals 1978 page 157 and 1992
page 3905

Commencing at the mouth of the Pirron Yallock Creek being a point on the common

boundary between the Counties of Heytesbury and Polwarth; thence generally south-westerly, south-easterly and southerly by that boundary to the south-western angle of allotment 56E, Parish of Irrewillipe; thence southerly by the road forming the western boundaries of allotment 94 and allotment 99, south-easterly by the road forming the south-western boundaries of the latter allotment and allotment 100 and further south-easterly by a line in continuation to Tomahawk Creek being a point on the southern boundary of the Parish of Irrewillipe; thence generally easterly by that boundary and further easterly by the southern boundaries of the Parishes of Barongarook and Gerangamete to the Barwon River East Branch; thence southerly by that river to the northern boundary of the Parish of Kaanglang; thence easterly by that boundary to the western boundary of the Parish of Lorne; thence northerly by the western boundaries of that parish and the Parish of Bamba to the north-western angle of allotment 45A2, Parish of Bamba; thence northerly by a road to the south-western angle of allotment 38B; thence further northerly by the western boundaries of that parish and the Parishes of Yan Yan Gurt, Karngun, Mirnee and Murdeduke to the north-eastern angle of allotment 1, Parish of Hesse; thence westerly by a road to the south-western angle of allotment 26A; thence northerly by the western boundaries of that allotment and allotment 60A to the southern boundary of allotment 66A; thence easterly, northerly and westerly by the southern, eastern and northern boundaries of that allotment to a point in line with the western boundary of allotment 78; thence northerly by a line, the western boundaries of allotments 78 and 79, and a road to the Cressy-Shelford Road; thence westerly by that road to the Hamilton Highway; thence westerly by that highway to the Woody Yaloak River; thence generally southerly by that river and generally south-westerly by the southern shore of Lake Martin and the eastern shore of Lake Corangamite to the point of commencement.

(Excluding the City of Colac).

SCHEDULE 4

Description of Area to be Added to the Ondit Riding of the Shire Of Colac
Clause 10 (2)

Previous Gazette of Ondit Riding 1988 p. 2965

Commencing at the north eastern angle of allotment 1, Parish of Hesse; thence southerly by the western boundaries of the Parishes of Murdeduke, Mirnee, Karngun, Yan Yan Gurt and Bamba to the south-western angle of allotment 38B, Parish of Bamba; thence southerly by a road to the north-western angle of allotment 45A2; thence further southerly by the western boundaries of the Parishes of Bamba and Lorne to the northern boundary of the Parish of Kaanglang; thence westerly by that boundary to the Barwon River, East Branch; thence northerly by that branch of the Barwon River and the Barwon River to the southern boundary of the Parish of Birregurra; thence westerly by that boundary to the western boundary of the Township of Birregurra; thence northerly, south-easterly and northerly by that boundary and further northerly by a road to the north-eastern angle of allotment E, section 22, Parish of Birregurra; thence westerly by a road to the north-western angle of that allotment; thence north-easterly by a road to the eastern boundary of allotment B, section 19; thence northerly by that boundary and the eastern boundary of allotment B, section 12 to the Princes Highway; thence north-easterly by that highway to the south-eastern angle of allotment 50B; thence northerly by a road to the north-western angle of allotment 7A, Parish of Hesse, and thence easterly by a road to the point of commencement.

SCHEDULE 5

Boundaries of the Municipal District of the
Greater Geelong City Council
Clause 11 (1)

Reduced and Re-defined

*Previous Description Schedule 1 of the City of
Greater Geelong Act 1993*

Commencing on the shore of Port Phillip Bay at the Little River; thence north-westerly by that river to the Balliang Creek; thence north-westerly by that creek to the Geelong-Bacchus Marsh Road; thence southerly by that road to Swamp Road; thence westerly by that road to the Bacchus Marsh-Balliang Road; thence southerly by that road to Lees Road; thence southerly by that road to the Little River; thence westerly by that river to the eastern boundary of the Parish of Beremboke; thence northerly by that boundary to the north-eastern angle of allotment 2A section B; thence westerly

by the northern boundary and southerly by the western boundary of that allotment to the north-eastern angle of allotment 5; thence westerly by the northern boundaries of that allotment and allotment 8 and further westerly by a line to the south-eastern angle of allotment 24E, being a point on the southern boundary of the parish; thence westerly by that parish boundary to Stony Creek Road; thence south-westerly by that road to the Geelong-Ballan Road; thence south-easterly by that road to Clarkes Road; thence south-westerly by that road to Lowes Lane; thence southerly by that lane to the southern boundary of the Parish of Durdidwarrah; thence easterly by that boundary to the Sutherland Creek East Branch; thence southerly by that branch of the creek and further southerly by the Sutherland Creek to the Moorabool River; thence south-easterly by that river to the Midland Highway; thence westerly by that highway to Dog Rocks Road; thence southerly, westerly and again southerly by that road to the Fyansford-Gheringhap Road; thence southerly by Friend in Hand Road to the Hamilton Highway; thence easterly by that highway to Merrawarp Road; thence generally southerly by that road to Barrabool Road; thence further southerly by Honeys Road and the eastern boundary of allotment 4, Parish of Barrabool to the Wurn Ponds Creek; thence southerly by the western boundary of allotment A, Portion 5, Parish of Duneed to the Princes Highway; thence further southerly by Pettavel Road to Mount Duneed Road; thence easterly by that road and Lower Duneed Road to Barwon Heads Road; thence further easterly by that road to Breamlea Road; thence southerly by that road to Blackgate Road; thence westerly by that road to the Thompson Creek; thence generally south-westerly by that creek to the shore of Bass Strait; thence generally easterly by that shore to Point Lonsdale; thence north-easterly by the shore of Port Phillip Bay and the eastern shore of Swan Island to Swan Point; thence northerly by a line to Edwards Point on the shore of Port Phillip Bay; thence northerly and westerly by that shore, generally westerly and northerly by the shore of Corio Bay and generally north-easterly by the shore of Port Phillip Bay to the Little River being the point of commencement.

(Excluding the Municipal District of the Borough of Queenscliffe)

SCHEDULE 6
Revocation of Local Laws
Clause 15

Former Barrabool Shire Council
Local Law No. 1
Local Law No. 2
Local Law No. 3
Former Shire of Winchelsea
Local Law No. 1 Meetings Procedure Local Law
Local Law No. 2 The Common Seal
Dated 25 February 1994
Responsible Minister:
ROGER M. HALLAM
Minister for Local Government
KATHY WILSON
Acting Clerk of the Executive Council

Local Government Act 1989
ORDER AMENDING THE ORDER
CONSTITUTING THE BARRABOOL AND
WINCHELSEA SHIRE COUNCIL AND
ALTERING THE MUNICIPAL DISTRICT
OF THE GREATER GEELONG CITY
COUNCIL AND THE MUNICIPAL
DISTRICT OF THE SHIRE OF COLAC

Whereas—

A. On 25 February 1994 the Governor in Council acting under Part 10C of the *Local Government Act 1989* (the Act) made an Order constituting the Barrabool and Winchelsea Shire Council and altering the municipal district of the Greater Geelong City Council and the municipal district of the Shire of Colac (the first Order).

B. The first Order will come into operation on the day it is published in the Government Gazette.

C. The Minister for Local Government has recommended to the Governor in Council that the first Order be amended.

Now therefore, the Governor in Council acting under section 220S of the Act orders that—

1. The definition of "the Shire" set out in clause 1 of the first Order be amended to mean the Surf Coast Shire Council and a reference in the first Order to the Barrabool and Winchelsea Shire Council be construed as a reference to the Surf Coast Shire Council.

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2. This Order comes into operation on the day that the first Order comes into operation.

Dated 8 March 1994

Responsible Minister:

ROGER M. HALLAM

Minister for Local Government

KATHY WILSON

Acting Clerk of the Executive Council





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