



VICTORIA
GOVERNMENT GAZETTE

Published by Authority

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 11]

FRIDAY, FEBRUARY 2

[1962

LOCAL GOVERNMENT DEPARTMENT.

At Government House, Melbourne, the nineteenth day of December, 1961.

PRESENT:

His Excellency the Governor of Victoria.

Sir Arthur Warner

Mr. Meagher.

APPOINTMENT OF FORMS OF REQUESTS PURSUANT TO THE
PROVISIONS OF PART II. OF THE LOCAL GOVERNMENT ACT 1958.

PURSUANT to the provisions of Part II. of the *Local Government Act 1958*, as amended, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, hereby makes the following Order, that is to say:—

1. Any request for the exercise of any of the powers contained in paragraphs (1), (2), (3), (4), (5), (7) or (8) of section 16 of the said Act shall be in or to the like effect of the appropriate form in the appropriate Schedule of this Order specified hereunder:—

Paragraph (1)	..	..	Schedule 1.
Paragraph (2)	..	..	Schedule 2.
Paragraph (3)	..	..	Schedule 3.
Paragraph (4)	..	..	Schedule 4.
Paragraph (5)	..	..	Schedule 5.
Paragraph (7)	..	..	Schedule 6.
Paragraph (8)	..	..	Schedule 7.

2. Every such request shall be presented in duplicate, and, except in the case of a request for the abolition of the subdivisions of a municipality, shall be accompanied by two copies of a plan showing such municipal district boundaries, subdivisional boundaries or severance area boundaries as are referred to in the proposal set out in the request.

3. Declarations made pursuant to section 40 of the said Act shall be in or to the like effect of the form in the Eighth Schedule of this Order, and shall be attached to and form part of the request to which they relate.

4. An exhibit mark, in or to the like effect of the form in the Ninth Schedule of this Order and bearing the signature of the Justice or other authorized officer before whom the declaration referred to in clause 3 above is

made, shall be endorsed either on the front or back of the first page of the request to which it relates, and, in addition to marking each page of the request with the prescribed identifying mark, the Justice or other authorized officer shall sign each page.

SCHEDULE 1.

PART I.—REQUEST FOR CONSTITUTION OF PORTION OF ONE MUNICIPALITY AS A SHIRE.

To His Excellency the Governor in Council in the State of Victoria:

We, the undersigned, hereby request that the area hereinafter described be severed from the municipal district of the (a) and constituted a new municipality under the name of the Shire of (b), and in support of our request we submit the following:—

1. This request has been signed by (c) persons whose names are inscribed on the municipal roll in respect of property in the portion of the municipal district which it is desired to have constituted a new municipality and such number is not less than one-tenth of the total of (d) persons whose names are so inscribed.

2. The area proposed to be constituted a new municipality contains rateable property capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Three thousand pounds.

3. The municipal district of the Shire of (a) will, after the proposed severance, still contain rateable property capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Three thousand pounds.

(If the request is for constitution of part of a borough as a new shire, the following paragraph should be substituted for paragraph 3 above:—

“3. The population contained in the area remaining in the (a) after the proposed severance will not be less than Five hundred inhabitant householders, and the rateable property contained in such area will be capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Two thousand pounds.”)

4. Notices in respect of this request may be served on (e) and the amount deposited herewith should be returned to (f)

5. The boundaries of the area sought to be constituted a new shire are described hereunder:— (g)

6. It is desired that the proposed new shire be unsubdivided and that the council consist of (h) members.

(If it is desired that the proposed new shire be subdivided, the following paragraph should be substituted for paragraph 6 above:—

“6. It is desired that the proposed new shire be subdivided into the following ridings:— (i) ”)

(j) Subdivision.

No. on roll.	Signature.	Address	Verified by. (k)
--------------	------------	---------	---------------------

- (a) Name of municipality from which area is to be severed.
- (b) Name of proposed new shire.
- (c) Number of signatories to the request.
- (d) Total number of persons whose names are inscribed on the municipal roll in respect of property in the portion of the municipal district which it is desired to have constituted a new municipality.
- (e) Name and address of person on whom notices may be served.
- (f) Name and address of person to whom deposit of £20 may be returned.
- (g) Technical description of boundaries of area to be severed.
- (h) Proposed number of councillors. This must be some multiple of three, not less than six, nor more than twenty-four.
- (i) Names and technical descriptions of boundaries of the proposed ridings.
- (j) Name of subdivision in which signatories are enrolled.
- (k) See clauses 3 and 4 and Schedules 8 and 9 of this Order.

PART II.—REQUEST FOR CONSTITUTION OF A SHIRE COMPRISING PORTIONS OF TWO OR MORE MUNICIPALITIES.

To His Excellency the Governor in Council in the State of Victoria:

We, the undersigned, hereby request that the area hereinafter described be severed from the municipal district of the (a) and, together with portions of the (b) constituted a new municipality under the name of the Shire of (c), and in support of our request we submit the following:—

1. This request has been signed by (d) persons whose names are inscribed on the municipal roll in respect of property in the portion of the municipal district of the (a) which it is desired to have severed and such number is not less than one-tenth of the total of (e) persons whose names are so inscribed.

2. The areas proposed to be severed from the (a) and the (b) contain rateable property capable of yielding, upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, the following sums:—

(a)	£	_____
(b)	£	_____
Total	£	_____

3. The municipal district of the (a) will, after the proposed severance, still contain rateable property, capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Three thousand pounds.

(If the request is for inclusion of part of a borough in a new shire, the following paragraph should be substituted for paragraph 3 above:—

"3. The population contained in the area remaining in the ^(a) after the proposed severance will not be less than five hundred inhabitant householders and the rateable property contained in such area will be capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Two thousand pounds."

4. Notices in respect of this request may be served on ^(f) and the amount deposited herewith should be returned to ^(g)

5. The boundaries of the area sought to be severed are described hereunder:— ^(h)

6. It is desired that the proposed new shire be unsubdivided, and that the council consist of ⁽ⁱ⁾ members.

(If it is desired that the proposed new shire be subdivided, the following paragraph should be substituted for paragraph 6 above:—

"6. It is desired that the proposed new shire be subdivided into the following ridings:— ^(j)."

No. on roll.	Signature.	Address	Subdivision.	Verified by.
				^(l)

^(a) Name of municipality from which area is to be severed.

^(b) Names of municipalities other than ^(a) from which areas are to be severed.

^(c) Name of proposed new shire.

^(d) Number of signatories to the request.

^(e) Total number of persons whose names are inscribed on the municipal roll in respect of property in the portion of the municipal district which it is desired to have severed.

^(f) Name and address of person on whom notices may be served.

^(g) Name and address of person to whom deposit of £20 may be returned.

^(h) Technical description of boundaries of area to be severed.

⁽ⁱ⁾ Proposed number of councillors. This must be some multiple of three, not less than six, nor more than twenty-four.

^(j) Names and technical description of boundaries of proposed ridings.

^(k) Name of subdivision in which signatories are enrolled.

^(l) See clauses 3 and 4 and Schedules 8 and 9 of this Order.

SCHEDULE 2.

PART I.—REQUEST FOR CONSTITUTION OF PORTION OF ONE MUNICIPALITY AS A BOROUGH.

To His Excellency the Governor in Council in the State of Victoria:

We, the undersigned, hereby request that the area hereinafter described be severed from the municipal district of the ^(a) and constituted a new municipality, under the name of the Borough of ^(b) and in support of our request we submit the following:—

1. This request has been signed by ^(c) persons whose names are inscribed on the municipal roll in respect of property in the portion of the municipal district which it is desired to have constituted a new municipality and such number is not less than one-tenth of the total of ^(d) persons whose names are so inscribed.

2. The area proposed to be constituted a new municipality:—

(i) does not exceed 9 square miles in area;

(ii) does not have within it any point distant more than 6 miles from any other point therein;

(iii) contains a population of inhabitant householders not less than five hundred;

(iv) contains rateable property capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Two thousand pounds; and

(v) does not comprise portions of different boroughs.

3. The municipal district of the ^(a) will, after the proposed severance, still contain rateable property capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Three thousand pounds.

(If the request is for constitution of part of a borough as a new borough, the following paragraph should be substituted for paragraph 3 above:—

"3. The population contained in the area remaining in the ^(a) after the proposed severance will not be less than five hundred inhabitant householders, and the rateable property contained in such area will be capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Two thousand pounds."

4. Notices in respect of this request may be served on ^(e) and the amount deposited herewith should be returned to ^(f)

5. The boundaries of the area sought to be constituted a new borough are described hereunder:— ^(g)

6. It is desired that the proposed new borough be unsubdivided and that the council consist of ^(h) members.

(If it is desired that the proposed new borough be subdivided, the following paragraph should be substituted for paragraph 6 above:—

“6. It is desired that the proposed new borough be subdivided into the following wards:—

No. on roll.	Signature.	Address	Verified by.
		(j) Subdivision.	

- (a) Name of municipality from which area is to be severed.
- (b) Name of proposed new borough.
- (c) Number of signatories to the request.
- (d) Total number of persons whose names are inscribed on the municipal roll in respect of property in the portion of the municipal district which it is desired to have constituted a borough.
- (e) Name and address of person on whom notices may be served.
- (f) Name and address of person to whom deposit of £20 may be returned.
- (g) Technical description of boundaries of area to be severed.
- (h) Proposed number of councillors. This must be some multiple of three, not less than six nor more than twenty-four.
- (i) Names and technical descriptions of boundaries of proposed wards.
- (j) Name of subdivision in which signatories are enrolled.
- (k) See clauses 3 and 4 and Schedules 8 and 9 of this Order.

PART II.—REQUEST FOR CONSTITUTION OF A BOROUGH COMPRISING PORTIONS OF TWO OR MORE MUNICIPALITIES.

To His Excellency the Governor in Council in the State of Victoria:

We, the undersigned, hereby request that the area hereinafter described be severed from the municipal district of the (a) and, together with portions of the (b) constituted a new municipality under the name of the Borough of (c) and in support of our request we submit the following:—

1. This request has been signed by (d) persons whose names are inscribed on the municipal roll in respect of property in the portion of the municipal district of the (a) which it is desired to have severed and such number is not less than one-tenth of the total of (e) persons whose names are so inscribed.

2. The areas proposed to be severed from the (a) and the (b) contain rateable property capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, the following sums:—

(a) _____	£ _____
(b) _____	£ _____
Total ..	£ _____

3. The municipal district of the (a) will, after the proposed severance, still contain rateable property capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Three thousand pounds.

(If the request is for inclusion of part of a borough in a new borough, the following paragraph should be substituted for paragraph 3 above:—

“3. The population contained in the area remaining in the (a) after the proposed severance will not be less than five hundred inhabitant householders and the rateable property contained in such area will be capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Two thousand pounds.”)

4. Notices in respect of this request may be served on (f) and the amount deposited herewith should be returned to (g)

5. The boundaries of the area sought to be severed are described hereunder (h) :—

6. It is desired that the proposed new borough be unsubdivided and that the council consist of (i) members.

(If it is desired that the proposed new borough be subdivided, the following paragraph should be substituted for paragraph 6 above:—

“6. It is desired that the proposed new borough be subdivided into the following wards:—

No. on roll.	Signature.	Address	Verified by.
		(k) Subdivision.	

- (a) Name of municipality from which area is to be severed.
- (b) Names of municipalities other than (a) from which areas are to be severed.
- (c) Name of proposed new borough.
- (d) Number of signatories to the request.
- (e) Total number of persons whose names are inscribed on the municipal roll in respect of property in the portion of the municipal district which it is desired to have severed.
- (f) Name and address of person on whom notices may be served.
- (g) Name and address of person to whom deposit of £20 may be returned.
- (h) Technical description of boundaries of area to be severed.
- (i) Proposed number of councillors. This must be some multiple of three, not less than six nor more than twenty-four.
- (j) Names and technical descriptions of boundaries of proposed wards.
- (k) Name of subdivision in which signatories are enrolled.
- (l) See clauses 3 and 4 and Schedules 8 and 9 of this Order.

SCHEDULE 3.

REQUEST FOR UNION OF TWO OR MORE BOROUGHS.

To His Excellency the Governor in Council in the State of Victoria:

We, the undersigned, hereby request that the (a) be united with the (b) so as to form one borough under the name of the (c) and in support of our request we submit the following:—

1. The municipal districts of the (a) and the (b) form one continuous area.

2. This request has been signed by (d) persons whose names are inscribed on the municipal roll in respect of property in the municipal district of the (a) and such number is not less than one-tenth of the total of (e) persons whose names are so inscribed.

3. Notices in respect of this request may be served on (f) and the amount deposited herewith should be returned to (g).

4. It is desired that the proposed new borough be unsubdivided, and that the council consist of (h) members.

(If it is desired that the proposed new borough be subdivided, the following paragraph should be substituted for paragraph 4 above:—

"4. It is desired that the proposed new borough be subdivided into the following wards (i) ")
(j) Ward.

No. on roll.	Signature.	Address	Verified by. (k)
--------------	------------	---------	---------------------

- (a) Name of borough whose ratepayers are presenting request.
 (b) Name of borough or names of boroughs with which union is desired.
 (c) Proposed name of new borough.
 (d) Number of signatories to the request.
 (e) Total number of persons whose names are inscribed on the municipal roll in respect of property in the municipal district.
 (f) Name and address of person on whom notices may be served.
 (g) Name and address of person to whom deposit of £20 may be returned.
 (h) Proposed number of councillors. This should be some multiple of three, not less than six nor more than twenty-four.
 (i) Names and technical descriptions of the boundaries of the proposed wards.
 (j) Name of ward in which signatories are enrolled.
 (k) See clauses 3 and 4 and Schedules 8 and 9 of this Order.

SCHEDULE 4.

REQUEST FOR UNION OF ANY NUMBER OF MUNICIPALITIES, ONE OF WHICH IS A SHIRE, TO FORM ONE SHIRE.

To His Excellency the Governor in Council in the State of Victoria:

We, the undersigned, hereby request that the (a) be united with the (b) so as to form one shire under the name of the Shire of (c) and in support of our request we submit the following:—

1. The municipal districts of the (a) and (b) form one continuous area.

2. This request has been signed by (d) persons whose names are inscribed on the municipal roll in respect of property in the municipal district of the (a) and such number is not less than one-tenth of the total of (e) persons whose names are so inscribed.

3. Notices in respect of this request may be served on (f) and the amount deposited herewith should be returned to (g).

4. It is desired that the proposed new shire be unsubdivided and that the council consist of (h) members.

(If it is desired that the proposed new shire be subdivided, the following paragraph should be substituted for paragraph 4 above:—

"4. It is desired that the proposed shire be subdivided into the following ridings (i) ")
(j) Subdivision.

No. on roll.	Signature.	Address	Verified by. (k)
--------------	------------	---------	---------------------

- (a) Name of municipality whose ratepayers are presenting request.
 (b) Name of municipality or municipalities with which union is desired.
 (c) Proposed name of new shire.
 (d) Number of signatories to the request.
 (e) Total number of persons whose names are inscribed on the municipal roll in respect of property in the municipal district.
 (f) Name and address of person on whom notices may be served.
 (g) Name and address of person to whom deposit of £20 may be returned.
 (h) Proposed number of councillors. This should be some multiple of three, not less than six nor more than twenty-four.
 (i) Names and technical descriptions of boundaries of proposed ridings.
 (j) Name of subdivision in which signatories are enrolled.
 (k) See clauses 3 and 4 and Schedules 8 and 9 of this Order.

SCHEDULE 5.

REQUEST FOR SEVERANCE OF PORTION OF A MUNICIPAL DISTRICT AND ANNEXATION OF SUCH PORTION TO ANOTHER MUNICIPAL DISTRICT.

To His Excellency the Governor in Council in the State of Victoria:

We, the undersigned, hereby request that the portion of the municipal district of the (a) described hereunder be severed therefrom and annexed to the municipal district of the (b) and in support of our request we submit the following:—

1. This request has been signed by (c) persons whose names are inscribed on the municipal roll in respect of property in the portion of the municipal district which it is desired to have severed, such number is one-tenth of the total of (d) persons whose names are so inscribed and such portion forms one continuous area with the municipal district of the (b)

2. The municipal district of the Shire of (a) will, after the proposed severance, still contain rateable property capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Three thousand pounds.

(If the request is for severance of part of a borough the following paragraph should be substituted for paragraph 2 above:—

“2. The population contained in the area remaining in the (a) after the proposed severance will not be less than five hundred inhabitant householders and the rateable property contained in such area will be capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, estimated under the provisions of the *Local Government Act 1958*, a sum of Two thousand pounds.”)

3. Notices in respect of this request may be served on (e) and the amount deposited herewith should be returned to (f)

4. The boundaries of the area sought to be severed are described hereunder:— (g)

(h) Subdivision.
 No. on roll. Signature. Address Verified by.
 (i)

- (a) Name of municipality from which area is to be severed.
- (b) Name of municipality to which it is desired that severed area be annexed.
- (c) Number of signatories to the request.
- (d) Total number of persons whose names are inscribed on the municipal roll in respect of property in the portion of the municipal district which it is desired to have severed.
- (e) Name and address of person on whom notices may be served.
- (f) Name and address of person to whom deposit may be returned.
- (g) Technical description of boundaries of area to be severed.
- (h) Name of subdivision in which signatories are enrolled.
- (i) See clauses 3 and 4 and Schedules 8 and 9 of this Order.

SCHEDULE 6.

REQUEST FOR SUBDIVISION OR RE-SUBDIVISION OF A MUNICIPAL DISTRICT.

To His Excellency the Governor in Council in the State of Victoria:

We, the undersigned, hereby request that the municipal district of the (a) be (b) in the manner described hereunder, and in support of our request we submit the following:—

1. This request has been signed by (c) persons whose names are inscribed on the municipal roll in respect of property in the municipal district of the (a) and such number is not less than one-tenth of the total of (d) persons whose names are so inscribed.

2. Notices in respect of the request may be served on (e) and the amount deposited herewith should be returned to (f)

3. The boundaries of the proposed subdivisions are described hereunder (g) (h) Subdivision.

No. on roll. Signature. Address Verified by.
 (i)

- (a) Name of municipality to be subdivided or re-subdivided.
- (b) Insert “subdivided” or “re-subdivided” as the case requires.
- (c) Number of signatories to the request.
- (d) Total number of persons whose names are inscribed on the municipal roll in respect of property in the municipal district.
- (e) Name and address of person on whom notices may be served.
- (f) Name of person to whom deposit of £20 may be returned.
- (g) Names and technical descriptions of boundaries of proposed subdivisions. Specify any subdivisions whose boundaries will be unaltered.
- (h) Name of subdivision in which signatories are enrolled.
- (i) See clauses 3 and 4 and Schedules 8 and 9 of this Order.

SCHEDULE 7.

REQUEST FOR ALTERATION OF SUBDIVISIONAL BOUNDARIES OR ABOLITION OF SUBDIVISIONS.

To His Excellency the Governor in Council in the State of Victoria:

We, the undersigned, hereby request that (b) and in support of our request we submit the following:—

1. This request has been signed by (c) persons whose names are inscribed on the municipal roll in respect of property in the municipal district of the (a) and such number is not less than one-tenth of the total of (d) persons whose names are so inscribed.

2. Notices in respect of this request may be served on (e) and the amount deposited herewith should be returned to (f)

3. (If the case so requires.) The proposed subdivisional boundaries are described hereunder (p)

(h) Subdivision.

No. on roll.	Signature.	Address	Verified by.
			(i)

- (a) Name of municipality whose ratepayers are presenting request.
 (b) Insert as the case requires, either—
 (i) "the subdivisional boundaries of the (a) be altered as hereinafter described"; or
 (ii) "the existing subdivisions of the (a) be abolished".
 (c) Number of signatories to the request.
 (d) Total number of persons whose names are inscribed on the municipal roll in respect of property in the municipal district.
 (e) Name of person on whom notices may be served.
 (f) Name of person to whom deposit of £20 may be returned.
 (g) Technical descriptions of boundaries after desired alterations. Specify any subdivisions whose boundaries will be unaltered.
 (h) Name of subdivision in which signatories are enrolled.
 (i) See clauses 3 and 4 and Schedules 8 and 9 of this Order.

SCHEDULE 8.

FORM OF DECLARATION TO BE MADE BY EVERY PERSON VERIFYING ANY SIGNATURE TO A REQUEST.

In the matter of the *Local Government Act 1958*; and in the matter of the request of certain ratepayers of the (a) for (b)

I, A.B., of do solemnly and sincerely declare:—

1. That now produced to me at the time of making this my declaration and marked "A" is a request for (b)

2. That such of the signatures of persons purporting to be ratepayers affixed to such request as have opposite to them (c) are the genuine signatures of the persons whose they purport to be, and that such persons are persons whose names are inscribed on the municipal roll in respect of property in (d)

3. And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

(Signed) A.B.

Made and subscribed at this day of

19 , before me,

C.D.

a Justice of the Peace for the Bailiwick of the State of Victoria (or as the case may be).

- (a) Name of municipality whose ratepayers are presenting request.
 (b) Insert particulars of request, e.g. "resubdivision of the municipal district of (a)".
 (c) Insert identifying mark adopted, e.g. initials of declarant.
 (d) Insert, as the case requires—
 (i) "the portion of the municipal district of the (a) proposed to be constituted a new municipality"; or
 (ii) "the portion of the municipal district of the (a) proposed to be severed"; or
 (iii) "the municipal district of the (a)".

SCHEDULE 9.

FORM OF EXHIBIT MARK TO BE ENDORSED ON EVERY REQUEST.

In the matter of the *Local Government Act 1958*; and in the matter of the request of certain ratepayers of the (a) for (b)

This and the following attached pages comprise the request marked "A" produced and shown to A.B. at the time of his making his declaration before me on the day of 19

Justice of the Peace
(or as the case may be).

- (a) Name of municipality whose ratepayers are presenting request.
 (b) Insert particulars of request, e.g. "resubdivision of the municipal district of (a)".

And the Honorable Murray Victor Porter, Her Majesty's Minister for Local Government for the State of Victoria, shall give the necessary directions herein accordingly.

N. G. WISHART,
Acting Clerk of the Executive Council.

