



# Victoria Government Gazette

No. S 27 Friday 31 March 1995  
By Authority L. V. North, Government Printer Melbourne

**SPECIAL**

## Water Act 1989

I, Charles Geoffrey Coleman, as Minister administering the Water Act 1989, make the following Order:

### APPOINTMENT OF THE CENTRAL HIGHLANDS REGION WATER AUTHORITY ORDER 1995 No. 1

#### 1. Citation

This Order is called the Appointment of the Central Highlands Region Water Authority Order 1995 No. 1.

#### 2. Enabling Powers

This Order is made under the powers conferred by Division 2 of Part 6 of the Water Act 1989 and all other available powers.

#### 3. Date of Effect

This Order takes effect on 1 April 1995.

#### 4. Definition

In this Order—

“Act” means the Water Act 1989;

“Former Authority” means the West Moorabool Water Board constituted by the West Moorabool Water Board Act 1968, No. 7698;

“Central Highlands Region Water Authority” means the Authority constituted as the Ballarat Water Board by an Order in Council dated 26 June 1984 and published in the Government Gazette on 27 June 1984. The Authority’s name was changed to Central Highlands Region Water Authority by an Order dated 23 January 1994 and published in the Government Gazette on 27 January 1994; and

“Barwon Region Water Authority” means the Authority constituted as the Geelong and District Water Board by an Order in Council dated 26 June 1984 and published in the Government Gazette on 27 June 1984. The Authority’s name was changed to Barwon Region Water Authority by an Order dated 23 January 1994 and published in the Government Gazette on 27 January 1994.

#### 5. Takeover of Former Authority

On and from the date on which this Order takes effect Central Highlands Region Water Authority takes over:

- (a) the whole of the property, rights, liabilities, obligations, powers and functions under the Act of the Former Authority; and
- (b) the staff of the Former Authority.

#### 6. Abolition

The Former Authority is abolished.

#### 7. Variation to Schedule 10 of The Act

As the making of this Order affects the former Authority and results in there being inconsistency between this Order and Schedule 10 of the Act, under Section 98 (6) (c) of the Act, Schedule 10 is varied as follows:

- (1) Under the heading “WEST MOORABOOL WATER BOARD” insert “(by Order made by the Minister administering the Water Act 1989 taking effect on 1 April 1995 the property, rights, liabilities, obligations, powers and functions under the Act of the West Moorabool Water Board were transferred to the Central Highlands Region Water Authority. Under Section 98 (6) (c) the Schedule is varied so as to be consistent with that Order.)”
- (2) Delete Clause 1 and substitute the new Clause 1 as follows:
  - (a) 1. Definitions  
In this Schedule “Authority means the Central Highlands Region Water Authority;
  - (b) In this Schedule reference to the “Geelong and District Water Board” is a reference to the Barwon Region Water Authority;
  - (c) In this Schedule reference to the “Ballarat Water Board” is a reference to the Central Highlands Region Water Authority; and

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(d) Delete Clauses 2, 3, 4, 5, 7 (1) and 8.

8. Prerequisites to Making this Order

- (a) This is an Order referred to in Section 98 (1) of the Act;
- (b) Under Section 100 (2) (a) of the Act the Former Authority, Central Highlands Region Water Authority and Barwon Region Water Authority have applied to me for the Order to be made; and
- (c) Under Section 98 (2) (a) of the Act I have agreed the terms and conditions for the take over made by this Order with the affected Authorities.

Dated 30 March 1995

GEOFF COLEMAN  
Minister for Natural Resources

**Water Act 1989**

I, Charles Geoffrey Coleman, as Minister administering the **Water Act 1989**, make the following Order:

**APPOINTMENT OF THE BARWON  
REGION WATER AUTHORITY  
ORDER 1995 No. 1**

1. Citation

This Order is called the Appointment of the Barwon Region Water Authority Order 1995 No. 1.

2. Enabling Powers

This Order is made under the powers conferred by Division 2 of Part 6 of the **Water Act 1989** and all other available powers.

3. Commencement

This Order comes into operation immediately after the coming into operation of the Order "Appointment of the Central Highlands Region Water Authority Order 1995 No. 1".

4. Definition

In this Order—

"Act" means the **Water Act 1989**;

"Central Highlands Region Water Authority" means the Authority constituted as the Ballarat Water Board by an Order in Council dated 26 June 1984 and published in the Government Gazette on 27 June 1984. The Authority's name was changed to Central Highlands Region

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Water Authority by an Order dated 23 January 1994 and published in the Government Gazette on 27 January 1994; and

"Barwon Region Water Authority" means the Authority constituted as the Geelong and District Water Board by an Order in Council dated 26 June 1984 and published in the Government Gazette on 27 June 1984. The Authority's name was changed to Barwon Region Water Authority by an Order dated 23 January 1994 and published in the Government Gazette on 27 January 1994.

5. Takeover of Property, Rights, Liabilities and Obligations

On and from the commencement of this Order Barwon Region Water Authority takes over one equal half part or share to be held as a tenant in common with Central Highlands Region Water Authority of all the property, rights, liabilities and obligations under the **Water Act 1989** of the Central Highlands Region Water Authority, in respect of the former West Moorabool Water Board, and which are referred to in the Order "Appointment of the Central Highlands Region Water Authority Order 1995 No. 1" provided that:

- (a) notwithstanding any other part of this Order, all staff of the former West Moorabool Water Board and all responsibility in relation to the same shall not be transferred by this Order, such staff and such responsibility remaining with Central Highlands Region Water Authority; and
  - (b) notwithstanding any other part of this Order, this Order does not affect the existing rights or entitlements of Barwon Region Water Authority or Central Highlands Region Water Authority to water sourced from the former West Moorabool Water Board.
6. Prerequisites to Making this Order
- (a) This is an Order referred to in Section 98 (1) of the Act;
  - (b) Under Section 100 (2) (a) of the Act the Central Highlands Region Water Authority and Barwon Region Water Authority have applied to me for the Order to be made; and
  - (c) Under Section 98 (2) (a) of the Act I have agreed the terms and conditions

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for the take over made by this Order  
with the affected Authorities.

Dated 30 March 1995

**GEOFF COLEMAN**  
**Minister for Natural Resources**

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