

City of Greater Geelong Bill

No.

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LEGISLATIVE ASSEMBLY

Read 1° 7 April 1993

(Brought in by Mr Kennett and Mr McNamara)

A BILL

to constitute the Greater Geelong City Council, to abolish the Geelong Regional Commission, to repeal the **Geelong Regional Commission Act 1977** and for other purposes.

City of Greater Geelong Act 1993

The Parliament of Victoria enacts as follows:

PART 1—PRELIMINARY

1. Purpose

The purpose of this Act is to—

- (a) restructure certain Councils in the Geelong region; and
- (b) constitute the City of Greater Geelong; and
- (c) abolish the Geelong Regional Commission.

Section headings appear in bold italics and are not part of the Act.
(See **Interpretation of Legislation Act 1984.**)

2. Commencement

- (1) This Act (other than section 24) comes into operation on the day on which it receives the Royal Assent.
- (2) Section 24 comes into operation on a day to be proclaimed.

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3. Definitions

- (1) In this Act—

“**Administrator**” means the Administrator appointed under section 21;

“**appointed day**” means the day on which this Act receives the Royal Assent;

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“**Commissioner**” means a Commissioner appointed under section 7;

“**former Council**” means any of the Councils specified in section 5 (c);

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“**Order in Council**” means an Order made by the Governor in Council and published in the Government Gazette;

“**Period of administration**” means the period commencing at the beginning of the appointed day and ending at 9 a.m. on the day on which the first meeting of the Greater Geelong City Council is held under section 17.

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- (2) Unless inconsistent with the context or subject-matter, words and expressions defined in the **Local Government Act 1989** have the same meaning in this Act.

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4. Construction of Act

This Act must be read and construed as one with the **Local Government Act 1989** but the provisions of this Act prevail over the provisions of the **Local Government Act 1989** to the extent of any inconsistency.

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PART 2—CITY OF GREATER GEELONG

5. Constitution of City of Greater Geelong

(1) On the appointed day—

5 (a) there is deemed to have been constituted under the **Local Government Act 1989** a body corporate constituted as a City Council by the name of Greater Geelong City Council;

10 (b) the boundaries of the municipal district of the Greater Geelong City Council shall be fixed as described in Schedule 1;

(c) the following Councils cease to exist by virtue of this Act—

(i) Bellarine Rural City Council;

(ii) City of Geelong;

15 (iii) City of Geelong West;

(iv) City of Newtown;

(v) City of South Barwon;

(vi) Shire of Corio;

20 (d) the persons holding office as Councillors of the Councils specified in paragraph (c) cease to hold such office by virtue of this Act;

25 (e) the Commissioners appointed under section 7 are deemed to be the Councillors of the Greater Geelong City Council and together shall be deemed to constitute the Greater Geelong City Council as Councillors and may perform the functions and exercise the powers conferred on the Commissioners by this Act.

30 (2) The boundaries fixed under sub-section (1) (b) are deemed to have been fixed under an Order in Council made under Part II of the **Local Government (Miscellaneous) Act 1958** or any subsequent provisions.

6. Greater Geelong City Council is successor in law

35 (1) On the appointed day—

- (a) all property, rights and assets of the former Councils are by virtue of this Act vested in the Greater Geelong City Council;
- (b) all liabilities of the former Councils are by virtue of this Act liabilities of the Greater Geelong City Council; 5
- (c) the Greater Geelong City Council is the successor in law of the former Councils.
- (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 Greater Geelong City Council 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. 10 15
- (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 Act.
- (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 Greater Geelong City Council, unless the contrary intention appears. 20
- 7. *Appointment of Commissioners*** 25
- (1) The Governor in Council may by Order in Council appoint at least 3 but not more than 5 persons to be Commissioners for the purposes of this Act.
- (2) The Governor in Council may at any time by Order in Council appoint an additional Commissioner or Commissioners but so that the total number of Commissioners in office shall not at any time exceed 5. 30
- (3) The Governor in Council may by Order in Council appoint a person to fill a vacancy in the office of a Commissioner. 35

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- (4) The Governor in Council may by Order in Council appoint a person to act in place of a Commissioner during the absence from office or illness of that Commissioner and any person so appointed shall while so acting have, exercise and discharge all the responsibilities, liabilities, powers, authorities, duties and functions conferred or imposed on a Commissioner by or under this Act.
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- (5) A Commissioner is entitled to receive such salary, allowances and expenses as are determined by the Governor in Council and such salary, allowances and expenses are to be paid by the City of Greater Geelong Council.
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- (6) A Commissioner—
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- (a) must not, without the consent of the Minister, during continuance 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.
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- (7) If a 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;
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- (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.
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- (8) The Governor in Council must appoint one of the Commissioners to be the Chairperson and another Commissioner to be the Deputy Chairperson.

- (9) During the absence from office or illness of the Chairperson, the Deputy Chairperson shall act in the place of the Chairperson and while so acting shall have, exercise and discharge all the responsibilities, liabilities, rights, powers, authorities, duties and functions conferred or imposed on the Chairperson by or under this Act. 5
- (10) An act or decision of a Commissioner is not invalid by reason only of a defect or irregularity in or in connection with the appointment of a Commissioner or that Commissioner, as the case may be. 10
- (11) No person shall be concerned to inquire whether any occasion had arisen requiring or authorizing—
- (a) the Deputy Chairperson to act in the place of the Chairperson; or 15
 - (b) any person to act in the place of a Commissioner—
- and all acts or things done or omitted to be done by the Deputy Chairperson or such a person, as the case may be, 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 Chairperson or a Commissioner, as the case may be. 20

8. *Functions and powers of Commissioners*

- (1) Subject to this section— 25
- (a) the Commissioners shall in respect of the Greater Geelong City Council during the period of administration have, exercise and discharge the responsibilities, liabilities, rights, powers, authorities, duties and functions conferred or imposed— 30
 - (i) upon a Council, the Greater Geelong City Council or a former Council by or under any Act; and
 - (ii) upon the Councillors of the Greater Geelong City Council or of a former Council by or under any Act; and 35

(iii) upon the Commissioners by or under this Act;

5 (b) the Chairperson shall in respect of the Greater Geelong City Council during the period of administration have, exercise and discharge the responsibilities, liabilities, rights, powers, authorities, duties and functions conferred or imposed upon the Mayor of the Greater Geelong City Council or a former Council.

10 (2) 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 Greater Geelong City Council 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 a Commissioner or some other person appointed by the Commissioners to be that member, representative, trustee or director.

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20 (3) Despite sub-section (1), sections 71, 74, 75 and 81 of the **Local Government Act 1989** do not apply to the Commissioners.

9. Duties of Commissioners

25 (1) The Commissioners must during the period of administration—

(a) ensure that the operations of the Greater Geelong City Council are carried out in the most efficient and economic manner possible;

30 (b) report to the Minister on such matters and at such intervals as the Minister may specify.

(2) The Commissioners must exercise their powers and perform their functions subject to any general directions given by the Minister.

10. Transitional provisions—staff

- (1) Subject to sub-section (2), on the appointed day, all the members of staff of the former Councils become members of staff of the Greater Geelong City Council with the same terms and conditions as those with the former Councils and with the benefit of all accrued rights. 5
- (2) Persons who are designated officers of the former Councils cease to hold office as designated officers.
- (3) Section 100 of the **Local Government Act 1989** does not apply in respect of designated officers holding office with the former Councils and the Local Government Qualifications Board does not have power to inquire into the removal of any such designated officer. 10
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- (4) Despite a former Council ceasing to exist, sections 133 and 134 of the **Local Government Act 1989** continue to apply in respect of former Councillors and former members of staff of a former Council during the period of administration. 20

11. Transitional provision—contracts and leases

- (1) During the period commencing on 6 April 1993 and ending on the appointed day, a Council which will cease to exist by virtue of this Act on the appointed day shall not— 25
- (a) enter into a contract—
- (i) the consideration of which exceeds \$25,000;
 - (ii) involving the payment or receipt by the Council of an amount exceeding \$25,000; or
 - (iii) the total liability or potential liability of the Council under which exceeds or may exceed \$25,000; or 30
- (b) enter into a lease—
- except with the approval of the Minister.

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- (2) If a Council enters into any such contract or lease without the approval of the Minister in contravention of this section and any expenditure or liability is incurred by the Council or by the Greater Geelong City Council by reason of or in relation to such contract or lease, the Secretary to the Department of Planning and Development may recommend that any Councillor or member of the Council staff responsible shall be surcharged.
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- (3) If the Secretary to the Department of Planning and Development makes a recommendation pursuant to sub-section (2), the provisions of sub-sections (2) to (5) of section 133 of the **Local Government Act 1989** shall apply in relation to each Councillor and member of the Council staff who is the subject of the recommendation.
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- (4) If the Minister imposes a surcharge pursuant to section 133 (3) of the **Local Government Act 1989** as made applicable by this section, then the provisions of 134 of that Act shall apply as if the references therein to “the Council” were references to “the Greater Geelong City Council”.
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12. *Transitional provision—rates and charges*

- 25
- (1) The Greater Geelong City Council may use valuations in force in relation to any rateable land in the municipal district of the Greater Geelong City Council immediately before the appointed day until 30 September 1994.
- 30
- (2) Despite anything to the contrary in the **Local Government Act 1989**, the following provisions apply in respect of the Greater Geelong City Council—
- 35
- (a) in respect of the financial year commencing 1 October 1993 the Greater Geelong City Council must continue to use the system of valuation used by a former Council, the Shire of Bannockburn or the Barrabool Shire Council in its municipal district in that part of the municipal district of the Greater Geelong City Council that was the

municipal district of that former Council or part of the municipal district of the Shire of Bannockburn or of the Barrabool Shire Council;

- (b) the declaration by a former Council, the Shire of Bannockburn or the Barrabool Shire Council for the financial year commencing 1 October 1992 under section 158 (1), 159 (1) and 162 of the **Local Government Act 1989** is deemed to be the declaration of the Greater Geelong City Council for the financial year commencing 1 October 1993 under section 158 (1), 159 (1) and 162 of that Act in relation to that part of the municipal district of the Greater Geelong City Council that was the municipal district of that former Council or part of the municipal district of the Shire of Bannockburn or of the Barrabool Shire Council; 5 10 15
- (c) the Greater Geelong City Council must determine to use a system of valuation that applies to the whole of its municipal district in respect of the financial year commencing 1 October 1994; 20
- (d) section 157 of the **Local Government Act 1989** does not apply to the determination referred to in paragraph (c).

13. Transitional provision—local laws

- (1) Sections 5 (3) and 91 (1) of the **Local Government Act 1989** do not apply in respect of the common seal and meetings of the Greater Geelong City Council during the period of administration. 25
- (2) Subject to sub-section (3), unless amended or revoked by an Order in Council, the local laws made by a former Council, the Shire of Bannockburn or the Barrabool Shire Council and in force immediately before the appointed day continue to apply in the relevant part of the municipal district of the Greater Geelong City Council as if the local laws were made by the Greater Geelong City Council. 30 35

- (3) Local laws which apply in the relevant part of the municipal district of the Greater Geelong City Council continue in force in that part until—
- (a) revoked by local laws made by the Greater Geelong City Council; or
 - (b) the period of 18 months after the appointed day—
- whichever occurs first.

14. Transitional provision—borrowings

For the purpose of Part 7 of the **Local Government Act 1989** until a new budget is made by the Greater Geelong City Council 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 Greater Geelong City Council.

15. Transitional provision—application of Local Government Act 1989 and Local Government (Consequential Provisions) Act 1989

- (1) The Governor in Council may by Order in Council modify the application of the **Local Government Act 1989** to the Greater Geelong City Council by—
- (a) specifying the manner and form of the financial statements under section 126 of the Act for the financial year 1992–1993 of the Council;
 - (b) specifying who must sign the financial statements under section 128 of the Act for the financial year 1992–1993 of the Council;
 - (c) specifying the period within which a corporate plan in accordance with section 153A of the Act must be prepared;
 - (d) altering the date under section 150 of the Act by which the Council must adopt its first budget;
 - (e) altering the date under section 158 of the Act by which the Council must declare its rates and charges;

- (f) specifying the date by which the Council must make local laws for the purposes of sections 3 (1) and 91 (1) of the Act.
- (2) The Governor in Council may by Order in Council modify the application of section 3 (2) of **the Local Government (Consequential Provisions) Act 1989** to the Greater Geelong City Council. 5

16. Provisions relating to election of Councillors

- (1) Despite anything to the contrary in the **Local Government Act 1989** or the **Local Government (Miscellaneous) Act 1958**, the Governor in Council may by Order in Council— 10
- (a) fix a day for the holding of the first election of Councillors under the **Local Government Act 1989** for the Greater Geelong City Council; 15
- (b) specify the number of Councillors, being the whole number of Councillors assigned to the Greater Geelong City Council to be returned at the first election;
- (c) specify the number of wards for the municipal district, the name of each ward, and the number of Councillors to represent each ward at the first election for the purposes of the **Local Government Act 1989**; 20
- (d) give such directions or provide for any other matters or things as may appear to the Governor in Council to be necessary or expedient with respect to the holding of the first election. 25
- (2) An Order in Council under sub-section (1) is deemed to have been made under Part II of the **Local Government (Miscellaneous) Act 1958** or any subsequent provisions. 30
- (3) For the purposes of the holding of the first election of Councillors for the Greater Geelong City Council the Council is deemed to have decided under section 35 of the **Local Government Act 1989** to hold triennial 35

elections and sub-sections (2) and (3) of that section do not apply in respect of that decision.

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- (4) Despite section 36 of the **Local Government Act 1989**, the next general election of the Greater Geelong City Council after the first election must be held no later than 3 years and 6 months after the day on which the first election is held.
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- (5) Except as provided by or under this section, the provisions of Part 3 of the **Local Government Act 1989** apply to and in respect of the first election of the Greater Geelong City Council.

17. *First meeting of elected Council*

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- (1) The municipal clerk of the Greater Geelong City Council must call the first meeting of the Council which must be held within 10 days of the day on which the returning officer declares the candidates elected at the first election of the Council.
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- (2) At 9 a.m. on the day on which the first meeting of the Greater Geelong City Council is held under sub-section (1)—
- (a) the Commissioners go out of office;
- (b) the Councillors elected at the first election of the Council assume office as Councillors of the Greater Geelong City Council.
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- (3) The Governor in Council may by Order in Council give such directions or provide for any matters or things as may appear to the Governor in Council to be necessary or expedient with respect to any of the matters referred to in sub-section (2).

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PART 3—SHIRE OF BANNOCKBURN

18. *Shire of Bannockburn boundaries*

- (1) On the appointed day—
- (a) the boundaries of the municipal district shall be fixed as described in Schedule 2;

- (b) the boundaries of the Barwon Riding shall be fixed as described in Schedule 2.
- (2) The boundaries fixed under sub-section (1) are deemed to have been fixed under an Order in Council made under Part II of the **Local Government (Miscellaneous) Act 1958** or any subsequent provisions.
- (3) Notwithstanding any reconstitution of the Shire of Bannockburn effected by this section, the Shire of Bannockburn 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 Act had not been passed.

PART 4—BARRABOOL SHIRE COUNCIL

19. *Barrabool Shire Council boundaries*

- (1) On the appointed day—
 - (a) the boundaries of the municipal district of the Barrabool Shire Council shall be fixed as described in Schedule 3;
 - (b) the municipal district of the Barrabool Shire Council is constituted as an unsubdivided municipal district;
 - (c) Barrabool Shire Council is to consist of 9 Councillors to be returned at the next annual election to be held after the appointed day.
- (2) Despite sub-section (1), the Councillors of the Barrabool Shire Council in office immediately before the appointed day continue in office in all respects as if this Act had not been passed until the next annual election to be held after the appointed day at which all the Councillors go out of office.
- (3) The boundaries fixed under sub-section (1) are deemed to have been fixed under an Order in Council made under Part II of the **Local Government**

(Miscellaneous) Act 1958 or any subsequent provisions.

- 5 (4) Except as provided in this section, notwithstanding any reconstitution of the Barrabool Shire Council effected by this section, the Barrabool Shire Council is deemed to be the same body on and after as before the appointed day and no act, matter or thing is 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 Act had not been passed.
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PART 5—GEELONG REGIONAL COMMISSION

20. *Members of Commission to cease office*

On the appointed day—

- 15 (a) the members of the Geelong Regional Commission cease to hold such office by virtue of this Act;
- 20 (b) the administrator appointed under section 21 is deemed to be the members of the Geelong Regional Commission and may perform the functions and exercise the powers conferred on the members of the Geelong Regional Commission under the **Geelong Regional Commission Act 1977** or under this Act;
- 25 (c) sections 7, 8, 9, 10 and 11 of the **Geelong Regional Commission Act 1977** are repealed;
- 30 (d) the Geelong Regional Commission ceases to be a regional planning authority and section 14 of the **Geelong Regional Commission Act 1977** and section 10 (a) of the **Planning and Environment Act 1987** are repealed.

21. *Appointment of administrator*

- 35 (1) The Governor in Council may by Order in Council appoint a person to be an administrator for the purposes of this Part.

- (2) The Governor in Council may by Order in Council appoint a person to fill a vacancy in the office of the administrator.
- (3) The Governor in Council may by Order in Council appoint a person to act in place of the Administrator during the absence from office or illness of the Administrator and any person so appointed shall while so acting have, exercise and discharge all the responsibilities, liabilities, powers, authorities, duties and functions conferred or imposed on the Administrator by or under this Act.
- (4) The Administrator is entitled to receive such salary, allowances and expenses as are determined by the Governor in Council and such salary, allowances and expenses are to be paid out of the general fund under section 21 of the **Geelong Regional Commission Act 1977**.

22. Functions and powers of Administrator

- (1) Subject to this section—
 - (a) the Administrator shall have, exercise and discharge the responsibilities, liabilities, rights, powers, authorities, duties and functions conferred or imposed on the Geelong Regional Commission or a member of the Geelong Regional Commission under the **Geelong Regional Commission Act 1977**;
 - (b) the Administrator shall ensure an orderly winding-up of the affairs of the Geelong Regional Commission.
- (2) The Administrator must exercise his or her powers and perform his or her functions subject to any general directions given by the Minister.
- (3) The Administrator must report to the Minister on such matters and at such intervals as the Minister may specify.

23. Transitional provision—planning matters

5 (1) On the appointed day, the Geelong Regional Planning Scheme has effect as if it were 4 separate planning schemes applying the relevant part of the regional section of the Scheme to each of—

(a) the municipal district of the Greater Geelong City Council;

(b) the municipal district of the Shire of Bannockburn;

10 (c) the municipal district of the Borough of Queenscliffe;

(d) the municipal district of the Barrabool Shire Council.

15 (2) Until a day to be specified by Order in Council for the purposes of this section, each of the Greater Geelong City Council, the Shire of Bannockburn, the Borough of Queenscliffe and the Barrabool Shire Council is a planning authority under the **Planning and Environment Act 1987** in relation to the regional section of the planning scheme applying in its municipal district under sub-section (1).

20 (3) The Greater Geelong City Council is the responsible authority for the purposes of the **Planning and Environment Act 1987** in relation to the planning scheme applying in its municipal district under sub-section (1).

25 (4) For the purposes of the administration or enforcement of each of the planning schemes created by this section—

30 (a) anything of a continuing nature (including a contract, agreement or proceeding) done or commenced by or in relation to the Geelong Regional Commission under the Geelong Regional Planning Scheme in relation to land within the municipal district of the Greater Geelong City Council, the Shire of Bannockburn, the Borough of Queenscliffe or the Barrabool Shire Council may be done, enforced or
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completed by or in relation to the Greater Geelong City Council, the Shire of Bannockburn, the Borough of Queenscliffe or the Barrabool Shire Council as the case may be;

- (b) anything done by or in relation to the Geelong Regional Commission that concerns a matter of a continuing nature in relation to the planning scheme applying to land in the municipal district of the Greater Geelong City Council, the Shire of Bannockburn, the Borough of Queenscliffe or the Barrabool Shire Council has effect as if done by or in relation to the relevant Council; 1
- (c) the Geelong Regional Commission must give to the Greater Geelong City Council, the Shire of Bannockburn, the Borough of Queenscliffe or the Barrabool Shire Council any document that it holds that is relevant to anything done by it as a planning or referral authority in relation to the Geelong Regional Planning Scheme so far as it applies to land in the municipal district of the relevant Council. 1
2
- (5) In addition to any other powers to prepare and approve amendments to a planning scheme, the Minister may prepare and approve amendments to the 4 planning schemes created by this section for the purpose of— 2:
- (a) including provisions incorporating the regional section of the planning scheme into the local section;
- (b) any consequential matter relating to the restructuring of municipal boundaries under this Act. 3
- (6) The **Planning and Environment Act 1987**, except sections 12 (1) (d) and (e), 12 (2), 12 (3), Divisions 1 and 2 of Part 3 and sections 39 (1), 39 (2), 39 (3), 39 (4), 39 (5) and 39 (6), applies to the preparation and approval of amendments under sub-section (4). 3:

24. *Repeal of Geelong Regional Commission Act 1977*

- (1) The **Geelong Regional Commission Act 1977** is repealed.
- (2) On the commencement of this section—
- 5 (a) all property, rights and assets of the Geelong Regional Commission are by virtue of this Act vested in the State;
- (b) all liabilities of the Geelong Regional Commission are by virtue of this Act liabilities of the State;
- 10 (c) the Administrator ceases to hold office.
- (3) Where, immediately before the commencement of this section, proceedings to which the Geelong Regional Commission was a party were pending or existing in any court or tribunal, then, on and after that commencement, the State is substituted for the Geelong Regional Commission as a party to the proceedings and has the same rights in the proceedings as the Geelong Regional Commission.
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- (4) 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 section.
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PART 6—GENERAL

25. *Matters which may be included in Order*

- (1) An Order in Council made under this Act may provide for any matter necessary to give effect to the Order and may contain consequential provisions to enable the effective implementation of the restructuring.
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- (2) Without limiting the generality of sub-section (1), the Order in Council may provide for—
- (a) any property, income, assets, rights, liabilities, expenses or other matters to be apportioned, settled, transferred, adjusted or determined;
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- (b) the resolution of any dispute relating to any apportionment, settlement or adjustment;
- (c) any party to a dispute to bear the costs of resolving the dispute;
- (d) transitional provisions in relation to any act, matter or thing done or required to be done by or in relation to any Council affected by the Order in Council. 5

26. General provisions relating to Orders

- (1) An Order in Council made under this Act— 10
 - (a) must specify a day or days upon which the Order in Council comes into operation;
 - (b) upon being published in the Government Gazette has the like force and effect as if it were expressly enacted in this Act; 15
 - (c) may be amended or revoked by another Order in Council;
 - (d) has full force and effect despite any non-compliance with any of the matters required by this Act as preliminary to the making of the Order. 20
- (2) An Order in Council made under this Act may—
 - (a) apply generally or be limited in its application by reference to specified matters or things;
 - (b) apply differently according to different factors or subject to specified exceptions; 25
 - (c) leave any matter or things to be from time to time determined, applied, dispensed with or regulated by a person or body specified in the Order;
 - (d) confer powers or impose duties in connection with the Order on a person or body specified in the Order; 30
 - (e) apply, adopt or incorporate, with or without modification, the provisions of any Act or of any regulations made under any Act; 35

- (f) contain provisions of a savings and transitional nature consequent on the making of the Order, including providing for the construction of references in any instrument or in any other document of any kind.

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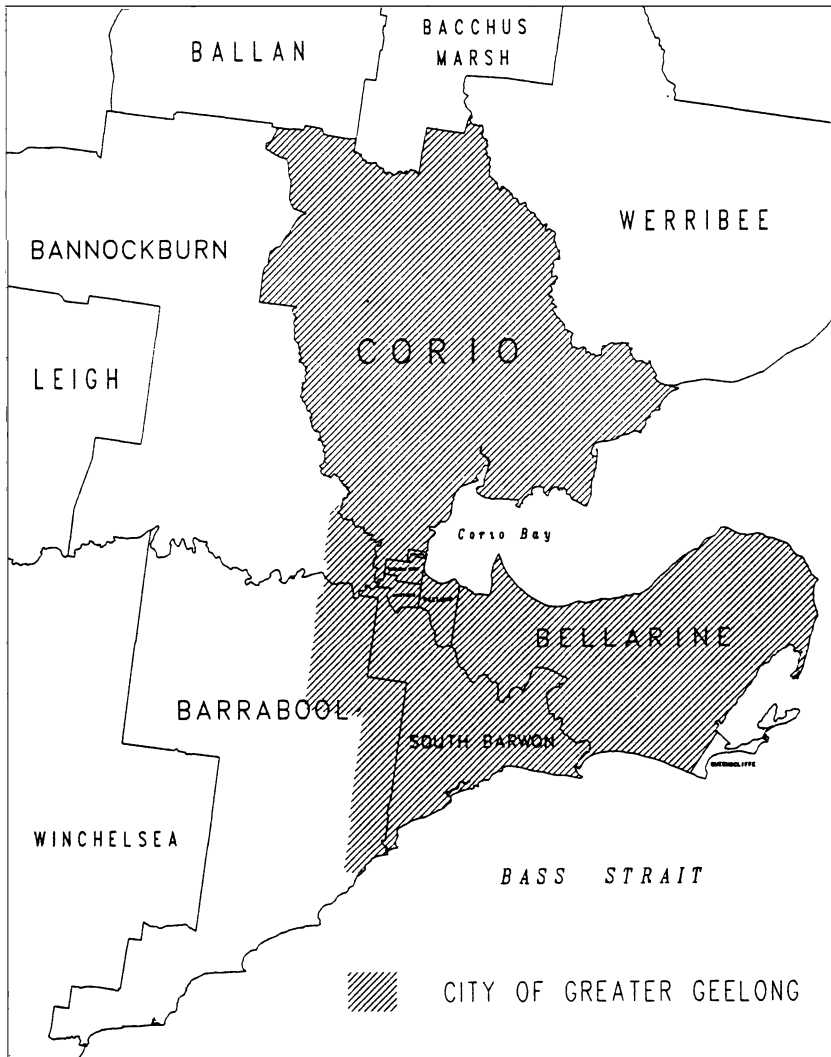
SCHEDULES**SCHEDULE 1****BOUNDARIES OF CITY OF GREATER GEELONG Section 5**

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 Waurm 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 Mt. Duneed Road; thence easterly by that road to Ghazeepore Road; thence southerly by that road to Grossmans Road; thence easterly by that road to the eastern boundary of allotment 78, Parish of Puebla; thence southerly by that boundary to Spring Creek; thence generally easterly by that creek to the eastern boundary of allotment 6, Parish of Jan Juc; thence southerly by that boundary to the Great Ocean Road; thence westerly by that road to Bells Boulevarde; thence southerly by that boulevarde to Bones Road; thence easterly by a road and a line in continuation to the shore of Bass Strait; thence generally north-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 1—*continued*

NOTE TO SCHEDULE 1

CITY OF GREATER GEELONG



SCHEDULE 2**BOUNDARIES OF SHIRE OF BANNOCKBURN Section 18**

Commencing on the Leigh River at the northern boundary of the Parish of Carrah; thence north-westerly by that river to the Meredith–Mount Mercer road; thence generally easterly and southerly by that road to the southern boundary of allotment 34B, Parish of Cargerie; thence easterly by that boundary and the southern boundary of allotment 33B to the road forming the north-western boundary of allotment 32A; thence north-easterly by that road to the northern angle of the said allotment, being a point on the western boundary of allotment 58C; thence southerly by that boundary and easterly by the southern boundary of the said allotment and the southern boundary of allotment 59C to the road forming the southern boundary of allotment 190D, Parish of Meredith; thence generally easterly by that road to the western side of the Geelong and Ballarat Railway; thence south-easterly by that side of the railway to a point in line with the road forming the eastern boundary of allotment 119; thence northerly by a line, the said road and the western boundaries of allotments 128, 129, 132, 133 to the road forming the northern boundary of the latter allotment; thence easterly by that road, the southern boundary of the Borhoneyghurk pre-emptive section, a line, the southern boundary of allotment 46, a line and the southern boundary of allotment 47 to the Moorabool River; thence northerly by that river to the southern boundary of the Parish of Ballark; thence easterly by that boundary and the southern boundary of the Parish of Beremboke 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 southerly by that road to the Barwon River; thence westerly by that river to the road forming the southern boundary of allotment 124, Section A, Parish of Doroq; thence westerly by that road to the western boundary of allotment 125; thence northerly by that boundary, the western boundary of allotment 120, a line, the western boundaries of allotments 117 and 112, a road, the western boundaries of allotments 91, 74, 65 and 56, a road, the western boundaries of allotments 23 and 11 and a road to the Leigh River at the south-western angle of allotment 34, Parish of Carrah; thence north-easterly by the north-western boundary of that allotment to the north-western angle thereof; thence north-easterly by a line to the south-western angle of the Native Creek No. 2 pre-emptive section (allotment 16A); thence northerly and easterly by the western and northern boundaries of that pre-emptive section and further easterly by the southern boundary of the Parish of Burtwarrah to its south-eastern angle, and thence northerly and westerly by the eastern and northern boundaries of the said parish and further

SCHEDULE 2—*continued*

westerly by the northern boundary of the Parish of Carrah to the Leigh River, being the point of commencement.

BOUNDARIES OF BARWON RIDING

Commencing on the western boundary of the Shire where it is intersected by the Shelford–Bannockburn Road; thence south-easterly by that road to Masons Road; thence southerly by that road and Spring Creek Road to the Gheringhap–Maroona Railway; thence easterly and north-easterly by that railway to the western boundary of allotment 3, Section 21, Parish of Gheringhap; thence southerly by that boundary and the western boundary of allotment 2 and further southerly by the western boundary of allotment 3, Section 13 to the road forming the southern boundary of that allotment; thence easterly by that road to the western boundary of allotment 56, Section 17; thence further easterly by a line to the south-western angle of the land described in Certificate of Title Volume 5616 Folio 008; thence easterly by the southern boundary and northerly by the eastern boundary of that land to the eastern boundary of the Shire, and thence generally south-easterly, westerly and north-easterly by the shire boundary to the point of commencement.

SCHEDULE 3

BOUNDARIES OF BARRABOOL SHIRE COUNCIL Section 19

Commencing on the shore of Bass Strait at a point in line with Bones Road; thence westerly by a line and a road to Bells Boulevard; thence northerly by that boulevard to the Great Ocean Road; thence easterly by that road to the eastern boundary of allotment 6, Parish of Jan Juc; thence northerly by that boundary to Spring Creek; thence generally westerly by that creek to the eastern boundary of allotment 78, Parish of Puebla; thence northerly by that boundary to Grossmans Road; thence westerly by that road to Ghazepore Road; thence northerly by that road to Mt. Duneed Road; thence westerly by that 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 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 western boundary of the Parish of Gnarwarre; thence southerly by that boundary and the western boundary of the Parish of Modewarre to the northern boundary of the Parish of Gherang Gherang; thence easterly by that boundary and southerly by the eastern boundaries of that parish and the Parish of Wormbete to the Salt Creek; thence westerly by that creek to the eastern boundary of the Parish of Wensleydale; thence southerly and westerly by the eastern and southern

SCHEDULE 3—*continued*

boundaries of that parish to the eastern boundary of the Parish of Boonah; thence southerly by that boundary to a point due east of the north-eastern angle of former allotment 34; thence due west by a line to the north-eastern angle of that allotment; thence westerly and southerly by the northern and western boundaries of the said allotment to the northern boundary of former allotment 31; thence westerly by that boundary and the northern boundary of former allotment 30; thence southerly by the western boundary of that allotment and further southerly by a line towards the north-western angle of allotment 7, Parish of Lorne to the Grassy Creek; thence south-easterly by that creek to the shore of Bass Strait, and thence generally north-easterly by that shore to the point of commencement.