

# Further Supplemental Agreement

**Greater Geelong City Council**  
and

**Golden Plains Shire Council**  
and

**Surf Coast Shire Council**  
and

**Borough of Queenscliffe**



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## Further Supplemental Agreement

Dated 26<sup>th</sup> October 2018

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### Parties

Name	<b>Greater Geelong City Council</b>
Address	having its Municipal Office at 30 Gheringhap Street, Geelong, Victoria 3220
Facsimile	03 5272 4277
Email	contactus@geelongcity.vic.gov.au
Contact	Martin Cutter, Chief Executive Officer
Short name	Greater Geelong

Name	<b>Golden Plains Shire Council</b>
Address	having its Municipal Office at 2 Pope Street, Bannockburn, Victoria 3331
Facsimile	03 5220 7100
Email	enquiries@gplains.vic.gov.au
Contact	Eric Braslis, Chief Executive Officer
Short name	Golden Plains

Name	<b>Surf Coast Shire Council</b>
Address	having its Municipal Office at 1 Merrijig Drive, Torquay, Victoria 3228
Facsimile	03 5261 05025
Email	info@surfcoast.vic.gov.au
Contact	Keith Baillie, Chief Executive Officer
Short name	Surf Coast

Name	<b>Borough of Queenscliffe</b>
Address	having its Municipal Office at 50 Learmonth Street, Queenscliffe, Victoria, 3225
Facsimile	03 5258 3315
Email	info@queenscliffe.vic.gov.au
Contact	Lenny Jenner, Chief Executive Officer
Short name	Queenscliffe

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## Background

- A. The Geelong Regional Library Corporation (**the Regional Library**) was established by Greater Geelong, Golden Plains, Surf Coast and Queenscliffe on or about 27 March 1997, by agreement made under section 196 of the Act (**the Original Agreement**).
- B. On 19 March 2009, Greater Geelong, Golden Plains, Surf Coast and Queenscliffe entered into an agreement which, following approval by the Minister for Local Government (**Minister**) and the publication of a notice in the *Victoria Government Gazette* under section 196(2) of the *Local Government Act 1989*, had the effect of replacing the Original Agreement (**the Current Agreement**).
- C. On 27 June 2016, Greater Geelong, Golden Plains, Surf Coast and Queenscliffe entered into a Supplemental Agreement which, following approval by the Minister and the publication of a notice in the *Victorian Government Gazette* under section 196(2) of the *Local Government Act 1987*, had the effect of amending the Current Agreement and incorporating provisions concerned with the integration of the Geelong Heritage Centre with the operations at the Regional Library.
- D. Greater Geelong, Golden Plains, Surf Coast and Queenscliffe have now revised the funding arrangements for the Geelong Heritage Centre, which revised funding arrangements will necessitate a further amendment to the Current Agreement.
- E. This Agreement records the terms on which Greater Geelong, Golden Plains, Surf Coast and Queenscliffe have agreed to further amend the Current Agreement.

## F. The Parties Agree

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### 1. Definitions

In this Agreement:

**Act** means the *Local Government Act 1989*;

**Current Agreement** means the agreement described in Recital B, as amended by the Supplemental Agreement described in Recital C;

**member Council** means a council which is member of the Regional Library; and

**Minister** means the Victorian Government Minister responsible for administering the Act.

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### 2. Condition Precedent, Commencement and Effect

- 2.1 This Agreement has no effect unless it is approved by the Minister in accordance with clause 23.1 of the Current Agreement and section 196(8) of the Act.
- 2.2 This Agreement commences operation on the date on which the notice in accordance with section 196(8) of the Act is published in the *Victoria Government Gazette*.
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### 3. Amendments

In the Current Agreement, delete clause 13A.2(a) and substitute:

- (a) [left vacant]
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### 4. Confirmation of Current Agreement

In all other respects, the member Councils confirm the provisions of the Current Agreement.

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### 5. Governing Law and Jurisdiction

- 5.1 This Agreement is governed by the law applicable in Victoria.
- 5.2 Each member Council submits to the exclusive jurisdiction of the courts of Victoria.
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### 6. Interpretation

In this Agreement, unless the contrary intention appears:

- 6.1 headings are for ease of reference only and do not affect the meaning of this agreement;

- 6.2 the singular includes the plural and vice versa and words importing a gender include other genders;
- 6.3 other grammatical forms of defined words or expressions have corresponding meanings;
- 6.4 a reference to a clause, paragraph, schedule or annexure is a reference to a clause or paragraph of or schedule or annexure to this agreement and a reference to this agreement includes any schedules and annexure;
- 6.5 a reference to a document or agreement, including this agreement, includes a reference to that document or agreement as novated, altered or replaced from time to time;
- 6.6 a reference to a member Council includes its administrators and successors;
- 6.7 words and expressions importing natural persons include partnerships, bodies corporate, associations, governments and governmental and local authorities and agencies; and
- 6.8 a reference to any legislation or statutory instrument or regulation is construed in accordance with the *Interpretation of Legislation Act 1984*.

**THIS** Further Supplemental Agreement was approved by the Minister for Local Government on Notice of approval was published in the *Victoria Government Gazette* on 4 July 2019.

# Signing Page

Executed by the Parties

THE COMMON SEAL of GREATER  
GEELONG CITY COUNCIL was affixed this  
day of \_\_\_\_\_ 2018 in  
the presence of:

*[Handwritten signature]*

Mayor (signature)

*Bruce BARWOOD*

Mayor (name)

*[Handwritten signature]*

Chief Executive Officer (signature)

*MARION CURTIS*

Chief Executive Officer (name)



THE COMMON SEAL of GOLDEN PLAINS  
SHIRE COUNCIL was affixed this 2<sup>nd</sup> day  
of January 2018 in the presence of:

*[Handwritten signature]*

Chief Executive Officer (signature)

Chief Executive Officer (name)

*[Handwritten signature]*

Witness (signature)

CLAIRE MARTIN

Witness (name)

**Eric Braslis**  
Chief Executive Officer  
Golden Plains Shire Council  
Authorised Officer pursuant to Section 224  
of the Local Government Act 1989



Signed on behalf of the Surf Coast Shire Council  
by the Chief Executive Officer *under*  
pursuant to the instrument of delegation  
dated \_\_\_\_\_ in the presence of:

)  
) *Van Buren*  
)

\_\_\_\_\_  
Chief Executive Officer (signature)

*For [Signature]*

\_\_\_\_\_  
Witness (signature)

THE COMMON SEAL of the BOROUGH OF  
QUEENSCLIFFE was affixed this \_\_\_\_\_ day  
of \_\_\_\_\_ 2018 in the presence of: )  
)  
)

*Soleiman*  
.....  
Councillor (signature)

**ROBERT MERRIMAN**  
.....  
Councillor (name)

*[Signature]*  
.....  
Chief Executive Officer (signature)

**LEONARD JENNOR**  
.....  
Chief Executive Officer (name)

