

# Electoral Arrangement Review

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**2020 FINAL DETERMINATION**  
TORRES STRAIT ISLAND REGIONAL COUNCIL

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## INTRODUCTION

The Local Government Change Commission (Change Commission) is an independent body established under the *Local Government Act 2009 (Qld)* (the Act). The Change Commission is responsible for assessing whether a proposed local government change is in the public interest. In doing so, the Change Commission must consider:

- whether the proposed change is consistent with the Act;
- the views of the Minister; and
- any other matters prescribed under a regulation.

The Change Commission has finalised its assessment of the Torres Strait Island Regional Council's electoral arrangements on Friday, 3 July 2020. This report outlines the recommended organisation name for the Council and sets out the reasons for the Change Commission's decision.

The Change Commission for this review consists of:

- Mr Pat Vidgen PSM, Electoral Commissioner; and
- Mr Wade Lewis, Casual Commissioner.

The casual commissioner was appointed by the Governor in Council on 1 November 2018.

## Background

On 18 October 2019, the Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs, The Honourable Stirling Hinchliffe MP, referred a change proposal from the Torres Strait Island Regional Council. The Council is requesting an amendment to its name to pluralise the word 'Island', so that it become the Torres Strait Islands Regional Council. The Minister's referral and the Council's request is included at Appendix A.

In the referral, the Minister did not provide a directive for how the Change Commission was to conduct its assessment, however recommended the Change Commission consider the Council's view that translation issues may have resulted in an error in the Council's name.

The process for the Change Commission's review of the Council's electoral arrangements is as follows:

1. Review the Minister and the Council's correspondence.
2. Seek further supporting information to aid its decision-making.
3. Publication of the Change Commission's final determination report.
4. Final determination report provided to the Minister for Local Government, for implementation by the Governor in Council.

## ASSESSMENT

The Change Commission is required to form an independent view of the merits of a proposed change. As the Act provides limited guidance as to how the Change Commission should conduct such assessments, for this type of review, the Change Commission generally looked for evidence that:

- the change is supported by the Council; and
- the proposed change was consistent with the 'local government principles' set out in section 4 of the Act, such as decision making in the public interest and social inclusion.

The Change Commission notes that the change is supported by the Council, as demonstrated on page 6 of the Council's minutes from Monday, 21 January 2019, where the Chief Executive Officer was delegated to request an amendment of the organisation's name. It is also noted that in a letter to the Minister on 29 August 2019, the Council advised it is undertaking the development of a new website, uniforms and the redesign of community collateral items (i.e. grant programs, corporate and operational plans), but cannot proceed further until the name change is approved.

The Change Commission sought clarification from the Council regarding the translation issues mentioned in the Minister's referral and requested further information be provided (see Appendix B). In response, representatives from the Council met with the Electoral Commissioner on 13 February 2020 to discuss the Council's reasoning for the requested name change. It was noted during this meeting that while translation errors may have resulted in the lack of pluralisation of the word island, the main issue for the Council is a matter of accuracy and having a name that reflects that the local government area consists of multiple islands. A file note of this discussion is provided at Appendix B.

As the proposed electoral arrangement change does not materially alter the name of the Council, rather amends it to more accurately reflect the many islands in the local government area, the Change Commission is of the view that the change requested is reasonable and is inclusive of the variety of islands and their communities. The Change Commission therefore supports the pluralisation of the word 'Island'. In doing so, it is confident the change is consistent with the local government principles set out in section 4 of the Act.

## **RECOMMENDATION**

The Change Commission has provided its assessment to the Minister for Local Government and recommends the Governor in Council implement its final decision.

The Change Commission's final recommendation is as follows:

- the Torres Strait Island Regional Council be renamed Torres Strait Islands Regional Council.

In accordance with the Act, the Change Commission has published a notice of results in the Government Gazette, a newspaper circulating in the local government area and on the ECQ website.



**Pat Vidgen PSM**  
**Electoral Commissioner**



**Wade Lewis**  
**Casual Commissioner**

# **APPENDIX A**

## **Minister's Referral and Council's Change Request**



Minister for Local Government,  
Minister for Racing and  
Minister for Multicultural Affairs

Our ref: MC19/4679

18 OCT 2019

Mr Pat Vidgen PSM  
Electoral Commissioner  
Electoral Commission Queensland  
GPO Box 1393  
BRISBANE QLD 4001

1 William Street  
Brisbane Queensland 4000  
PO Box 15009  
City East Queensland 4002  
**Telephone +61 7 3719 7560**  
**Email** [lgrma@ministerial.qld.gov.au](mailto:lgrma@ministerial.qld.gov.au)  
**Website** [www.dlgrma.qld.gov.au](http://www.dlgrma.qld.gov.au)

ABN 65 959 415 158

Dear Pat

I am writing to you in relation to the enclosed correspondence dated 29 August 2019 from Mr Bruce Ranga, Chief Executive Officer of the Torres Strait Island Regional Council, requesting a name change to 'Torres Strait Islands Regional Council' in preparation for the 2020 Local Government quadrennial elections.

The Council advises that this request stems from an error in translation of the original documentation prepared for the amalgamation of the 15 Island Councils in 2008.

As you are aware, section 18 of the *Local Government Act 2009* (the Act) provides that I may apply to the Local Government Change Commission (Change Commission) for an assessment of a proposed Local Government change. Further, under section 19 of the Act, the Change Commission must consider whether the Local Government change is consistent with a Act and must consider my views on any proposed changes.

Having examined the Council's submission, I consider it appropriate to refer the matter to you for independent assessment and determination by the Change Commission.

I recommend that in assessing the proposal, the Change Commission considers the Council's view that its current name resulted from errors in the translation of documents written in traditional language.

I understand the Council wishes to have any name change in place ahead of the 2020 Local Government election. However, I also understand that the Electoral Commission Queensland currently has a large workload ahead of the upcoming election and would welcome your views in due course around timing of your assessment.

I have asked for Mr John O'Halloran, Regional Manager (Northern), Local Government Division in the Department of Local Government, Racing and Multicultural Affairs to assist you with any further queries. You may wish to contact Mr O'Halloran on [REDACTED] or by email at [REDACTED].

Yours sincerely

**STIRLING HINCHLIFFE MP**  
Minister for Local Government,  
Minister for Racing and  
Minister for Multicultural Affairs

Enc



# TORRES STRAIT ISLAND REGIONAL COUNCIL

Lot 12 Francis Road Hammond Island QLD 4875  
Phone: (07) 4034 5775 Email: corporate.affairs@tsirc.qld.gov.au

PO Box 7336 Cairns QLD 4870  
ABN 15 292 645 165

Our Ref: CEO:LGRMA:FNC

The Hon Stirling Hinchliffe MP  
Minister for Local Government, Racing and Multicultural Affairs  
PO Box 15009  
City East QLD 4002

Issued by email only to: [REDACTED]

29/08/2019

## FORMAL REQUEST TO CHANGE ORGANISATION NAME

Dear Minister,

I refer to my original letter issued to your office on 10/05/19 (attached).

During our January Ordinary Meeting Council delegated authority to myself, as Chief Executive Officer, to *'pursue formal registration of Organisation Name amendment with relevant authorities'* as shown on page 6 of the attached minutes.

**I am therefore formally requesting a change of Council's organisation name from 'Torres Strait Island Regional Council' to 'Torres Strait Islands Regional Council'.**

Our Council is undertaking the development of a new website, new uniforms and the redesign of several key community collateral items, such as the Community Grant Program, Corporate and Operational Plans; the publishing of which is currently on hold until our name change is approved, so an urgent response would be most appreciated.

If you have any questions or queries, please do not hesitate to contact Kim Kelly from our Corporate Affairs & Engagement team via phone: [REDACTED] or email [REDACTED]

Yours faithfully,

Bruce Ranga  
Chief Executive Officer  
Torres Strait Island Regional Council





## TORRES STRAIT ISLAND REGIONAL COUNCIL

Lot 12 Francis Road Hammond Island QLD 4875  
p: (07) 4048 6009 f: (07) 4069 1692 e: [corporate.affairs@tsirc.qld.gov.au](mailto:corporate.affairs@tsirc.qld.gov.au)

PO Box 7336 Cairns QLD 4870  
ABN 15 292 645 165

The Hon Stirling Hinchliffe MP  
Minister for Local Government, Racing and Multicultural Affairs  
PO Box 15009  
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Issued by email only to: [LGRMA@ministerial.qld.gov.au](mailto:LGRMA@ministerial.qld.gov.au)


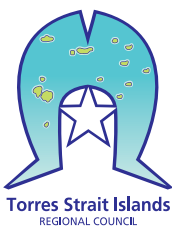
10 May 2019

### Change of Torres Strait Island Regional Council (TSIRC) Organisation Name

Dear Minister,

I thank you for your support and time in considering this request.

During the January ordinary meeting of the Torres Strait Island Regional Council, held on 21/01/2019, Council resolved to amend our logo and organisational name to include the pluralisation of the word 'Island', as shown below:

Existing Logo & Name:	Amended Logo & Name:
	

I also enclose a copy of the Council resolution.

If your office could please respond to this request with confirmation of the proposed changes and any further applicable action(s) we may need to undertake.

Yours faithfully,



Bruce Ranga

CEO, Torres Strait Island Regional Council

Phone: [REDACTED] Email [REDACTED]

**Attachment 1 - Confirmation of Council resolution:**

**8. 10:50am – 11:23am ENGAGEMENT – TSIRC Core Brand Update**

Manager Engagement (ME) spoke to this report.

The following changes needs to be made;

In Item 3 - Naming convention table;

- Division 6, column three heading - traditional name “Kubin” – should read “Arkai”
- Division 8, column three heading - traditional name “Kiriri” - correct spelling “Kirirri”
- Division 13, column four heading – Other Used Names “Stephens” should read “Stephen”
- Division 10, “Coconut Island” should read “ Warraber Island” “Warraber” “Sue Island”
- Division 11, “Warraber Island” should read “Coconut Island” “Poruma”

**ACTION: ME to ensure the electoral roll am updated through this exercise.**

**ACTION: ME to present the amended report to Council at the February OM.**

**ACTION: ME to confirm with Philemon Cr Pearson’s concerns regarding Kulkgau.**

**RESOLUTION:**

Moved: Cr Fell; Second: Cr Nai

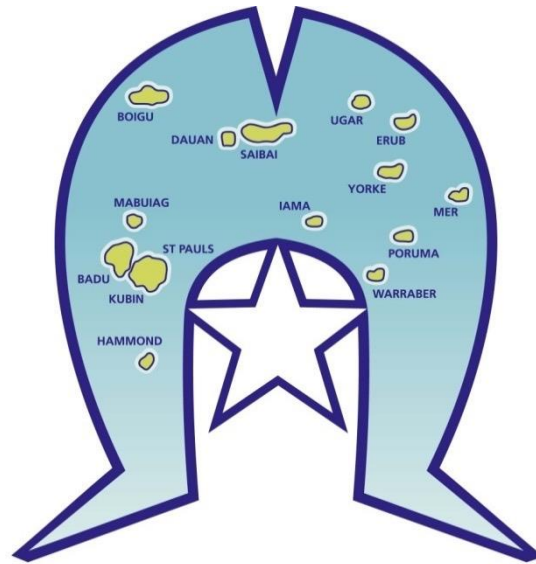
**That council resolve the following:**

- 1. Amendment to the current TSIRC Vision Statement;**
- 2. Amendment to the current TSIRC Values;**
- 3. Agreement of consistent Naming Conventions of TSIRC Islands/Divisions taking into account the above changes;**
- 4. Amendment to the current TSIRC Logo; and,**
- 5. Delegation of authority to CEO to pursue formal registration of Organisation Name amendment with relevant authorities.**

**MOTION CARRIED**

A full version of the ratified minutes are available here:

<http://www.tsirc.qld.gov.au/sites/default/files/FINAL%20MINUTES%20%20-%20OM%20January%202019%20-%20VC%20-%20ratified%20at%20Feb%2019%20OM.pdf>



# **Torres Strait Island**

## **REGIONAL COUNCIL**

### **MINUTES**

### **ORDINARY MEETING**

Monday 21 January 2019: 9:15am to 12:55pm

Videoconference - VMR #8 - 0299 165 402

8. 10:50am – 11:23am ENGAGEMENT – TSIRC Core Brand Update

Manager Engagement (ME) spoke to this report.

The following changes needs to be made;

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- Division 6, column three heading - traditional name “Kubin” – should read “Arkai”
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**ACTION: ME to ensure the electoral roll am updated through this exercise**

**ACTION: ME to present the amended report to Council at the February OM.**

**ACTION:** ME to confirm with Philemon Cr Pearson's concerns regarding Kulkaigau.

**RESOLUTION:**

Moved: Cr Fell; Second: Cr Nai

**That council resolve the following:**

1. Amendment to the current TSIRC Vision Statement;
2. Amendment to the current TSIRC Values;
3. Agreement of consistent Naming Conventions of TSIRC Islands/Divisions taking into account the above changes;
4. Amendment to the current TSIRC Logo; and,
5. Delegation of authority to CEO to pursue formal registration of Organisation Name amendment with relevant authorities.

**MOTION CARRIED**

8. **11:23am – 12:16am**      **COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

Moved: Cr Nai; Second: Cr Bosun

**The Council move into Closed Business.**

**MOTION CARRIED**

# **APPENDIX B**

## **Supporting Documentation**

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**From:** LG Boundaries  
**Sent:** Wednesday, 13 November 2019 3:14 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Request to change TSIRC organisation name - clarification required  
**Attachments:** MC19-4679 - M LGRMA to LGCC\_Referral TSIRC\_18.10.19.pdf  
**Importance:** High

Good afternoon Mr Ranga,

The Change Commission is in the process of assessing a name amendment proposal for the Torres Strait Island Regional Council to be renamed the Torres Strait Islands Regional Council.

In the Minister's referral (attached), he recommended the Change Commission consider "the Council's view that its current name resulted from errors in the translation of documents written in traditional language". Having reviewed the Council correspondence and minutes provided in the Minister's referral, I can't see any discussion of translation errors, so wanted to touch base with you.

Could you please clarify whether there were any translation issues relating to the organisation's name (TSIRC) that the Change Commission should consider? If translation errors were indeed a factor, it would be appreciated if you could provide any information or supporting documentation.

Your earliest possible reply would be appreciated, as the Change Commission is aiming to complete its review as soon as possible.

Should you require further information, or have any questions, please don't hesitate to get in touch.

Kind regards,  
Elise

**Elise Arklay**  
Secretary  
Local Government Change Commission



**Electoral  
Commission**  
QUEENSLAND



 [LGBoundaries@ecq.qld.gov.au](mailto:LGBoundaries@ecq.qld.gov.au)

 L20/1 Eagle Street, Brisbane, Queensland, 4000



[ecq.qld.gov.au](http://ecq.qld.gov.au)

## File Note



**Electoral  
Commission**  
QUEENSLAND

<b>Date:</b> 13 February 2020	<b>Time:</b> 9:45am – 10.30am	<b>Place:</b> Electoral Commissioner's Office
<b>Meeting Type:</b> In person & phone		

<b>Topic of discussion</b>	Torres Strait Island Regional Council (TSIRC) name change review
<b>Local Government Change Commission (LGCC) participants</b>	Pat Vidgen, Electoral Commissioner Elise Arklay, Senior Policy Officer, ECQ (former Secretary, LGCC)
<b>Council representatives</b>	Mette Nordling, Contracts Manager, TSIRC Peter Krebs, Manager, Legal Services, TSIRC Luke Ranga, Head of Corporate Affairs & Engagement, TSIRC (by phone)

### Item 1: TSIRC - Electoral Arrangement Review

<b>Discussion Summary:</b>	<p><b>General discussion:</b></p> <p>The attendees discussed the previous correspondence between the Minister, the Council and the Change Commission staff and the current status of the electoral arrangement review. It was noted that the Minister's referral recommended the Change Commission consider the Council's view that translation errors had resulted in the current name. The latest correspondence between the Change Commission secretariat and Council had been to request documentation or any information about these translation errors.</p> <p><b>Council representatives:</b></p> <p>The staff advised they are unable to provide documentation but noted that the key issue for this review is that the current name does not reflect that Council is made up of multiple islands.</p> <p>The Council staff also advised that in a meeting with the Minister for Local Government, the possibility of implementing a Council name based on traditional language was discussed. However, as the TSIRC is an amalgamation of several islands and has six distinct languages groups, it was noted that agreement on a traditional name will take significant community consultation and time.</p> <p>It is therefore the view of the Council that pluralisation of the word 'Island' to 'Islands' is an important first step, and discussions about having a traditional name is a matter for future consideration following consultation with the community.</p>
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	<p><b>Change Commission:</b></p> <p>The Electoral Commissioner noted his appreciation for the Council staff providing a detailed explanation of their reasoning on this matter. He noted while translation may have resulted in a lack of pluralisation, that the more pressing issue for consideration appears to be one of accuracy, as the TSIRC consists of multiple islands which is currently not reflected in their existing name.</p> <p>The Electoral Commissioner noted that as the Change Commission has already met in 2019 to discuss the change request and following this meeting it should not be long until it is able to finalise its decision.</p> <p>Regarding implementation of any changes, it was noted that there will need to be discussions with the Department of Local Government, as the TSIRC name is mentioned in both the <i>Local Government Act 2009</i> and the <i>Local Government Regulation 2012</i> and therefore may require additional change processes to take place.</p> <p>The Electoral Commissioner advised that a file note of the meeting would be created and provided to the Council for their records and information.</p>	
<b>Action Required</b>	<b>Responsible Person:</b>	<b>Deadline:</b>
Draft file note of meeting Provide file note to Council	Elise Arklay	Complete

# LOCAL GOVERNMENT CHANGE COMMISSION

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W: [www.ecq.qld.gov.au](http://www.ecq.qld.gov.au)

E: [LGBoundaries@ecq.qld.gov.au](mailto:LGBoundaries@ecq.qld.gov.au)

T: 1300 881 665

P: Local Government Change Commission  
GPO Box 1393  
BRISBANE QLD 4001