



LOCAL GOVERNMENT CHANGE COMMISSION

REPORT ON A CHANGE TO THE EXTERNAL BOUNDARIES OF THE IPSWICH CITY COUNCIL AND SOMERSET REGIONAL COUNCIL

JULY 2012

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**REPORT ON A CHANGE
TO THE EXTERNAL BOUNDARIES OF THE
IPSWICH CITY COUNCIL AND
SOMERSET REGIONAL COUNCIL**

July 2012

**Electoral Commission of Queensland
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Background

The then Honourable the Attorney General, Minister for Local Government and Special Minister of State asked me to consider realignment of the common boundaries of the Ipswich City Council and Somerset Regional Council.

This matter encompasses a proposed change to the common boundary between the local governments at—

- Lot 1 on Survey Plan 218481, County of Churchill, Parish of Walloon situated at Warrego Highway and Two Tree Hill Road, Tallegalla currently held by Kerry Naomi Allen.

It is proposed that—

- Lot 1 on Survey Plan 218481, County of Churchill, Parish of Walloon be included within Somerset Regional Council.

The Change Commission in this case is comprised of the Electoral Commissioner in accordance with section 22 of the *Local Government Act 2009* (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 local government change is consistent with the Act; and
- the views of the Minister about the proposed local government change; and
- any other matters prescribed under a regulation.

Section 19(3) of the Act provides that the Change Commission may conduct its assessment in any way that it considers appropriate including, for example—

- ask for submissions from any local government that would be affected by the proposed local government change; and
- hold a public hearing to ask the public for its views about the proposed local government change.

The Change Commission has determined that the holding of a public hearing is, on this occasion, unnecessary.

Submissions

The Minister received a submission from Somerset Regional Council supported by Ipswich City Council and the landholder Ms Allen. Copies of Somerset Regional Council's submission and supporting documentation from Ipswich City Council and Ms Allen are included in Appendix A. The Minister referred these matters without expressing a view for or against the proposal.

Findings

After a thorough assessment of the material submitted and having taken account of all considerations specified in the Act, it is recommended that—

- Lot 1 on Survey Plan 218481, County of Churchill, Parish of Walloon be included within Somerset Regional Council.

The Commission notes that councils' submissions identify no financial or resource implications relating to the proposal.

Reasons for Findings

In this case, a single parcel of land being Lot 1 on Survey Plan 214841, County of Churchill, Parish of Walloon is intersected by the common boundary between Ipswich City Council and Somerset Regional Council. The greater proportion of land is contained within Somerset Regional Council. Access to the land is predominately from Somerset Regional Council.

All parties to this matter; both councils and the landholder, are in agreement with the proposed change to the common boundary.

The proposed boundary change is assessed as being consistent with the *Local Government Act 2009*.

Implementation

The Governor in Council may implement the Change Commission's recommendation under a regulation.

The regulation may provide for anything that is necessary or convenient to facilitate the implementation of the local government change.

David Kerslake
Electoral Commissioner

APPENDIX A**Council Submission**

8th March 2011

The Hon. Paul Lucas
Department of Local Government & Planning
PO Box 15009
CITY EAST QLD 4002



Dear Minister

Subject: Local Government Boundary Anomaly – Lot 1 on SP218481
Our Ref: Governance / Boundaries / External
Your Ref:

I wish to advise that it has come to the Department of Environment & Resource Management's (DERM) attention that Lot 1 on SP218481 is partially in the Somerset Regional Council area (90%) and partially in the Ipswich City Council area (10%) as a result of a permanent road closure application approved by DERM.

I have received correspondence from Ipswich City Council that states "as more than 90% of the property lies within Somerset Regional Council it would be beneficial for the owner to have the property move in its entirety to Somerset Regional Council".

In order to change the locality boundary of the Ipswich and Somerset local government areas, Innika of the former Department of Infrastructure and Planning (DIP) advised that a submission needs to be made to the Department. She also advised that the submission would require evidence from the property owner, Ipswich City Council and Somerset Regional Council indicating agreement that Lot 1 on SP218481 should be wholly contained in the Somerset Region. Council was advised that DIP would then refer the submission to the Change Commission for processing.

As such, please find attached the original consent provided by Ms Kerry Allen, the property owner, and Ipswich City Council. Please consider this letter as evidence of agreement from Somerset Regional Council to Lot 1 on SP218481 being included within the Somerset Regional boundary in its entirety.

A copy of a recent title search has also been enclosed for your information.

Should you require any further information or wish to discuss this matter further, please do not hesitate in contacting Rachel Lerch on ph. 5424 4000.

Yours sincerely,


Robert Bain
Chief Executive Officer
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I, KERRY NAOMI ALLEN, in my capacity as registered owner of Lot 1 on SP218481 agree that Lot 1 on SP218481 should belong in its entirety to the Somerset Regional Council area and have no objections to the local government boundary being amended accordingly.

K. Allen [sign] 17-2-11 [insert date].

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I, Jim Lindsay [name] of Ipswich City Council, in my capacity as Chief Financial Officer [position] agree that Lot 1 on SP218481 should belong in its entirety to the Somerset Regional Council area and have no objections to the local government boundary being amended accordingly.

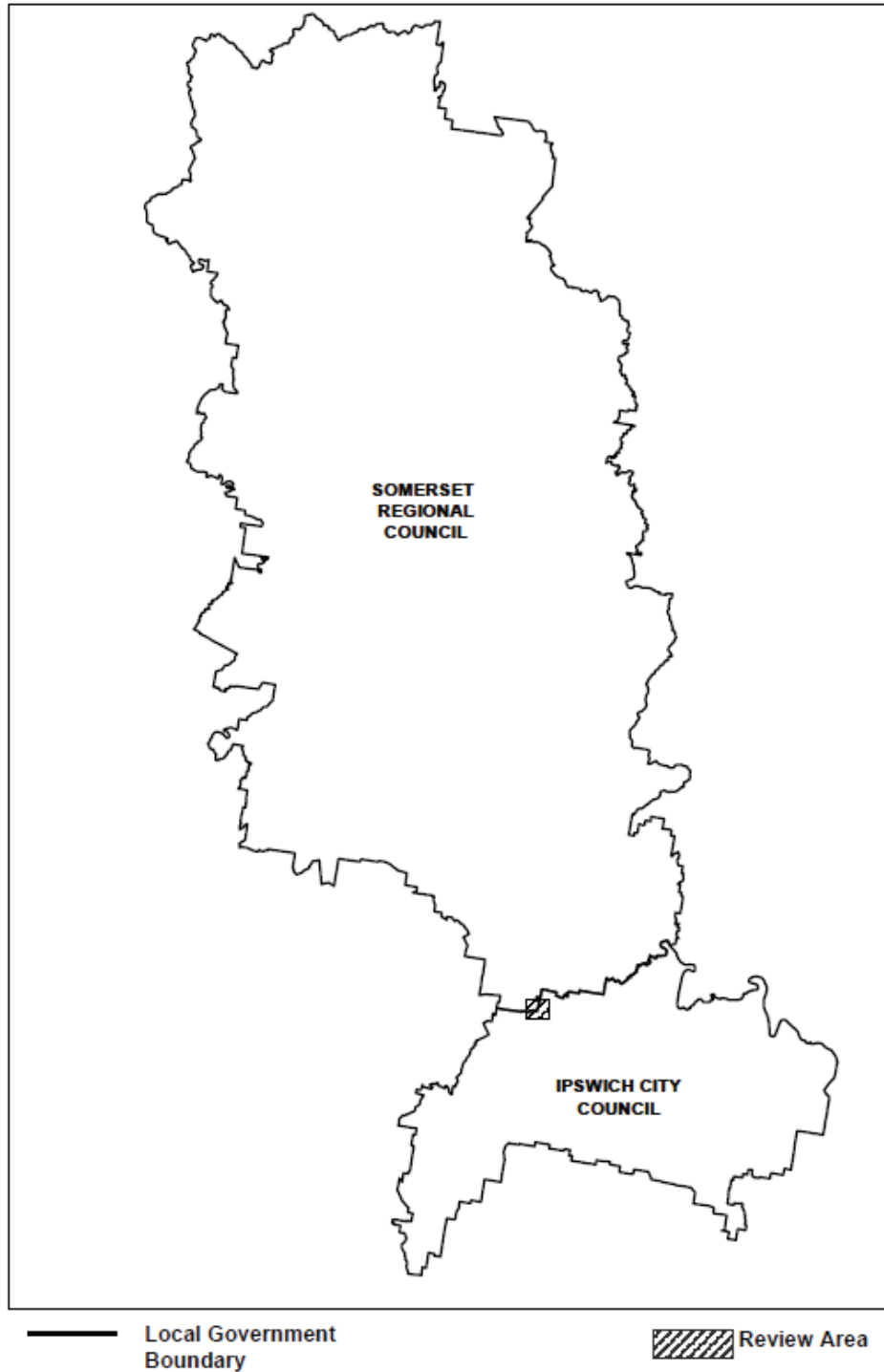
Jim Lindsay [sign] 1.3.11 [insert date].

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APPENDIX B

Maps — Proposed Boundary Changes

Overview Map
Ipswich City Council and Somerset Regional Council



Detailed Map : Lot 1 Plan SP218481

