



LOCAL GOVERNMENT CHANGE COMMISSION

REPORT ON A CHANGE TO THE EXTERNAL BOUNDARIES OF THE CENTRAL HIGHLANDS REGIONAL COUNCIL AND ISAAC REGIONAL COUNCIL

NOVEMBER 2014

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REPORT ON A CHANGE TO THE EXTERNAL BOUNDARIES OF THE CENTRAL HIGHLANDS REGIONAL COUNCIL AND ISAAC REGIONAL COUNCIL

NOVEMBER 2014

Electoral Commission of Queensland
Level 6, 160 Mary Street, Brisbane Qld 4000
GPO Box 1393, Brisbane Qld 4001

Telephone: 1300 881 665
Facsimile: (07) 3036 5776
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TABLE OF CONTENTS

Background 1

Submissions 2

Findings..... 2

Reasons for Findings 2

Implementation..... 2

Appendix A – Ministers Referral

Appendix B – Council Submissions

Appendix C - Maps

Background

The Honourable the Minister for Local Government, asked me in June 2014 to consider realignment of the common boundaries of the Central Highlands Regional Council and Isaac Regional Council.

This matter encompasses a proposed change to the common boundary between the local governments including the following lots currently located in Central Highlands Regional Council —

- Lot 42 on Crown Plan LHDT4010, County of Clermont, Parish of Copperfield. Owned by Jeffrey Lawrence.
- Lot 41 on Crown Plan LHDT4010, County of Clermont, Parish of Copperfield. Owned by Ross Clie.
- Lot 44 on Crown Plan LHDT4073, County of Clermont, Parish of Copperfield. Owned by Ross Clie.
- Lot 123 on Crown Plan MPH206, County of Clermont, Parish of Copperfield. Owned by Ross Clie.
- Lot 145 on Crown Plan FTY1413 (part of Copperfield State Forest), owned by the State of Queensland.

It is proposed that—

- Lot 42 on Crown Plan LHDT4010
- Lot 41 on Crown Plan LHDT4010
- Lot 44 on Crown Plan LHDT4073
- Lot 123 on Crown Plan MPH206
- Lot 145 on Crown Plan FTY1413

be moved to Isaac 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. There are four electors affected by the proposed change.

Submissions

The Minister for Local Government referred the Douglas Creek matter to the Change Commission based on a submission he had received from Central Highlands Regional Council. The Minister referred these matters without expressing a view for or against the proposal. The referral is included in Appendix A.

The submission from Central Highlands Regional Council was accompanied by a letter of support and agreement from Isaac Regional Council and also the property owners Ross Clien and Jeffrey Lawrence. The submission was based on an initial proposal from the Department of Natural Resources and Mines concerning a boundary anomaly in the area. The submission is included in Appendix B.

The Change Commission has determined that the calling for submissions from the Council's concerned and the property owners, on this occasion, unnecessary as they are included in the original submission forwarded by the Minister.

All parties were in agreement that the properties should be moved into Isaac Regional Council.

Findings

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

- Lot 42 on Crown Plan LHDT4010
- Lot 41 on Crown Plan LHDT4010
- Lot 44 on Crown Plan LHDT4073
- Lot 123 on Crown Plan MPH206
- Lot 145 on Crown Plan FTY1413

be moved from Central Highlands Regional Council to Isaac Regional Council. All these lots are located in County of Clermont, Parish of Copperfield, situated at Douglas Creek. See Maps attached at Appendix C for details.

Reasons for Findings

The five lots in question in the review area are on the southern side of Douglas Creek in the Central Highlands Regional Council. Four of these lots 41, 42, 44 and 145 continue on the northern side of the creek in Isaac Regional Council. The property owners own the lots on both sides of the current boundary including Lot 123.

It therefore makes it more logical and practical for the lots to be together in one council area rather than being divided by the creek in terms of the rates and services being provided by one council instead of two for both the property owners and councils concerned.

All parties to this matter i.e. both councils and the landholders, 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.

Walter van der Merwe
Local Government Change Commissioner

APPENDIX A

Ministers Referral



Hon David Crisafulli MP
Minister for Local Government,
Community Recovery and Resilience

Our ref: MC14/1813

25 JUN 2014

Level 18 Mineral House
41 George Street
PO Box 15031 City East
Queensland 4002 Australia
Telephone +61 7 3234 1870
Facsimile +61 7 3012 8901
Email localgovt@ministerial.qld.gov.au
Website www.dlgcr.qld.gov.au

Mr Walter van der Merwe
Change Commissioner and
Electoral Commissioner of Queensland
GPO Box 1393
BRISBANE QLD 4001

Dear Mr van der Merwe

Walter.

I refer to the enclosed application from Central Highlands Regional Council of 6 May 2014 requesting a review of its boundary with Isaac Regional Council.

In accordance with Chapter 2, Part 3 of the *Local Government Act 2009*, I am referring Central Highlands Regional Council's request of a boundary change to you for an assessment.

Please note, the enclosed application includes documentation detailing support for Central Highlands Regional Council's proposal from Isaac Regional Council, as the other affected local government, and from the affected landowners.

If you require any further information, please contact Ms Jennie O'Connor, Acting Director, Southern Region on (07) 3452 6772 or jennie.o'connor@dlgcr.qld.gov.au, who will be pleased to assist.

Yours sincerely

David Crisafulli MP
Minister for Local Government,
Community Recovery and Resilience

Enc (1)



Greg,
1. FYI
2. Action where necessary.
Thx
MR. 26/6

APPENDIX B

Council Submissions



CONTACT NAME: Geoff Brayford
TELEPHONE: (07) 4980 6350
FAX: 1300 242 687
Email gbrayford@chrc.qld.gov.au
PO Box 21 Emerald Qld 4720



6 May 2014

The Hon David Crisafulli MP
Minister for Local Government Community Recovery and Resilience
PO Box 15031
CITY EAST QLD 4001

Dear Minister

Local Government Boundary Anomalies – Isaac and Central Highlands Regional Councils

Council is in receipt of your letter dated 22 April 2014 requesting a resubmission of our original application for a boundary change dated 1 April 2014 to address the omission of consultation details between Central Highlands Regional Council and Isaac Regional Council.

Please find attached a copy of a letter of no objection from Isaac Regional Council dated 13 September 2013.

In 2013 the Department of Natural Resources and Mines brought to the attention of Council a local boundary anomaly in the Douglas Creek area of our Regional Council.

Council seeks a determination to correct identified boundary anomalies involving Isaac and Central Highlands Regional Councils and requests that this letter be referred to the Local Government Commission (Electoral Commission of Queensland) to assess the proposed changes under the provision of the Local Government Act 2009.

The affected properties are listed below

Lot 42 on Crown Plan LHDT 4010 – owned by J R Lawrence
Lot 41 on Crown Plan LDHT 4040 – owned by R T Clein
Lot 40 on CLM 93 – owned by R T Clein
Lot 145 on Crown Plan FTY1413 – Reserve for Forestry

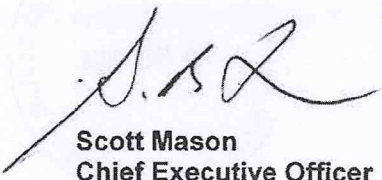
Both property owners have been written to seeking their views on the boundary realignment proposal. Neither owner offered any objection to the proposal, although Mr Clein would prefer that all his property be included in the Isaac Regional Council area. Also attached are copies of correspondence from Mr Clein and Mr Lawrence.

At the Council meeting of 12 February 2014 Council resolved to:

Request the Minister for Local Government to refer the Douglas Creek boundary anomaly portrayed on DNRM map CHQ024459/796 to the Local Government Change Commissioner for assessment suggesting the following form of boundary modification between lots 139 LHD40172 and Lot 69 CLM93 as generally show in yellow in Figure 1.

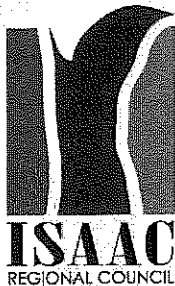
For further enquiries please contact Mr Geoff Brayford, General Manager Infrastructure Assets and Public Facilities on 49806350.

Yours faithfully


Scott Mason
Chief Executive Officer

12/5/14

Attachments (5)



PO Box 97
MORANBAH QLD 4744
T: (07) 1300 ISAACS (1300 472 227)
F: (07) 4941 8666
E: records@isaac.qld.gov.au
ABN 39 274 142 600

Our Ref.: Suggested Boundary Change - DNRM

SENT BY EMAIL TO: bottone@chrc.qld.gov.au

9 September 2013

Mr Bryan Ottone
Chief Executive Officer
Central Highlands Regional Council
PO Box 21
EMERALD QLD 4720

Dear Bryan

RE Suggested Boundary Change – DNRM


The following information is in response to your email received on 18 July 2013 referring to the proposed Boundary Changes between the Central Highlands Regional Council and Isaac Regional Council on the listed lots below:

- Lot 42 on LHDT4010;
- Lot 41 on LHDT4010;
- Lot 40 on CLM93;
- Lot 145 on FTY1413; and
- Lot 1 on SP208197.

Council has considered the proposed boundary changes from the Minister for Natural Resources and Mines and has no objections against the proposal.

If you require further information please do not hesitate to call Emily Dwyer, Planner, on 07 4941 3019 or Email: emily.dwyer@isaac.qld.gov.au.

Yours faithfully


TERRY DODDS
Chief Executive Officer

From: Jeff & Maree Lawrence [jeff.lawrence@activ8.net.au]
Sent: Friday, 7 June 2013 9:47:19 PM
To: Bryan Ottone
Subject: Proposed Changes to Local Gov Boundary LOT 42

Dear Mr Ottone,

RE: Proposed Changes to Local Government Boundary Lot 42 on LHDT4010

I wish to advise that I am happy with the above proposed change of boundary on my property.

Yours faithfully

Jeffrey Lawrence.

This email has been scanned by the Symantec Email Security.cloud service.

RECEIVED

12 JUN 2013

CENTRAL HIGHLANDS
REGIONAL COUNCIL

ROSS CLEIN
P.O. BOX 121
CLERMONT Q 4721.

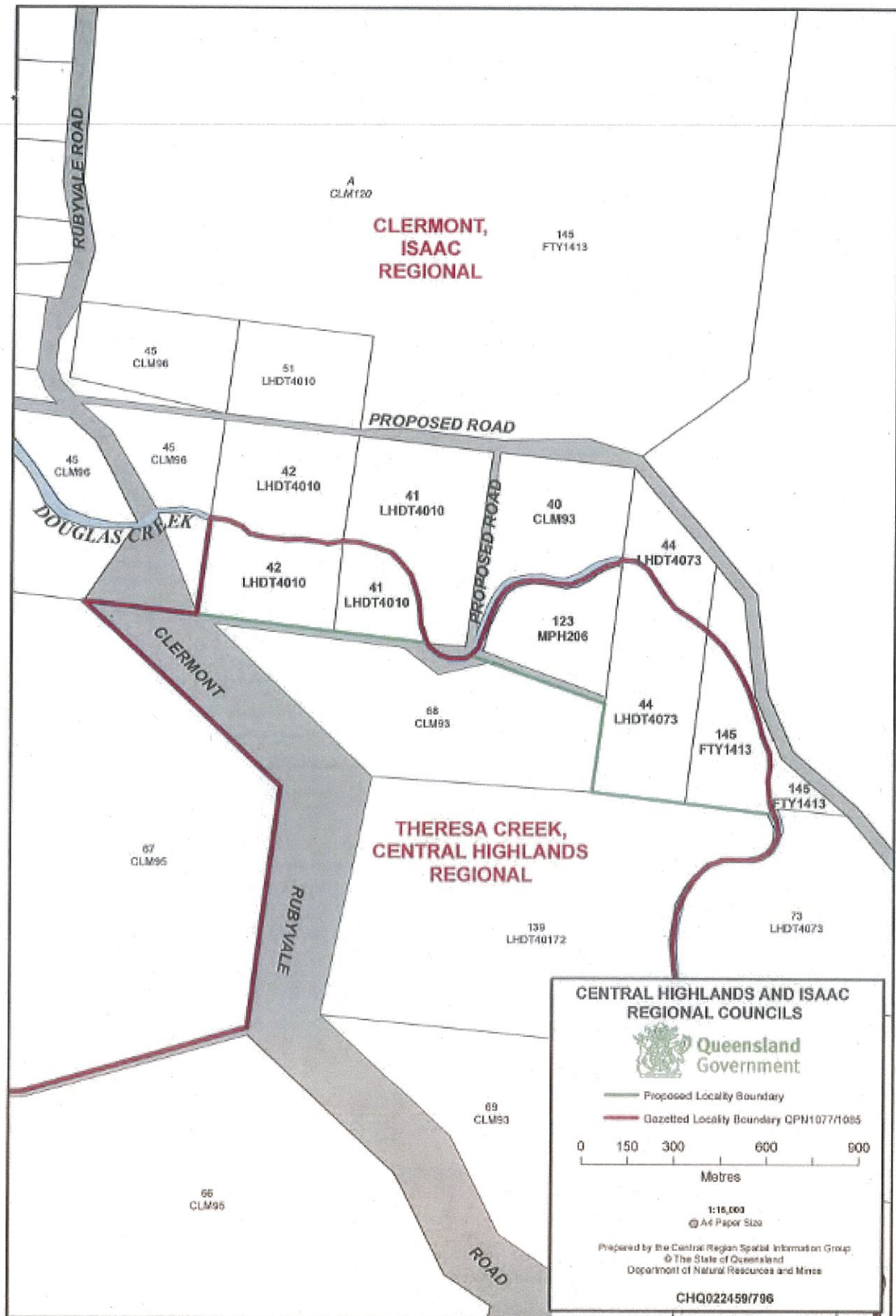
6-6-2013.

CHRC. MR. BRYAN OTTONE.

DEAR MR. OTTONE.

I AM WRITING REGARDING PROPOSED CHANGES TO
LOCAL GOVERNMENT BOUNDARIES BETWEEN CHRC AND
ISSAC COUNCIL. MY PROPERTY "LILYVALE" IS INCLUDED
IN THESE CHANGES, HOWEVER SOME BLOCKS ARE NOT.
I WOULD LIKE TO SUGGEST INCLUDING LOT NOS - 68,
139, 69, 85, 20, AND 73. THAT WOULD THEN PUT MY
WHOLE PROPERTY IN ISAAC REGIONAL COUNCIL. WHICH
WOULD THEREFORE MAKE THINGS A LOT EASIER TO
MANAGE. IF YOU WOULD LIKE TO CALL ME TO
TALK ABOUT THESE CHANGES MY PHONE NO. IS. 0428825963.

REGARDS
ROSS CLEIN.
RT.Cli



Created by: PPMH
Date: 12/23/2013

Legend

- All Towns
☒ IQ_OLD_LOGGVEDY_DCD8_CUR
☐ Lot Parcels
☐ CHRC Roads



Consent
The following use of this data by the Central Highway Museum is authorized by the American Highway Builders Association. The American Highway Builders Association is a non-profit organization that promotes the use of highways and the safety of the traveling public. The American Highway Builders Association is a non-profit organization that promotes the use of highways and the safety of the traveling public. The American Highway Builders Association is a non-profit organization that promotes the use of highways and the safety of the traveling public.

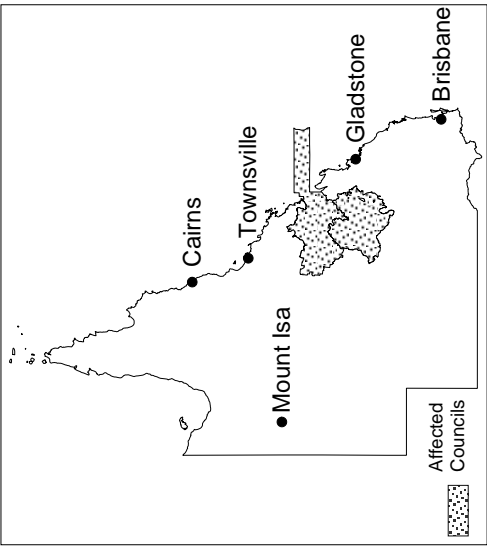
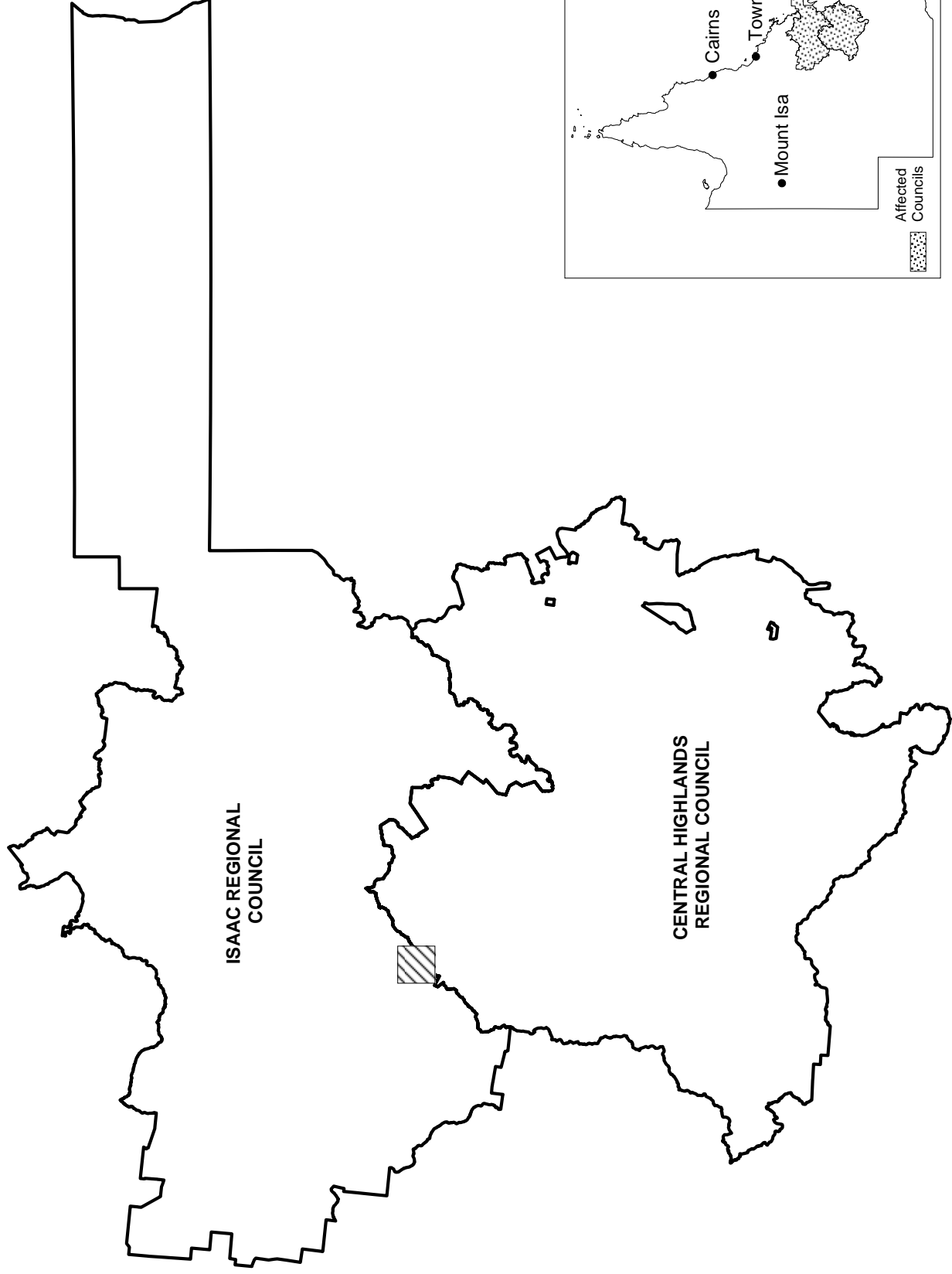
MAP TITLE

Figure 1

APPENDIX C

Maps

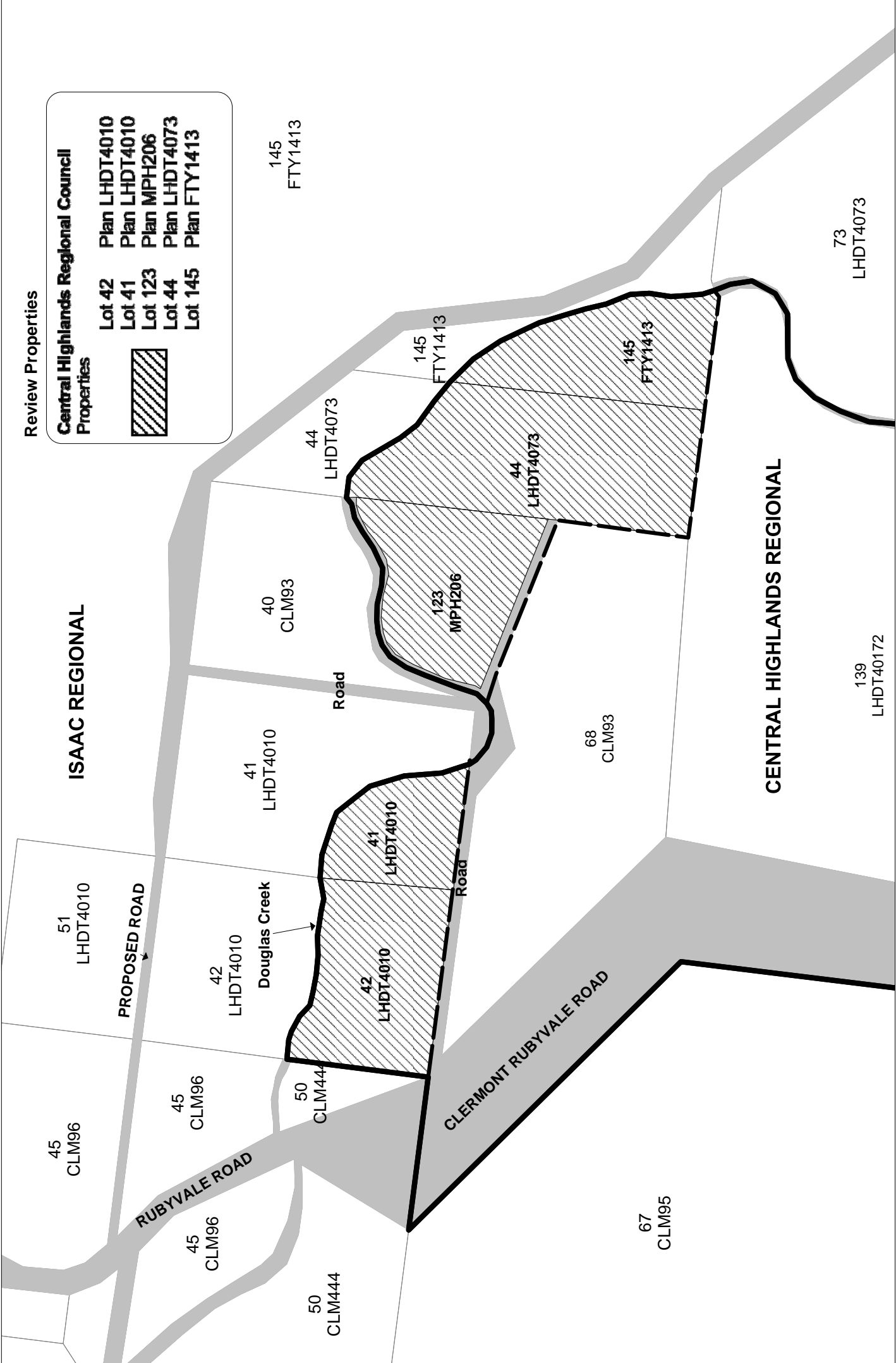
Overview Map
Isaac Regional Council and Central Highlands Regional Council



— Local Government Boundary

 Review Area

Detailed Map



Local Government Boundary

Property Boundary

Proposed Boundary

Review Area