

# Review of Divisional Boundaries

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**2019 FINAL DETERMINATION**  
WHITSUNDAY 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 periodically reviewing the internal boundaries of divided councils so that each division has relatively the same number of enrolled voters. This upholds the key democratic principle of 'one vote, one value', by ensuring each person's vote carries the same weight.

The Change Commission has finalised its assessment of the Whitsunday Regional Council's divisions on Friday, 1 November 2019. This report outlines the recommended divisional boundaries and sets out the reasons for the Change Commission's decisions. Maps of the final boundaries are attached at Appendix A.

The Change Commission for this review consists of:

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

The casual commissioners were appointed by the Governor in Council on 1 November 2018.

## Background

On 2 April 2019, the Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs, The Honourable Stirling Hinchliffe MP referred a divisional boundary review of the Whitsunday Regional Council (see Appendix B).

In conducting its assessment, the Change Commission was legally required to ensure each division of the Council has a reasonable proportion of enrolled voters, herein referred to as 'quota'. Community interests, public submissions and easy-to-identify boundaries were also considered.

Table 1 shows the Council's enrolment quota as at 31 January 2019 and the projected quota for 31 March 2024.

<b>Table 1 – Current and Projected Enrolment Quota</b>		
	<b>31 January 2019</b>	<b>31 March 2024</b>
<b>Number of divisions</b>	6	6
<b>Enrolment</b>	22,161	23,062
<b>Average enrolment per division</b>	3,694	3,844
<b>Average enrolment (+10%) per division</b>	4,063	4,228
<b>Average enrolment (-10%) per division</b>	3,324	3,460

### **Determining the quota**

A quota is determined by dividing the total number of enrolled voters by the number of councillors (other than the mayor), plus or minus 10%. The Change Commission also considers projected enrolment, so the divisions remain in quota for as long as possible.

Current enrolment data has been sourced from Queensland's electoral roll and projected enrolment data from the Queensland Government Statistician's Office of Queensland Treasury. Projections are based on the timing of future local government quadrennial elections.

Enrolment information is based on 'Statistical Areas Level 1 (SA1)'. SA1s are geographical units used by the Australian Bureau of Statistics (ABS) for the release of census data. According to the ABS most SA1s have a population of between 200 to 800 persons with an average population of approximately 400 people.

Current and projected enrolment data are available for download on the Whitsunday Regional Council review webpage on the Electoral Commission of Queensland's (ECQ) website.

### **THE REVIEW PROCESS**

The Change Commission may conduct its assessments in any way it deems appropriate, unless the Minister has provided specific directions.

The process for this review is as follows:

1. Inviting suggestions
2. Publication of the Change Commission's proposal
3. Inviting comments on the proposal
4. Publication of the Change Commission's final determination report
5. Final determination report provided to the Minister for Local Government, for implementation by the Governor in Council
6. New boundaries come into effect at the 2020 Local Government Quadrennial Election

## Existing Divisions

The Whitsunday Regional Council has 22,161 voters and is divided into 6 single-member electoral divisions plus a mayor.

Table 2 shows the current and projected enrolment for the Council's existing divisional boundaries. As at 31 January 2019, Division 2 was out of quota and it is projected to be further out of quota by 2024.

<b>Division</b>	<b>Enrolment as at 31/01/2019</b>	<b>(%) Deviation from Average Enrolment</b>	<b>Projected Enrolment as at 31/03/2024</b>	<b>(%) Deviation from Projected Average Enrolment</b>
Division 1	3,673	-0.56	4,047	5.29
Division 2	4,229	<b>14.5</b>	4,484	<b>16.66</b>
Division 3	3,468	-6.11	3,652	-4.99
Division 4	3,716	0.61	3,691	-3.97
Division 5	3,464	-6.21	3,518	-8.47
Division 6	3,611	-2.23	3,670	-4.52

## Public Suggestions

The Change Commission sought public suggestions to assist in developing its proposal. Advertisements were placed in The Courier-Mail, the Whitsunday Times and on the ECQ's website and social media.

Suggestions were invited from 27 April 2019 to 5pm 13 May 2019. The Change Commission received 8 submissions which are available to view at Appendix C.

The Whitsunday Regional Council recommended the Change Commission resolve the enrolment imbalance in Division 2 by reviewing the boundary between Divisions 2 and 3. It was suggested that the SA1 3136105 (Brandy Creek area) be removed from Division 2 and united within Division 3 and the Whitsunday Acres estate section of SA1 3135907 (Cannon Valley area) also be relocated into Division 3. The Council suggested the boundary follow Orchid Road and Shute Harbour Road.

The Change Commission supported the need to reduce enrolment growth in this area, however instead proposed that Brandy Creek and the majority of Cannon Valley be transferred into Division 5. In doing so, the enrolment pressure in Division 2 was reduced whilst enabling Division 3 to expand south-west to incorporate several localities from the east of Division 4 as requested in a number of public suggestions.

The other 7 submissions raised concerns regarding the boundaries of Division 4, with 3 of these submitters endorsing the contents contained in Suggestion 4. The key themes from

these submissions were that Division 4 is too large, contains a variety of different communities with diverse needs, that there are accessibility and transport link issues and that this has culminated in representation problems. The Change Commission sought to address these submissions and proposed transferring the eastern portion of Division 4 into Divisions 2, 3 and 5, so that Division 4's eastern boundary followed the Bogie locality boundary. Having transferred several localities in the east of Division 4, the Change Commission proposed expanding the northern boundary to take in electors in the Gumlu, Guthalungra and part of the Bowen locality.

Suggestion 4, which was endorsed by 3 other submitters, suggested several other changes to the Council's divisions. The Change Commission implemented many of the suggested boundaries, proposing some additional or alternative modifications in some places. The Change Commission's response to the suggested changes are discussed below:

- That no change be made to Division 1. As this Division's enrolment is projected to remain in quota in 2024, the Change Commission supported this recommendation, however proposed a single change that did not impact any electors but united similar geographic areas. It was proposed that the Cape Conway locality (Conway National Park and State Forest) be transferred from Division 2 into Division 1.
- Transfer several SA1s from Division 4 into Division 3 where the residents have better connectivity and add Brandy Creek into Division 3. The Change Commission partially adopted this suggestion, transferring several localities from Division 4 to Division 3. The Brandy Creek locality was placed in the proposed Division 5.
- Expand Division 5 to follow the Bruce Highway, gaining parts of Bowen Bay, Cape Gloucester, Hideaway Bay, Dingo Beach and growth areas at Woodwark, Riordonvale, Strathdickie and Myrtlevalle. The Change Commission implemented a number of these suggested changes, with some modifications to take in additional localities in the south-east and to place Woodwark in Division 2. This enabled Division 4 to contract in the east and helped to take some of the projected growth areas out of Division 2.
- Remove the northern reach and make Division 6 a solely Bowen based division. The Change Commission supported this idea in principle, however proposed different boundaries to the submitter by contracting Division 6 to the urban centre of Bowen.

### **Proposed Determination**

The Change Commission published its proposal on 13 September 2019 and invited public comments. Advertisements were placed in The Courier-Mail, the Whitsunday Times, the Bowen Independent and on the ECQ's website and social media.

The Change Commission's proposal considered both current and projected enrolment data as well as the views expressed in the public submissions. A concerted effort was made to follow suburb boundaries, so that entire localities were united within individual divisions.

## Comments on the Proposal

Comments on the proposal were invited from 13 September 2019 to 5pm 30 September 2019. The Change Commission received 75 comments which are available to view at Appendix D.

Two of these submissions were petitions with multiple signatories and have each been treated as a single comment. A number of late submissions were also received but have not been included in the report or appendices.

Close to 50 comments supported the proposed boundaries, with one being a petition (C-19) with more than 90 signatories. The Change Commission notes these signatories were largely from the eastern parts of the Council, such as Proserpine, Cannonvale, Strathdickie and the surrounding areas. Some of the paraphrased feedback were that the proposed divisions:

- are an improvement on the existing boundaries and would enhance Council operations;
- are supported because they disconnect Collinsville from the Gloucester District and provide the opportunity for the Gloucester communities to be represented locally;
- separate Hydeaway Bay and Dingo Beach from Collinsville resulting in favourable outcomes for the area;
- are more balanced, logically link similar areas and is a fairer distribution than the current divisions;
- will provide better representation and are more equitable to voters;
- will provide the community with the opportunity to have local representation;
- should be adopted as the current Division 4 is too large for one councillor to manage;
- create more cohesive divisions in areas adjacent to the proposed boundary along the Clark Range;
- offer a better chance for the peri-urban fringe and sugar cane farming areas to be represented and allow targeted attention for peri-urban and rural / mining communities;
- will provide Kelsey Creek with a better chance at being represented;
- creates a good balance between the northern and southern divisions;
- support a strong connection between Bowen and Collinsville in Division 4, while Division 5 functions as a balancing division;
- will allow elected councillors to better represent and service their division by placing electors with similar interests and suburbs together;
- allows for growth in all divisions;
- will create a better balance of councillors, meaning more balanced and effective representation for the entire Whitsunday community;
- will enable elected councillors to be more hands on and to canvas their allocated areas more efficiently and regularly;
- have like-communities that are more geographically aligned, particularly regarding the inclusion of the areas south and west of Proserpine in Division 3;
- will better serve people on acreage and farmers in the proposed Division 5;
- will benefit small communities such as Dingo Beach; and
- will lead to a better and fairer distribution of ratepayer's money.

During the first phase of public consultation (suggestions), the Whitsunday Regional Council suggested a single change between Divisions 2 and 3. This submission was supported by 12 comments on the proposal, one of which was a petition (C-9) with close to 400 signatories. The Change Commission notes that most signatories of the petition were from the Bowen and Collinsville areas.

Inclusive of those comments supporting Council's recommended change between Divisions 2 and 3, a total of 24 comments objected to the Change Commission's proposed boundaries. Some of the paraphrased feedback includes:

- the proposal is not the boundaries the elected representatives recommended;
- it creates division between the communities, negatively affecting voters by disenfranchising the northern and western community;
- the current situation is beneficial to all residents and should be left as it is;
- the proposed boundaries will result in division and infighting and will give disproportionate representational bias to the most populated regions in the south;
- Whitsunday needs a united region and the current representation is 3 from the south and 3 from the north with a casting vote from the mayor, while the proposal would create an imbalance of 4 southern and 3 northern councillors;
- the current boundaries group similar ratepayers together, whereas the Change Commission's proposal groups different ratepayers together and could result in some ratepayers not being adequately represented;
- recommend the Council's suggestion to re-adjust the boundaries;
- the proposed Division 4 is still too large with travel time between Collinsville to Cape Upstart taking approximately two hours;
- the proposed Division 4 has not addressed the situation of the proposed rail and coal mine which will increase population in both Queens Beach and Collinsville;
- while Hydeaway Bay and Dingo Beach may be communities of interest, there are no historic links between the other areas of Whitsunday Shores and Mount Marlow in the proposed Division 5;
- common interests and serviceability is lacking in the proposed Division 5;
- it will result in Bowen residents losing their voice in matters which impact them;
- oppose Bowen being the only town split across three separate divisions;
- the Council's suggested small changes should be accepted, as it will allow another term to create a fully amalgamated region;
- the amalgamation between the Bowen and Whitsunday Councils continues to cause issues and the Council's suggestion between Divisions 2 and 3 avoids unrest; and
- the changes are a waste of time, money and effort and things should be left alone.

While acknowledging the significant number of submissions and petition signatories expressing opposition to the proposed boundaries, the Change Commission also noted that many of these recommended minimal changes between Divisions 2 and 3. This minimalistic approach placed projected enrolment unacceptably close to the quota, with Division 3 at 9.90% and Division 5 at -8.47%. As a result, the Change Commission did not consider this to be a viable option.



On the 24 September 2019, Mayor Willcox and Councillor Bruncker from Division 6 of the Whitsunday Regional Council had a teleconference with Change Commissioners Mr Vidgen and Mr Lewis to discuss the proposed boundaries and request additional clarification regarding the Change Commission's reasoning. The Change Commission noted its assessments consider not only the immediate enrolment requirements but also caters for the projected enrolment figures with the intent of reducing the need for future boundary reviews and changes. The file note of this conversation is included with the Council's comment on the proposal (C-68) at Appendix D.

In its comment on the proposal, the Whitsunday Regional Council recommended a series of revised boundary changes to all of the Council's divisions, except Division 1. The Council noted its consideration of the returning resource sector in Divisions 5 and 6 which it expects will stabilise and increase enrolment, the need to implement changes that result in minimal disruption and disunity, aligning areas of interest such as in Bowen and distributing growth areas across divisions such as the Cannon Valley area. A regional profile report of Proserpine was also supplied to support the Council's comments regarding growth in the region.

The Change Commission modelled the Council's revised submission and has provided the enrolment figures below in Table 3:

<b>Division</b>	<b>Enrolment as at 31/01/2019</b>	<b>(%) Deviation from Average Enrolment</b>	<b>Projected Enrolment as at 31/03/2024</b>	<b>(%) Deviation from Projected Average Enrolment</b>
Division 1	3,673	-0.56	4,047	5.29
Division 2	3,755	1.67	3,899	1.44
Division 3	3,874	4.89	4,160	8.23
Division 4	3,372	<b>-8.7</b>	3,214	<b>-16.38</b>
Division 5	3,758	1.75	3,880	0.95
Division 6	3,729	0.96	3,862	0.48

The Council's revised submission bore some similarities to the Change Commission's proposal; however, it resulted in Division 4 being close to the quota currently and falling below the lower limit of the quota by 2024. Consequently, this would require another divisional boundary review to be conducted in 2023. The scenario also introduced significant new changes to the proposed boundaries and did not address connectivity issues raised by other submitters. For example, the shared boundary between Divisions 4 and 6 split townships such as Gumlu and Guthalungra which are currently united in a single division and Division 4 was expanded closer into the Proserpine area to gain voter numbers. This was of concern to the Change Commission as there are no further opportunities for the public to provide feedback should it implement these changes.

The Change Commission also noted that the projected enrolment figures provided by the Queensland Government Statistician's Office do not indicate significant growth for Divisions 5 and 6. While acknowledging this could change due to the resource sector, the Change Commission bases its assessments on the statistical information available to it. Therefore, it was of the view that it could not implement the Council's alternative boundaries.

One comment suggested expanding Division 2 to include Dingo Beach, Conway and Cape Conway by realigning the boundary to follow Old Bowen Road, back to Shute Harbour Road and along the national park boundary. The Change Commission modelled this suggestion and determined that additional changes to the surrounding boundaries would be required to facilitate this request. As the Change Commission's current position is to avoid introducing further changes to the proposed boundaries unless necessary, the Change Commission was not persuaded to implement this suggestion.

One comment made boundary suggestions for Divisions 1, 2, 3, 4, 5 and 6 which they intended to submit in the public suggestions phase of consultation. Upon viewing the proposal, the submitter expressed that their suggested changes had largely been implemented within the proposal and requested their correspondence be considered a comment in favour of the proposal. A few submitters supported the Lethebrook suburb becoming part of Division 3, which was implemented by the Change Commission in both the proposed and final boundaries.

Following extensive deliberations, the Change Commission determined to retain its proposed boundaries as the final boundaries, noting this generated the most sustainable enrolment outcome while also addressing connectivity concerns raised within many of the public submissions. Another decisive factor was that the Council's initial suggestion, which was supported by the majority of submitters opposing the proposal, and the Council's alternative scenario both resulted in projected enrolment concerns with the alternative scenario placing Division 4 out of quota in 2024. In coming to its decision, the Change Commission acknowledges the final boundaries will not reflect the preferences expressed by some submitters, but notes it is considered to be the best option to achieving longer-term enrolment stability across the Council area.

## FINAL DETERMINATION

After assessing the material submitted and having considered the requirements of the Act, the Change Commission is recommending the proposed boundaries be adopted as the final divisions for the Whitsunday Regional Council.

The Change Commission is satisfied that the final boundaries meet the enrolment requirements of the Act, while also balancing the expressed needs and interests of the community. It is noted that the implementation of this recommendation is expected to result in the following divisional enrolment:

<b>Division</b>	<b>Enrolment as at 31/01/2019</b>	<b>(%) Deviation from Average Enrolment</b>	<b>Projected Enrolment as at 31/03/2024</b>	<b>(%) Deviation from Projected Average Enrolment</b>
Division 1	3,673	-0.56	4,047	5.29
Division 2	3,654	-1.07	3,796	-1.24
Division 3	3,482	-5.73	3,656	-4.88
Division 4	3,848	4.18	3,697	-3.82
Division 5	3,691	-0.07	3,925	2.12
Division 6	3,813	3.24	3,941	2.53

## RECOMMENDATION

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

The Change Commission's final recommendation is as follows:

- for the purpose of the 2020 Local Government Quadrennial Election, the Whitsunday Regional Council be redivided into 6 divisions as shown in the maps in Appendix A.

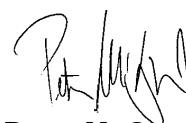
In accordance with the Act, the Change Commission has published a notice of results in the Government Gazette, a newspaper circulating in the local government area and on the ECQ website.



**Pat Vidgen PSM**  
Electoral Commissioner



**Wade Lewis**  
Casual Commissioner



**Peter McGraw**  
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