



LOCAL GOVERNMENT CHANGE COMMISSION

REPORT ON A CHANGE TO THE EXTERNAL BOUNDARY OF THE BUNDABERG REGIONAL COUNCIL

OCTOBER 2015



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**Electoral Commission of Queensland
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Background

On the 2 April 2015, the Honourable Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade Jackie Trad MP, referred Bundaberg Regional Councils' application for consideration of extension of its external boundary.

The Change Commission has assessed the proposal to alter the external boundary of the Bundaberg Regional Council by incorporating an area of Coral Sea roughly bounded between the Burrum River and Burnett Heads and extending easterly to Fraser Island. This area is not currently allocated to a local government area.

It is proposed that the section of the Coral Sea east from Burnett Heads to Burrum Heads across to the shoreline of Fraser Island be transferred into the Bundaberg Regional Council.

The Change Commission in this case is comprised of the Electoral Commissioner and a Casual 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 Change Commission has assessed this external boundary change based on a submission from Bundaberg Regional Council. The Minister referred these matters without expressing a view for or against the proposal. The referral is included at Appendix A.

The Change Commission has determined that the calling for further submissions, on this occasion, was unnecessary.

The sole party affected, being the Bundaberg Regional Council, has expressed agreement that the area as defined should be moved into the Bundaberg Regional Council. Correspondence to this effect is included at Appendix B.

Findings

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

- the section of the Coral Sea east from Burnett Heads to Burrum Heads across to the shoreline of Fraser Island,

be transferred into the Bundaberg Regional Council. See the Map attached at Appendix C for details.

Reasons for Findings

The area under review is currently not designated to a local government council. The area is a section of Coral Sea in the South Pacific Ocean.

In the interests of completeness and consistency with other shoreline boundaries along the eastern coast of Queensland, it is a logical conclusion that this area is included within the Bundaberg Regional Council.

The sole party to this matter is in agreement with the proposed change to the external 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 and Gregory Rowe
Local Government Change Commission

APPENDIX A

Minister's Referral



Hon Jackie Trad MP

Deputy Premier

Minister for Transport, Minister for Infrastructure,

Local Government and Planning and Minister for Trade

Our ref: MBN15/49

- 2 APR 2015

Mr Walter van der Merwe
Electoral Commissioner
Electoral Commission Queensland
GPO Box 1393
BRISBANE QLD 4001

Dear Mr van der Merwe

I am writing to you in relation to local government electoral reviews which have been undertaken in preparation for the 2016 local government elections.

I have recently received proposals from 14 local governments seeking a review of their existing electoral arrangements.

The proposals include submissions in relation to the internal divisional boundary distributions where it has been determined that the divisional boundaries are out-of-quota. In addition, four of those local governments have submitted additional proposals for voluntary changes to their existing arrangements.

I note that, under section 19 of *the Local Government Act 2009* (the Act), the Commission must consider whether the local government change is consistent with the Act and must consider my views on any proposed changes.

Having examined each of their proposals, I consider it appropriate to refer each matter to you for independent assessment and determination by the Local Government Change Commission.

For your reference, I have enclosed a summary of each divided local government's quota review, a copy of each proposal referred to you for review and additional supporting information to assist with your review.

Level 12 Executive Building
100 George Street Brisbane
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3719 7100
Email deputy.premier@ministerial.qld.gov.au

If you require any further information, please contact Mr Max Barrie, Director, Program Implementation and Review on (07) 3452 6704 or max.barrie@dlgcr.qld.gov.au, who will be pleased to assist.

Yours sincerely



**JACKIE TRAD MP
DEPUTY PREMIER**

**Minister for Transport, Minister for Infrastructure,
Local Government and Planning and Minister for Trade**

Enc (15)

DIVIDED LOCAL GOVERNMENTS – QUOTAS AND PROPOSED VOLUNTARY CHANGES

<u>Local Government</u>	<u>Results of Review</u>	<u>No. of Divisions Out of Quota</u>	<u>Referral to Local Government Change Commission</u>
Banana Shire Council	Out-of-quota	2	Refer quota review
Bundaberg Regional Council	Out-of-quota	2	Refer: <ul style="list-style-type: none"> • quota review • proposal to abolish divisions • proposal to incorporate unallocated area into local government area
Cairns Regional Council	Out-of-quota	1	Refer quota review
Cassowary Coast Regional Council	In quota	0	No referral required
Fraser Coast Regional Council	Out-of-quota	2	Refer quota review
Gold Coast City Council	In quota	0	No referral required
Gympie Regional Council	In quota	0	No referral required
Ipswich City Council	Out-of-quota	5	Refer quota review
Isaac Regional Council	Out-of-quota	2	Refer quota review
Logan City Council	Out-of-quota	1	Refer quota review
Moreton Bay Regional Council	Out-of-quota	2	Refer quota review
North Burnett Regional Council	In quota	0	No referral required
Redland City Council	Out-of-quota	1 (out) and 1 (predicted)	Refer both quota reviews
Rockhampton Regional Council	Out-of-quota	2	Refer: <ul style="list-style-type: none"> • quota review • proposal to renumber divisions
Scenic Rim Regional Council	Out-of-quota	1 (out) and 1 (predicted)	Refer both quota reviews
South Burnett Regional Council	In quota	0	No referral required
Sunshine Coast Regional Council	Out-of-quota	2	Refer quota review
Tablelands Regional Council	Out-of-quota	3	Internal boundary review plus additional voluntary change proposal to increase councillor numbers already referred to Change Commission on 16 December 2014.
Townsville City Council	Out-of-quota	2	Refer quota review
Whitsunday Regional Council	Out-of-quota	1	Refer quota review

APPENDIX B

Council's Submission



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12 March 2015

Stephen Johnston
Acting Director-General
Department of Local Government, Community Recovery & Resilience
PO Box 15009
CITY EAST QLD 4002

Dear Steve

Re: Unallocated Coral Sea adjacent to Bundaberg Regional Council coastline

Officers of your Department recently made Council aware of an area of the Coral Sea roughly bounded by the coastline between the Burrum River and Burnett Heads, extending easterly to Fraser Island that is not allocated to a local government area.

The area was identified during the Electoral Commission of Queensland boundary review process. Your Department sought Councils views on including the area within the geographic area of Bundaberg Regional Council.

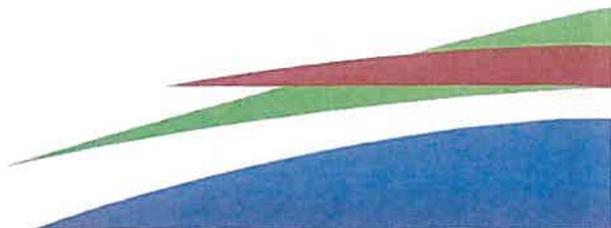
At its Ordinary Meeting held on 24 January 2015, Council resolved to make application to the Minister to include this area within the geographic area of Bundaberg Regional Council.

Should you have any enquiries in relation to this matter please contact the undersigned.

Yours faithfully

Christopher Joosen
Governance Manager

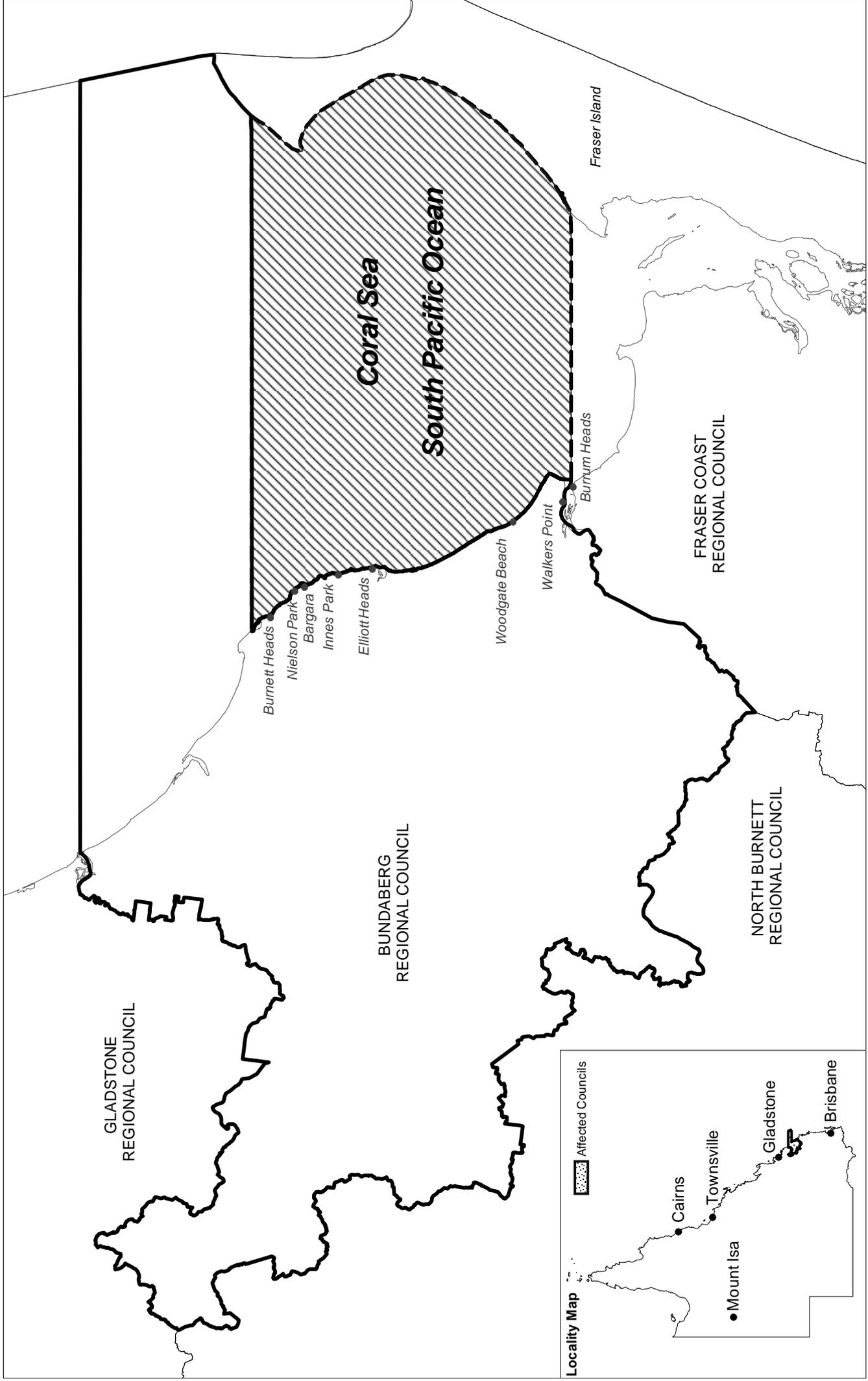
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APPENDIX C

Maps

Overview Map Unallocated Coral Sea Adjacent to Bundaberg Regional Council Coastline



— Local Government Boundary

▨ Review Area

- - - Proposed Boundary