



LOCAL GOVERNMENT CHANGE COMMISSION

REPORT ON A CHANGE TO THE EXTERNAL BOUNDARIES OF THE FRASER COAST REGIONAL COUNCIL AND GYMPIE REGIONAL COUNCIL

NOVEMBER 2011

LOCAL GOVERNMENT CHANGE COMMISSION

REPORT ON A CHANGE TO THE EXTERNAL BOUNDARIES OF THE FRASER COAST REGIONAL COUNCIL AND GYMPIE REGIONAL COUNCIL

November 2011

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

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Background

The Honourable the Attorney General, Minister for Local Government and Special Minister of State has asked me to consider realignment of the common boundaries of the Fraser Coast Regional Council and Gympie Regional Council.

This matter encompasses proposed changes to the common boundary between the local governments in two locations—

- Lot 1 on Survey Plan 186935, County of March, Parish of Gutchy situated at Kanyan and Larners Road, Theebine currently held by Stuart John Vollmerhausen and Lynda Lee Vollmerhausen; and
- Lot 1 on Survey Plan 233609, County of Lennox, Parishes of Glenbar and Miva situated at Blowers Road, Muna Creek currently held by Graeme Blowers and Kathryn Ellen Blowers.

It is proposed that—

- Lot 1 on Survey Plan 186935, County of March, Parish of Gutchy be included within Gympie Regional Council; and
- Lot 1 on Survey Plan 233609, County of Lennox, Parishes of Glenbar and Miva be included within Fraser Coast 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 submissions from both councils, in each case reporting the landholders' agreements to the common boundary change under consideration. Both councils support the proposed change. Copies of the councils' submissions are included in Appendix A. The Minister referred these matters without expressing a view for or against either 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 186935, County of March, Parish of Gutchy be included within Gympie Regional Council; and
- Lot 1 on Survey Plan 233609, County of Lennox, Parishes of Glenbar and Miva be included within Fraser Coast Regional Council.

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

Reasons for Findings

The Department of Environment and Resource Management identified incongruities relating to the common boundary of Fraser Coast with Gympie. Such anomalies affect locality boundaries the correct identification of which are considered essential for the delivery of emergency and business services.

Although the greater part of Lot 1 on Survey Plan 186935, County of March, Parish of Gutchy is located within the Fraser Coast Regional Council, it is part of a larger farm primarily located within Gympie Regional Council. The principal residence of the farming enterprise is located within Gympie. The landholder's request that the whole of the farming enterprise be located within Gympie Regional Council is a reasonable one.

Prior to the Local Government Reform Process in 2007, the landholder purchased the parcel of land Lot 1 on Survey Plan 233609, County of Lennox, Parishes of Glenbar and Miva and began the process of amending their boundary before an amalgamation between the former Tiaro and Cooloola Shire Councils. Access is unavailable to the subject land within Gympie Regional Council. All services to the landholder's property are provided by Fraser Coast Regional Council.

Both proposed boundary changes are 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 Submissions**

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Gympie QLD 4570
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Fax: (07) 5481 0801
ABN: 91 269 530 353

Corporate Services

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Email: corporate@gympie.qld.gov.au

COPY

Our Ref: 4-4-03-0009 and 1-3-3-02: DMJ:JKG:02130
Your Ref:

29 March 2011

The Honourable Paul Lucas MP
Deputy Premier & Attorney-General,
Minister for Local Government & Special Minister of State
PO Box 15009
CITY EAST QLD 4002

Dear Honourable Paul Lucas

**RE: Council Boundary Anomaly
between Gympie Regional Council and Fraser Coast Regional Council –
Particularly Lot 1 on SP 233609, Blowers Road, Munna Creek**

With reference to the above matter Council requests that consideration be given under Section 18 of the Local Government Act 2009 for the referral of a boundary anomaly between the Gympie Regional Council and Fraser Coast Regional Council to the Local Government Change Commission to assess the proposal.

Gympie Regional Council has made representations to the Fraser Coast Regional Council, who concur with this recommendation. The registered owners of the subject land are also preferable to this action.

In support of this application please find enclosed supporting documentation obtained from both Councils.

Historically, Mr and Mrs Blowers purchased part of their neighbour's property and began the process of amending their boundary prior to the amalgamation of the former Tiaro Shire Council and Cooloola Shire Council. The approval of this application has now resulted in part of the lot being contained within both Fraser Coast and Gympie Regional Council areas.

Gympie Regional Council resolved (Minute No. P28/09/10) that as no access is available to the portion of the subject lot within Gympie Regional Council, to seek a minor amendment to the Local Government boundary to include the entire lot, being Lot 1 on SP 233609, Blowers Road, Munna Creek within the regional boundary of Fraser Coast Regional Council.

Should you require further information or wish to discuss this matter, please contact our Manager Corporate Administration, Debbie Jenkins on Ph. (07) 54 810604.

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Corporate Services

Phone: (07) 5481 0515
Email: corporate@gympie.qld.gov.au

Correspondence to Deputy Premier & Attorney-General,
Minister for Local Government & Special Minister of State
Re: Lot 1 on SP 233609, Blowers Road, Munna Creek – Regional Boundary Anomaly
Dated: 28th March 2011 Page -2-

We look forward to your reply.

Yours faithfully



C. MANSON
Acting CHIEF EXECUTIVE OFFICER

SIGN & DATE 

Encl.



FILE	1-3-3-2
DGC	1485356
22 MAR 2011	
X REF	Debbie J Ryan H Major



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www.frasercoast.qld.gov.au

21 March 2011

Chief Executive Officer
Gympie Regional Council
PO Box 155
GYMPIE QLD 4570

Dear Ms Jenkins,

REFERENCE: PROPOSED LOCAL GOVERNMENT BOUNDARY REVIEW – BLOWERS ROAD, MUNA CREEK

I refer to your letter of 11 October 2010 seeking the Fraser Coast Regional Council's support for a local government boundary review involving land at Blowers Road, Muna Creek. It is proposed that Lot 1 on SP233609 be wholly located within the Fraser Coast Regional Council local government area.

At its meeting of 16 March 2011, the Council resolved to support the request of the Gympie Regional Council to include Lot 1 on SP233609 within the Fraser Coast Regional Council local government area.

As the Fraser Coast Regional Council has not initiated the proposed boundary review, we suggest that either yourselves or the land owner now progress this matter. Please feel free to attach this correspondence to any application to the Minister as evidence of our support for the proposal.

If you have any further queries in regards to this matter, please contact me on the below listed number.

Yours faithfully,


Michael Ellery
**EXECUTIVE MANAGER
DEVELOPMENT ASSESSMENT**

Contact Officer: Michael Ellery
Phone: 4197 4318
Reference: Docs#2011891

30/06/2011 10:22 FAX 61 7 41519745

Wide Bay 2020

01

**GYMPIE
REGIONAL
COUNCIL**

PO Box 155
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Corporate Services

Phone: (07) 5481 0815
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Our Ref: 4-4-03-0009 and 1-3-3-02: DMJ:JKG:02131
Your Ref:

29 March 2011

The Honourable Paul Lucas MP
Deputy Premier & Attorney-General,
Minister for Local Government & Special Minister of State
PO Box 15009
CITY EAST QLD 4002

Dear Honourable Paul Lucas

**RE: Council Boundary Anomaly
between Gympie Regional Council and Fraser Coast Regional Council –
Particularly Lot 1 on SP 186935, Kanyan & Larners Road, Theebine**

With reference to the above matter Council requests that consideration be given under Section 18 of the Local Government Act 2009 for the referral of a boundary anomaly between the Gympie Regional Council and Fraser Coast Regional Council to the Local Government Change Commission to assess the proposal.

Gympie Regional Council has made representations to the Fraser Coast Regional Council, who concur with this recommendation. The registered owners of the subject land are also preferable to this action.

In support of this application please find enclosed supporting documentation obtained from both Councils.

Council has received advice from the Department of Environment and Resource Management that as part of the amalgamation of the former Division 3 Tiaro Shire Council with the former Cooloola Shire Council has resulted in part of the lot being contained within both Fraser Coast and Gympie Regional Council areas.

Gympie Regional Council resolved (Minute No. F04/10/10) to seek a minor amendment to the Local Government boundary to include the entire lot, being Lot 1 on SP 186935, Kanyan & Larners Road, Theebine within the regional boundary of Gympie Regional Council.

In support of this application it is noted that;

- Whilst the greater part of Lot 1 on SP 186935 (including a rental residence) is located within the boundary of Fraser Coast Regional Council, the subject lot is part of the whole farming enterprise contained within the bounds of the Gympie Regional Council, together with that of the principle place of residence.



30/06/2011 10:22 FAX 61 7 41519745

Wide Bay 2020

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Corporate Services

Phone: (07) 5481 0615
Email: corporate@gympie.qld.gov.au

Correspondence to Minister for Local Government,
Aboriginal and Torres Strait Islander Partnerships
Re: Lot 1 on SP 186935, Kanyan and Larners Road, Theebine – Regional Boundary Anomaly
Dated: 28th March 2011 Page -2-

- Within the Gympie Regional Council bounds, twelve (12) properties are either leased or owned by the subject property owner and considered to be part of the farming enterprise.
- Dual seal access is available to the subject lot, one within each of the Regions, however it is preferable to contain the whole length of road within one Region area.
- The Department of Environment and Resource Management have advised that the entire lot has been included in the valuation for the Gympie Regional Council for rating purposes from the 2010/2011 financial year.
- The registered owners have requested that the subject land be included in Gympie Regional Council.

Should you require further information or wish to discuss this matter, please contact our Manager Corporate Administration, Debbie Jenkins on Ph. (07) 54 810604.

We look forward to your reply.

Yours faithfully



C. MANSON
Acting CHIEF EXECUTIVE OFFICER

Encl.

30/06/2011 10:22 FAX 61 7 41519745

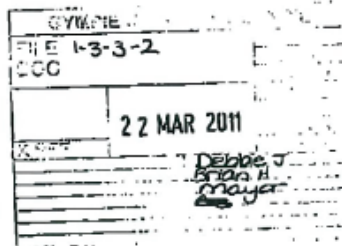
Wide Bay 2020

03



21 March 2011

Chief Executive Officer
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PO Box 1943
Hervey Bay Qld 4655

T 1300 79 49 29
F (07) 4197 4455
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Dear Ms Jenkins,

REFERENCE: PROPOSED LOCAL GOVERNMENT BOUNDARY REVIEW – KANYAN ROAD, THEEBINE

I refer to your letter of 11 November 2010 seeking the Fraser Coast Regional Council's support for a local government boundary review involving land at Kanyan Road, Theebine. It is proposed that Lot 1 on SP186935 be wholly located within the Gympie Regional Council local government area.

At its meeting of 16 March 2011, the Council resolved to support the request of the Gympie Regional Council to include Lot 1 on SP186935 within the Gympie Regional Council local government area.

As the Fraser Coast Regional Council has not initiated the proposed boundary review, we suggest that either yourselves or the land owner now progress this matter. Please feel free to attach this correspondence to any application to the Minister as evidence of our support for the proposal.

If you have any further queries in regards to this matter, please contact me on the below listed number.

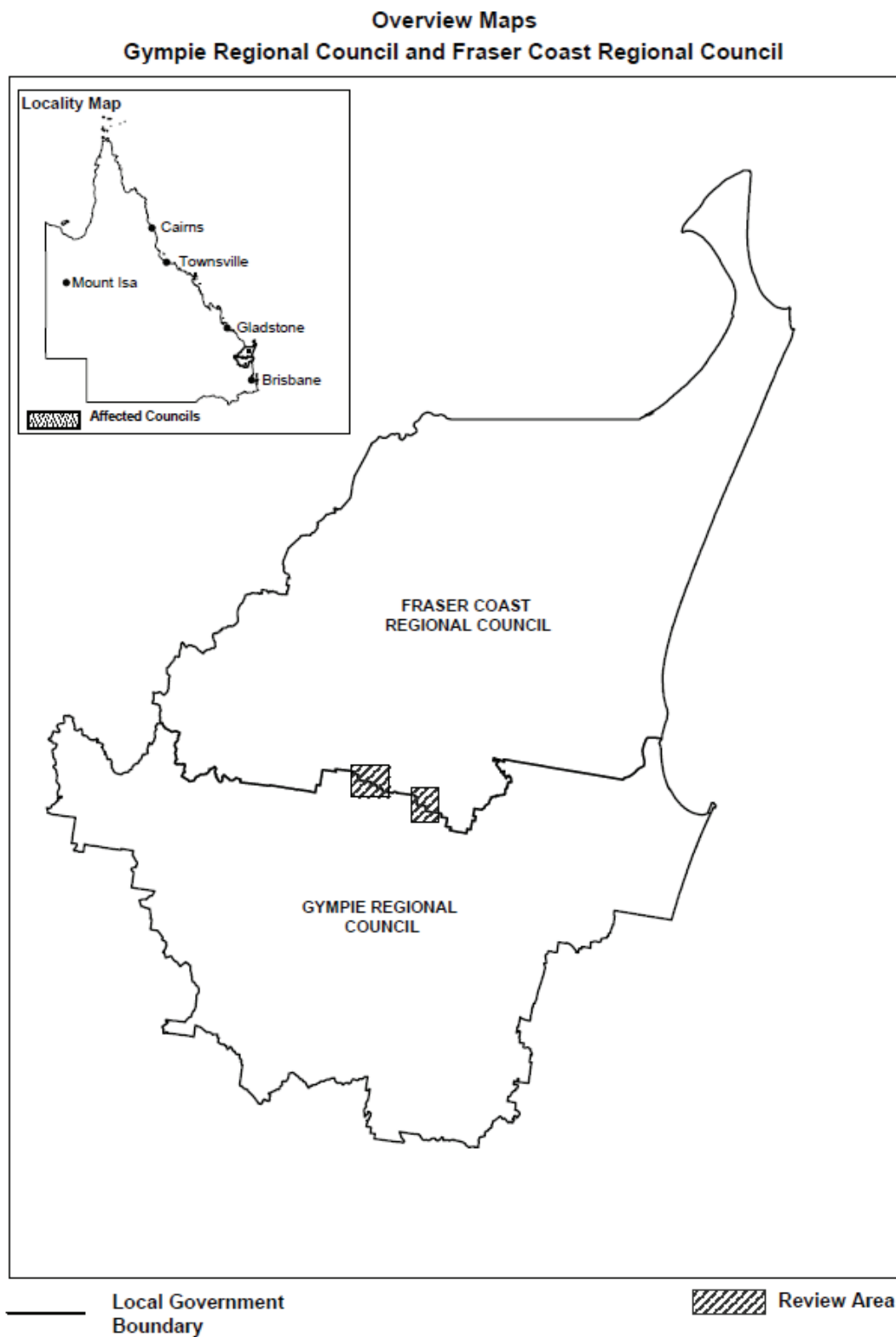
Yours faithfully


Michael Ellery
EXECUTIVE MANAGER
DEVELOPMENT ASSESSMENT

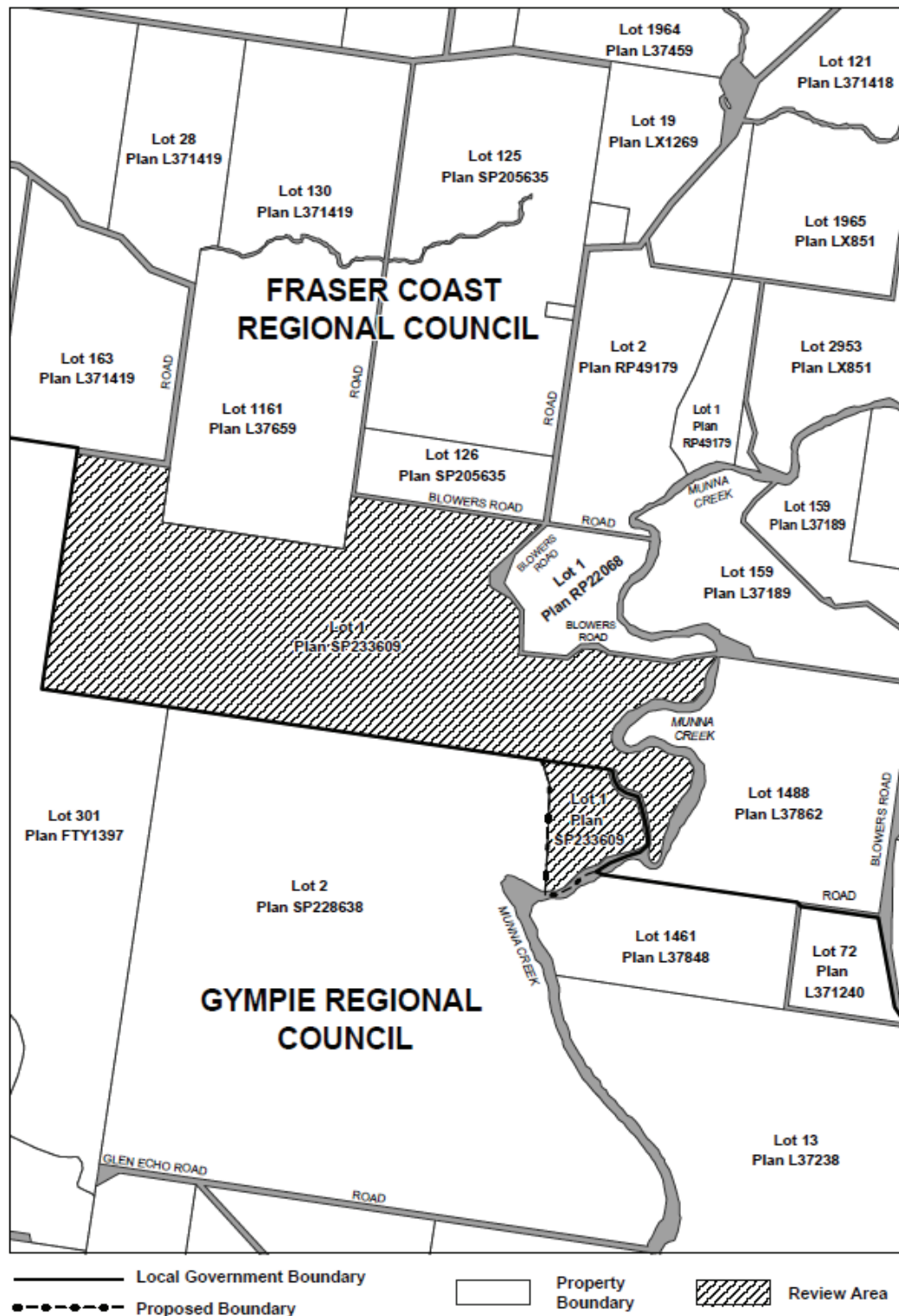
Contact Officer: Michael Ellery
Phone: 4197 4318
Reference: Docs#2011926

APPENDIX B

Maps — Proposed Boundary Changes



Detailed Map - Lot 1 Plan SP233609



Detailed Map - Lot 1 Plan SP186935

