

Local Government and Other Legislation (Indigenous Regional Councils) Amendment Bill 2007

Explanatory Notes for Amendments to be moved during consideration in detail by The Honourable Warren Pitt MP

Title of the Bill

*Local Government and Other Legislation (Indigenous Regional Councils)
Amendment Bill 2007*

Objectives of the amendments

The objectives of the amendments are:

- to amend map references to the external boundaries, and internal divisional boundaries, of the local governments of Scenic Rim and Ipswich; and
- to clarify that the qualifications for ordinary members of community forums can be determined by regulation; and
- to clarify that Aboriginal councils cannot provide loans to individuals.

Achievement of the objectives

To achieve these objectives minor amendments are proposed to the *Local Government and Other Legislation (Indigenous Regional Councils) Amendment Bill 2007*.

Alternative ways of achieving policy objectives

The policy objectives can only be achieved by legislative enactment.

Estimated cost for government implementation

There will be no cost for government resulting from the amendments.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

Not applicable. Amendments are technical in nature with no policy change.

Notes On Provisions

Amendment 1 inserts a new clause 101A (Amendment of s 159YJ (Operation of sch 1A, pt 2)) to provide for the listing of divisions for those local governments provided for in Part 2 of Schedule 1A.

The purpose of this amendment is to allow for the listing of divisional boundaries for adjusted local governments. This is consistent with existing provisions in the Act for new local governments listed in Part 1 of Schedule 1A.

Amendment 2 amends clause 106 (Insertion of new ch 3, pt 1c) to provide that the members of each community forum must be qualified as prescribed under a regulation. This requires qualification requirements for ordinary members of community forums to be established by regulation.

Amendment 3 amends clause 127 (Amendment of sch 1A (Local government reform implementation)) to declare the revised external boundary and divisional arrangements for Scenic Rim, as illustrated by area map LGRB 7 edition 3.

Amendment 4 amends Clause 127 (Amendment of sch 1A (Local government reform implementation)) to declare the revised external boundary and divisional arrangements for Ipswich, as illustrated by area map LGRB 35 edition 3.

Amendment 5 amends clause 133 (Amendment of s 22 (Appointment of financial controller)) to correct an error whereby clause 133 omits the requirement that financial controllers are appointed by regulation under the *Local Government (Community Government Areas) Act 2004*. This amendment inserts the requirement that they are appointed by gazette notice.

Amendment 6 inserts three new clauses. Clause 133A omits section 38 of the *Local Government (Community Government Areas) Act 2004* to remove a legislative conflict so that as intended by the Bill, Aboriginal councils under this Act will no longer have the power to lend monies to adult residents of those communities. This will be the case with all local governments.

Clause 133B changes the heading of pt 8, div 2 so that it can be distinguished from the new pt 8, div 3, which is inserted by clause 133C.

Clause 133C inserts a new pt 8, div 3 into the *Local Government (Community Government Areas) Act 2004* to provide a transitional provision for any existing loans that Aboriginal councils under that Act may have provided to adult residents. The purpose of the provision is to provide for the repayment of loans.