

Local Government (Boundary Change) Amendment Regulation 2025

Explanatory notes for SL 2025 No. 167

made under the

Local Government Act 2009

General Outline

Short title

Local Government (Boundary Change) Amendment Regulation 2025

Authorising law

Sections 20 and 270 of the *Local Government Act 2009*

Policy objectives and the reasons for them

The policy objective of the *Local Government (Boundary Change) Amendment Regulation 2025* (Amendment Regulation) is to amend the *Local Government Regulation 2012* (the Regulation) to implement a recommendation of the Local Government Change Commission (the Commission) to alter the external boundary between Ipswich City Council and Somerset Regional Council.

Under the *Local Government Act 2009* (the Act), the Commission has jurisdiction to assess and make recommendations in relation to proposals for local government changes. Local government changes are changes to a local government's boundaries, divisions (other than the Brisbane City Council), number of councillors, name or classification.

Chapter 2, part 3 of the Act governs the process for making a local government change.

Section 18 of the Act provides that only the Minister may propose a local government change to the Commission.

Section 19 of the Act provides that the Commission is responsible for assessing whether a local government change is in the public interest. In doing so, the Commission must consider matters prescribed under a regulation. Section 9 of the Regulation provides that the external boundaries of a local government area should be drawn in a way that has regard to communities of interest, including that the local government area should generally have external boundaries that do not dissect properties (section 9(1)(d)(iii)).

On 8 May 2025, the Minister for Local Government and Water and Minister for Fire, Disaster Recovery and Volunteers (the Minister for Local Government) referred an external boundary change proposal from the Somerset Regional Council to the Commission for assessment.

On 4 June 2025, the Commission wrote to the Minister for Local Government enclosing its final report '*External Boundary Review—June 2025—Ipswich City Council and Somerset Regional Council*'. The Commission recommended the portion of Lot 20 on SP344163, currently located in the Ipswich City Council, be transferred so the entire lot is in the Somerset Regional Council.

Given there was unanimous support from both councils and the affected landholders and noting that the external boundary of the councils would no longer dissect the property, the Commission found the proposed change to be in the public interest.

Section 20 of the Act provides that the Governor in Council may implement the Commission's recommendation under a regulation and that the regulation may provide for anything that is necessary or convenient to facilitate the implementation of the local government change. Section 270 of the Act provides that the Governor in Council may make regulations under the Act.

Achievement of policy objectives

The policy objective is achieved by amending the Regulation.

Section 6(1) of the Regulation provides that the boundaries of each local government area, and any divisions of the area, are shown on its area map mentioned in schedule 1, column 3.

Section 13B of the Regulation provides that schedule 3, part 1 implements the local government changes mentioned in it, and schedule 3, part 2 makes provision for facilitating the implementation of each local government change mentioned in schedule 3, part 1.

The Amendment Regulation amends:

- schedule 1, column 3 of the Regulation to update the area map title for Ipswich City Council to be 'LGB 35, edition 7' and the area map title for Somerset Regional Council to be 'LGB 60, edition 3'; and
- schedule 3, part 1 of the Regulation to implement the local government change, that is, to provide that the part of lot 20 on survey plan SP344163 that was not in the Somerset Regional Council's local government area immediately before the commencement, is excluded from the Ipswich City Council's local government area and included in the Somerset Regional Council's local government area.

The Amendment Regulation also makes available to the Ipswich City Council and the Somerset Regional Council the implementation matters ancillary to boundary changes listed in schedule 3, part 2 of the Regulation, for example application of local laws.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the purpose of the Act which includes providing for the nature and extent of a local government's responsibilities and powers and a system of local government that is accountable, effective, efficient and sustainable (section 3 of the Act).

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The benefits of the Amendment Regulation are to implement the recommendation of the Commission to ensure the external boundaries of local government areas do not dissect properties, consistent with section 9(1)(d)(iii) of the Regulation.

Further, the Commission noted in its report that the proposed local government change may decrease the administrative burden for the landholders who currently must liaise with two councils regarding property matters.

Any costs to Government of implementing the Amendment Regulation will be met through normal budgetary processes.

Consistency with fundamental legislative principles

The Amendment Regulation has been drafted with regard to the fundamental legislative principles set out in the *Legislative Standards Act 1992* and is consistent with these principles.

Consultation

The Commission gave public notice of the results of its assessment in the Queensland Government Gazette and on the Electoral Commission of Queensland's website. Given there had been unanimous support from both councils and the affected landholders for the proposed change, as outlined under Policy Objectives, no further consultation was undertaken.