

Queensland



Local Government Act 1936

**LOCAL GOVERNMENT
(REVIEW OF EXTERNAL
BOUNDARIES)
REGULATION 1992**

**Reprinted as in force on 1 September 1992
(Regulation not amended up to this date)**

Reprint No. 1

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the Office of the Queensland Parliamentary Counsel
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Information about this reprint

This regulation is reprinted as at 1 September 1992. The opportunity has been taken, under section 7 of the *Reprints Act 1992*, to correct spelling, and use different spelling consistent with current legislative drafting practice, as permitted by section 26(1) of that Act.

Also see Endnotes for—

- **details about when provisions commenced; and**
- **any provisions that have not commenced and are not incorporated in the reprint.**

Queensland



LOCAL GOVERNMENT (REVIEW OF EXTERNAL BOUNDARIES) REGULATION 1992

TABLE OF PROVISIONS

Section		Page
1	Short title	3
2	Commencement	3
3	Principles for considering external boundaries of areas (s.4K(1) of the Act)	3
4	Criteria for considering referred matters relating to external boundaries of areas (s.4K(1) of the Act)	3
5	Meaning of "joint arrangement"	3
6	Aims of joint arrangements	4
7	Application of joint arrangements	4
8	Contents of agreements in relation to joint arrangements	5
	SCHEDULE	6

PRESCRIBED PRINCIPLES RELATING TO EXTERNAL BOUNDARIES

1	Sufficient resource base	6
2	External boundaries	6
3	Community of interest principles	6

ENDNOTES

1	Index to Endnotes	8
2	Date to which amendments incorporated	8
3	List of legislation	8

LOCAL GOVERNMENT (REVIEW OF EXTERNAL BOUNDARIES) REGULATION 1992

[reprinted as in force on 1 September 1992²]

Short title

1. This regulation may be cited as the *Local Government (Review of External Boundaries) Regulation 1992*³.

Commencement

2. This regulation commences on 24 August 1992.

Principles for considering external boundaries of areas (s.4K(1) of the Act)

3. The prescribed principles for the consideration of a matter relating to the external boundaries of a local authority area are set out in the Schedule.

Criteria for considering referred matters relating to external boundaries of areas (s.4K(1) of the Act)

4. When considering whether or not the external boundaries of a local authority area should be changed, the Commissioner must have regard to whether or not a joint arrangement should be established instead of, or in combination with, any change to the external boundaries of the local authority area.

Meaning of “joint arrangement”

5.(1) A “joint arrangement” includes—

- (a) a joint committee; and

- (b) joint action by agreement; and
- (c) the joint exercise of the functions of local government or the provision and maintenance of services and facilities; and
- (d) an agreement on, or extensions of, works, services or undertakings outside a local authority area; and
- (e) a contribution for the provision and maintenance of facilities and services outside a local authority area; and
- (f) resource sharing by local authorities; and
- (g) a joint board; and
- (h) any other joint arrangement permitted by law.

(2) Subsection (1) does not limit the joint arrangements that the Commissioner may consider and report and make recommendations on.

Aims of joint arrangements

6. The aims of a joint arrangement must be any 1 or more of the following—

- (a) to increase the efficiency of a local authority in performing its functions and in providing and maintaining services and facilities;
- (b) to facilitate the planning and development of a local authority area;
- (c) to enable the needs of a local authority area to be met;
- (d) to achieve and maintain effective representation of the local authorities involved.

Application of joint arrangements

7. A joint arrangement may—

- (a) apply to the whole or a part of a local authority area; or
- (b) include local authorities that are not mentioned in the reference by the Minister.

Contents of agreements in relation to joint arrangements

8.(1) Every agreement in relation to a joint arrangement must include the following—

- (a) the aims of the joint arrangement;
- (b) a statement of the agreement's objectives;
- (c) procedures for amending an agreement if there are changes in a formula used in an agreement (for example, funding or contribution based on population);
- (d) a dispute resolution process;
- (e) review procedures;
- (f) a sunset clause.

(2) Subsection (1) does not limit the matters that may be included in an agreement in relation to a joint arrangement.

SCHEDULE

PRESCRIBED PRINCIPLES RELATING TO EXTERNAL BOUNDARIES

section 3

Sufficient resource base

- 1.** A local authority should have a sufficient resource base—
 - (a) to be able to efficiently and effectively perform its functions and provide and maintain services and facilities; and
 - (b) to be flexible and responsive in the performance of its functions and the provision and maintenance of services and facilities.

External boundaries

- 2.(1)** The external boundaries of a local authority area should be drawn in a way that facilitates—
 - (a) planning and development for the benefit of the area; and
 - (b) the efficient and effective provision and maintenance of services and facilities.
- (2)** The external boundaries of a local authority should have regard to existing and future population growth.

Community of interest principles

- 3.(1)** The external boundaries of a local authority area should have regard to community of interest principles.
- (2)** Without limiting subsection (1), a local authority area should generally—
 - (a) reflect local communities, for example, the geographical pattern of human activities (where people live, work and engage in leisure

*Local Government (Review of External
Boundaries) Regulation 1992*

- activities), and the linkages between local communities; and
- (b) have a centre, or centres, of administration and service that are easily accessible to its population; and
 - (c) ensure effective elected representation for residents and ratepayers; and
 - (d) have external boundaries that—
 - (i) do not divide local neighbourhoods or adjacent rural and urban areas with common interests or interdependencies (including economic, cultural and ethnic interests or interdependencies); and
 - (ii) follow the natural geographical features and non-natural features that separate different communities; and
 - (iii) do not dissect properties.
- (3)** Despite subsection (2)(d)(ii), water catchment areas should generally be included in the local authority area that they service.

ENDNOTES

1 Index to Endnotes

		Page
2	Date to which amendments incorporated	8
3	List of legislation	8

2 Date to which amendments incorporated

This is the day mentioned in section 5(c) of the *Reprints Act 1992*. However, no amendments have commenced operation before that day. Future amendments of the *Local Government (Review of External Boundaries) Regulation 1992* may be made in accordance with this reprint because of section 49 of the *Reprints Act 1992*.

3 List of legislation

Local Government (Review of External Boundaries) Regulation 1992 SL No 269
notfd Gaz 21 August 1992 pp 2949–51
ss 1–2 commenced on date of notification
remaining provisions commenced 24 August 1992 (see s 2)