



ELECTORAL AND ADMINISTRATIVE REVIEW COMMISSION

REPORT

ON

LOCAL AUTHORITIES EXTERNAL BOUNDARIES REVIEW

VOLUME ONE - THE REPORT
(CHAPTERS 1 TO 12)

NOVEMBER 1991

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Electoral and Administrative Review Commission

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- 90/R1 Guidelines for the Declaration of Registrable Interests of Elected Representatives of the Parliament of Queensland (August 1990)
- 90/R2 The Local Authority Electoral System of Queensland (September 1990)
- 90/R3 Queensland Joint Electoral Roll Review (October 1990)
- 90/R4 Queensland Legislative Assembly Electoral Review (November 1990)
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- 91/R4 Protection of Whistleblowers (October 1991)

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ABBREVIATIONS OF TERMS USED IN THIS REPORT

ABS	Australian Bureau of Statistics
ACIR	Advisory Council for Inter-government Relations
ARV	Average Residential Valuation
ATSI	Aboriginal and Torres Strait Island(er)
ATSIC	Aboriginal and Torres Strait Island Commission
DCID	Department of Commercial and Industrial Development
DOGIT	Deed of Grant in Trust
EARC	The Electoral and Administrative Review Commission
EDROC	Eastern Downs Regional Organisation of Councils
ERP	Estimated Resident Population
GVRP	Gross Value of Rural Production
LA	Local Authority as an institution whether City, Town or Shire "Council" refers to the body of elected members.
LGA	Local Government Area where the emphasis is on the area of jurisdiction rather than the institution itself.
METDA	Maranoa Economic and Tourism Development Association
MRV	Most Common Rateable Valuation
LRC	Legislative Review Committee
SLGFS	Standardised Local Government Financial Statistics
The Act	The <i>Electoral and Administrative Review Act 1989</i> which established the Electoral and Administrative Review Commission.
The Commission	The Electoral and Administrative Review Commission
UCV	Unimproved Capital Value

CHAPTER ONE

INTRODUCTION

Background

1.1 The functions of the Electoral and Administrative Review Commission (the Commission or EARC) are to investigate and report to:

- (a) the Chairman of the Parliamentary Committee for Electoral and Administrative Review;
- (b) the Speaker of the Legislative Assembly; and
- (c) the Premier;

on a wide range of matters relating to public administration and electoral systems in Queensland in order to identify and recommend proper procedures and principles to apply in Queensland public institutions to ensure they are accountable, democratic and serve the public effectively.

1.2 The *Electoral and Administrative Review Act 1989-1991* (the Act) which established the Commission, states in subsection 2.10(1)(b) that the functions of the Commission are, in part, to investigate and report from time to time in relation to:

- (i) *the whole or part of the Local Authority electoral system; or*
- (ii) *the whole or part of the Local Authority administration".*

1.3 Subsection 2.10(4) of the Act provides, in part:

"... [the Commission] shall not exercise any [compulsive] powers ... for the purpose of an investigation under subsection 1(b) ... unless the Commission is authorised by the Legislative Assembly or the Governor in Council to undertake the investigation..."

Terms of Reference

1.4 On 29 March 1990 the Legislative Assembly passed the following resolution:

"That this Legislative Assembly ... authorises the Electoral and Administrative Review Commission to undertake investigations ... into -

- (a) *the whole of the Local Authority electoral system of Queensland and, in particular, whether such Local Authority electoral system provides for fair and equitable representation for all electors of Queensland and, if not, what Local Authority electoral system should be introduced to achieve such representation;*
- (b) *that part of Local Authority administration as relates to the factors affecting the determination of the areas of Local Authorities and, in particular, whether the existing boundaries of the areas of Local Authorities are the most appropriate having regard to fair and equitable representation for all electors and the proper, economically viable and efficient discharge of the responsibilities of each Local Authority and, if not, what changes (including amalgamation) are necessary or desirable in order to achieve such fair and equitable representation for all electors and the proper, economically viable and efficient discharge of the responsibilities of each Local Authority;*

and further requests that reports of such investigations be submitted to this Assembly, so far as is possible, by -

- (i) August 17, 1990 in relation to the matters in paragraph (a);*
- (ii) July 1, 1991 in relation to the matters in paragraph (b)."*

- 1.5 On 30 March 1990, the Speaker advised the Chairman of the Commission, by letter, of the terms of the Legislative Assembly resolution. The letter from the Speaker attaching the terms of the resolution is at Appendix A. The Commission furnished its Report in relation to the matters in paragraph (a) on 10 September 1990. On 15 April 1991 the Chairman advised the Speaker that the Commission would be unable to furnish its Report in relation to the matters in paragraph (b) by 1 July 1991, but expected to furnish its Report by 31 October 1991. On 22 October 1991 the Chairman again wrote to the Speaker advising that he expected to furnish the Report to the Speaker by mid November. Copies of the Chairman's letters are at Appendix B.
- 1.6 This Report addresses only those matters raised in paragraph (b) of the Legislative Assembly resolution. In particular, the review has addressed external boundaries and the economic viability and efficient discharge of responsibilities of each Local Authority, having regard to fair and equitable representation for all electors.

Terminology

- 1.7 In this Report the expression "Local Authority" (LA) is used to describe Local Authorities as institutions, whether they are Cities, Towns or Shires. The institution is also referred to as, for example, Gympie City or Widgee Shire. The expression "Local Government Area" (LGA) is used where the emphasis is on the area of jurisdiction rather than the institution itself. The term "Council" is used to refer to the elected body of members.
- 1.8 References to numbered submissions in this Report will be in brackets preceded by the letter S. For example a reference to page 3 of Submission No. 280 will be "(S280, p.3)". References to public hearing transcript pages are similarly abbreviated, for example, a reference to page 280 of the transcript will be "(T280)". Exhibits - documents furnished at the public hearings - are referred to by their number with the prefix "L". For example, page 15 of Exhibit 20 is referred to as "(L20, p.15)". References to Commission Files will be to a file and folio number, for example, EARC File 010/232. In addition, abbreviations of selected terms used in this Report are listed on page (xii).

CHAPTER TWO

THE REVIEW PROCESS

Principles Governing the Review Process

2.1 The process followed in the course of this review is similar to that used for the review of the Local Authority Electoral System of Queensland and other reviews conducted by the Commission. It was developed in compliance with the Commission's statutory responsibilities, particularly those set out in section 2.23 of the Act, which provides:

"2.23 (1) The Commission is not bound by rules or the practice of any court or tribunal as to evidence or procedure in the discharge of its functions or exercise of its powers, but may inform itself on any matter and conduct its proceedings in such manner as it thinks proper.

(2) The Commission -

(a) shall act independently, impartially, fairly, and in the public interest;

(b) shall make available to the public all submissions, objections and suggestions made to it in the course of its discharging its functions, and otherwise act openly, if to do so would be in the public interest and fair;

(c) shall not make available to the public, or disclose to any person, information or material in its possession, if to do so would be contrary to the public interest or unfair;

(d) shall include in its reports -

(i) its recommendations with respect to the relevant subject-matter;

(ii) an objective summary and comment with respect to all considerations of which it is aware that support or oppose or are otherwise pertinent to its recommendations."

2.2 In October 1990 the Commission published an Issues Paper on the Local Authorities External Boundaries Review (Issues Paper No. 8). The Commission, at the same time, called for public submissions on those matters raised in the Issues Paper. The response from LAs, interested organisations and members of the public was very encouraging. By the completion of the review process the Commission had received a total of 3184 (as at 31 October 1991) submissions and comments.

2.3 The Commission would like to record its appreciation of all persons and organisations who made submissions and comments in the course of this review. The Commission would like to thank particularly officials of Local Government in Queensland who devoted considerable time and effort to providing submissions, answering questions and giving evidence at public hearings. The Commission would also like to particularly acknowledge the assistance of the Local Government Association of Queensland (Inc.), and the Institute of Municipal Management. The contributions of those organisations were invariably thoughtful, positive and helpful.

Constraints Upon The Commission

- 2.4 In strict terms the Legislative Assembly resolution of 29 March 1990 required the Commission to examine "*the existing boundaries of the areas of Local Authorities*" which meant that for this Commission to fully comply with the Legislative Assembly's request it would have been required to examine the appropriateness of the boundaries of all 134 mainstream LAs and arguably the boundaries of the 31 Aboriginal and Island Councils.
- 2.5 At a very early stage of this review, the Commission realised that it would not be able to comply fully with the terms of the Legislative Assembly resolution. The examination of the appropriateness of existing boundaries of LAs proved in each case to be a complex task. The complexity of the issues increased as the review progressed. The Commission took the view that it would better serve the public interest by trying to identify and develop appropriate principles to apply in the course of the external boundaries review and apply and test those principles in a select number of cases.
- 2.6 The Commission accordingly decided that it would utilise the experience gained in identifying and testing the principles to recommend an on-going boundaries review mechanism which would take up the task commenced by this Commission and carry on the examination of external boundaries into the foreseeable future. These considerations largely determined the manner in which the Commission approached this review.
- 2.7 The Commission made known its views in this regard at a very early stage of the review (see Issues Paper No. 8, pp.ii, 2). There was no objection from any quarter to the course which the Commission chose to adopt.

The Issues

- 2.8 Issues Paper No. 8 identified a number of issues which became the subject of comment by persons and organisations making submissions and giving evidence in the course of the public hearings. The issue areas were:
- (a) What principles and indicators should guide EARC in the review of external boundaries?
 - (b) Given the time constraints and magnitude of the task, which LAs should be examined as priority cases for possible amalgamation or major boundary change? The Commission identified 50 LAs in Issues Paper No. 8 for further examination with regard to major boundary change or amalgamation.
 - (c) What should be the composition, powers and functions of any on-going boundaries review mechanism?
- 2.9 Another significant area which emerged in the course of the review was a number of implementation issues such as referendums and transitional procedures. These matters are discussed in Chapter Eighteen.

Submissions and Comments in Response

- 2.10 On 20 October 1990, an advertisement was placed in *The Courier-Mail* and regional newspapers in Queensland which announced the commencement of the review and called for public submissions. A copy of the advertisement is reproduced in Appendix C.
- 2.11 By 21 December 1990, the closing date for initial submissions, 1962 LAs, individuals and organizations had sent submissions to EARC.
- 2.12 These submissions were printed and made available for public inspection at the main Public Library in each LA as well as major public libraries throughout Queensland from 14 January 1991. Approximately 310 copies of the initial submissions, published in nine volumes, were circulated.
- 2.13 The Commission then advertised the availability of the submissions and called for comments in response. A copy of this advertisement is also at Appendix C.
- 2.14 Comments in response to initial submissions and further submissions received up to 22 March 1991 were published in a further four volumes and circulated. This process was also advertised (see Appendix C for a copy of the advertisement). Submissions and comments received since then have also been considered by the Commission. Of the submissions and comments in response received, 386 (12.1%) had been submitted by LAs, 280 (8.9%) by other organisations and 2,518 (79.0%) by individuals (as at 31 October 1991). A list of all organisations and individuals who made submissions or comments is at Appendix D.

Local Authorities Identified for Possible External Boundary Change

- 2.15 By applying a series of principles and indicators, the Commission identified a list of 50 LAs as priority cases for examination in relation to external boundary change. This list was published as Table 9.3 of Issues Paper No. 8 and is reproduced in Appendix E.
- 2.16 Following further research and comment from LAs and other organisations and individuals on the LAs concerned and refinement of the principles and indicators applied to them, the Commission produced a revised list of 11 groups of LAs (27 LAs in all) for consideration as to whether they should be amalgamated or required major boundary changes. These LAs, announced on 15 April 1991, include:

Logan/Brisbane;
 Albert/Gold Coast;
 Warwick/Glengallan/Rosenthal/Allora;
 Clifton/Cambooya;
 Roma/Bungil;
 Gympie/Widgee;
 Maryborough/Tiaro/Woocoo;
 Bundaberg/Gooburrum/Woongarra;
 Townsville/Thuringowa;
 Gladstone/Calliope/Miriam Vale; and
 Mackay/Pioneer.

A copy of the Commission's press statement of 15 April 1991 is at Appendix F.

- 2.17 The Commission's reasoning for the inclusion of these LAs on the revised list is to be found in the relevant chapters of this Report.
- 2.18 In determining which LAs remained on the list and which LAs were taken off the list, the Commission took the following factors into consideration:
- . the time constraints upon the Commission;
 - . the need for the Commission to investigate a representative sample of existing LA external boundary problems, in order to test the Commission's principles for external boundary change;
 - . public comment on the original 50 LAs identified as priority cases;
 - . the fact that the Commission had foreshadowed the establishment of an on-going boundaries review mechanism and would recommend a priority list of cases to that body for investigation;
 - . "the ripple effect", that is, the impact on neighbouring LAs that external boundary changes would produce; and
 - . the fact that the Commission decided to add the Aboriginal and Torres Strait Islander (ATSI) enfranchisement issue to the list.
- 2.19 Thus, for example, Cairns/Mulgrave - although regarded by the Commission as a high priority for investigation - was not included on the revised list because of the large number of other LAs that might be impacted in any boundary change involving Cairns City and Mulgrave Shire; because other comparable cases such as Townsville/Thuringowa and Mackay/Pioneer were being investigated; and because the ATSI enfranchisement issue was added to the list.
- 2.20 Similarly, the South-east Queensland LAs, with the exception of the boundary adjustment cases of Logan/Brisbane and Albert/Gold Coast, were not included on the final list because of the need for a thorough investigation of South-east Queensland. Cases such as Ipswich/Moreton and a new LA centred on Beenleigh, although considered priority cases, were therefore not further investigated. The Commission's intentions were expressed in its press statement of 17 April 1991, a copy of which is at Appendix F. In Chapter Nineteen the Commission makes recommendations as to the priority of further boundary cases.

Public Hearings

- 2.21 Public hearings were held in the centres of LAs which were the subject of investigation in June and July 1991. The location of each public hearing was chosen by the LAs involved, except where agreement could not be reached. Generally, the hearings were held in the Administration Centre of the smaller or smallest LA concerned.
- 2.22 Witnesses were invited to present additional information to the Commission at public hearings. A total of 267 witnesses presented evidence at the June-July hearings. A list of these witnesses, together with the dates and locations of the hearings is contained in Appendix G. The list of exhibits presented at these hearings is set out in Appendix H.

- 2.23 Not all persons who made a submission to the Commission gave evidence at public hearings. The Commission was operating under time constraints. In choosing persons and organisations to give evidence at the public hearings the Commission was concerned to ensure that a wide range of opinion was effectively represented before the Commission.
- 2.24 The Commission endeavoured to make its hearings as informal as possible. Witnesses were neither subpoenaed nor sworn. Very few of those invited to attend to give evidence declined to do so. A transcript was made of the evidence at the public hearings and copies of the transcript, exhibits as well as submissions and comments are available for public inspection at the Commission's office in Brisbane.

ATSI Issue and Consultation Process

- 2.25 In addition to the 11 groups of LAs identified for further consideration, the Commission also decided to examine whether residents of Aboriginal Councils neighbouring Cook Shire should be eligible to vote and stand for election in Cook Shire Council elections. The decision to examine this issue was made in response to submissions calling for the enfranchisement of ATSI people. Cook Shire was chosen because of the large number of Aboriginal and Island Councils in the Cape York area and most of the submissions addressing this issue expressed particular concern about the Cape York area.
- 2.26 It was recognized that different methods of consultation were required to obtain the views of ATSI people. Accordingly ATSI Communities and ATSI-related organizations were contacted for their views on how best to consult with ATSI people. Two meetings were held in Cairns on 14 May and 6 June 1991.
- 2.27 The consensus at these meetings was that an Options Paper should be produced and circulated to all Aboriginal Councils in Queensland, and that the Commission should visit the Cape York Aboriginal Communities to obtain the views of representatives of the Communities. The Options Paper on ATSI Enfranchisement Issues was based on input from ATSI Communities and ATSI-related groups and contained a number of options whereby ATSI Communities could be involved in the Cook Shire Council decision-making process on matters which potentially affect those Communities. A copy of the Options Paper is at Appendix I.
- 2.28 In late August/early September 1991, the Commission (the Chairman and Commissioner Hall) visited Lockhart River, Injinoo (meeting Umagico and New Mapoon representatives there as well), Aurukun, Napranum (meeting Mapuna representatives as well), Pormpuraaw, Kowanyama, Hope Vale, Cooktown and Wujal Wujal. The Commission held a further meeting in Cooktown in October attended by representatives of Cook and Aurukun Shires, Napranum, Hope Vale and Wujal Wujal Aboriginal Councils. Eighty-two people attended these public hearings. The names of the witnesses and the dates and locations of the hearings are listed in Appendix J.
- 2.29 The evidence taken at the hearings and comments on the Options Paper have been incorporated in the Commission's findings which are discussed in detail in Chapter Sixteen. The transcript and submissions relating to these issues have been circulated to Cape York Aboriginal and mainstream Councils and other interested organisations. The material is also available for public inspection in the Commission's office in Brisbane.

Disclosure of Interests

- 2.30 In the course of this review a number of Commissioners' interests required disclosure. Commissioner Hughes and the Chairman are ratepayers in Noosa Shire which was relevant to the Commission's examination of the division of Peregian between Noosa and Maroochy LAs. Commissioner Hall is a ratepayer in Townsville City which was relevant to the Commission's examination of Townsville/Thuringowa. Commissioner Watson Blake is a ratepayer in Caloundra City which was relevant to the Commission's examination of the division of Bribie Island between Caloundra City and Caboolture Shire. Commissioner Hunter had a number of disclosable interests which were relevant to the examination of Gladstone/Calliope/Miriam Vale. These interests were the fact that Commissioner Hunter had a consultancy arrangement with Miriam Vale Shire, was a former Town Clerk of Gladstone City and had written and presented a paper to a seminar in February 1989, discussing the long term future of the Gladstone area, in which he predicted that Gladstone City and Calliope Shire would one day be amalgamated.
- 2.31 Members of the Commission discussed these matters and agreed that they would be disclosed at the outset of public hearings or, where there was no public hearing, as soon as practicable in correspondence.
- 2.32 Accordingly, on 19 June 1991 the Chairman's and Commissioner Hughes' interests were notified to Noosa and Maroochy Shires in correspondence (EARC File 010/O/76). Commissioner Hall's interest was notified at the outset of the public hearing at Thuringowa (T1489).
- 2.33 In Commissioner Hunter's case, the matter was raised in correspondence by Calliope Shire before there was the opportunity to disclose Commissioner Hunter's interests at the Calliope public hearing. The Commission responded to Calliope Shire Council's concerns by correspondence. As a result, Commissioner Hunter decided to take no further part in the Gladstone/Calliope/Miriam Vale review. The relevant correspondence is publicly available on EARC File 010, Folios 620, 634, 652, 653.
- 2.34 The correspondence with Calliope Shire was read out at the commencement of the public hearing in Calliope on 15 July 1991 (T1722-1725). The Chairman of the Commission asked the Chairman of Calliope Shire Council whether she had any residual concerns. Councillor Cunningham was invited to say anything further and she replied that the Shire's concerns had been acknowledged (T1766).
- 2.35 Commissioner Hunter has not taken part in the particular review to the extent that he has waived the right to see any part of Chapter Fourteen until it becomes available to the public. Accordingly Commissioner Hunter disclaims any responsibility for the contents of Chapter Fourteen or for any recommendations contained therein or arising therefrom.
- 2.36 Following the correspondence with Calliope Shire, the Parliamentary Committee for Electoral and Administrative Review corresponded with the Commission on the general question of disclosure of interests (EARC File 085, Folios 32 and 33). In the course of that correspondence the Commission advised the Committee that it would review Commissioners' interests and associations at the commencement of each investigation.

Less Major External Boundary Changes

2.37 The Commission received some 74 new boundary change proposals in submissions, in addition to comment on the cases identified by the Commission for possible examination. These proposals ranged from the creation of a new LA to minor changes involving shifting a few properties from one LA to a neighbouring LA. These proposals are summarised in Appendix K. The proposals could not all be investigated in the time available. Accordingly, they were prioritized and 16 of the less major proposals were chosen by the Commission for further consideration. These proposals, also announced in the Commission's press statement of 15 April 1991, are as follows:

Beaudesert/Albert	Seven Beaudesert Shire properties to Albert Shire (Bahr's Scrub); about 70 Albert Shire properties to Beaudesert Shire (Logan Village, Paradise Vista Estate, Henri Robert Drive, Tamborine Mountain, Beechmont Road, Binna Burra Road);
Esk/Kilcoy	Division Four of Esk Shire to Kilcoy Shire;
Caboolture/Caloundra	Bribie Island presently split between the two LAs to be placed entirely in one LA;
Gatton/Cambooya	Two properties in East Haldon, split between Gatton and Cambooya Shires to be placed entirely in Cambooya Shire;
Waggamba/Tara	23 properties in the far north of Waggamba Shire bordering or near Tara Shire to be transferred to Tara Shire;
Tambo/Murweh	18 Murweh Shire properties bordering or near Tambo Shire to be transferred to Tambo Shire;
Noosa/Maroochy	Peregian Beach split between the two LAs to be placed wholly in one LA;
Emerald/Bauhinia	Emerald Shire properties in the west and south-west of the Shire, bordering Bauhinia Shire, to be transferred from Emerald Shire to Bauhinia Shire;
Bauhinia/Duaringa	"Rockland Springs" property split between Bauhinia and Duaringa Shires to be located totally in Bauhinia Shire;
Hervey Bay/Maryborough	Township of Aldershot, currently in Hervey Bay City, to be transferred to Maryborough City;
Thuringowa/Dalrymple	Mingela rural community split between Thuringowa City and Dalrymple Shire to be transferred to Dalrymple Shire;
Pioneer/Whitsunday	Midge Point in the far north of Pioneer Shire to be transferred to Whitsunday Shire;
Burdekin/Bowen	Two Bowen Shire properties bordering Burdekin Shire to be included in Burdekin Shire;
Burke/Mornington	Sweers Island & the Bountiful Islands, all unincorporated in any LA, to be incorporated into either Burke or Mornington Shires;
Burke/Mt Isa	Southern part of Burke Shire to be transferred to Mt Isa City;
Cloncurry/Mt Isa	Cloncurry Shire properties bordering Mt Isa, to be transferred to Mt Isa City.

- 2.38 Because these proposals appeared less complex than the major cases, the Commission decided that they could be investigated and resolved by research and by open correspondence between the major stakeholders in each proposal. This process involved sending copies of all correspondence on each case to the people directly affected and the relevant LAs so they could comment if they wished. The results of this process including the Commission's recommendations are contained in Chapter Seventeen. The Commission considered that it was important to test the principles in the context of boundary adjustment. Some of these proposals proved to be quite complex.
- 2.39 Two cases identified above (Thuringowa/Dalrymple and Pioneer/Whitsunday) were considered in the content of the major boundary changes involving Townsville/Thuringowa and Mackay/Pioneer and are therefore discussed in Chapters Thirteen and Fifteen respectively.

Other Inquiry Mechanisms

- 2.40 The Commission staff have researched the literature relating to Local Government external boundary matters and have made enquiries in other States of the Commonwealth regarding Local Government external boundary reviews conducted in those States.
- 2.41 The Commission also visited a number of LAs in New South Wales to assess whether amalgamation in New South Wales had been successful. Apart from one assessment immediately following amalgamation, this was the first time since the amalgamations some ten years before that an evaluation had been attempted. A list of New South Wales LAs visited and witnesses interviewed is at Appendix L. A record of these discussions was produced, circulated to LAs in Queensland and is available for public inspection at the Commission's office in Brisbane (EARC File 010/691).
- 2.42 In addition, the Commission visited a number of organisations and LAs in New Zealand to assess whether the major recent changes to New Zealand Local Government including amalgamation had been successful. A list of New Zealand LAs, organisations and individuals visited is at Appendix M. A record of discussions was made and is also available for public inspection at the Commission's office in Brisbane (EARC File 010/788).
- 2.43 The Commission also visited a number of LAs, organisations and individuals in Tasmania to assess the impact of the 1985 amalgamation of three LAs: Launceston, Lilydale and St Leonards. The Commission took the opportunity to discuss Tasmania's current review "Inquiry into the Modernization of Local Government". A list of Tasmanian LAs, organisations and individuals visited is at Appendix N. A record of discussions was made and is available for public inspection at the Commission's office in Brisbane (EARC File 010/787).
- 2.44 The Commission also developed a Questionnaire to gather information it considered necessary but which was not readily available from other sources. The Questionnaire was trialled and then circulated to all 134 LAs. The Commission found the exercise to be invaluable in the Commission's deliberations. It is gratifying to note that all 134 LAs responded to the Questionnaire. A compilation of the answers to the Questionnaire has been circulated to all Queensland LAs.

- 2.45 A modified Questionnaire was circulated to all Aboriginal Councils. This information was used to supplement the information available on ATSI Councils. This information is available for public inspection at the Commission's office.

Current Local Authority Structure

- 2.46 Currently, there are 134 LAs in Queensland, comprising 20 Cities, 3 Towns and 111 Shires. These LAs are constituted under the *City of Brisbane Act 1924-1991* (Brisbane City), the *Local Government (Aboriginal Lands) Act 1978-1990* (Aurukun and Mornington Shires) and the *Local Government Act 1936-1991* (the balance of Cities, Towns and Shires).
- 2.47 Despite their separate incorporation under the *Local Government (Aboriginal Lands) Act 1978-1991*, Aurukun and Mornington Shires are deemed to be LAs under the *Local Government Act 1936-1991* and are regarded as ranking with the LAs in the mainstream system. The above quoted total number of mainstream LAs in Queensland, that is 134, therefore includes these two LAs. A profile of Local Government in Queensland is contained in the following chapter.

Aboriginal and Island Councils

- 2.48 In addition to the 134 LAs referred to above, there are 14 Aboriginal Councils and 17 Island Councils in Queensland. These Councils are constituted under the *Community Services (Aborigines) Act 1984-1990*, and the *Community Services (Torres Strait) Act 1984-1990* respectively. These Acts provide for support, administrative services and assistance for Aboriginal/Torres Strait Islander Communities existing in trust areas and for management of lands for use by those communities and for related purposes. The Commission takes the view that these particular Councils are bodies responsible for Local Government within a part of the State for the purposes of the definition of "Local Authority" in section 1.3 of the Electoral and Administrative Review Act. Accordingly, these Councils fall within the terms of reference of this review.
- 2.49 A number of the islands in the Torres Strait are controlled by the Torres Shire including Horn Island, Prince of Wales Island, Thursday Island, Friday Island and Goode Island. The remaining inhabited islands in Torres Strait are covered by the *Community Services (Torres Strait) Act 1984-1990* and residents administer their own Community Council areas having Local Authority status under that Act.
- 2.50 Aboriginal and Island Councils operate differently from LAs as defined in the *Local Government Act 1936-1991*. Whilst they possess additional powers such as quasi police powers to regulate community behaviour, in conventional municipal terms they operate at a more reduced level of responsibility and independence than mainstream LAs and they lack some of the mainstream powers, for example, fiscal autonomy, town planning and development controls.

- 2.51 In February 1991, the Parliamentary Committee of Public Accounts published its second report on financial administration of Aboriginal and Island Councils. The report (No. 8), entitled *Financial Administration of Aboriginal and Islander Councils: Report 2 - Effectiveness of Councils, Support for Councils, Training*, recommends (inter alia) increased autonomy for Aboriginal and Island Councils.
- 2.52 The Legislation Review Committee (LRC) of the Department of Family Services and Aboriginal and Islander Affairs has recently released a Discussion Paper entitled *Towards Self-Government*. The Committee is examining the role of Aboriginal and Island Councils among other issues. The Committee expects to produce its final report in November 1991. The Commission has held a number of meetings with members of the Committee. The purposes of the meetings were to minimise overlap between the two reviews and to enable this Commission to provide comments to the Committee.

Town of Weipa

- 2.53 For reasons similar to those outlined in relation to Aboriginal and Island Councils, the township of Weipa (administered by Comalco under the *Commonwealth Aluminium Corporation Pty. Limited Agreement Act 1957-1973*) is within the terms of reference of this review. Under this Act, Comalco is deemed to be an LA for the purpose of the administration of the town of Weipa. Section 46 of the Act makes provision for the transfer of powers to a Town Commission, a composite body representing the State, the company and the electors. In 1990 Comalco commissioned a study to examine the question of town management including options for surrender of municipal powers.
- 2.54 As a result of that study, Comalco has developed a proposal to "normalise" Weipa which involves:
- (a) the sale of a major portion of its common property infrastructure assets of Weipa town; and
 - (b) withdrawal from its Local Government role through the establishment of a Town Commission as provided for under the Act.
- 2.55 Comalco considers it necessary that:
- (a) a significant number of other investors take equity in the town;
 - (b) support for the transition from Town Commission to an actual LA be given once Comalco had sold all surplus housing to investors and town infrastructure to the appropriate authority;
 - (c) agreement be given to permit the freeholding of certain land within the prescribed LGA; and
 - (d) the Government accept the need to assist with the funding of the new LA at a similar level to other LAs.

Unincorporated Areas

- 2.56 In contrast with other States, there are only a few areas in Queensland not under the jurisdiction of an LA, namely the Town of Weipa, Sweers Island and the Bountiful Islands. In the course of this review the Commission received submissions (S3136 and S3173) from Mr Williams of Hamilton Island who argued that Hamilton and nearby resort islands be taken out of Local Government control. The Commission has not examined this proposal. The Commission simply wishes to observe that ordinarily all parts of Queensland should be under the control of democratically elected Local Government in one form or another.

Structure and Content of Report

- 2.57 Chapter Three of this Report contains a brief profile of Local Government in Queensland. Chapter Four analyses the principles and indicators used by the Commission to identify the priority list of possible LAs for further examination. It also discusses principles to apply to LA boundary change.
- 2.58 Chapters Five to Fifteen each discuss one of the 11 major cases examined by the Commission. Each chapter:
- (a) describes relevant history and the current situation;
 - (b) summarises the relevant matters for consideration;
 - (c) summarises the arguments and other evidence presented;
 - (d) analyses the arguments and evidence; and
 - (e) makes recommendations where considered appropriate.
- 2.59 Chapter Sixteen, as mentioned above, addresses the ATSI enfranchisement issue and Chapter Seventeen considers the 16 less major boundary change proposals. Chapter Eighteen considers implementation issues. Chapter Nineteen proposes a structure and powers of an on-going boundaries review mechanism, including operating principles. The Commission also recommends a number of priority cases for future review. Chapter Twenty consolidates the conclusions and recommendations contained in Chapters Four to Nineteen. Chapter Twenty-one contains acknowledgements and concluding remarks.

General Comments on the Review Process

- 2.60 As already indicated, the Commission received submissions and heard evidence from a large number of persons and organisations. Under section 2.23 of the Act the Commission is required to include in its reports *"an objective summary and comment with respect to all considerations of which it is aware that support or oppose or are otherwise pertinent to its recommendations."* In selecting evidence for this Report the Commission has referred to statements which were typical of a particular argument or point of view. The Commission has not attempted to set out or refer to all evidence in support of that argument or point of view. If the Commission had done so the result would have been a report of intolerable length. The Commission considers it has discharged its responsibilities under section 2.23 because it has endeavoured to identify and deal with all relevant considerations.

- 2.61 The degree of public interest in this review has been far more extensive than any other review conducted by the Commission. For example, 3184 submissions and comments were received in this review (as at 31 October 1991) compared with a total of 1513 received to date in the other 16 reviews completed or being conducted by the Commission.
- 2.62 This review has also been very controversial. In contrast to all other reviews this Commission's integrity was attacked particularly in the early stages of the review. Many people reacted to Issues Paper No. 8 by describing it as a report, thinking that cases identified for examination had in fact been recommended for amalgamation. The Commission found much of this comment perplexing.
- 2.63 Many people saw the Commission's review as a threat to "their LA" and there was much cynicism about "hidden agendas".
- 2.64 The Commission notes, however, that much of the earlier criticism and cynicism appeared to abate when the Commission's review process became better understood, particularly when public hearings were conducted. This is not to say that there still does not exist considerable local concern. The Commission noticed in the course of the public hearings, however, that many people began to understand that the Commission was approaching the review with an open mind and genuinely trying to understand local views and conditions.
- 2.65 A particular example of this change was in the attitude of Communities Against Forced Amalgamation (CAFA) which was an organisation funded by some 20 LAs identified for examination in Issues Paper No. 8. CAFA engaged the services of Dr Michael Jones who at the time was specialising in Local Government at the Canberra College of Advanced Education (subsequently the University of Canberra). CAFA was very critical of this Commission, particularly in the early stages of the review.
- 2.66 The Commission does not accept CAFA's criticisms as they were mostly misconceived. The Commission recognises the right of CAFA (or anyone else), however, to criticise this Commission provided that the criticism is both informed and fair.
- 2.67 At the public hearings in Bundaberg, Dr Jones (T1325, 1327) said:

"DR JONES: ... I congratulate you for looking at this area in New South Wales, because it is just a shame that there wasn't a proper evaluation process established. And I hope that if you do recommend amalgamation, but I hope that you don't recommend amalgamation, but if you do that part of that process will be a proper monitoring process that maybe would have systems for reversal, sort of like getting your money back, if you like, on a guarantee.

...

.. we don't know whether you are fair or not, we will have to wait until we see your report, but you are infinitely fairer than in Victoria.

THE CHAIRMAN: It might depend on whether we agree with you, Dr Jones.

DR JONES: No, no, no, your processes. I mean you do get, you try to get both sides out on the surface anyway. You are infinitely fairer, it is all relative."

- 2.68 Towards the end of the public hearings, the Commission sought criticism from a number of LAs of the Commission's processes. The Commission did this in order to establish whether there were improvements to review processes which might be made to assist an on-going boundaries review mechanism. It is significant that, other than concern about the tight timetable of this review, no criticism of the Commission's processes emerged. See in this regard T2159.
- 2.69 Finally, the Commission notes that review of LA boundaries has proved to be controversial wherever it has been conducted - for example, in New South Wales, Victoria, South Australia and New Zealand. The following observations of Machiavelli in *The Prince* (1513) seem more than relevant:

"It must be considered that there is nothing more difficult to carry out, nor more doubtful of success, nor more dangerous to handle, than to initiate a new order of things. For the reformer has enemies in all those who profit by the old order, and only lukewarm defenders in all those who would profit by the new order. This lukewarmness arising partly from fear of their adversaries, who have the laws in their favour; and partly from the incredulity of mankind, who do not truly believe in anything new until they have had actual experience of it. Thus it arises that on every opportunity for attacking the reformer, his opponents do so with the zeal of partisans, the others only defend him half-heartedly, so that between them he runs great danger. It is necessary, however, in order to investigate thoroughly this question, to examine whether these innovators are independent, or whether they depend upon others, that is to say, whether in order to carry out their designs they have to entreat or are able to compel. In the first case they invariably succeed ill, and accomplish nothing; but when they can depend on their own strength and are able to use force, they rarely fail. Thus it comes about that all armed prophets have conquered and unarmed ones failed ..." (1940, pp.21-22).

CHAPTER THREE

PROFILE OF LOCAL GOVERNMENT IN QUEENSLAND

Background

- 3.1 The fundamental feature of Local Government in Queensland is its diversity. This chapter examines that diversity in LAs' legislative authority, demographic and geographic features, functions, finances and use of joint arrangements. Local Government in Queensland employs 28,114 people and had total outlays for all funds for the 1989-1990 financial year of \$2,395,068,000 (EARC 1991b, pp.1-3; ABS 1991e).
- 3.2 Local Government was established in Queensland in 1859 under the *New South Wales Municipalities Act of 1858*. Unlike New South Wales, it was not necessary in Queensland to establish LAs in pursuance of road trusts. Queensland LAs were multi-functional from the beginning (Tucker 1981, p.379).
- 3.3 The early history of Local Government in Queensland reveals two broad periods of development. The first period from 1859 to 1878, was characterised by "voluntarism" in incorporation of LAs. Local Authorities were established in response to petition only. The Governor in Council was empowered under the *New South Wales Municipalities Act of 1858* to incorporate a local community as a Municipality on the petition of 50 or more householders, provided that a greater number of householders did not petition against incorporation within three months. Although the provision of local services by an LA would relieve some of the burden on the central government, the newly colonised Queensland Government was particularly concerned with large and powerful LAs developing which were motivated by separatist notions (Tucker 1981, p.380). At the very least, the Queensland Government feared that a small number of large and powerful LAs would threaten the strength of its central government. In any event, it was generally perceived that the local Member of the Legislative Assembly would be more successful in obtaining funds from the government for local services than an LA.
- 3.4 By the end of the 1870s, as the increasing demands for local services came to bear on the Parliamentarians, it became apparent that the system of "voluntarism" had failed. In 1878, the *Local Government Act of 1878* was introduced and this began the second period of early development. This Act conferred power on the Governor in Council to constitute Municipalities whether upon petition or not. Only the more closely settled parts were within the application of the Act. A year later when Thomas McIlwraith became Premier, he secured the passage of the *Divisional Boards Act of 1879*. The aim of the *Divisional Boards Act of 1879* was to strengthen the 1878 Act by legislating that it was compulsory for all unincorporated areas of the colony to be governed by an LA. By 1896, there were 34 Municipalities and 114 Divisional Boards. Many of the boundaries considered by the Commission in the course of this review were created under the *Divisional Boards Act of 1879* and have not changed since.
- 3.5 Following a Royal Commission in 1896, the classification of LAs as Cities, Towns or Shires was adopted in the *Local Authorities Act of 1902*.

- 3.6 Fragmentation was becoming a problem with 186 LAs established by 1916. In a period of consolidation between 1916 and 1918, the Ryan Government extended LA boundaries and amalgamated provincial city authorities. This period of consolidation reflected a change in policy emphasis in favour of "greater cities", to enable public utilities such as electricity undertakings to be brought directly under Local Government control.
- 3.7 By 1919, there were 171 LAs. In 1925, the Greater Brisbane Scheme reduced this number by 17. Separate legislation was required to bring the metropolitan utilities under municipal control. The *City of Brisbane Act 1924* created one LA from two former Cities, six Towns, ten Shires and parts of two other Shires.
- 3.8 In 1927, a second Royal Commission was established to inquire "into the present distribution and size of the areas of Local Government in the State of Queensland, particularly with regard to the amendment and variation of the boundaries thereof, and the necessity or otherwise of the amalgamation of any existing areas". The Royal Commission undertook a comprehensive review of all the LGAs of Queensland. The Commissioners heard 443 witnesses, travelled 19,066 kilometres and received evidence from all but five LAs. Noting the changed circumstances since the establishment of the existing boundaries, especially the development of motor transport, the Commission recommended a reduction in the number of:
- (a) Cities from 11 to 9;
 - (b) Towns from 17 to 3; and
 - (c) Shires from 124 to 74.
- 3.9 The Royal Commission recommended substantial changes to most Shire boundaries to accommodate the amalgamations. A summary of the Royal Commission's recommendations on LA boundaries appears in Appendix O.
- 3.10 Many of the areas identified by the Commission for further investigation for boundary change or amalgamation have a high degree of correlation with those areas in fact recommended for amalgamation by the Royal Commission in 1928, more than 60 years ago. The recommendations for amalgamation in 1928 which correspond closely with the priority cases identified by this Commission (highlighted below in italics) include:
- (a) *Warwick / Glengallan / Rosenthal*, but only part of *Allora*;
 - (b) *Clifton*, significant parts of *Cambooya* and *Allora*, also a small part of *Pittsworth*;
 - (c) *Roma / Bungil*, a significant part of *Taroom* and most of *Bendemere*, *Warroo*, and small parts of *Booringa* and *Balonne*;
 - (d) *Gympie*, most of *Widgee*, significant parts of *Kilkivan* and *Tiaro*, and a small part of *Maroochy*; and
 - (e) *Gladstone*, almost all of *Calliope*, a significant part of *Miriam Vale*, and a small part of *Fitzroy*.
- 3.11 In addition, the Royal Commission recommended the amalgamation of rural Towns and Cities with rural Shires. It did not, however, recommend the amalgamation of *Maryborough* and *Bundaberg* Cities with their surrounding Shires. Rather, the Royal Commission recommended amalgamation of those particular surrounding Shires (ie. *Woocoo* with most of *Tiaro* and *Burrum*; and *Gooburrum* with most of *Woongarra* and *Perry*, all of *Kolan*, a significant part of *Miriam Vale*, and small parts of *Gayndah* and *Isis* Shires).

- 3.12 Further, the Royal Commission also recommended that the City status of *Townsville* and *Mackay* be preserved. It recommended that *Thuringowa*, and parts of Ayr (now Burdekin) and Dalrymple form a new Shire. Further, it recommended that Mirani and Sarina Shires be amalgamated with most of *Pioneer* Shire and a small part of Nebo Shire.
- 3.13 The Royal Commission's Report was strongly opposed, particularly by rural LAs. The recommendations were not acted upon by the Government. Yet in 1948, some of the recommendations in relation to South-east Queensland were finally implemented "*a good example of doing too little too late*" (Tucker 1981, p.384). These amalgamations in the South Coast, Ipswich, and Toowoomba areas produced a further overall reduction of 12 LAs.
- 3.14 Essentially, LAs are created under laws of the State Parliament. For this reason the legal rule of ultra vires applies to enable court intervention where the LA has exceeded statutory authority. The technical nature of the ultra vires rule can be so restrictive of an LA's power that it frustrates the LA's flexibility to adapt to rapidly changing circumstances. Consequently in times of change, the rule can produce anomalies. To accommodate the needs of the LAs, the *Local Government Act 1936*, which replaced the *Local Authorities Act of 1902*, granted a general competence power to all LAs. (The general competence power had been introduced in the Greater Brisbane Scheme in 1925.) There is a fundamental difference between LAs and other Queensland statutory bodies. Unlike other statutory bodies, LAs are elected and are directly accountable to the people for their actions. Despite the ultimate sovereignty of the State, there has grown up a convention of government by delegation and, because the functions of government are seen to be delegated to directly elected members, LAs are seen as a third (ie. a separate) tier of government.
- 3.15 An amendment to the *Local Government Act* in 1942 provided that town water supply was to be the direct responsibility of Local Government. With the combination of the general competence power as well as the functions of sewerage and town planning, Local Government has a wide mandate to plan the local physical environment and to provide everyday services to local communities. This helps to explain the passionate local reactions to Local Government issues. A constant and correct statement made in the course of the Commission's public hearings was that Local Government is the third tier of government and closer to the people than other levels of government.
- 3.16 In 1944, as part of post-war reconstruction preparations, the Queensland Government appointed a Committee of three senior public servants to inquire into, and report on, the advantages of regional planning and development in Queensland. In 1945, the Committee recommended that:
- (a) the state be divided into 25 regions, each with a regional centre;
 - (b) a town plan be prepared immediately for each regional centre;
 - (c) State departmental activities be devolved as far as possible to each centre;
 - (d) amalgamation of all LAs within each region be an ultimate objective; and
 - (e) introduction of measures to improve the financial position of LAs be given consideration.

- 3.17 Again there was strong opposition to the Committee's Report. The Queensland Government indicated support for the principle of uniform regional boundaries for electricity, hospitals, and libraries but the mass amalgamation of LAs was rejected. Legislation enabling the constitution of regions and the establishment of a regional co-ordination council in each region was passed in 1971. However, amending legislation in 1978 dissolved these regional councils and deleted all statutory reference to regional co-ordination. Tucker noted that the solidarity displayed in dealings with the State Government by certain regional councils and a revived concern regarding regional challenges to State supremacy with the advent of a Labor Federal Government can be attributed to this change in attitude (Tucker 1981, pp.385-386).
- 3.18 In 1972, representations made to the State Government advocating a new LA based on Hervey Bay prompted two separate inquiries into the matter. The inquiries reported in favour of the Hervey Bay proposal and in support of a reduction in the number of LAs in the Maryborough District. The Government, however, increased the areas of Maryborough City and Woocoo Shire, decreased the area of Tiaro Shire and abolished Burrum Shire. Following these changes Hervey Bay Shire was constituted in December 1975. It was proclaimed a Town in 1977 and a City in 1984. In December 1981, the external boundaries of Hervey Bay Town and Woocoo Shire were altered further by Order in Council (EARC File 010/O/221).
- 3.19 In the Sunshine Coast area, proposals to restructure LAs to create a Sunshine Coast City on the model of the Gold Coast City have been raised since the mid 1970s. The government established a limited inquiry in October 1983 but the terms of reference were restricted to the Maroochy Shire only. The Inquiry Report in May 1984 opposed the excision of a separate LA from Maroochy Shire. Subsequently, the Landsborough Shire Council sought re-classification from Shire to City status, which was granted in December 1987 when it became Caloundra City (EARC File 010/O/221).
- 3.20 Logan Shire was created by a special Act of Parliament, the *Local Government (Adjustment of Boundaries) Act 1978*, and was later reclassified as a City as from January 1981.
- 3.21 The "incrementalist" approach has dominated the process of LA boundary changes in Queensland. The total number of LAs has remained fairly constant over the past 40 years despite, inter alia, the reports commissioned on the overall issue which recommended change, substantial population growth, population drift between parts of the State, and significant improvements in communication and technology. There has been little external boundary change since 1968 because successive State Governments adopted the approach that boundary change would occur only where the LAs were agreeable, or exceptional circumstances existed. There have been many external boundary change proposals, but there has been infrequent implementation of change (Tucker, 1981).
- 3.22 Accordingly, this Commission's review is the most comprehensive, independent review of Queensland LA external boundaries since the Royal Commission Report of 1928 - a period of over 60 years. It is somewhat ironic, but not completely surprising, that this Commission is again examining areas which were the subject of investigation and recommendation in 1928.

- 3.23 Maps of current Local Government Areas (LGAs) are contained in Appendix P. Tables 3.1 and 3.2 summarise the changing number of LAs by category from 1878 to 1902 and from 1903 to 1991 respectively.

Table 3.1
Local Government Areas in Queensland, 1878-1902

Year	Borough	Shire	Division	Total
1878	18			18
1879	18		72	90
1884	23	3	88	114
1889	28	7	106	141
1890	29	7	114	150
1896	30	6	117	153
1900	30	6	120	156
1902	31	7	122	160

Note: The Categories Boroughs, Shires and Divisions were changed to Cities, Towns and Shires in 1902.

Sources: Queensland Government Gazettes;
ABS Local Authority Areas Statistical Summaries.

History of Joint Arrangements in Queensland

- 3.24 Provisions existed for joint arrangements between LAs as early as the *Municipal Institutions Act of 1864* which empowered LAs to enter into contracts like other corporate bodies. These provisions were extended under the *Local Government Act of 1878*, which authorised the Governor in Council to add districts contiguous to municipalities to such municipalities "for the purpose of sewerage or drainage only".
- 3.25 The *United Municipalities Act of 1881* was the first legislation to provide explicitly for joint arrangements between neighbouring LAs, by authorising the Governor in Council to constitute two or more adjacent municipalities as a United Municipality for a particular purpose (or purposes).
- 3.26 The *Local Authorities Act of 1902* further extended these provisions by providing a comprehensive code of LA joint arrangements including provision for creation of a Joint Local Authority as a separate corporate body to undertake special functions. The Act also provided for other forms of joint arrangements, including the making of contracts between LAs for construction, maintenance and management of local works for their joint benefit; and for the employment of various categories of staff in this regard. Provision was also made for agreements between LAs for the formation, maintenance and control of roads and bridges.

Table 3.2
Local Government Areas in Queensland, 1903-1991

Year	City		Town		Shire		Total
1903	4		29		127		160
1909	9		25		128		162
1912	9		25		139		173
1916	10		27		149		186
1919	11		24		136		171
1925	11		17		124		152
1935	11		12		121		144
1945	12		11		121		144
1949	12		10		112		134
1959	14		7		112		133
1962	14		5		112	- Barkly Tableland	
						+ Mt Isa	131
1968	15	+ Mt Isa	5		111	- Mt Isa	131
1974	15		4	- Torres	112	+ Torres	131
1975	15		4		112	- Burrum	
						+ Hervey Bay	131
1976	16	+ Gladstone	3	- Gladstone	112		131
1977	16		4	+ Hervey Bay	111	- Hervey Bay	131
1978	16		4		114	+ Aurukun	
						+ Mornington	
						+ Logan	134
1981	17	+ Logan	4		113	- Logan	134
1984	18	+ Hervey Bay	3	- Hervey Bay	113		134
1986	19	+ Thuringowa	3		112	- Thuringowa	134
1988	20	+ Caloundra	3		111	- Landsborough	134
1990	20		3		111		134

Notes:

1. There was a change in categories in 1902 from Boroughs, Shires and Divisions, to Cities, Towns and Shires.
2. + Mt Isa means that Mt Isa became a City in 1968;
- Mt Isa means that Mt Isa was no longer a Shire from 1968.

Sources: Queensland Government Gazettes;
ABS Local Authority Areas Statistical Summaries.

Current Joint Arrangement Provisions

- 3.27 The *Local Government Act 1936-1991* currently provides three avenues of formal joint arrangements in Queensland, namely, the constitution of Joint Boards, joint action by agreement, and joint committees.

JOINT BOARDS

- 3.28 Section 20 of the *Local Government Act 1936-1991* provides that Joint Boards (formerly termed Joint Local Authorities) may be established to perform any Local Government function, on behalf of a number of adjoining LAs. The constituent LAs transfer to the Joint Board, the function or functions of mutual concern. Once the function is transferred to the Joint Board, the constituent LAs must withdraw completely from the function, unless the Joint Board delegates back part of the activity. Some Joint Boards are also created under separate legislation, for example, the Townsville/Thuringowa Water Supply Board.

- 3.29 The answers to the question regarding joint arrangements in the Commission's Questionnaire revealed the existence of six Joint Water Boards, five Joint Saleyards Boards, two Joint Health Boards, three Aerodrome Boards, two Joint Library Boards and one Joint Community Cultural Centre Board. These Boards range from those comprising representatives from only two LAs, to those comprising remote LAs such as the Far North Queensland Joint Health Board, to large regional organisations such as the South East Queensland Water Board (formerly the Brisbane and Area Water Board).
- 3.30 LAs appear to have avoided creating multi-purpose Joint Boards preferring to constitute single purpose Boards. Dalby Town Council and Wambo Shire Council appear to have made the most use of this type of joint arrangement having three separate Joint Boards.
- 3.31 Urban LAs in South-east Queensland and large provincial cities have primarily used Joint Boards for the function of water supply. Rural towns and adjacent rural shires have made use of such Joint Boards for a wider range of functions. Given the number of LAs in Queensland however, this type of joint arrangement has not been extensively utilised. This may indicate a reluctance on the part of LAs to transfer authority over their functions to another body and thereby lose control. Joint Boards are also seen in Queensland as being less accountable to ratepayers and less responsive to community opinion. When they are large and insular, they are often seen as another (fourth) tier of government.

JOINT ACTION BY AGREEMENT

- 3.32 Subsection 32(1) of the *Local Government Act 1936-1991* provides LAs with an opportunity to undertake joint action without creating an incorporated Joint Board. An LA may enter into agreements with other LAs for the performance of Local Government functions for the joint use or benefit of the LAs concerned.
- 3.33 The answers to the question regarding joint agreements in the Commission's Questionnaire revealed that this type of joint arrangement is a little more popular with LAs than Joint Boards. The joint agreements listed included twenty Water Supply/Water Treatment/Sewerage agreements, ten Boundary Road Maintenance agreements and three Library agreements. As with Joint Boards, LAs in South-east Queensland and provincial cities and their adjoining LAs primarily use this form of joint arrangement for water supply and sewerage treatment. Of the twenty water or sewerage agreements listed, all but two involved LAs in these categories. Rural towns and shires, on the other hand, primarily use joint agreements for boundary road construction and maintenance. Of the ten agreements in relation to boundary road maintenance listed, all but two involved LAs in these categories.

JOINT COMMITTEES

- 3.34 Subsection 15(2) of the *Local Government Act 1936-1991* enables two or more LAs to appoint committees consisting of members of the respective LAs in order to consider and offer advice on matters of common interest.

- 3.35 The answers to the question regarding joint committees in the Commission's Questionnaire revealed the existence of a number of these committees established in relation to specific matters, for example the Bundaberg and District Library Joint Advisory Committee, the Central Queensland Grain Roads Committee and the Mackay Pioneer Joint Consultative Committee on Water Supply. A number of general purpose Committees also exist, for example the Gympie Widgee Joint Advisory Committee and the Townsville Thuringowa Joint Committee, to discuss a range of matters of concern to both LAs. The majority of these types of joint arrangements are between urban LAs and contiguous Shires.

INFORMAL ARRANGEMENTS

- 3.36 Informal arrangements are by far the most popular form of joint arrangement between LAs across the State. The answers to the Commission's Questionnaire indicated the existence of a wide range of informal arrangements between LAs on such matters as regional planning and co-operation, tourism, sharing of staff (in particular Health Surveyors), boundary roads construction and maintenance, mosquito control and economic development.
- 3.37 Further informal arrangements were indicated in the answers to the Commission's Questionnaire seeking details of any local mechanism in place for consultation with adjoining LAs on matters of mutual concern. LAs with such mechanisms are located right across the State and they indicated that consultation takes place in relation to such matters as town planning, economic development, tourism and general matters of mutual concern. However, approximately one half of the LAs did not indicate the existence of any mechanism by which such consultation would take place.
- 3.38 A total of 66 LAs indicated in their answers that they shared staff with other LAs. The most common staff shared were Environmental Health Officers and Building Surveyors, but they also included Community Development Officers, Librarians and Town Planners. The majority of the LAs who shared staff were Rural Towns and Shires. These arrangements appear to have enabled LAs to employ certain specialist officers they may not have otherwise had the resources or workload to employ.
- 3.39 Answers to the Commission's Questionnaire (which asked what level of works were performed by the LA for adjoining LAs, and for the LA by adjoining LAs) also revealed that many LAs have informal arrangements to undertake for neighbouring LAs such functions as roadworks (in particular boundary road maintenance), water supply, sewerage treatment, noxious weeds control, street cleaning, flood mitigation and use of pounds.
- 3.40 Mr Clem Jones, Lord Mayor of Brisbane from 1961 to 1975, gave evidence concerning the very successful informal Contiguous LAs meetings that he established between Brisbane City and its contiguous LAs. Mr Jones attributed the success of these meetings to the willingness of the LAs to work together to overcome common problems. He stated that the meetings were almost always 100 percent attended because the LAs involved recognized the benefits to be gained from such co-operation (T2273):

"The Chairmen in those days were very strong people who were very interested in this idea of working together. We met monthly, and we dealt with all sorts of things. We had mosquito eradication schemes, which we jointly operated. The City Council recognised that many of the other local authorities didn't have the wherewithal to put into some of the things that we were doing, and funded them, but got their co-operation and so on.

There are some instances, and that's one of them, where we had actual Local Authorities that weren't contiguous. For example the Gold Coast came into the mosquito eradication. We invited them in to join the Contiguous Shires meeting for that particular thing. Now out of those Contiguous Shires meetings came a lot of these agreements. We'd sit around and talk about it. All the shires would have their say about it. If there were two or three Shires concerned, the Local Authorities concerned would then perhaps come up with a formal agreement."

3.41 Mr Jones (S3108) elaborated on the activities of the Contiguous LAs:

"While the body had no statutory authority, the Brisbane City Council, and no doubt other Authorities, adopted the policy of carrying into effect the resolutions of it.

All decisions as recommendations of the Contiguous Shires were reached after detailed discussions and taken by resolution and I do not ever recall a dissenting vote.

...

While as foresaid the Meeting itself was without statutory status what happened regularly was that out of the discussions or resolutions, Committees were set up to deal with the problems, say, effecting two or more of the Authorities. Those might be Engineers from the Councils. Their appointments to such a committee would then be formalised by the Councils themselves and a formal joint committee charged with reporting to the Councils involved would result."

Demographic and Geographic Diversity of Local Authorities

3.42 The demographic and geographic characteristics of Queensland have had a major impact on the diversity that has emerged amongst LAs in the State. Tucker referred to the impact of demographic and geographic factors on LAs in Queensland and stated:

"Diversity is a feature of all local government systems, and this is certainly true of the Australian scene. Diversity is perhaps more noticeable in Queensland local government because of the physical characteristics and associated settlement patterns of the state ... The range of climatic conditions which exist, the coastal-inland dichotomy produced by the Great Dividing Range, and the variable population densities all contribute to the marked differences which occur throughout the State. These in turn pose serious problems for the researcher who seeks valid generalisations about local government" (Tucker 1981, p.417).

DEMOGRAPHIC PROFILE OF LOCAL GOVERNMENT IN QUEENSLAND

3.43 There are very few areas of Queensland not subject to the control of Local Government. The principal exceptions are the town of Weipa (which is currently under review by the Queensland Government), the Bountiful Islands, and Sweers Island in the Gulf of Carpentaria (which are the subject of a recommendation in this Report).

3.44 Over 62 percent of the total population of Queensland is concentrated in the south-east corner. The proportion of the population living in the Brisbane Statistical Division (SD) is approximately 45 percent of the total population of the State. This proportion of population in the capital city is lower than for all other States with the exception of Tasmania.

- 3.45 Queensland has a more decentralised urban hierarchy than any other State. Queensland has seven LAs outside the capital city SD with populations in excess of 50,000. This compares with six in NSW, one each in Victoria and Tasmania, and none in the remaining States. Indeed, four LAs in Queensland outside the capital city SD have populations in excess of 70,000, compared to three in NSW and none in the remaining States.
- 3.46 Queensland LAs range in population from Brisbane City, with an Estimated Resident Population (ERP) at 30 June 1990 of 749,527, to Diamantina Shire with an ERP of only 243. Almost half of the State's LAs have an ERP of less than 5,000. The ten largest and smallest LAs in terms of population are listed in Table 3.3.

Table 3.3
10 LAs with largest and 10 LAs with smallest
estimated resident population as at 30 June 1990

LAs with largest population at 30 June 1990	ERP	LAs with smallest population at 30 June 1990	ERP
Brisbane	749,527	Diamantina	243
Logan	148,320	Ilfracombe	321
Albert	139,781	Croydon	336
Gold Coast	138,061	Isisford	339
Pine Rivers	89,680	Perry	341
Townsville	84,138	Barcoo	454
Toowoomba	82,438	Boulia	540
Redland	79,891	Bulloo	615
Ipswich	75,955	Tambo	621
Maroochy	73,434	Mornington	942

Source: ABS 1991c

- 3.47 While Queensland's population is increasing rapidly, not all LAs within the State are growing at an equal pace. In fact there are many areas which have either stable or declining populations. The fastest growing areas in the State are in South-east Queensland, with Albert Shire experiencing the greatest average percentage growth 1986-1990 of 10.23 percent. At the same time, however, many rural LAs were suffering from declining or negative population growth, for example, Isisford, Tambo, and Diamantina Shires.
- 3.48 The ten LAs which experienced the greatest average growth 1986-1990 and the ten LAs experiencing the greatest average decline in population 1986-1990 are listed in Table 3.4.

Table 3.4
10 LAs with greatest average population growth 1986-1990 and
10 LAs with greatest average population decline 1986-1990

LAs with greatest average population growth 1986-1990	%	LAs with greatest average population decline 1986-1990	%
Albert	10.23	Isisford*	-3.63
Caboorture	8.24	Tambo	-2.71
Hervey Bay	7.86	Diamantina	-2.69
Caloundra	7.67	Barcoo	-2.48
Beaudesert	7.60	Jericho	-2.27
Noosa	7.53	Boulia	-1.73
Redland	7.19	Richmond	-1.62
Douglas	6.82	Eidsvold	-1.57
Mulgrave	5.97	Warroo	-1.28
Moreton	5.88	Quilpie	-1.24

Note: * Isisford Shire Council (S1829, pp.7-8) disputed the use of Australian Bureau of Statistics Estimated Resident Population figures and argued that its population figures demonstrate that the population of the Shire has remained relatively constant.

Source: ABS 1991c.

3.49 Population growth and development and the effects of urban overspill have resulted in many LAs changing from predominantly rural LAs, to a mixture of urban and rural. Table 3.5 lists the percentage rural population in LAs in a number of population categories as at 30 June 1986. The percentage of rural population in LAs with a population in excess of 50,000 persons ranged from 1.5 percent for Ipswich City to 49.3 percent for Maroochy Shire. In the category 25,000 to 50,000 population, the percentage rural varied from 0.2 percent for Cairns City to 73.1 percent for Beaudesert Shire. LAs with populations between 10,000 and 25,000 persons had rural populations ranging from zero percent for Gympie City to 70.1 percent for Widgee Shire. The percentage of the population of each LA which was rural as at 30 June 1986 is listed in Appendix Q. Ten LAs had 100 percent rural population and four LAs had 100 percent urban population. The remaining LAs are a mixture of both urban and rural population.

Table 3.5
Percentage of Rural Population of Local Authorities
by Population Categories - 30 June 1986

Population greater than 50,000	%	Population 25,001-50,000	%	Population 10,000-25,000	%
Ipswich	1.5	Cairns	0.2	Gympie	0.0
Gold Coast	1.7	Bundaberg	0.5	Mount Isa	1.1
Townsville	2.1	Redcliffe	2.5	Mackay	2.8
Brisbane	2.4	Caloundra	22.3	Gladstone	3.3
Toowoomba	2.8	Thuringowa	23.2	Duaringa	17.3
Rockhampton	4.2	Mulgrave	22.8	Belyando	17.8
Logan	7.0	Pioneer	30.7	Hervey Bay	20.8
Redland	14.0	Caboolture	37.2	Bowen	22.6
Pine Rivers	14.4	Moreton	43.6	Noosa	24.6
Albert	27.4	Beaudesert	73.1	Maryborough	26.5
Maroochy	49.3			Burdekin	28.4
				Johnstone	29.2
				Hinchinbrook	34.3
				Banana	39.8
				Livingstone	48.5
				Gatton	49.4
				Whitsunday	50.6
				Woongarra	56.1
				Mareeba	56.8
				Widgee	70.1

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern; and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, their residents are classified as rural population.

This data represents 1986 Census material and developments since that time are not included.

Source: ABS 1986a; ABS 1991b.

GEOGRAPHIC PROFILE OF LOCAL GOVERNMENT IN QUEENSLAND

3.50 In terms of area, Cook Shire is the largest LA in the State with an area of 115,333 square kilometres. The smallest LA is Goondiwindi Town, only 16 square kilometres. The 10 LAs with the largest areas in the State are listed in Table 3.6 and represent over 41 percent of the total area of the State. By comparison the 10 smallest LAs in terms of area, also listed in Table 3.6, comprise only 0.02 percent of the total area of the State.

Table 3.6
10 LAs with largest land area and
10 LAs with smallest land area.

Largest LAs	Area km ²	Smallest LAs	Area km ²
Cook	115,333	Goondiwindi	16
Diamantina	94,690	Gympie	20
Bulloo	73,620	Warwick	26
Carpentaria	68,272	Mackay	34
Dalrymple	67,782	Redcliffe	35
Quilpie	67,482	Charters Towers	41
Barcoo	61,901	Bundaberg	45
Boulia	61,176	Dalby	49
Winton	53,820	Cairns	56
Mareeba	52,585	Roma	78
Total	716,661	Total	400
% Total State	41.5%	% Total State	0.02%

Source: ABS 1991c.

POPULATION DENSITY

- 3.51 The 45 LAs comprising the Advisory Council for Inter-governmental Relations (ACIR) Rural category account for only four percent of the State's estimated resident population and yet account for 56 percent of the surface area of the State. By comparison, eight LAs within the Developed Metropolitan and Fringe Metropolitan ACIR categories account for 45 percent of the population but only 0.3 percent of the State's land area.
- 3.52 The State therefore has a number of very large LAs in terms of area, with small populations. At the same time there are many small LAs, in terms of area, with very large populations. The large range in population densities between LAs places very different demands on these LAs in terms of servicing the needs of their residents. The 10 LAs with the highest and the 10 LAs with the lowest population densities are listed in Table 3.7.

Table 3.7
10 LAs with highest population density and
10 LAs with the lowest population density.

LA	Highest no. of persons/km ²	LA	Lowest no. of persons/km ²
Redcliffe	1,394.51	Diamantina	0.002
Gold Coast	1,131.65	Barcoo	0.01
Cairns	780.02	Bulloo	0.01
Bundaberg	740.00	Boulia	0.01
Toowoomba	698.63	Croydon	0.01
Mackay	668.82	Quilpie	0.02
Ipswich	622.58	Etheridge	0.03
Logan	615.44	Winton	0.03
Brisbane	614.37	Isisford	0.03
Gympie	567.90	McKinlay	0.03

Source: ABS 1991c.

ROAD LENGTHS

- 3.53 Some of those LAs listed with the largest areas are also listed amongst those either with the lowest populations or the longest lengths of roads to maintain (see Tables 3.3, 3.6 and 3.8).

Table 3.8
10 LAs with longest road lengths and
10 LAs with shortest road lengths
as at 30 June 1990.

Longest road lengths LA	kms	Shortest road lengths LA	kms
Dalrymple	5,273	Goondiwindi	56
Brisbane	5,253	Torres	114
Banana	3,903	Gympie	118
Murweh	3,403	Warwick	138
Paroo	3,170	Charters Towers	153
Winton	3,152	Mackay	164
Quilpie	2,917	Dalby	188
Cook	2,910	Roma	204
Balonne	2,891	Mount Morgan	209
Chinchilla	2,863	Gladstone	245
Total	35,735	Total	1589
% Total State	20.7%	% Total State	0.9%

Source: ABS 1991e.

- 3.54 The diversity in the population and area of LAs is also reflected in the number of staff employed by LAs. The answers to the Commission's Questionnaire revealed that the number of staff employed by LAs ranged from Brisbane City Council with a total of 6,901 employees to Perry Shire with a total of 15 staff. Table 3.9 also shows that the Council workforce tends to be a much higher proportion of the total population in the small rural Shires.

Table 3.9
10 LAs with highest number of Staff
10 LAs with lowest number of Staff

LAs with highest number of Staff	No. of Staff	% of 1990 ERP	LAs with lowest number of Staff	No. of Staff	% of 1990 ERP
Brisbane	6,901	0.92	Perry	15	4.40
Gold Coast	1,600	1.16	Burke	20	1.46
Townsville	1,197	1.42	Allora	22	0.98
Maroochy	985	1.34	Mount Morgan	22	0.70
Albert	756	0.54	Croydon	24	7.14
Ipswich	653	0.86	Clifton	25	1.03
Redland	630	0.79	Ilfracombe	26	8.10
Toowoomba	620	0.75	Mundubbera	27	1.19
Logan	594	0.40	Barcoo	27	5.95
Rockhampton	551	0.93	Woocoo	28	0.87

Source: EARC 1991b; ABS 1991c.

- 3.55 A complete listing of the Demographic and Geographic statistics used in Tables 3.3 to 3.8 for all Queensland LAs is contained in Appendix Q.

COMPARING LOCAL AUTHORITIES

- 3.56 As can be seen from the preceding paragraphs, there is great diversity among LAs in Queensland. LAs can be categorised, for example, by ACIR categories which are based on population. However, even within these categories there is great diversity, as shown in Table 3.10 and paragraphs 3.57 to 3.61. The complete listing of LAs by ACIR categories is contained in Appendix R.

Table 3.10
Comparison of Local Authorities within ACIR Categories

LA	ACIR Category									
	Rural		Rural Town		Small City		Provincial City		Fringe Metropolitan	
	Cook	Cambooya	Goondiwindi	Whitsunday	Mount Isa	Gympie	Gold Coast	Toowoomba	Logan	Caboolture
Population 1990 ERP	4,894	2,899	4,390	11,963	23,935	11,358	138,061	82,438	148,320	66,701
Area km ²	115,333	635	16	2,644	41,225	20	122	118	241	1,214
Population Density	0.04	4.57	274.38	4.52	0.58	567.90	1131.65	698.63	615.44	54.94
Average Annual Growth 1986-1990	1.47	2.95	1.45	4.93	-0.45	0.21	3.50	1.35	5.15	8.24
Road Lengths km	2,910	483	56	609	1,460	118	737	636	922	1,358
Total Rateable Land Value \$'000	86,315	41,470	31,184	384,192	91,957	68,997	8,826,395	792,288	1,612,548	989,548
Est. Rates Receipts 1990-1991 \$'000	762	590	966	3,146	4,200	2,465	31,272	15,801	22,973	12,192

Note: There are six ACIR Categories namely Rural, Rural Town, Small City, Provincial City, Fringe Metropolitan and Developed Metropolitan. The Developed Metropolitan Category contains only Brisbane City Council.

Sources: ABS 1991c; ABS 1991e; Dept of Housing and Local Government 1991.

- 3.57 Included in the ACIR Rural category are both Cook Shire and Cambooya Shire. Cook Shire, with its total area of 115,333 square kilometres, has far different problems and priorities in servicing its isolated residents than Cambooya Shire with an area of 635 square kilometres, situated close to the facilities available in South-east Queensland and in close proximity to the major regional centre of Toowoomba.
- 3.58 Whitsunday Shire and Goondiwindi Town provide another example. They are both listed in the category Rural Town. Whitsunday Shire has an area of 2,644 square kilometres and is undergoing a transition from being a rural Shire to a Shire increasingly based on tourist developments. Unlike Whitsunday Shire, Goondiwindi Town has remained a rural Town servicing the needs of the surrounding rural area. It has special problems resulting from close proximity to the NSW border. Goondiwindi Town has an area of only 16 square kilometres with an average annual growth rate for 1986-1990 of 1.45 percent compared to Whitsunday Shire's average annual growth rate of 4.93 percent.

- 3.59 The ACIR category Small City contains both Mount Isa and Gympie Cities. Mount Isa City administers an area of 41,225 square kilometres containing mining areas and large open tracts of cattle country. Gympie City on, the other hand, administers an area of 20 square kilometres comprising essentially urban development.
- 3.60 Gold Coast and Toowoomba Cities are in the Provincial City category. As with Whitsunday Shire, the high rise urban environment and tourist-based economy of Gold Coast presents Gold Coast City with very different problems and priorities than would occur in the older more established Toowoomba City. Although the two LAs are similar in terms of area, Gold Coast City has a larger, faster growing population with a higher population density. Gold Coast City also has a much greater total value of rateable property, \$8,826,395,000 as at 30 June 1990, compared with Toowoomba City's \$792,288,000 (Department of Housing and Local Government 1991).
- 3.61 The Fringe Metropolitan category, comprising the LAs surrounding Brisbane, also contains a diversity of LAs. Logan City, for example, has an area of 241 square kilometres, population of 148,320 and is predominantly urban in character. Caboolture Shire, on the other hand, has an area of 1,214 square kilometres and population of 66,701, of which 37.2 percent is rural.

ABORIGINAL AND ISLAND COUNCILS

- 3.62 The Aboriginal and Island Councils add another element to the diverse nature of Local Government in Queensland. There are 14 Aboriginal Councils set up to govern Deed of Grant in Trust (DOGIT) lands in the State. These are situated at Cherbourg, near Murgon in the south-east; Woorabinda, near Duaringa in central Queensland; Palm Island, off the coast of Townsville; Yarrabah, near Cairns, Wujal Wujal and Hope Vale, near Cooktown; Lockhart River, further north on the east coast of Cape York Peninsula; Injinoo, New Mapoon and Umagico, at the tip of Cape York Peninsula; Napranum, Pormpuraaw and Kowanyama on the west coast of Cape York Peninsula; and Doomadgee, on the Nicholson River in the far north-west of the State. Map S.1 in Appendix S shows the location of these DOGIT areas.
- 3.63 Demographic and geographic information on the Aboriginal communities is contained in Table 3.11 and further comparative statistics are contained in Appendix T. These communities range in population size from Palm Island, with an estimated population of 3,000, to Umagico and New Mapoon, with estimated populations of 200. The larger communities, with populations in excess of 1,000 are situated south of Cairns, with the less populated communities in Cape York Peninsula.

Table 3.11

Aboriginal Deed of Grant in Trust Communities

Community	Population	Area of DOGIT km2 *	Established	Original Administration	Qld Govt Admin	Major geographic origin of residents
Cherbourg	c.1200	31.30	1904	Qld Govt	-	Major receiving centre for removals (SQ, SWQ, Central Coast, SEQ)
Woorabinda	c.1400	388.11	1927	Qld Govt	-	Major receiving centre for removals (SWQ, Central Q, Central Coast)
Palm Island	c.3000	71.01	1918	Qld Govt	-	Major receiving centre for removals (all areas)
Doomadgee	c.1200	1,786.00	1933 ²	Brethren	1983	Local population (NWQ, NE Northern Territory)
Yarrabah	c.2000	156.09	1892	Anglican	1960	Local population and some removals (Cairns area, Fraser Island)
Wujal Wujal	c.400	11.02	1957	Lutheran	-	Local population (Annan and Bloomfield Rivers)
Hope Vale	c.800	1,100.00	1886 ³	Lutheran	-	Local population and some removals (Cape Bedford, Cooktown to Laura area)
Kowanyama	c.950	2,520.00	1905 ⁴	Anglican	1967	Local population (Mitchell and Gilbert Rivers areas)
Pompuraaw	c.450	4,360.00	1939	Anglican	1967	Local population (Holroyd and Coleman Rivers areas)
Napranum	c.800	2,007.30	1898 ⁵	Presbyterian	1966	Local population and some removals (NW Cape York Peninsula)
Lockhart River	c.450	3,596.85	1924 ⁶	Anglican	1967	Local population (NE Cape York Peninsula)
Injinoo	c.420	795.42	1915 ⁷	⁸	c.1949 ⁹	Local population (N Cape York Peninsula)
New Mapoon	c.200	93.90	c.1962	Qld Govt	-	Removals from Mapoon (N of Weipa)
Umagico	c.200	53.40	c.1963	Qld Govt	-	Removals from Lockhart River

1 Councils' estimates 1990

2 Present site since 1936

3 Present site since 1949

4 Present site since 1910-1911

5 Present site since 1965

6 Present site since 1968

7 See Long 1970, p 164

8 An Anglican missionary was appointed in 1923 (see Cole 1988).

9 The Thursday Island Protector apparently supplied 'advice and equipment' prior to the establishment of the administrative centre at Bamaga c.1949 (Long 1970, p 165).

Source: Parliamentary Committee of Public Accounts 1991, p15.

Notes: *Original data have been converted from hectares to square kilometres.

Population statistics for Aboriginal and Island Communities have been derived from a number of sources. The most reliable sets of data are those provided by the Australian Bureau of Statistics Census of Population and Housing. Additional data have been used from Department of Aboriginal Affairs Community Profiles and Council records, but these data sets are not based on rigorous collection techniques. Because of the sparse population the possibility of error in all statistical data is high.

3.64 In terms of area, the Communities range from Pormpuraaw, which is the largest with an area of 4,360 square kilometres, to Wujul Wujul, which is the smallest with an area of only 11.02 square kilometres. The larger Communities are those in Cape York which, as indicated above, also have the lower populations.

Table 3.12

Torres Strait Islander Deed of Grant in Trust Communities

Community	Population	Area of DOGIT km ² *	Established ¹	Original Administration	Old Govt Admin	Major geographic origin of residents
Murray Island	284 ¹	3	Pre-contact	London Missionary Society ¹	1886 ¹	Local population
Darnley Island	105 ¹	5.70	"	"	"	"
Stephens Island	43 ¹	0.36	"	"	"	"
Yorke Island	c.200 ²	1.68	"	"	"	"
Coconut Island	260 ¹	0.45	"	"	"	"
Sue (Waraber) Island		0.93	"	"	"	"
Boigu Island	214 ¹	66.30	"	"	"	"
Saibal Island	c.200 ²	104.00	"	"	"	"
Dauan Island	129 ¹	3.55	"	"	"	"
Yam Island	c.200 ²	1.45	"	"	"	"
Mabuiag Island	179 ¹	6.26	"	"	"	"
Badu Island	c.600 ²	102.00	"	"	"	"
St Paul's, Moa Island	283 ¹	17.70	1904	Anglican ⁸	1984	South Sea Islanders
Kubin, Moa Island		152.00	1921 ⁵	Old Govt	-	Muralug and neighbouring Islanders
Hammond Island	230 ¹	16.60	1930	Catholic	-	Descendants of Torres Strait Islanders' including mixed race ¹⁰
Bamaga	C.1000 ²	66.60	c.1947 ⁶	Old Govt	-	Saibai Island
Seisia	C.100 ²	1.78	C.1947	Old Govt	-	Saibai Island

- Notes:
- 1 Australian Bureau of Statistics, 1986 Census
 - 2 Council estimate 1990
 - 3 No DOGIT; area involved is c.7.00 km²
 - 4 The more mobile Western and Central Islanders were brought into village life by the London Missionary Society missionaries (see Beckett 1987, p42).
 - 5 Present site soon afterwards
 - 6 Present site from c.1949
 - 7 In the 1870s
 - 8 From 1908
 - 9 Through 'teacher-supervisors' until 1914 when the Chief Protector assumed more comprehensive control (Beckett 1987, pp 44-45).
 - 10 O'Leary 1952, p 43. Apparently 'its residents were mainly people of Filipino descent though mixed race people of all extractions found refuge there' (Singe 1979, p 185).

*Original data has been converted from hectares to square kilometres.

Source: Parliamentary Committee of Public Accounts 1991, p17.

- 3.65 There are 17 Torres Strait Island Councils established to govern DOGIT areas namely Murray Island, Darnley Island and Stephens Island (the eastern group); Yorke Island, Coconut Island, Sue (Waraber) Island and Yam Island (the central group); Saibai Island, Dauan Island, Boigu Island, Mabuiag Island, Badu Island, Kubin (on Moa Island) and St Paul's (on Moa Island) (the western group); Hammond Island, near Thursday Island; and two mainland communities on the tip of Cape York, Bamaga and Seisia. Map S.2 in Appendix S provides the location of these DOGIT areas.
- 3.66 Demographic and geographic information on Torres Strait Islander (DOGIT) communities is contained in Table 3.12. These communities range in size from Bamaga, with an estimated population of 1,000 to Stephens Island, with an estimated population of 43. In terms of area, the communities range from Kubin, with an area of 152 square kilometres, to Stephens Island, with an area of 0.36 square kilometres.
- 3.67 The Aboriginal communities therefore, tend to be larger in terms of population and area than the Torres Strait Islander communities, as well as being more geographically dispersed. The total population of the 14 Aboriginal communities is estimated at 13,470, spread throughout the State. This compares to the total estimated population of the 17 Torres Strait Islander communities of 4,027, concentrated at the tip of Cape York and in the Torres Strait.

Functions of Local Authorities

- 3.68 The State Parliament empowers LAs to perform the functions of Local Government under the *Local Government Act 1936-1991* and many other statutes, for example, the *Acquisition of Land Act 1967-1988*; the *Building Act 1975-1991*; the *Canals Act 1958-1990*; the *Cemetery Act 1865*; the *Health Act 1937-1990*; the *Litter Act 1971-1978*; the *Motor Vehicles Control Act 1975-1990*; the *Mobile Homes Act 1989-1990*; the *Sewerage and Water Supply Act 1949-1989* and the *Traffic Act 1949-1990*. The primary or head delegation of power from the State is found in section 30 of the *Local Government Act 1936-1991*, which section begins: "*The Local Authority shall have delegated to it the functions of local government.*" Without limiting the generality of the LA's powers, section 30 makes specific provision for such typical functions as roads, bridges, parks, playing fields, traffic, health, sewerage, stormwater drainage, cemeteries and town planning.
- 3.69 The general competence power of LAs in section 30 grants authority generally in relation to all works, matters and things which in its opinion are "*necessary or conducive to the good rule and government of the Area and the wellbeing of its inhabitants*". The general competence power gives LAs flexibility in responding to specific needs as they occur and in so doing, LAs can be made more accountable as they cannot escape responsibility by claiming that the inadequate State laws do not empower them to act. This liberal grant of power also reduces frequent and relatively minor legislative amendments to the Act.
- 3.70 Under section 30, an LA can make By-laws for the proper performance of its functions. The making of By-laws is regulated by section 31 of the *Local Government Act 1936-1991* which gives a vetting power to the State Government.

- 3.71 Apart from the State control over the making of By-laws, the general competence power is further restricted. In subsection 31D(2)(i), for example, the approval of the Minister and the agreement of another LA is required if an LA intends to extend any work, service or undertaking outside the LA's area into the area of such other LA.
- 3.72 The *Community Services (Aborigines) Act 1984-1990* commenced on 31 May 1984 for the purposes of providing "for support, administrative services and assistance for Aboriginal communities resident in Queensland and for management of lands for use by those communities and for related purposes". The Act required that each trust area in the State be governed by an Aboriginal Council constituted as a body corporate which would discharge the functions of Local Government in that area. Trust areas were former Aboriginal Reserves for which the Councils were to become trustees under the provisions of the *Land Act (Aboriginal and Islander Land Grant) Amendment Act 1982* and be given a Deed of Grant in Trust. Aboriginal Councils have a minimum of five members and more at the discretion of the Minister. Elections are held triennially on the same date as elections for Queensland LAs.
- 3.73 This Act, and the parallel *Community Services (Torres Strait) Act 1984-1990* establish for Aboriginal and Torres Strait Islander communities a system of Local Government similar to that of mainstream Queensland LAs and thereby, it has generally been claimed give expression to "self management" for Aboriginal and Island people. In addition, By-laws may be made in relation to the "peace, discipline, comfort, health, moral safety, convenience, food supply, housing and welfare of the area".
- 3.74 As well as the "normal" local authority functions (eg. roads, water, sanitation, cleansing, drainage, planning, land subdivision, building controls, etc), the Aboriginal and Island Councils manage substantial rental housing portfolios, undertake housing construction, administer community police, and engage in enterprise activities (eg. farms, cattle, garages, artefacts, canteens). The diversity of Council functions is both structural and historical. The trend has been for Councils to take over the extremely broad range of functions previously undertaken by the Department or mission managements of the Reserve settlements. Notwithstanding their expanded powers in terms of community police, housing, trading and commerce, the Aboriginal and Island Councils presently lack the level of autonomy enjoyed by mainstream Councils, especially in fiscal management, town planning and land development controls.
- 3.75 The major roles of Local Government have been identified as service delivery, planning, regulation, co-ordination and advocacy (Tucker 1981, p.416). Traditionally, Local Government has been characterised as performing the "three R's" (rates, roads, and rubbish) because these three functions have traditionally dominated the agenda of many LAs. Increasingly, these must now deal with a wider range of regulatory, social, cultural and recreation services. Tucker describes this diversity:

"Although the functions of very small shires in the far west add up to a rudimentary version of the complex functions performed in Brisbane, some business undertakings operating in the west, in fact, have no counterpart in the large city governments. Thus, hostel, hotel, picture theatre and milk supply services are not operated by the large urbanised authorities, although they are in some fairly remote western areas. Stock route maintenance and pest control measures together occupy relatively little time in urbanised areas, but much more time in rural areas" (Tucker 1982, p.19).

- 3.76 The differing range of functions provided between the LAs reflects the demographic, geographic, financial and other diversity which exists across the State and the differing legislative authorities, for example:
- (a) the *Local Government Act 1936-1991*;
 - (b) the *City of Brisbane Act 1924-1991*;
 - (c) the *Local Government (Aboriginal Lands) Act 1978-1990*;
 - (d) the *Community Services (Aborigines) Act 1984-1990*; and
 - (e) the *Community Services (Torres Strait) Act 1984-1990*.
- 3.77 The Commission's Questionnaire asked LAs to indicate the functions that they perform. The answers appear in Appendix U by ACIR category. LAs in Developed Metropolitan, Fringe Metropolitan, Provincial City and Small City categories provide an extensive range of both physical and human services to their residents. By comparison, LAs in the Rural Town and Rural categories also indicated that they provided a range of services; but the range of services provided was not as extensive as in the more developed areas. Evidence from the Commission's public hearings and inspections of these areas also indicated that although a rural LA may undertake these functions, they may be confined to a small area of the LA. For example, water supply, sewerage and refuse collection may be provided to a township.
- 3.78 In the area of social welfare, there is a significant difference between the percentage of LAs in the Provincial City and Developed and Fringe Metropolitan categories (75% and 64.29% respectively) as compared with the percentage of LAs in the remaining categories which perform these services (37.5%, 28.57% and 21.74%). The percentage of LAs that provide the services in the Provincial City, Developed and Fringe Metropolitan categories is almost double the percentage of those LAs in the remaining categories. The Commission believes that a higher level of funding for these human service functions is often sought from other levels of government.
- 3.79 Rural LAs have historically tended to concentrate on physical services. The lower level of human services in rural LAs arises from a number of factors. Many rural LAs respond to what they perceive as a basic service/minimum rate approach required by their electors. In remote rural LAs the primary concern is with roads. This is understandable because road access to rural properties is vital to rural property inhabitants. Distance in rural areas can make it expensive to provide extensive human services. Some rural LAs, however, are increasingly moving into human services, for example, both Bungil Shire and Hope Vale Aboriginal Council are assisting in the provision of aged persons accommodation.
- 3.80 Noosa Shire Council answered in the Commission's Questionnaire that if resources permitted it would provide additional functions in the nature of *"welfare and community services currently the responsibility of State Government but inadequately provided by that authority."* Whilst the trend has been for LAs to provide an ever-increasing range of services, tension exists in the delegation of functions from other levels of government. The tension may result from either a lack of additional resources to fund these functions, or the fear that funding now available will be terminated and community expectations will force LAs to finance the service wholly from their own revenue.

- 3.81 Many of the functions performed by LAs may also be determined by geographical factors, for example, provision of beach facilities, beach protection, flood mitigation, wharves and jetties. Rural LAs have a much greater involvement in employee housing than other LAs which presumably reflects the problem of attracting staff to remote areas. Aerodromes are provided by 75 percent of Small Cities, 69.64 percent of Rural Towns and 56.52 percent of Rural LAs. This is a significantly higher proportion than for other categories, as it is not profitable for private enterprise to provide such facilities in sparsely populated areas. In any event, aerodromes have a greater importance in these areas as they provide vital transport and communication links. In Aurukun Shire, for example, aerodromes and boats are the only effective means of providing travel in the wet season. As a consequence considerable resources are expended in the construction and maintenance of aerodromes.
- 3.82 The answers to the Commission's Questionnaire reveal that the functions performed by almost all LAs in Queensland include:
- (a) roads and bridges;
 - (b) sewerage and drainage and water supply;
 - (c) parks and gardens;
 - (d) public toilets;
 - (e) refuse disposal;
 - (f) building control;
 - (g) public health inspection and licensing;
 - (h) cleanliness by-laws and food standards;
 - (i) noxious pests and weeds;
 - (j) animal control; and
 - (k) local emergency services.

These answers have been categorised for comparative purposes by ACIR category in Appendix U.

- 3.83 Most Developed and Fringe Metropolitan, Provincial and Small Cities LAs provide multi-purpose community centres; 64.29 percent of the Rural Towns and 45.65 percent of the Rural LAs also provide such centres. By category, the highest percentage of LAs operating caravan parks and camping grounds are the Provincial and Small Cities. This may be partly attributed to the mixed urban/rural and tourist oriented nature of many of these LAs.
- 3.84 With the exception of LAs in the categories Rural Town (89.29 percent) and Rural (54.35 percent), all LAs in the remaining categories undertake strategic and town planning. Similarly, LAs in the Developed and Fringe Metropolitan, Provincial and Small Cities categories perform environmental impact, environment and pollution control functions whereas a significant proportion of the more rural LAs do not provide these functions.

Finance

- 3.85 As with the population density and geographic diversity evident in Queensland, significant diversity in relation to the financial resources of LAs exists. For example, the valuation of rateable properties compared to the total valuation of all properties varies among LAs; actual rate receipts vary; and LAs have differing levels of indebtedness. Some LAs have large areas of rate-exempt land. For example, Tiaro Shire contains large tracts of State forest which is rate-exempt. ATSI Councils have very

little, if any, rateable property. This partly explains the high dependence of ATSI Councils on external funding (see Table 3.18). These considerations inevitably have an effect upon the quantity and quality of services and works provided by each LA. The expenditure needs of LAs may exceed their capacity to raise revenue. In some cases the expenditure/revenue gap is made worse by disabilities such as remoteness. Each LA has to therefore tailor the functions it performs and the services it provides to its ability to raise revenue.

- 3.86 The Department of Housing and Local Government's *Statistical Survey 1990-91* (1991, pp.63-64) categorised LAs into revenue brackets. The highest revenue bracket contained LAs with revenue in excess of \$50 million and the lowest revenue bracket contained LAs with revenue between \$600,000 and \$900,000. All LAs in the ACIR categories Developed Metropolitan and Fringe Metropolitan were in the revenue bracket \$25 million to \$50 million plus. Most Provincial Cities were in revenue brackets in excess of \$15 million. The revenue brackets for Small Cities were more varied and ranged between \$7.5 million and \$40 million. There was an even greater spread in the revenue brackets of Rural Towns, with Beaudesert Shire having the highest revenue (\$15 million to \$20 million) of this category, and Mt Morgan Shire having the lowest revenue (\$1.2 million to \$1.6 million). The revenue brackets for LAs in the Rural category also varied from Mornington Shire in the revenue bracket \$10 million to \$12.5 million and Perry Shire in the revenue bracket \$600,000 to \$900,000.
- 3.87 Both the public and other levels of government place demands on LAs for further and better local provision of services and works. Sheehan has stated that the main issue in Australian Local Government finance:
- "... is the apparent inability of local sources of revenue (mainly taxes and charges) to grow at a rate sufficient to meet the increasing demand for locally-supplied public sector goods and services"* (Sheehan 1978, p.51).
- 3.88 LAs in Queensland have great flexibility in the levying of rates and charges. Differential rating powers were first introduced in 1978 and were expanded in 1985 to the present level of unlimited rating category. This, coupled with annual valuations, and a lack of interference from the State (ie. no rate pegging) produces great flexibility in the levy system.
- 3.89 *"Local government in Australia is almost totally reliant on land taxes, the legacy of the agricultural economy of last century"* (Jones 1989, p.13). Rates on property are the major tax base for LAs and form the majority of revenue raised by most LAs. Charges can take the form of:
- (a) fees for providing a regulatory function such as licensing;
 - (b) prices charged by public enterprise (eg. transport - Brisbane and Rockhampton Cities; gas - Dalby and Roma Towns; electricity - Aurukun and Mornington Shires); and
 - (c) charges for the provision of such services as sewerage and water.
- 3.90 LAs also receive funds from the Commonwealth Government through the Local Government Grants Commission. These general purpose grants are distributed to LAs according to principles and an associated methodology developed by the Local Government Grants Commission, subject to approval by the Commonwealth Government. The majority of specific purpose grants are under the Commonwealth Local Roads Program.

Tables 3.13 and 3.14 indicate the diversity that exists in relation to the level of specific purpose and general purpose grants by listing those LAs receiving the highest and lowest levels of grants of these types in 1989-1990.

Table 3.13
10 LAs with highest level of Specific Purpose Grants 1989-1990
10 LAs with lowest level of Specific Purpose Grants 1989-1990

LAs with highest level of Specific Purpose Grants	\$'000	LAs with lowest level of Specific Purpose Grants	\$'000
Brisbane	45,223	McKinlay	70
Mornington	5,675	Ilfracombe	92
Gold Coast	5,344	Perry	156
Redland	4,613	Allora	172
Aurukun	4,577	Tambo	185
Cook	4,319	Biggenden	188
Townsville	4,078	Isis	204
Maroochy	3,748	Tiaro	213
Logan	3,631	Kolan	236
Mackay	3,048	Cambooya	246

Source: ABS 1991e.

Table 3.14
10 LAs with highest level of General Purpose Grants 1989-1990
10 LAs with lowest level of General Purpose Grants 1989-1990

LAs with highest level of General Purpose Grants	\$'000	LAs with lowest level of General Purpose Grants	\$'000
Brisbane	16,696	Mornington	77
Townsville	3,585	Aurukun	93
Gold Coast	2,733	Ilfracombe	159
Logan	2,520	Perry	202
Albert	2,359	Tambo	209
Ipswich	2,178	Nebo	229
Toowoomba	2,116	Cambooya	236
Maroochy	2,009	Tiaro	236
Rockhampton	1,997	Kilcoy	244
Pine Rivers	1,705	Isisford	250

Source: ABS 1991e.

3.91 These figures reveal a different picture, however, when viewed in terms of the level of grants per capita, as shown in Tables 3.15 and 3.16.

Table 3.15
10 LAs with highest level of Specific Purpose Grants per capita 1989-1990
10 LAs with lowest level of Specific Purpose Grants per capita 1989-1990

LAs with highest per capita Specific Purpose Grants	\$	LAs with lowest per capita Specific Purpose Grants	\$
Mornington	6,024.42	Albert	15.67
Aurukun	4,145.83	Ipswich	16.75
Diamantina	2,045.27	Thuringowa	18.29
Bulloo	1,866.67	Toowoomba	21.49
Isisford	1,669.62	Woongarra	21.90
Barcoo	1,572.69	Caboolture	22.64
Quilpie	1,002.28	Logan	24.48
Croydon	952.38	Gympie	25.71
Cook	882.50	Dalby	27.96
Boulia	877.78	Redcliffe	28.19

Note: Per capita figures have been calculated on ABS ERP figures for LAs as at June 1990, which include the population of Aboriginal and Torres Strait Islander communities within these LAs.

Sources: ABS 1991c; ABS 1991e.

Table 3.16
10 LAs with highest level of General Purpose Grants per capita 1989-1990
10 LAs with lowest level of General Purpose Grants per capita 1989-1990

10 LAs with highest per capita General Purpose Grants	\$	10 LAs with lowest per capita General Purpose Grants	\$
Diamantina	2,345.68	Albert	16.88
Bulloo	863.41	Logan	16.99
Croydon	863.10	Redland	18.39
Boulia	855.56	Pine Rivers	19.01
Barcoo	825.99	Gold Coast	19.80
Isisford	737.46	Caloundra	21.51
Perry	592.38	Brisbane	22.28
Ilfracombe	495.33	Caboolture	23.79
Quilpie	447.49	Redcliffe	24.38
Aramac	419.20	Toowoomba	25.67

Note: Per capita figures have been calculated on ABS ERP figures for LAs as at June 1990, which included the population of Aboriginal and Torres Strait Islander communities within these LAs.

Sources: ABS 1991c; ABS 1991e.

3.92 Table 3.17 identifies the source of funds for Aboriginal Councils and Island Councils for the 1987-1988, 1988-1989 and 1989-1990 financial years.

Table 3.17
Aboriginal and Island Councils - Sources of Funds
1987-1988, 1988-1989, 1989-1990

	1987-1988			1988-1989			1989-1990		
	Aboriginal Councils	Island Councils	Total	Aboriginal Councils	Island Councils	Total	Aboriginal Councils	Island Councils	Total
ATSIC Grants	24,294,931	7,814,466	32,109,397	36,371,753	10,317,045	46,688,798	45,620,240	9,978,666	55,598,906
State Grants	9,395,428	1,543,330	10,878,758	11,151,635	1,842,168	12,993,803	14,078,106	2,339,750	16,417,856
DEET/TAP Subsidies	1,230,106	137,100	1,367,206	1,358,689	243,840	1,602,529	966,471	242,090	1,208,561
Bank/Other Interest	306,550	29,414	335,964	504,007	61,581	565,588	936,080	115,855	1,051,935
Internally generated Sundries	4,058,073	526,334	4,584,407	2,625,371	760,516	3,385,887	3,742,537	811,859	4,554,396
Canteen Sales	7,087,203	1,335,627	8,422,830	8,537,336	1,543,031	10,080,367	10,061,298	1,830,625	11,891,923
Other Enterprise	2,022,386	163,840	2,186,226	2,536,020	337,765	2,873,785	2,660,789	18,817	2,679,606
TOTAL	48,334,677	11,550,111	59,884,788	63,084,811	15,105,946	78,190,757	78,065,521	15,337,662	93,403,183

Source: Legislation Review Committee 1991, pp.141-142.

3.93 Aboriginal and Island Councils are heavily reliant on government grants as a source of funds. The extent of this dependence is shown in Tables 3.17 and 3.18. Appendix T contains details of grants to individual Aboriginal and Island Councils for 1990-1991 and 1991-1992.

Table 3.18
1988-1989 Income for Aboriginal Councils

Source of Income	Percent of Income
Council charges	6.4
Council enterprises	17.4
State Government grants	12.8
Commonwealth Government grants	63.4

Source: Local Government Training Council Qld Inc. 1991, p.15.

- 3.94 The diversity in the level of revenue and grants between LAs is also reflected in the level of total expenditure. Table 3.19 lists LAs with the highest and lowest total outlays for the 1989-1990 financial year.

Table 3.19
10 LAs with highest Total Outlays 1989-1990
10 LAs with lowest Total Outlays 1989-1990

LAs with highest Total Outlays	\$'000	LAs with lowest Total Outlays	\$'000
Brisbane	656,663	Perry	1,136
Gold Coast	181,662	Croydon	1,208
Albert	85,250	Allora	1,291
Maroochy	80,272	Isisford	1,587
Redland	78,851	Biggenden	1,729
Townsville	77,738	Burke	1,730
Logan	77,690	Ilfracombe	1,731
Pine Rivers	44,038	Mount Morgan	1,871
Toowoomba	41,688	Woocoo	1,958
Ipswich	40,143	Rosenthal	1,966

Source: ABS 1991e.

- 3.95 Diversity is again demonstrated by different levels of indebtedness carried by the LAs. Local Government borrowing is regulated by the State Government under the *Local Government Act 1936-1991* and by the Australian Loan Council. Part of the diversity can be attributed to the fact that different LAs take different policy viewpoints as to whether future ratepayers should be burdened with past debts or alternatively, whether the present ratepayers should be burdened with the full cost of an asset with a life of say 60 years. These decisions often turn on interest rate predictions and on forecasts of future growth in the rate base. Table 3.20 lists the LAs with the highest and lowest outstanding debt for functions excluding undertakings for 1988-1989. Table 3.21 provides a similar list on a per capita basis.

Table 3.20
10 LAs with highest level outstanding debt (excl. undertakings*) 1988-1989
10 LAs with lowest level outstanding debt (excl. undertakings*) 1988-1989

LAs with highest level Outstanding Debt	\$'000	LAs with lowest level Outstanding Debt	\$'000
Brisbane	420,319	Croydon	82
Gold Coast	83,692	Quilpie	95
Townsville	48,385	Tiaro	124
Logan	42,359	Barcoo	133
Redland	33,367	Torres	154
Albert	31,759	Diamantina	174
Ipswich	27,771	Isisford	246
Maroochy	27,624	Blackall	254
Rockhampton	24,354	Etheridge	262
Pine Rivers	18,559	Mount Morgan	270

Notes: * Undertakings refers to functions such as Water Supply and Sewerage.

Per capita figures have been calculated on ABS ERP figures for LAs as at June 1990, which include the population of Aboriginal and Torres Strait Islander communities within these LAs.

Source: ABS 1991f.

Table 3.21
10 LAs with highest level outstanding debt (excl. undertakings*) per capita
10 LAs with lowest level outstanding debt (excl. undertakings*) per capita
1988-1989

LAs with highest level Outstanding Debt	\$	LAs with lowest level Outstanding Debt	\$
Mornington	1676.77	Torres	20.47
Waggamba	1599.56	Warwick	27.52
Bendemere	1189.13	Tiaro	43.62
Ilfracombe	1168.60	Quilpie	72.38
Jericho	1107.68	Rosalie	85.09
Aramac	950.37	Mount Morgan	85.36
Cloncurry	910.26	Murilla	92.08
Perry	868.94	Redcliffe	113.71
Hinchinbrook	852.12	Blackall	119.71
Bungil	806.78	Tara	124.28

Notes: * Undertakings refers to functions such as Water Supply and Sewerage.

Per capita figures have been calculated on ABS Estimate Resident Population figures for LAs as at June 1990, which include the population of Aboriginal and Torres Strait Islander communities within these LAs.

Source: ABS 1991c; ABS 1991f.

Other Reviews of Local Government

- 3.96 Local Government in Queensland is likely to be affected, not only by the reviews being conducted by this Commission, but also by other reviews, such as the review of the *Local Government Act 1936-1991* by the Department of Housing and Local Government; the South-east Queensland 2001 project, the outcomes of the Special Premiers' Conferences on micro-economic reform, and the reviews being conducted by the Legislation Review Committee of the Department of Family Services and Aboriginal and Islander Affairs and the Parliamentary Committee of Public Accounts. These reviews are likely to have significant effects on the LA functions, funding, co-ordination and planning processes and Local Government's relationship with other levels of Government.

Conclusion

- 3.97 The preceding discussion demonstrates the pronounced diversity existing among LAs in Queensland. The Commission does not see this as evidence of undesirable or irregular corporate structures, but rather as sensible response to the diverse range of municipal environments existing in Queensland. Therefore, there is a need for the principles developed by the Commission to recognise this diversity and not to categorize LAs for external boundary change purposes into inflexible categories. The Commission has not endeavoured to determine what is an ideal size LA because it is impossible.

CHAPTER FOUR

PRINCIPLES AND INDICATORS TO GUIDE BOUNDARY CHANGE

Introduction

- 4.1 This Chapter is of paramount importance to this Report. Unless appropriate principles are identified and applied to a review of external boundaries then the review will lack cogency and credibility.
- 4.2 The terms of reference for this inquiry were prescribed in the resolution of the Legislative Assembly of 29 March 1990, the full text of which is set out in Appendix A. The resolution requires this Commission, in determining the most appropriate boundaries, to have regard to:
- (a) the fair and equitable representation of all electors; and
 - (b) the proper, economically viable and efficient discharge of the responsibilities of each LA.
- 4.3 The Commission at an early stage of this review endeavoured to identify principles consistent with these terms of reference.
- 4.4 In the following paragraphs the Commission discusses the principles and indicators identified in Issues Paper No. 8 to assist consideration of appropriateness of existing boundaries, and the principles relied upon by the Commission to guide external boundary change.
- 4.5 The Commission received many helpful comments on the principles and indicators, particularly from LAs. The Commission is unable to refer to all comments because of their volume, but trusts that those referred to are representative of the many comments and criticisms that were made.

Proposed Principles Identified in Issues Paper No. 8

- 4.6 Boundary change is a means to an end, not an end in itself. It should only occur where it would improve the capacity of an LA to represent or to service its residents.
- 4.7 A primary task facing the Commission was the creation of guidelines for itself and to assist any on-going boundaries review mechanism that succeeded the Commission. The Commission felt that such guidelines should not specify an ideal LA against which all existing LAs or all LAs of a particular category should be measured. The Commission also felt that such guidelines should provide a basic philosophy and a continuity of approach to boundary change. This would guide not only the Commission and any successor, but would enable LAs to review their own boundaries, envisage their own solutions (either by boundary change or by co-operative arrangements and resource sharing) and initiate proceedings to bring about that change. Guidelines should be sufficiently clear that LAs and other stakeholders understand the criteria under which any boundary review would operate.

- 4.8 The Commission therefore adopted a general set of underlying principles as to what constitutes an efficient and viable LA, which would assist in assessing any need for boundary change. The principles were proposed in Issues Paper No. 8. The Commission applied the principles by selecting indicators to guide the Commission in the direction of LAs which varied significantly from the norm, or which appeared uneconomic, unworkable or which did not embody an appropriate community of interest. The term "indicator" was deliberately chosen; it did not imply that boundary change would automatically follow.
- 4.9 These principles were based on the Commission's perception of the role and functions of Local Government. As stated in Issues Paper No. 8, the Commission recognised the need to balance the role of the LA as an efficient supplier of services at the local level against the role of the LA as a locally based elected government reflecting values of democracy and local participation. Local Authorities are bodies with the capacity to make choices regarding the combination of functions and services to be provided for the community, according to local priorities. The Commission recognised that LAs will differ as to their services depending on their circumstances and the demands of electors. The Commission also recognised that as LAs themselves represent a balance between the different roles of representation and service provision, so will the guiding principles need to be balanced against one another.
- 4.10 The Commission's proposed principles were therefore predicated on a belief that: an LA should represent a natural community including its component sub-communities; the demographic and geographic characteristics of the local area should be reflected in an LA's boundaries; an LA should be financially viable; and an LA's area should be such as to enable the LA to efficiently and effectively provide services and facilities according to the needs of the local residents and local ability to pay for such choices. The ancillary or operating principles proposed that principles must be weighed against one another.
- 4.11 As was shown in Chapter Three, the Commission recognises the great diversity in the geography, size, population densities and distribution, physical conditions, economic base, social circumstances and the urban-rural mix of Queensland LAs. The use of guiding principles attempted to provide for such diversity, without depending upon either an arbitrary case-by-case approach or unrealistic categorisation of LAs into various "types".
- 4.12 The purpose of Issues Paper No. 8 was to request public comment on proposed principles and indicators in three categories of community considerations, demographic and geographic considerations, and economic considerations, as well as on the six ancillary or operating principles. These principles, as formulated in Issues Paper No. 8, are listed in Appendix V.
- 4.13 The principles and indicators were used to select certain of the LAs listed as priority cases for further examination. Public submissions, further research and closer analysis of priority cases were used to revise the priority list of cases requiring further consideration. This revised list was announced in the Commission's Press Statement of 15 April 1991. A copy of this Press Statement and a further Press Statement of 17 April 1991, are contained in Appendix F.

- 4.14 The Commission received support for the majority of the proposed principles and indicators. Certain principles and indicators, particularly the indicators relating to financial considerations, however, received strong criticism.
- 4.15 Some submissions stated that the principles were too vague or even that any attempt to develop principles is misconceived. Logan City Council (S1311, p.3), for example, observed that such broadly phrased principles and indicators are "motherhood statements" with which it is difficult to disagree, precisely because such principles and indicators must allow for a diverse range of LAs. The Council anticipated difficulties, however, in defining and applying these principles to particular situations:
- "... it would be Logan City Council's view that because the process of evaluating local authority boundaries cannot by necessity be conducted in a scientific and calculated manner and requires judicial evaluation of attitudes, values and impressions, the principles and indicators outlined in Issues Paper No. 8 are suitable to use as tools to help form an opinion in relation to boundary questions. However, they should not be looked upon as either conclusive or exhaustive in terms of their applicability but only as a starting point from which arguments can be derived in relation to the adequacy of local government boundaries".*
- 4.16 Some LAs (eg. Rosenthal Shire Council S1550, p.4) criticised any attempt to develop principles, however broad, to be applied to all LAs. The Local Government Association of Queensland (S1276, p.1) and the Institute of Municipal Management (S2300, pp.5, 7, 8, 10, 11) stressed the need for a case-by-case analysis based on recognition of the diversity of LAs. Some of the criticism received appeared to stem from the fear that prescriptive rules, or any rules which are too stringently applied, would disregard LA diversity. Other criticism echoed the Commission's comment in Issues Paper No. 8 that in applying the principles there would inevitably be some conflict between principles.
- 4.17 A degree of self interest was apparent in some comments on the principles and indicators, for example, some LAs placed on the original priority list on the basis of financial stress, emphasized the value of community considerations. Other LAs listed on the basis of community of interest or urban overspill, stressed sound financial and economic positions as key considerations.
- 4.18 There was substantial agreement in many submissions and in evidence from the public hearings on the importance of community of interest, however, many commented on the difficulty of defining and applying this concept (eg. Glengallan Shire Council S1832, pp.2-3; Albert Shire Council S1850, pp.6-7; Pioneer Shire Council S1536, pp.65-69). Some LAs in their submissions implied support for the community of interest principle by applying it in the analysis of their own and neighbouring LA boundaries. A number of submissions urged that care be used in applying community of interest concepts (eg. Redland Shire Council S1535, p.1; Cairns City Council S1559, p.10), while some found the concept too subjective (eg. Miriam Vale Shire Council S1100, p.8; Waggamba Shire Council S1549, pp.1-2; Mr Robbins T1880). A number of submissions echoed the Commission's comment in Issue Paper No. 8 that community of interest operates at a number of different levels and may overlap (eg. Rosenthal Shire Council S1550, p.5; Mr Egan S1554, p.4; Mr Robbins T1880). Significantly more comment was made on the general use of community considerations, than on individual principles.

- 4.19 This agreement on the importance of community of interest and the difficulty in applying it is understandable. Walmsley stated:

"Individual well being depends on the fulfilment of certain needs, one of which is the need for an individual to feel a sense of belonging to the group among whom that individual lives. This sense of belonging often manifests itself in individuals having a strong sense of place and identifying themselves with that place ... many individuals strongly identify with a home town or region. This feeling of belonging - this sense that individuals share a 'community of interest' - is very much an attitude of mind. As such it is very difficult to study, not least because the sense of community is often experienced in an unselfconscious way. 'Community of interest' is, in other words, often one of the many things that individuals take for granted in everyday life" (Walmsley 1985, p.22).

Walmsley also stated that: *"A sense of place, and an individual's sense of belonging to a place, comes .. from personal interaction with that place" (Walmsley 1985, p. 22).*

- 4.20 The submissions opposing the principles that boundaries should be based on spatial patterns of human activities, and that boundaries should not split adjacent urban and rural areas or local neighbourhoods, did not raise any compelling arguments. Both principles essentially address the concept that LAs should reflect natural communities and that LGAs should be based on the area within which people do business, obtain education, shop, work, and enjoy their recreation. Some submissions stressed the need to allow for local conditions (Institute of Municipal Management S2300, p.2).
- 4.21 There was, likewise, general acceptance of the concept that boundaries should reflect the interdependence of town and country. Opposition was expressed, though, from a number of Shires bordering or close to large urban settlements where urban overspill is an issue (eg. Waggamba Shire Council S1549, p.7; Rosenthal Shire Council S1550, p.6; Dalrymple Shire Council S1564, p.11; Calliope Shire Council S1292, p.2). These Shires felt that interdependence between town and country does not necessarily mean there is a community of interest and they stressed the need for separate administrations for urban and rural areas.
- 4.22 It is apparent, however, that some mixed urban and rural LAs function well in Queensland and that a number of once rural LAs have become mixed LAs through rural residential development, urban overspill and tourism based development. Widgee, Jondaryan and Whitsunday Shires are good examples of mixed LAs.
- 4.23 This issue assumes some importance in the Commission's examination of the priority cases. Many submissions cogently argued that the rural and urban LAs reflect different communities of interest and accordingly address different needs. For example, rural LAs are substantially concerned with physical services. Urban LAs continue to provide physical services, but are also becoming more concerned with human services and the environment. Many traditional rural Shires in Queensland, particularly in coastal areas of high population growth, however, are losing much of their rural character as the urban and tourist components of their population increase. As these rural Shires become more "mixed" in character, the rural community of interest distinguishing them from their urban neighbours is less clearly defined.
- 4.24 There was little comment in the submissions on the need for an accessible centre of administration and service, although some Shires with offices in an urban centre of a neighbouring LA disputed this principle (eg. Rosenthal Shire Council S1550, pp.7-8; S2301, pp.36-37; Glengallan Shire Council T422-423).

- 4.25 The proposition that larger LAs may be able to attract high quality candidates and staff drew criticism. A number of submissions stressed the importance of ensuring effective local representation and participation. Some LAs expressed fears that rural people would be electorally disadvantaged in an urban-rural amalgamation (eg. Isis Shire Council S1853, pp.2-3).
- 4.26 There was general acceptance of the demographic and geographic principles, although some comments about their application again raised the issue of Local Government diversity and the need for flexibility (eg. Glengallan Shire Council S1832, p.5; Chinchilla Shire Council S2344, p.2). Different submissions gave the principles differing weight. The arguments for and against demographic and geographic considerations frequently reflected differing emphases on the role of an LA as service provider or an LA as a democratic institution promoting local choice.
- 4.27 A number of principles addressed the concept that an LA ought to have an area which can be serviced efficiently, and in which future development and the provision of infrastructure to service such development can be planned in a constructive and co-ordinated manner. They included: that an LA ought to have an area sufficient for co-ordinated development and planning; that an LA should have a convenient area for providing physical and human services; and that an LA ought to contain (to some extent) transport, environmental and integrated land use systems. Submissions expressed both support of and opposition to the principles. Some submissions drew attention to co-operative arrangements (eg. Water Resources Commission T1392) and, for example, the Local Government Association of Queensland (S1276, p.22) saw joint arrangements as the key to effective provision of physical and human services in remote areas. There was evidence, however, of problems in co-ordination of physical services across LA boundaries, and evidence of the failure of joint arrangements (eg. Townsville City Council S1848, pp.24-25; Warwick City Council S2265, pp.4-5; Gladstone City Council S2687, pp.8-9; Mr Reynolds T1591-1592).
- 4.28 There was some opposition to the principle that an LA should cover the area with which its principal centre has major spatial linkages, based in turn on the need for areas to recognise a hierarchy of urban centres, each centre with its own service catchment depending on the nature of the service delivered (eg. Isis Shire Council S1853, p.5). The residents of several neighbouring LAs may have linkages to the primary centre. The Commission recognised that there may be overlapping communities and sub-communities in an LA and therefore relied on "major" linkages rather than all linkages between the centre and the area.
- 4.29 Generally less attention was given to economic *principles* amongst the submissions and the main attention was addressed to some of the economic or financial *indicators*. Some comments on financial condition principles and indicators appear to respond to the Commission's choice whether an LA was selected as a priority case on the basis of financial stress or not.
- 4.30 Complaints were received about the source of the data used by the Commission in Issues Paper No. 8, and some LAs called for the limitations of the data to be acknowledged. Although the Commission's financial data were criticised, the Standardized Local Government Financial Statistics (SLGFS) prepared by the Australian Bureau of Statistics, provide the only

comparative data on LAs in Queensland. The use of different accounting systems by LAs means that some figures used by the Commission are not truly comparable between LAs; however it is the best source available. The use of a single year's financial data in assessment of LAs was also criticized.

- 4.31 This would be fair criticism if the Commission had, in fact, relied on only one year of financial data. Issues Paper No. 8, especially in Appendix E, however, referred to longer term financial trends from 1981-1982 to 1988-1989; but for reasons of space, Appendix E provided a detailed analysis of only a single year's statistics. Individual analyses of priority cases also looked at longer term figures.
- 4.32 A frequent point made in submissions and at hearings was the need for a costing of the financial impact of any change. Complaints were made about some areas of the assessment, especially administration costs, economies of scale and the assessment of rating stress and rating capacity in predominantly rural Shires. The Local Government Association of Queensland (S1276, p.10) stated that the Commission's financial analyses were overly simplistic with regards to boundaries: *"In particular, the statistical analysis used to suggest indicators of financial stress are not policy neutral and confuse efficiency with measures of effectiveness and service delivery."*
- 4.33 It is apparent that in some quarters the principle that an LA should be able to carry out the functions required of it by its residents, had been misunderstood to mean that LAs ought to carry out every one of the range of possible functions (eg. Inglewood Shire Council S127, p.3; Pine Rivers Shire Council S1165, p.2). An LA should have the capacity to economically and efficiently carry out those Local Government functions which are required by legislation, for example, levying general rates and maintaining proper financial records, or any of those from the discretionary functions selected as appropriate to local needs and wants. An LA which cannot meet the mandatory requirements of its enabling statute should not continue to exist. This does not imply that an LA should be undertaking *all* the functions available under the *Local Government Act 1936-1991* and other applicable legislation.
- 4.34 There was some opposition to the principle that an LA needs a sufficient resource base to fund the services desired by its community. These submissions raised the need of LAs for grants from other levels of government, because of the restricted revenue base of LAs and the vertical fiscal imbalance between the levels of government in Australia and horizontal fiscal imbalance between LAs (eg. Waggamba Shire Council S1549, pp.10-11; Local Government Association of Queensland S1276, p.24). This principle addressed an LA's financial and administrative capacity to meet local needs for services and facilities. This principle does not imply that an LA should fund such works in total from its own source revenue, but merely that the LA should have sufficient resources and sufficient control over its resource base to both serve its community and respond flexibly to change. There was some overlap between this principle and others which related to an LA drawing on a sufficient financial base to be independent and to be flexible in raising funds and setting priorities.
- 4.35 There was considerable opposition to the use of an economies of scale principle, namely the efficient use of plant, equipment and staff (eg. Waggamba Shire Council S1549, p.11; Nanango Shire Council S1539, p.9), although this principle referred to issues which are important to the capacity of an LA to serve the interests of its residents in spending their money, for example economies of scale in operating, and efficient use of

equipment and staff. As pointed out by the Local Government Association of Queensland (S1276, pp.24-25), however, the wording of the proposed principle did not encourage LAs to seek efficient operations through external contracting, shared resources, and co-operative ventures between LAs.

- 4.36 Adverse comment on the principles that an LA should have a sufficient area for flexibility in revenue raising and priority setting and a sufficient financial base for independence as an elected body, generally referred to western and remote LAs, where increasing the area of these sparsely populated LAs may not assist with financial flexibility or decrease dependence on grants and agency works.
- 4.37 The ancillary or operating principles proposed that at times various principles would need to be weighed against one another, that boundary change might not be the best solution to some problems in an LA, and that any examination of boundaries must have regard to individual circumstances. These operating principles attracted general support. Some submissions, though, opposed the principle that, as a general rule, preference should be given to amalgamations or boundary adjustments rather than breaking up existing LAs (eg. Thuringowa City Council S1299, p.55).

Principles to Guide Local Authority External Boundary Change

- 4.38 The Commission was concerned to discover whether the principles and indicators, as originally proposed in Issues Paper No. 8, were appropriate to identify LAs with possible problems, and this having been done, to guide any determination of appropriate boundaries. The comment on the principles proposed in Issues Paper No. 8 contained in submissions and evidence from the public hearings, further research and the examination of the LAs selected as priority cases, all contributed to refining the principles and indicators.
- 4.39 The Commission was concerned to combine the best elements from the proposed principles, public comment, further research and analysis, to develop a comprehensive set of principles and indicators which accommodated the diverse nature of LAs in Queensland while at the same time clarifying what it is to be an efficient and effective LA.
- 4.40 Some submissions criticised the categorisation of principles into community, demographic and geographic, and economic considerations, because there were some areas of overlap of issues (eg. Institute of Municipal Management S2300, pp.6, 8). Community of interest issues also impinge on geographic and demographic issues. Where boundaries divide communities with identical needs and interests, there are often contradictions in transport, environmental and land use planning, fragmented administration and wasteful unco-ordinated planning.
- 4.41 During the Commission's review of the priority cases it became apparent that while the indicators could identify potential boundary problems, it was the principles that guided the Commission in determining specific boundaries for the long term interests of the people of that area. The Commission felt that, in developing principles to guide the determination of external boundaries, the essential elements of an LA must be present, namely those relating to community, area and finances.

COMMUNITY OF INTEREST

- 4.42 The strongest LA is one which is securely based in, and representative of, well established local communities. Community of interest is a term difficult to define, but the Commission considers that it relates to an interest or set of interests which are jointly held by people in a geographic space, an interest which is sufficiently compelling and binding on them for the inhabitants of the area concerned to regard themselves as members of the same "community". It "refers to a type of consciousness whereby people feel an affinity with an area" (Wilde 1985, p.28). A community of interest refers to a grouping of people whose interests, needs and aspirations are substantially the same. It is "a localised social system, that is, a locality based system of inter-related social institutions and relationships" (Wilde 1985, p.5).
- 4.43 The Chairman of New Zealand's Local Government Commission emphasised the importance of community of interest in deciding the new boundaries in New Zealand:
- "He rejected the idea that rules and indicators could be developed regarding size of area or size of population. He had a very simple concept of community of interest that had to do with 'the place of home and work' and the place 'to which people had a sense of belonging'. He said that this concept was readily accepted by people in Local Government in New Zealand" (Hunter 1991a, p.11).*
- 4.44 A community of interest therefore has two elements. The first element is the spatial pattern of human activities which is related to where people live, work and play and the spatial linkages between these activities. The second element is the sense of belonging to or connection with a place felt by people. The most direct form of community of interest experienced is at the most local level and small scale, for example the local suburb in a town or city, or a village in a rural LA.
- 4.45 The sense of belonging or connection to a place can relate to, or be emphasized by, cultural or ethnic factors. For example, a group of Aboriginal people living on their traditional lands, a concentration of Aboriginal and Torres Strait Islander people within a mainstream LA, or a community composed of a single ethnic group within a defined area would feel a stronger community of interest than is likely to apply in a more heterogeneous social grouping. This aspect of community of interest became apparent during the review process when considering community of interest within Aboriginal and Island communities.
- 4.46 LA boundaries should not divide natural communities with common interests and needs. Perhaps the most extreme example given in the course of the review was the statement of the Jondaryan Shire Council (S2619, p.1) that the Shire boundaries split eleven small towns and villages. Splitting communities can frustrate responsible government and participation in public affairs, and democracy works best when the people can readily identify who is responsible for what and take action accordingly. There were indications in evidence at the public hearings that such division caused unnecessary friction, confusion in the public mind and unproductive competition. For example, Mackay City Council (S2685, p.3) advised that:

"This Council receives an estimated ten phone calls per week from citizens failing to distinguish between the City and the Shire on matters such as development proposals, bylaws issues, straying dogs, immunisations, overgrown allotments and maintenance of roads and drains."

- 4.47 In developing the idea of community of interest, the Commission looked to public comment. Mr Jardine (T2059) said:

"If local government were simply a utility providing a separate range of services there would be no need to look very closely at boundaries, but it's much more than that. It's an institution which attempts to prioritise the aspirations of its community, to reflect the goals of its community and it's very important, therefore, that local government represents a cohesive community of interest so this concept of community of interest is of tremendous importance to the inquiry."

- 4.48 The difficulties of using community of interest were referred to by the Local Government Association of Queensland (S1276, p.4):

"The concept of community of interest is an important one when considering the structure of local government. However, community of interest depends on numerous factors many of which may not at times be relevant to the question of local government boundaries."

- 4.49 The Local Government Association of Queensland (S1276, p.5) also felt that the only way to measure community of interest was to ask the community: *"Community consultation will assist in determination of the extent to which the concept of community of interest is relevant in particular locations."*

- 4.50 Gladstone City Council (S1544, p.2) stated:

"It is agreed that Local Government depends on a strong community base and community considerations are therefore very important and have a high priority."

...

One of the major factors is considered to be whether or not the inhabitants of the area concerned consider themselves as members of the same 'community'. This type of interest could be measured through polls, questionnaires etc."

This would, however, require more time and resources in conducting market surveys than any Commission examining boundaries could reasonably afford.

- 4.51 Not everyone agreed that community of interest was a valuable principle for the Commission to use. Professor Harris, consultant to Thuringowa City Council (T1537), suggested *"community of interest in local government is largely based on physical infrastructure, not on social infrastructure ..."*. He added (T1555-1556) that once a Local Government boundary has been drawn, over time people come to identify with it:

"... it seems to me then that a community of interest for local government purposes is not a real thing. It's an ephemeral thing which emerges and can be created and therefore it cannot form a basis for determining local government boundaries because the determination of local government boundaries eventually determines the community of interest."

- 4.52 Professor Harris argued that because community of interest could be manipulated by altering boundaries, it was not a valid principle on which to base boundaries (T1555-1556). The Commission believes that there is a logical difficulty with this argument because it implies that boundaries can determine or at least influence community of interest. Thus, the argument would imply that it would matter little where boundaries are drawn. Conversely, it would imply that once the boundaries were drawn they should not be changed because that would disturb a pre-existing community of interest. The overwhelming majority of submissions, however, felt that community of interest was important even if the concept could not be defined with precision.

- 4.53 The question of whether urban and rural communities share or can share community of interest received considerable attention. Both submissions and evidence at the hearings indicated a clear feeling that urban-rural interdependence did not mean that urban and rural areas shared common interests or would be well served by a single mixed urban-rural LA, yet it is apparent that some mixed urban-rural LAs function well in Queensland (eg. Tiaro Shire Council T1111; Woocoo Shire Council T1147-1148; Mr Barratt T1236; Bungil Shire Council T745-745; Mr Quinn T1441; Injune Chamber of Commerce T823-824; Widgee Shire Council T912; Gooburrum Shire Council T1316; Mr Jardine T2060). The evidence of experience to this point in time is mixed. As Table 3.5 and Appendix Q indicated, there are both purely rural and mixed urban-rural Shires in Queensland. There is no evidence that one type is more effective or better administered than another.
- 4.54 Evidence from rural LAs indicated that rural communities had a community of interest based upon the common economic interest of earning their living in primary production. Smaller rural towns shared a community of interest that derived from a common economic base. Such towns were essentially service centres for the rural areas. Townsfolk, therefore, had common interests with rural producers, and accordingly townsfolk voted for rural candidates. Similarly rural dwellers who frequently provided a large proportion of the rate income of the LA recognised that it was in their interest to contribute to town-based services (eg. Injune Chamber of Commerce T823-824).
- 4.55 There was a perception among some witnesses who addressed this issue that once a town reached a certain size and acquired a diversified economic base extending beyond rural directed services and industries, such as the provision of machinery and other supplies, the interests of townsfolk and rural residents began to diverge (eg. Roma/Wallumbilla Branch of the Cattlemen's Union T842). The urban-rural interdependence no longer meant common interests could be served by a mixed urban-rural LA. In these circumstances townspeople no longer elected rural residents to Council, town representatives became the dominant force on the Council, and matters of concern to rural dwellers (eg. roads, noxious weeds control, and agricultural drainage) ceased to receive much attention (eg. Mr Thompson T1211).
- 4.56 Evidence at the public hearings appeared to indicate that rural and urban interests could combine in one LA given time and size (ie. where the urban centre was sufficiently small and shared the economic base of the rural area, so that townsfolk and rural dwellers had significant convergence of interests). It may be that examination of existing successful cases could develop a "rule of thumb" regarding size, however, individual history or tradition may have such influence that a threshold size cannot be established and such decisions must therefore rest on case-by-case analysis (eg. Tiaro Branch of the Graziers' Association of South East Queensland T1211-1212; Mr Quinn T1441; Calliope Branch of the Cattlemen's Union T1867; Mr Jardine T2064; Widgee Shire Council T914; Bungil Shire Council T737-739; Maranoa Graziers' Association T806-807; Dr Hatcher T865-867).
- 4.57 Mr Quinn (T1441) commented that there was no point pursuing a "rule of thumb" regarding the relative proportion of urban population, or the size at which urban interests were too numerically dominant:

"... I think it's just too subjective, and I think it's got to be a matter of the circumstance which apply in individual areas. I think to apply a rule, I think, is just a little too arbitrary, although it would be nice to have."

- 4.58 With regard to using size as a determinant of LA boundaries, Miriam Vale Shire Council (S1100, p.5) stated:

"It is suggested therefore that it is not practical to try to determine the optimal size of local government units by any precise calculations. In many cases, there will be conflicts amongst selected criteria. All in all, it will be a very subjective exercise incapable of being quantified in any way whatsoever."

The Chairman of New Zealand's Local Government Commission also "rejected the idea that rules and indicators could be developed regarding size of area or size of population" (Hunter 1991a, p.11).

- 4.59 There was a general belief that people identified first with their own small area or village within a Shire, but were bound together by a similar rural lifestyle in the LA. For example, Mrs Grace, a resident of Rosenthal Shire (T504-505), stated that what she felt was important in rural Shires was:

"Not community of interest, but communities of like interests. Each of the villages within this shire have a small centre, some with a shop and a post office; some without a shop; most with a hall, a school, and a little country church; a small village settlement surrounded by grazing or farming land; and these people together make up the community. There are CWAs, P and Cs, hall committees, and rural fire brigades, which bring everyone together. This is true village living - an extended family ...

...

A statement was made yesterday that communities make government. I submit that small communities make rural government."

- 4.60 Other testimony indicated that small villages were bound together primarily by the LA (ie. the political administration of the area). Mr McKee, Shire Clerk of Bungil Shire (T745), stated that:

"... there are a large number of communities within the Bungil Shire. There is, for example, the Eumamurrin, Bymount, Blydale, Gunnalong West, Injune, Yellow Bank, you could go on, and on, and on. There are little separate communities of interest within the Bungil Shire, which - with similar tastes, they pursue the same culture, the agricultural pursuits. They are united under various producer organisations, and they band together under the Bungil Shire banner."

He (T746) agreed with the Chairman's statement:

"THE CHAIRMAN: ... the community of interest of those people living in Bungil, and particularly those communities, what binds them together is the need to have a Shire Council to maintain the roads to their property, and to give it top priority.

MR McKEE: Yes, Mr Chairman, that would basically sum it up."

- 4.61 The Local Government Association of Queensland (S1276, p.22) said, with regard to LAs having an area that allows for future growth, that "... adjoining areas will always have spillover considerations. Rural residential requirements related to the metropolitan area may well be better located in a rural type of local government authority."

4.62 Rosenthal Shire Council (S1550, p.6) stated that:

"... there is inter-dependence between rural and urban communities in many ways, it must also be recognised and accepted that, in many instances, there can be a conflict of interest between these groups despite their common community of interest on other matters."

4.63 Waggamba Shire Council (S1549, p.4) stated:

"The boundary does divide the rural area from the urban area ... Why should a local authority boundary not divide two totally different areas catering for separate interests and expectations?"

...

The principle that town and adjacent country are interdependent is obviously true, however it is not necessarily a good guiding principle on which to consider local authority external boundary changes.

Interdependence is a good reason for consultation, joint arrangements, and financing and planning but not a good argument for changing LA boundaries at the expense of community representation and participation."

4.64 One method to counter loss of representation for rural residents or for particular sub-communities within a larger or amalgamated LA is the New Zealand system of Community Boards. An LA can decide whether community input in its area would be improved by setting up a Community Board or Boards. Professor Bush of the University of Auckland described these Boards:

"Under this new system localised community interests can be marshalled and given delegated powers by the parent Local Authority for the execution of specific functions in those areas. The Community Boards have very little autonomy, eg. they have no budgetary powers and they have no powers to raise funds. The other major function of Community boards would of course be the function of communication between the larger Local Authority and the specific and relevant community areas. Despite their lack of autonomy and apparent lack of power these Boards are directly elected, presumably from the same voters roll used to elect the parent council" (Hunter 1991a, p.2).

Professor Bush noted: *"Community Boards were not corporate bodies, they could not hold property, they could not strike a rate, and did not exercise any staff or executive functions" (Hunter 1991a, p.2).*

4.65 Opinion in New Zealand is divided as to whether these Boards have been successful. For example, the Wellington Regional Council believed that some Boards were successful but *"others are there simply because of parochial self-interest" (Hunter 1991a, p.20)*; while the Lower Hutt City Council believed that Boards were a short term solution *"and will eventually be abandoned" (Hunter 1991a, p.18)*. The Wellington City Council believed that the existence of Community Boards was disruptive to the change process and *"that so long as Community Boards are maintained, there will not be proper commitment to the new Territorial Councils" (Hunter 1991a, p.22)*. The Chairman of New Zealand's Local Government Commission believed that Community Boards had a role beyond the transition period in Local Government because they represent *"communities within a community" (Hunter 1991a, p.12)*.

- 4.66 The Local Government Association of Queensland (T2179) saw Community Boards as another tier of Government and hence opposed the idea:

"CR PENNELL: ... the New Zealand situation ... it almost tends to be setting up another structure of government and we already have three.

CMR HUNTER: And you reckon that's enough.

CR PENNELL: I reckon that's enough."

- 4.67 Mr Morton, consultant to the Local Government Association of Queensland (T2178), stated:

"In a way, you're structuring ... almost another tier within the government system to operate out a very localised local government model within the frame-work of the higher order local government. I think it's got potential if you're dealing with ... a number of communities of interests to ensure that those sort of processes ... get the representation out to those people. If you don't build in models that somehow have that capacity for the local community to input and be involved in it, then ... the whole thing will very much fail ..."

- 4.68 The level of representation of a community, in terms of electors per member, and area per member were also relevant matters. Nanango Shire Council (S1539, pp.1-2) stated:

"Representation must be given a very high priority when determining external boundaries. A Councillor should be accessible to the residents and ratepayers. The Councillor should reside within a reasonable proximity to the residents in the division. The Councillor should also represent a small enough number of residents and the division should be small enough in area that the Councillor has the time to devote to the residents and their problems."

- 4.69 A related issue, namely that the LA have an administration centre easily accessible by residents in order to transact business and engage in political or participative behaviour, is also important to healthy local democracy.

- 4.70 The Commission has no difficulty recognising a distinct community of interest between urban and rural LAs even when they are neighbours. Quite different considerations arise, however, where:

- (a) because of development a rural LA is losing its distinctive character;
- (b) urban overspill is occurring with lack of overall planning for development in an area; or
- (c) lack of co-operation, or even friction, exists in the provision of services.

In these circumstances it is necessary to look carefully at existing boundaries to ensure they still represent contemporary communities of interest.

- 4.71 In its consideration of priority areas, the Commission found that community of interest tended to be the best determinant of boundaries. Resource base and service area, however, were important to create a viable LA.

RESOURCE BASE

- 4.72 LA autonomy requires financial viability, which depends on a sufficient resource base, which in turn requires an area containing sufficient and adequately valued property. Resource base is not wholly dependent on area, and it will vary with the LA's situation. Where an LA's finances are limited, it may concentrate on its own survival rather than undertaking a full range of services to residents.
- 4.73 LAs have various sources of income. Those sources under their control include rates, service charges, licensing fees and service fees, and income from property, municipal enterprises, investments and interest payments, trading enterprises and income from investments. External sources of income include reimbursements for recoverable works carried out for government agencies or private enterprise, and grants and subsidies from other levels of government. All are valid sources of income, but where an LA is overly dependent on funds from other levels of government, its ability to independently select the service mix appropriate to its area or to react to change is threatened.
- 4.74 For an LA to have a sufficient resource base to be financially viable, it should have a mix of debt, rates and charges, licensing fees and service fees, agency works and grant income appropriate to its circumstances and the expenditure required by the needs of its populace. To strive to be totally debt free can be just as inappropriate and inadvisable as to assume a heavy debt load. An LA with a growing population and expanding suburbs or rural residential development will need to provide infrastructure. It is appropriate to spread the costs of such infrastructure provision across at least part of the life of the asset and across both present and future ratepayers via debt. A debt load appropriate to such an LA would not be appropriate to another LA which had a declining population or already possessed adequate infrastructure without any pressing need for major augmentation.
- 4.75 Some LAs proposed quite rigorous requirements for LAs regarding financial matters. Nanango Shire Council (S1539, p.8) wanted the Commission to stipulate a basic list of functions to be performed by all LAs:
- "This is a fair principle, within reason. Not all functions/services are required by residents and often the best way to gauge the necessity for such functions/services is the willingness of the ratepayers or residents to pay for them. There are many LG [Local Government] functions that local residents would forego to preserve local independence ... There would be a basic list of functions considered necessary in all LA's and ideally their provision at a minimal or acceptable cost is desirable."*
- 4.76 The Commission, however, is opposed to mandatory performance requirements of this kind, which would militate against flexibility and diversity of LAs and contradict the fundamental delegation principle set out in the introductory words of section 30 of the *Local Government Act 1936-1991*.
- 4.77 It was evident from the comments regarding both principles and indicators, that the financial principles in Issues Paper No. 8 were thought to ignore the role of grant moneys in a system characterised by federal fiscal imbalance. The Local Government Association of Queensland (S1276, p.24) stated the principle that an LA should have a sufficient resource base to maintain services and facilities desired by its residents and to respond to new challenges:

"... conflicts with an acceptance at Commonwealth level of horizontal fiscal imbalance (between State and between units of local government). The real world result is that there will always be a need for redistribution to correct imbalance and boundary changes cannot achieve the result indicated ..."

- 4.78 A number of LAs referred to the need for grant moneys; thus Waggamba Shire Council (S1549, pp.10-11) stated:

"A sufficiently strong resource base is not necessarily concomitant with a large local authority. This principle does not reflect fiscal imbalances and the equalisation of these through grants.

A general indicator to this principle is the level of community satisfaction with the performance of the LA given that the community is prepared to pay a certain amount of money for its local government."

- 4.79 With regard to flexibility of revenue raising, the Local Government Association of Queensland (S1276, p.25) stated:

"Area is not really the issue. The nature of the rate base will impinge on flexibility in revenue raising.

Undertaking external works should not be equated to a lack of independence as an elected body."

However, a flexible financial base and the independence to make decisions about its area are very relevant to an LA's successful operation.

- 4.80 With regard to economies of scale, efficient use of plant and equipment and human resources, a number of submissions stressed the role of co-operative arrangements and resource sharing. The Local Government Association of Queensland (S1276, pp.24-25) stated:

"Economies of scale can be created by joint arrangements and by external contracting. These are more valid outcomes in any drive for efficiency than boundary change in most cases.

... the challenge of the 1990's is to develop co-ordinated arrangements with greater resource sharing."

- 4.81 Mr Bain (S1547, p.12) noted optimal size is different for different functions, and need not relate to a single LGA:

"Optimal size varies according to function. What is the optimal size for the function of, say, Water and Sewerage, may not be the optimal size for another factor such as Representation or the ability of members of the public to Participate in the affairs of the Local Government.

The same principle presumes that optimal size is related to that of a single Local Authority. Optimal size can be achieved by the sharing of resources between Local Authorities. This sharing of resources could be both plant and/or personnel."

- 4.82 The Commission agrees that its principles should encourage LAs to pursue effectiveness, efficiency and flexibility in financing and servicing its area through resource sharing, co-operative arrangements and the use of external contracting.

4.83 The Trades and Labour Council of Queensland (S2135, pp.5-6) criticized the Commission for not determining an optimal level of LA service and revenue, and not measuring LAs in relative terms, that is against some established standard of what LAs should actually do and provide rather than average revenue and expenditure patterns. The Commission did, however, compare LAs by ABS Statistical Division (SD) and by ACIR categories (detailed in Appendix E of Issues Paper No. 8) and Appendix U compares LA functions within ACIR categories. The Trades and Labor Council (S2135, pp.5-6) recommended that:

1. *Criteria should be established as to what are the 'tolerable minimum' levels of provision of major services by Local Authorities;*
2. *The performance of Local Authorities against such criteria should be directly assessed;*
3. *Investigations should be undertaken, preferably by case studies, of different possibilities and methods for providing services according to population size and composition and its geographic location and distribution."*

4.84 For the reasons set out in paragraph 4.76 above, however, the Commission is opposed to establishing rigid financial and performance criteria for LAs.

4.85 The Commission felt that the original five economic principles did not allow clearly enough for co-operative arrangements and resource sharing in seeking efficiency and flexibility. The principles may also not have given due recognition to the financial transfers inevitable in a federal system with fiscal imbalance.

SERVICE AREA

4.86 The income level of an LA should also relate to the expenditure needs of the area. The LA's area should be such that it can be serviced efficiently and effectively, and that the LA can plan for future development in a manner enabling efficient and effective service provision and maintenance. The level of efficiency possible will depend on the geographic and demographic make up of the LGA, for example whether it is a large, sparsely populated, remote Shire like Carpentaria, a small, more closely settled but still rural Shire like Allora, or a City like Townsville or Warwick.

4.87 The demographic and geographic principles proposed in Issues Paper No. 8 included matters affecting the co-ordinated planning and development of an area, and efficient service provision.

4.88 Service provision and planning for the future are vital elements of Local Government, and LAs should seek efficiency in these matters. Regional location and population density and distribution will lead to potential different levels of efficiency in different types of LAs. Any LA needs the ability to plan for and co-ordinate future development of its area, however, so that it can be serviced efficiently and effectively without undue cost to ratepayers. The services provided may be the result of local choice but some attempt to address efficient service areas (acknowledging that optimal size or area is different for different services) must be made. Indeed, no single LA will ever possess optimal conditions necessary for all co-ordinated planning and service provision and some level of co-operation will often be required across boundaries wherever they are.

- 4.89 Purely rural LAs with a majority of ratepayers dependent on rural production, can be overly sensitive to recessions in the rural sector (Dr Jones, T310). Urban fringe LAs and rural Shires within easy driving distance of an urban centre may, therefore, move to broaden their rate bases by courting development, particularly rural residential development. This could assist the long term financial stability of the LA (Dr Jones, T308-309). Large rural residential blocks often do not require reticulated water or sewerage systems. Indeed the size of blocks may preclude the efficient provision of such services. Many Shires in these circumstances have claimed that competition between contiguous LAs offers prospective residents a choice of lifestyles and rates/services mix, namely urban living or a rural based lifestyle with less services at less cost.
- 4.90 Such competition between LAs, however, can be contrary to the best interests of an area in the long term, particularly should Shires competing with neighbouring urban centres for development set unduly low development standards (eg. Widgee Shire Council T1022; Woocoo Progress Association T1190, T1197; Mr Graham T1664; Mr Davison T1022; Mrs Burton T1197). This can result in the development of areas with substandard infrastructure which would place a financial burden on future ratepayers to clean up the problems, and contribute to haphazard urban sprawl. An example is Rosenthal Shire's small unsewered allotments on the outskirts of Warwick City, of 1500 square metres and some as small as 800 square metres, which have attracted strong criticism from Warwick City Council (T331-332). Such situations point to the need for LAs to be of sufficient size to facilitate proper overall planning and efficient servicing and the need to look to the long term interests of an area rather than short term financial considerations.
- 4.91 The use of geographic features as boundary delineators can also impact on the capacity to plan for an area. A river may make a convenient boundary, but problems of water resource management and flood mitigation schemes reach across such boundaries and make co-ordinated planning a multi-LA activity within the catchment area. Bundaberg City is a good example of this.
- 4.92 It may well be that an ideal LA cannot be assigned all the area necessary for perfect planning and development, particularly as the optimal service area for one function would not be the same for another function. Some functions, particularly drainage and water supply, could perhaps be best managed within water catchment areas, and consequently would transcend many LA boundaries. Joint arrangements may sometimes be necessary to ensure that these functions are addressed appropriately.
- 4.93 The Local Government Association of Queensland (S1276, pp.9 and 21) referred to the existence of state, regional and sub-regional planning issues which require co-ordination across boundaries. The Institute of Municipal Management (S2300, p.5) felt that regional planning bodies may be necessary in some cases where neighbouring LAs fail to co-operate:

"The theory of this principle may be applied with success to those areas where a critical 'development overlap' does not exist. Co-ordinated planning and development can successfully occur over LA boundaries. However, if LAs are not able to adequately look after the LG [Local Government] functions, joint arrangements may not be the answer. The need may then be seen to exist in some regional areas for a separate controlling body to minimise conflict and to ensure uniformity of standards and controls. The SE [South-east] area should be separately examined in this regard. The SE corner should also be examined in so far as public works are concerned. Separate external boundary criteria would then be determined for the S.E. (and perhaps some major Provincial City) areas of the State."

- 4.94 The Commission felt that some refining of principles was necessary to identify where efficient and effective service provision in an area could result from resource sharing or co-operative arrangements. It was also necessary to re-focus area designs based on geographic and demographic characteristics in the light of ideals for service area and community of interest.

JOINT ARRANGEMENTS

- 4.95 Resource base and service area problems may not always be best solved by boundary change. Joint arrangements on a regional or sub regional basis, which deal with overall planning issues, provide a forum for LAs to consult and co-ordinate their individual town planning mechanisms or land use and conservation measures, and have the potential to reduce conflict. The Eastern Downs Regional Organisation of Councils (EDROC) is an especially good example of this. More limited joint arrangements between neighbouring LAs in particular service areas may also be a solution. LAs can also contract with each other for provision of services and to extend services into each other's areas. There is, however, little evidence of this occurring.
- 4.96 Chapter Three described the three types of joint arrangements under the *Local Government Act 1936-1991*, and the level of use of each type, as derived from responses to the Commission's Questionnaire. It is clear that LAs prefer to use informal joint arrangements to provide services, share resources and consult and co-operate across boundaries, although the use of agreements and contracts is a reasonably popular option. The type of cost sharing agreement discussed in Chapter Nine between Roma Town and Bungil Shire is a good example.
- 4.97 These joint arrangements operate between contiguous mainstream LAs, and between Aboriginal and Island Councils and mainstream LAs. Examples are the informal agreements between Kowanyama and Pormpuraaw Aboriginal Councils to share maintenance of the access road between the two Council areas (T2412-2414), and between Carpentaria Shire Council and Kowanyama Aboriginal Council regarding the use and maintenance of roads (T2457-2459). An example of a less fruitful agreement was claimed to be the sharing of road works between Hope Vale Aboriginal Council and Cook Shire Council (T2449-2501).
- 4.98 There are very few joint committees regularly meeting and consulting on matters of mutual concern. This may be because subsection 15(2) of the *Local Government Act 1936-1991* requires that copies of the minutes of meetings be sent to the Director of Local Government. Responses to the Commission's Questionnaire indicated that half of Queensland's LAs do, however, have an informal arrangement to consult with neighbouring LAs on matters affecting both Councils.
- 4.99 Evidence at the public hearings from some LAs (Tiaro Shire Council T1138; Gooburrum Shire Council T1340-1341) suggested they would participate in joint arrangements if someone else promoted the idea, but they saw no obligation themselves to seek such arrangements. The Local Government Association of Queensland (S1276, p.16) believed that these attitudes are changing and stated that "*there has not been adequate use of joint arrangements in the past to ensure that outcomes are efficient and effective.*"

4.100 This was reinforced by Cr. Pennell (T2166):

"... I think that over the last 20 years particularly that local government has become what I would call more sophisticated than it was previously, and I think there is a tendency within many elected members to see the necessity of co-operation."

4.101 Mr Hoffman of the Association (T2167-2168) pointed to more recent changes in economic conditions accelerating the move by LAs to joint arrangements:

"I think the point that we want to make is that whilst you yourself question why there hadn't been greater moves to joint arrangements in the past and what are the barriers. Perhaps the changing circumstances of the last three to five years are now bringing about a move towards the willingness to embrace joint arrangements and, if somewhat belatedly, the benefits that come from them, and I think that's the significant point. The trend is significantly up in terms of acceptance of that approach."

4.102 Dr Jones (T314), however, felt that Local Government has no natural incentive to co-operate even when neighbouring LAs have their offices in close proximity.

4.103 Successful joint arrangements have tended to be those which produce immediate benefits, or which have been created at the behest of another level of government, for example, saleyards and water boards. Another major factor is where there is a tradition of co-operation and sharing service costs in the area. Where there is no such tradition, a strong personality or personalities can initiate or revive a co-operative or consultative arrangement. If such personalities depart the scene or initial enthusiasm wanes, the arrangement can collapse or decline into disuse. An example of this is the informal contiguous LA meetings between Brisbane City and neighbouring LAs during the mayoralty of Mr Clem Jones, which is discussed in Chapter Three. This initially successful group *"lost the concentrated desire to reach decisions"* as key personalities departed the Local Government scene and as the initial need to solve problems lessened (T2273-2276). The infrequent meetings of the Townsville Thuringowa Advisory Committee after initial enthusiasm is another example. This pattern has reversed over the last few months with the proposed Entertainment Centre development in Townsville.

4.104 The existing options for joint arrangements under the *Local Government Act 1936-1991* do not appear attractive to LAs and some amendments, (eg. by deleting minute-reporting requirements from section 15(2) regarding joint committees) may make the arrangements more workable and attractive.

4.105 The Commission believes that there is a need to provide for joint or co-operative arrangements on three levels. The first is at the regional level, dealing with issues of regional co-ordination of planning and co-operation. EDROC is a good example. It was initiated by Toowoomba City Council and took advantage of Federal Government grant support. EDROC is preparing a strategic plan for the eastern Darling Downs to promote the co-ordination of individual town plans, has published a document promoting the region and its member LAs, provides co-ordination of staffing (that is, where one member LA makes staff available to fill temporary vacancies due to leave or illness in another member LA), and offers an opportunity for discussion and resolution of conflict between members on neutral ground.

- 4.106 The Trades and Labor Council of Queensland took a somewhat similar approach with its recommendation to the Premier's Economic Conference on Managing Growth in South-east Queensland (S2135 Attachment, pp.8-9) for the establishment of a Regional Development Co-ordinating Authority. Membership was envisaged as comprising representatives from industry and commercial organisations, unions, environmental groups, community associations, State Government as well as LAs, with the Premier as Chairperson. This Authority was to advise both State and Local Government, and to enter into joint arrangements with the Commonwealth, LAs and the private sector. It was not to control planning and development in the region, but it (S2135 Attachment, pp.8-9) was suggested that the Authority:

"...establish strategies and standards for environment protection, industry and employment development, social justice, land-use, infrastructure provision and urban design in the region ...

... establish model schemes with Government agencies and private groups relating to land development and provision of physical and social infrastructure."

- 4.107 The Trades and Labor Council of Queensland (S2135 Attachment, pp.8-9) envisaged that the Authority "set standards to guide the decisions of existing governmental agencies", that "standards issued by the Regional Authority form part of the requirements of Local Authority planning schemes", and that "judgements of the Planning and Environment Court should be required to give weight to the standards".
- 4.108 A second level of joint or co-operative arrangements is based on logical service areas for particular functions, for example, a joint arrangement for water supply and sewerage based on a catchment area. This could provide for more co-ordinated use of a natural resource and reduced costs of service provision through co-ordinated action. Water Boards such as the Townsville/Thuringowa Water Supply Board are examples of this approach.
- 4.109 The growth of urban development and more intensive development of agriculture and concentrated usage of rural land will place more demands on available water supply, while there are also increasing needs for disposal of waste water, sewerage effluent, and other pollutants. These developments will require planning and co-ordination on a wider scale than the individual LGA, and Joint Boards can meet this need while retaining local input and control.
- 4.110 A third level is co-operation, co-ordination and resource sharing between contiguous LAs. This co-operation can extend to the resource sharing agreement between the Latrobe and Kentish Councils in Tasmania. This has a joint committee of three Councillors from each Council to act as Directors and initiate policy decisions in respect of resource sharing. The Chief Executive Officers (Town Clerks) of each Council also attend each meeting, and senior staff from both Councils form a management group to supervise plant and equipment, resource planning, performance monitoring and evaluation, establishment of financial management and planning systems required for sharing of resources, and providing directions to resource sharing staff (Kentish Council and Latrobe Council 1991, pp.10-11).
- 4.111 Kentish and Latrobe Councils defined resource sharing as:

"... an arrangement in which two or more local government units share financial, human or physical resources. This includes situations where Councils:-

- a) *Jointly provide services;*
- b) *Where one Council contracts another to provide services on its behalf; or*

- c) *Councils use their combined resources to increase market power, e.g. obtaining improved prices from private contractors.*

Resource sharing is underlined by a rationale which argues that the participants will benefit in some way, namely:-

- i) *Improved financial capacity;*
 ii) *Increased ability to meet community expectations.*

Kentish and Latrobe Councils have a duty to ensure its communities are provided with a mix of services in accordance with preference of each community. It is incidental whether these goods and services are supplied by the Councils employees, outside contractors or in conjunction with each other. Municipal resources sharing is viewed as an optional approach available to both Councils which will preserve the local representativeness of each local government area. For the delivery of some services, it may not be the best approach and traditional servicing will continue" (Kentish Council and Latrobe Council 1991, p.1).

- 4.112 There was initial reluctance on the part of the two Councils to enter such arrangements despite perceived advantages:

"The two Councils of Latrobe and Kentish by sharing resources, can promote efficiency and effectiveness in a number of ways. The exercise should result in providing economies of scale through the sharing of costs and spreading of risk and through increases in utilisation rates of assets, productivity and specialisation. It is proposed the outcome in each task undertaken will be a lowering of cost, provision of a better service, re-allocation of "saved" resources into other areas and a containment of rate increases. Resource sharing should also reduce the need for each Council to borrow and defer works. Rate independence can also be maintained.

Both Councils held an initial reluctance to enter into resource sharing, as it was considered such may be a step towards a forced amalgamation. However, as the very strength of a local government unit is its ability to provide a range of services in an effective and cost efficient way, resource sharing is seen as a way for both Councils to strengthen its independence and ability to perform" (Kentish Council and Latrobe Council 1991, pp.2-3).

- 4.113 Amalgamations and substantial boundary changes impose considerable short term costs, but can produce long term benefits and savings. Resource sharing arrangements can be a compromise which impose some short term costs, and possibly some increase in administration or running costs, by allowing smaller LAs to seek economies of scale, efficiency in service provision, and expansion of services. At the same time, representation levels are retained.
- 4.114 Contiguous LAs (both mainstream LAs and Aboriginal and Island Councils) are currently using a range of formal and informal joint arrangements to best service their communities.
- 4.115 An interesting development (S2472, pp.1-2) is Wujal Wujal Aboriginal Council's proposal that it provide services to the Bloomfield Valley which is administered by the Cook and Douglas Shire Councils and Wujal Wujal Aboriginal Council. Wujal Wujal Aboriginal Council maintains the only service and administration centre in the Valley and proposes that it operate as an agency extending services to residents of the other LAs. It (S2472, p.2) claims that this would allow for a co-ordinated Bloomfield community plan, allow the Aboriginal community to retain its identity, and promote race relations while operating to the benefit of both Aboriginal and European descended residents of the Bloomfield Valley.

- 4.116 The Local Government Association of Queensland (S1276, p.16) believes that joint arrangements must be more than voluntary arrangements. They must have *"defined powers and responsibilities and must result in acceptance by the individual local government bodies involved that wider regional benefits may not always maximise individual benefits."*
- 4.117 Therefore, where co-operative arrangements are used as an alternative to boundary change, there must be mechanisms for mandatory membership and functions, and/or a mechanism for oversight by an on-going boundaries review mechanism.
- 4.118 Tasmania's Local Government Advisory Board has adopted this approach where joint arrangements are proposed as a substitute for boundary change:
- "In such cases, the Board would require the execution of a formal agreement between the participating Local Authorities and would need to be assured that each of the Local Authorities, together with the shared resources, would adequately meet the minimum standards for performance required in the future" (Hunter 1991b, p.7).*
- 4.119 Latrobe and Kentish Councils have proposed an official agreement *"To give legality and continuity to the resource sharing exercise ..."* which provides that an independent arbitor (who may be the Director of Local Government) is to decide on disputes (Kentish Council and Latrobe Councils 1991, p.11).
- 4.120 Notwithstanding the inclusion of joint arrangements in the list of principles for good boundary design, it is often seen as a compromise solution, that is, a second best remedy when the best solution (boundary adjustment) is politically unattainable. This is evident elsewhere in Australia, for example, metropolitan Melbourne.
- 4.121 It is also seen by many in Local Government as a subtle encroachment upon the full force of "separate tier" delegation given by the State in section 30 of the *Local Government Act 1936-1991*, and is feared as a "watering down" of this delegation. The States often feel the same fear when ceding powers to a co-ordination agency promoted by the Commonwealth.
- 4.122 The reality of the Queensland experience is perhaps best explained by the Town Clerk of Bundaberg City (T1300) who said in evidence at Bundaberg: *"Well I personally think for there to be a joint arrangement there has to be a need ..."*
- 4.123 In other words, if there is a relative lack of joint arrangements in Queensland, it is because up to now there has been little need. This is not surprising when one considers the typically large separation distances between most service centres in Queensland. In the future, however, as communications between service centres improve, and as population densities rise (especially in South-east Queensland) the need will grow, and the incidence of joint arrangements will rise.

Conclusions and Recommendations on Principles

- 4.124 The Commission considers that the essential tasks of an LA are to represent a community and to provide services to that community. Therefore the essential conditions of an LA are that an LA must have sufficient resource base and area to be able to plan for and service its residents according to local needs and the long term good of the area. An LA must look to the future as well as the present good of its ratepayers and residents. The LA must represent and serve some cohesive group of people with a level of common interest or community of interest.
- 4.125 Service of an area does not require ownership of specific plant, equipment or buildings or direct employment of specific staff. The issue is the adequacy of service provided to residents and the extent of planning for the future, rather than ownership of assets.
- 4.126 An LA may suffer from deficiencies in its area, that is, have too small a resource base to easily weather sudden change, or have a population distribution pattern that is too scattered to be easily serviced. It may be too small to support specialised officers (eg. a town planner) yet need their services. In some cases, such problems can be solved or ameliorated without boundary change, either by more effective management or by more co-operative and resource sharing arrangements.
- 4.127 The Commission considers that the resource sharing arrangements of the Kentish and Latrobe Councils in Tasmania (Kentish Council and Latrobe Council 1991) offer a useful guide to LAs who wish to maintain local representation while pursuing efficiency and effectiveness of service provision.
- 4.128 The Commission does appreciate that LAs are generally carefully managed. The Commission, however, believes that LAs can no longer afford to be complacent about past successes. All other levels of government have undergone change in the recent past. In difficult economic times there may no longer be the monetary capacity to support expanding government. Government functions may be devolved downwards to LAs. In the future, LAs will need to look beyond their boundaries (either by boundary change or co-operation) if they are to survive and prosper.
- 4.129 The Commission considers that the elements of resource base, service area and community of interest should be weighed against each other, with due regard to individual circumstances and the option of using co-operative arrangements to solve deficiencies. The Commission has therefore focused its principles to guide boundary change around these three essential characteristics. Many of the proposed principles including the six ancillary or operating principles, have been retained as the concepts they sought to reflect remain valid.
- 4.130 Community of interest principles are paramount in the consideration of boundaries. Once an LA (either proposed or existing) meets the requirements for appropriate financial resource base and service area, it is the community-based principles that determine where the boundary should be drawn.

- 4.131 The Commission recommends that the following principles relating to financial resource base, service area and community of interest be referred to an on-going boundaries review mechanism, to assist in the selection of LAs for review, and the determination of appropriate boundaries.
- 4.132 A sound LA should have a sufficient resource base to:
- (a) be able to fulfil all the functions under the *Local Government Act 1936-1991* and other Acts ascribing authority to it that are appropriate to its community, as efficiently and effectively as possible (whether by itself, by contract or in co-operation with other LAs);
 - (b) provide and maintain services and facilities required by its community and respond to changing needs of that community (whether by itself, by contract or in co-operation with other LAs);
 - (c) be flexible and responsive in financing (a) and (b); and
 - (d) function without becoming unduly dependent on external financial assistance or losing its independence as an autonomous elected body.
- 4.133 An LA should have boundaries that facilitate:
- (e) co-ordinated planning and development of the area for the long term good of present and future residents;
 - (f) efficient and effective provision of physical and human services (whether by the LA, by contract or in co-operation with other LAs); and
 - (g) future projected growth.
- 4.134 LA boundaries should conform to community of interest principles, and for that purpose, an LA should generally:
- (h) reflect local communities, for example, the spatial pattern of human activities, where people live, work and play and the linkages between them;
 - (i) have boundaries which, where possible, do not divide local neighbourhoods or adjacent rural and urban areas with common interests or interdependencies (including cultural and ethnic factors);
 - (j) have boundaries that reflect the economic makeup of an area;
 - (k) recognise and foster urban and rural interdependence where it exists;
 - (l) where possible, reflect community self awareness and foster community based action;
 - (m) have a centre (or centres) of administration and service, easily accessible to its population;

- (n) ensure effective elected representation for residents and ratepayers at the local level;
- (o) provide representation of total population, population characteristics and population distribution within the area;
- (p) take cognizance of its rating base, that is, it must be sufficient in size to maintain autonomous existence. An area with a uniform rating base (eg. purely rural) can foster community of interest, however a more mixed rating base (incorporating rural residential or industrial development), can offer an LA greater economic viability and flexibility;
- (q) have boundaries which, where possible, follow natural geographic features and man-made features which separate different communities; and
- (r) where possible, have boundaries which do not split properties.

4.135 These principles are to be applied subject to the following ancillary principles:

- (s) no single principle should be regarded as absolute;
- (t) there will always be special circumstances which justify a departure from a general principle;
- (u) there will be occasions when it is not possible to apply a particular principle without departing from another principle;
- (v) there will be cases where principles may overlap or even conflict;
- (w) there will be cases where problems in an LA do not relate to an external boundaries issue, and consequently can be solved by other means such as joint arrangements, resource sharing, or review of administration; and
- (x) in changing LA boundaries, preference should be given to simple amalgamations or minor boundary adjustments, for example, an existing LA should not be dissected unless this is clearly the best course open having regard to other factors.

Indicators to Guide Local Authority External Boundary Change

4.136 Indicators assist in the application of the broad principles and provide a means to quantify and compare LAs. LAs generally gave much greater attention to indicators than principles, although a number of LAs appear to combine or confuse the two. Although there was dissatisfaction with some indicators, there have been few alternative proposals (particularly detailed alternative proposals) for new indicators. Some submissions (eg. CAFA S2087, pp.90-133; Mulgrave Shire Council S1548, p.11; Townsville City Council S1848, pp.8-10; Pioneer Shire Council S1536, p.72; Inglewood Shire Council S127, p.3; Woongarra Shire Council S2359, pp.36-37) proposed indicators which may be able to be developed further by an on-going boundaries review mechanism, to assist in identifying LAs for boundary review.

- 4.137 Some LAs have generally accepted the indicators listed in Issues Paper No. 8 and a number of LAs implied a degree of acceptance by utilising the Commission's indicators to prepare submissions for or against change.
- 4.138 As with the principles, the Commission was concerned to distil the best elements from the original proposals to develop a set of workable indicators.
- 4.139 Some indicators are solid, quantifiable and easy to compare. Nevertheless, such indicators may be of less utility in the determination of appropriate boundaries. Numerical measures are attractive, but not necessarily persuasive. The Commission does not support any attempt to reduce boundaries to a numerical equation.
- 4.140 The Commission believes that most of the indicators proposed in Issues Paper No. 8 remain valid and useful, with the exception of administration costs as a percentage of rate revenue, which should be replaced by administration costs as a percentage of total income and as a percentage of total expenditure.
- 4.141 The Commission has reviewed indicators in terms of the same categories as the principles, namely resource base, service area, and community of interest. Many of the previously proposed indicators were retained, some reworded, some amended, some combined and some discarded on the basis of public comment and the Commission's experience. A number of additional indicators which were used in the analysis of priority cases were added.

RESOURCE BASE

- 4.142 Criticism of the use of the functions undertaken by an LA to indicate what services it provides for its community was similar to that addressed to its associated principle.
- 4.143 The economic and financial indicators attracted the most criticism, although there was a level of support for some type of economic indicators. There were some reservations regarding data used and the need to recognise different LA policies and levels of service.
- 4.144 There was criticism of the "snapshot" nature of the assessment of financial condition based on a single year's figures; that the statistics relied upon (1988-1989) were too old; that the different accounting practices of LAs meant that the figures were not comparable across Queensland; that diversity in LAs required different weightings across different types of LAs; and that LAs should only be compared with LAs of similar type. As noted earlier, the Commission provided data in Appendix E of Issues Paper No. 8 to compare LAs of similar types.
- 4.145 The Local Government Grants Commission (T2234-2235) generally supported the indicators but stated that further refinement of the concepts was needed.

"I think on the economic and financial indicators that have been used, I think my general comment would be that they are fine as a starting point but I think if you're going to use them to make decisions on, they need more refinement ..."

...

I think all these indicators are good as starting points but that none can be - and I think you would have realised this yourself - none can be used in isolation. They all have to be considered in toto. They all have to be considered in light of the demographics etcetera. And I think, you know, some of them need further refinement."

- 4.146 The Institute of Municipal Management (S2300, p.11) noted the difficulty in determining causes of financial stress and insisted that a Council's management policies are of paramount importance and must be examined before coming to a conclusion as to stress. No real alternative indicators or refinements have been suggested, however, the Commission did not give financial assessment primacy in selecting most priority cases. The only LA on the Commission's revised list of priority cases where financial assessment was a major factor was Clifton Shire.
- 4.147 The four indicators of financial stress assess the condition of an LA in terms of its ability to maintain services and facilities at desired levels and quality in both the short and longer term in comparison to the average condition of Queensland LAs. These indicators imply that financial stress would be manifest when there was an observed need to reduce the scope and/or quality of services below levels considered appropriate, or borrowing ability could be impaired, or there might be difficulties with liquidity, or reserves might be drawn down and/or rate payers may be subjected to high levels of rating.
- 4.148 The first indicator relating to financial condition sought to identify LAs with an undue dependence on grants and subsidies from other levels of government, that is, the vulnerability of an LA to changes in the level of external financial support, or to the level of reimbursable works (eg. for the Roads Division of the Department of Transport). It is designed to identify any LA with a level of dependence such that it is overly vulnerable to any change in grant levels or decisions at other levels of government which would affect its ability to plan ahead.
- 4.149 Many LAs felt that this indicator was inappropriate stating that it did not recognise the need for grants as fiscal transfers in a federal system with severe fiscal imbalance, that is, where the bulk of revenue is raised at one level of government and spent at others.
- 4.150 The Local Government Association of Queensland (S1276, p.26) stated:
- "Care must be taken when using such indicators. First there are significant imbalances in horizontal fiscal capacity which mean that there will be (and should be) some local government bodies with a high FA [Financial Assistance] Grant relative to own source revenue. Tied revenue is of little future relevance as road grants (by far the largest of the tied grants) are to be absorbed into General Revenue support.*
- Current initiatives through the inter-governmental relations debate (Special Premiers Conference) support increased transfers to State and Local Government as essential elements of our Federal system"*
- 4.151 Tambo Shire Council (S1962, p.15) stated that *"it is unlikely that Local Government will ever be in a position to meet its present commitments in terms of providing services expected by the community without external financial support."*

4.152 Such comments are pertinent, but some LAs appear to have used grant income to keep rates artificially low, thereby benefiting local ratepayers at the cost of the taxpayer at large.

4.153 Tambo Shire Council (S1962, p.18) contended that its high level of reimbursable works:

"... is directly associated with the extent of road maintenance and limited construction works undertaken on behalf of the State Government ... on declared roads within this Shire.

...

The added advantage of the reimbursable works is that it provides for a substantial profit to be made from Council's plant operations, which supplements other sources of internal revenue such as rates and charges."

4.154 Isis Shire Council (S1853, pp.8-10) stated:

"The concept of revenue sharing with both State and Local Government is a well established part of the Federal system and EARC must recognise the importance of this system of Local Government financing and discontinue the practice of excluding such revenues from it's calculations of financial viability.

This is particularly so given that road funding is now being absorbed into the general revenue support and that road construction and maintenance form such a significant part of a local government expenditure.

Further receipts for Private Works and State Government Works are an integral and ongoing source of Local Government Revenue".

4.155 These statements by Tambo and Isis Shire Councils arguing against the use of reimbursable works, confirmed the financial reliance of some rural LAs on road works on an agency basis for other levels of government, and therefore the serious effect any change in Department of Transport policy could have on the financial standing of those LAs.

4.156 The second indicator relating to financial condition sought to measure the extent of commitment of LA funds to debt servicing or to tied expenditure programmes, and therefore the extent to which the LA could alter its expenditure priorities in the short to medium term. The Local Government Association of Queensland (S1276, p.26) stated:

"The level of debt service will reflect particular policy approaches of local government ... Because there is a Commonwealth commitment to horizontal fiscal equalisation then it is appropriate to look at debt servicing as a proportion of own source and other untied revenue and not simply as own source revenue. It must also be recognised that such indicators of high stress may not display structural problems but simply reflect management and decision making practices which are not appropriate in terms of normal practice."

4.157 The third and fourth financial indicators relate to the rate base, rating capacity, rating level and rating burden carried by property owners in LA generally and in rural LAs. The specific focus is on the extent to which an LA is adopting an appropriate rate levy policy given its particular set of circumstances, with regard to the value of rateable properties within the LA, the ability of its residents to pay property rates and the level to which the LA taxes its rateable base.

- 4.158 There has been considerable confusion among LAs concerning the application of financial indicators regarding rating particularly to rural Shires. Rural Shires are characterised as having rural land forming more than 80 percent of the total unimproved capital valuation of all land. The measure Gross Value of Rural Production (GVRP) was used to calculate rating capacity or the ability of the residents to bear the rate burden, that is the wealth of the LA in rural areas. Personal income measurements were applied to all Shires.
- 4.159 Issues Paper No. 8 recognised that the indicators drawing on personal income and GVRP were imperfect measures, but were the best available. It is much easier to measure rating capacity in urban areas (where the bulk of ratepayers are PAYE taxpayers and income measures are a reasonably accurate measure of the ability of the ratepayer to afford the rates levied on them) than in rural areas, or rural LAs with rural residential or urban growth (eg. "mixed" Shires). Many rural enterprises are companies and income levels are not helpful in calculating the wealth base of the LA. GVRP is considered to be the best measure available of wealth in rural areas.
- 4.160 Typical comments of support for the indicator, mixed with criticism, were made by Nanango Shire Council (S1539, p.10):

"Various indicators of rating stress could be used to initiate further investigation of the viability of a LA.

However in rural LA's the valuation/rates levied on rural residential properties should be separated from rural farming or grazing. The Commission's figures for Nanango Shire appear to be in error in this regard."

Gladstone City Council (S1544, p.12) made similar comments:

"Calculating rating effort as a relationship between rates collected and U.C.V. [Unimproved Capital Value] can be very misleading. The other indicators in which collections are related to per capita income etc. is much more appropriate."

- 4.161 Although critical of the assessment made by the Commission, Tambo Shire Council (S1962, pp.10-11) analysed a number of flawed and partial measures of rating capacity and rating burden and preferred the use of GVRP for rural Shires. Blackall Shire Council (S2434, pp.2-3) stated that the use of gross value per hectare, rates collected per property, rates per dollar of personal income or rates per gross value of rural production, are all inaccurate as indicators of rating capacity, but did not suggest an alternative.
- 4.162 Isis Shire Council (S1853, p.8) opposed the use of GVRP because a single year's figures could be misleading, and instead wanted a five year average figure to be applied:

"For example the Gross Value of Rural Production (which has been used to determine rating capacity) will, in agricultural areas, vary considerably from year to year depending on seasonal conditions. EARC's financial analysis however, has used this figure for the 1988/89 financial year only."

SERVICE AREA

- 4.163 There was both support and criticism of the indicators dealing with economies of scale and efficiency of operation. Although these indicators have defects, as was acknowledged in Issues Paper No. 8, there were no other easily accessible measures. The Commission felt that these indicators were valuable but needed to be considered together with the demographic situation of individual LAs, that is, with regard to urban scatter, number of urban centres and population density.
- 4.164 The Local Government Association of Queensland (S1276, p.27) stated:
- "The presentation in the Issues Paper is in terms of actual levels of expenditure and neglects the policy and level of service differences ... The geographic and settlement patterns do however have an influence on required expenditure regardless of total population. A local government authority of say 10,000 population with 3 separate urban centres some distance apart will need to duplicate facilities and will not achieve scale economies just as would 3 separate councils. This is particularly relevant in the provision of recreation and cultural facilities such as swimming pools and libraries."*
- 4.165 The Commission has acknowledged the difficulties in using administration costs, as the different accounting methods of LAs do not give strictly comparable figures. LAs may dissect administration costs between various functions/programmes, or combine all administrative costs under one heading. However, this indicator is still useful.
- 4.166 There was widespread criticism of the use of administration costs as a percentage of rate revenue. For example, a number of LAs (eg. Tambo Shire Council S1962, p.21; Woongarra Shire Council S2359, p.3; Boulia Shire Council S2289, p.2; Isis Shire Council S1853, p.11), the Local Government Association of Queensland (S1276, p.28); the Local Government Grants Commission (T2233) and the Institute of Municipal Management (S2300, p.12), all preferred either administration costs as a percentage of total income or administration costs as a proportion of total expenditure. The Commission agrees that this indicator should be replaced by administration costs as a percentage of total income, and as a percentage of total expenditure.
- 4.167 The few submissions addressing the use of staff numbers as a determinant noted that the indicator did not allow for the use of contract staff or consultants. The Local Government Association of Queensland (S1276, p.28) stated:
- "There are too many differences in policy for this to have any broad use. It must always remain as a matter for judgement within a local context whether full time, part time or consultant resources will provide the most cost effective result. Skill in management of resources within the constraints of the local situation by the chief executive officer will be the key to ensuring more efficient and effective outcomes regardless of the number of senior officers employed. This indicator should be removed entirely from consideration because it encourages 'empire building' and does not address the need for greater resource sharing and co-operative arrangements ..."*
- 4.168 The Commission agrees that this indicator should be amended in this regard.
- 4.169 In looking to the service area of LAs, the Commission felt that economy of scale measures, evidence of duplication of facilities and evidence of co-operative arrangements and resource sharing in the pursuit of efficient and effective service provision, were important.

- 4.170 With regard to the use of facilities, the Local Government Association of Queensland (S1276, p.23) stated that this is: *"Of value when dealing with local government provided services e.g. libraries, swimming pools."*
- 4.171 The use of duplication of facilities including the location of administration centres and depots, as well as sharing of facilities, attracted both support and opposition. The Institute of Municipal Management (S2300, p.4) saw duplication as indicating obvious community of interest, while the Local Government Association of Queensland (S1276, p.20) drew a distinction between sharing and duplication as indicators of different situations.
- 4.172 Few LAs addressed the use of facilities by residents of adjoining LAs and the response was mixed. However, in answers to the Commission's Questionnaire, it was apparent that LAs perceive such use exists and that neighbouring LAs rarely agree on the level of such use.
- 4.173 The Institute of Municipal Management (S2300, p.7) wanted this indicator only used when appropriate and stated:
- "This situation will always occur but it depends on whether the residents are travelling through developed or un-developed areas to use the facilities."*
- In rural areas the extent of undeveloped territory between LGAs becomes substantial but the use of the facilities still exists. The further 'west' the greater the area of travel but the extent of use of facilities would still exist. HOWEVER, THE FREQUENCY WOULD BE LESSER. An indicator which should only be used in circumstances which are appropriate and should not be paramount on its own."*
- 4.174 Few submissions addressed the growth indicators, that is, level of building approvals and planned future developments but support and opposition was fairly evenly mixed.
- 4.175 Waggamba Shire Council (S1549, p.9) stated:
- "Planned future developments in the LA in the next decade do not really indicate whether an LA boundary should be altered ... An exception may possibly be where the development has commenced and a change is obviously needed."*
- 4.176 Few submissions addressed area or length of roads as indicators, although there was more support than opposition for these indicators. Mr Bain (S1547, p.10) and Isis Shire Council (S1853, pp.6, 7) felt area was only relevant where this was a significant determinant of the LA's ability to service the area.
- 4.177 Waggamba Shire Council (S1549, p.10) supported both area and road length as indicators:
- "The two geographic indicators listed i.e. area of LA and length of roads of an LA both have a considerable impact on the function of an LA. Obviously if an LA area is not large enough, or alternatively does not contain a large enough population, that LA will be financially unviable. Obviously larger rural Shires have greater length of roads to service smaller populations at a lesser standard than towns or cities."*
- 4.178 Nanango Shire Council (S1539, p.8) opposed both area and road length as indicators:
- "Whilst the indicators of land area and road length are important factors in large Shires they do not indicate the optimum location of an external boundary."*

These indicators should not be used to determine external boundaries. Increasing or reducing the area of a LA based on the land area and/or road length would be arbitrary.

If a boundary alteration was required due to other considerations then perhaps the viability of a particular land area / valuation or road length may be considered".

- 4.179 The Institute of Municipal Management (S2300, pp.9-10) believed road length to be important, and recommended other aspects of roads for use as indicators:

"In rural areas roads are virtually the life-blood of LAs. If LAs did not have the responsibility for road construction/maintenance then the LA, which principally relies upon external road funding and untied grants applied to road purposes, would not exist.

The same could be implied to the rural town where the LA is headquartered! (There are many LAs in this category). Therefore length of roads is an important consideration.

...

Road lengths are therefore seen as a relevant indicator for consideration in conjunction with the Economic Considerations. There must be an emphasis on the Road Management factor as a Performance Indicator."

COMMUNITY OF INTEREST

- 4.180 LAs generally supported the use of the important community of interest indicators, that an LGA should include the territory with which the centre has special linkages, and the use of communication lines within an LGA. Communication lines are the linkages between levels of the community. The use of patterns of life, travel and work is a basic measurement of community of interest, that is, where people live, work and play and the linkages between them. This indicator attracted more support than criticism.
- 4.181 Issues of representation of electors also attracted considerable support and little opposition. Comments drew attention to the need to allow diversity, however, there was opposition to any requirement that a set proportion of electors per member be rigidly applied.
- 4.182 With regard to the average number of electors, there was reasonable support, either express or implied by LAs relying on it. The related indicator which looked at access between the LA and its residents also attracted reasonable support.
- 4.183 Generally, submissions saw the demographic and geographic indicators as appropriate, but again many referred to the need to recognise the differences between urban and rural LAs, and for demographic and geographic matters to be considered together with community and economic matters.
- 4.184 The four indicators relating to population, for example, total population, population density, population growth or decline and distribution of population, attracted varying responses, which were favourable overall. The Commission considers it would not be reasonable to omit consideration of population and population densities from consideration of boundaries although it is, of course, necessary to weigh it against other indicators.

- 4.185 There was strong support for use of geographic and man made features as boundary guides, although a few LAs stated that road and other man made features would seldom form logical boundaries (Local Government Association of Queensland S1276, p.19; Isis Shire Council S1853, p.3; Nanango Shire Council S1539, p.4).
- 4.186 The community of interest indicators proposed in Issues Paper No 8 were largely felt to be satisfactory and are still supported by the Commission. An additional indicator reflecting the relative proportions of urban and rural populations was also thought to be useful.
- 4.187 Indicators relating to financial viability and resource base are:
- (a) number and type of functions performed by the LA (Not all LAs choose to undertake all the functions available. This choice can reflect community needs and desires or that an LA is unable to provide the services needed. The range of functions provided, however, is proposed as one indicator of what service an LA is able to provide).
 - (b) indicators of potential financial stress include:
 - (i) external risk assessment, which indicates LAs with an undue dependence on grants, subsidies and work contracts from other levels of government and are, therefore, vulnerable to changes in the level of external financial support on the level of reimbursable works,
 - (ii) fund flexibility assessment, which measures the extent of commitment of LA funds to debt servicing or to tied expenditure programmes and, therefore, the extent to which the LA can alter its expenditure priorities in the short to medium term,
 - (iii) rating stress (all LAs) assessment,
 - (iv) rating stress (rural LAs) assessment which together with (iii) measures the rate base, rating capacity, rating level and rating burden of an LA, and
 - (v) population trends;
- 4.188 Indicators relating to service area are:
- (c) the degree of co-operation, consultation and co-ordination of neighbouring LAs with regard to:
 - (i) strategic and town planning,
 - (ii) provision of water supply, sewerage and drainage,
 - (iii) road works,
 - (iv) other major infrastructure,
 - (v) economic and regional planning, and
 - (vi) policies impacting on more than one LA;

- (d) use of joint arrangements by the LA, and specifically the type of joint arrangement, its membership, its functions and the length of time it has operated;
- (e) duplication of facilities, including location of administration centre and depot;
- (f) sharing of any municipal facilities with neighbouring LAs, and any sharing of cost or user pays arrangements;
- (g) extent of use of facilities by residents of neighbouring LAs, and any sharing of cost or user pays arrangements;
- (h) general public services expenditure per capita (ie. general administration);
- (i) recreation and culture expenditure per capita (ie. people related service activities of an LA excluding libraries);
- (j) housing and community facilities expenditure per capita (ie. property related service activities of an LA excluding garbage and cleansing services);
- (k) administration costs as a percentage of total income;
- (l) administration costs as a percentage of total expenditure;
- (m) administration costs per head of population;
- (n) details of staff employed by the LA (ie. how many are employed in specific senior/specialist areas, and the type of employment arrangement, eg. part time, full time, shared, consultant, contracts).
- (o) length of roads of an LA, and level of expenditure on roads;
- (p) details of plant and equipment used by an LA (ie. the type of plant, and whether it is owned, leased, or shared with other LAs or agencies)
- (q) facilities provided by an LA (ie. the type of facility and its location);
- (r) level of building approvals;
- (s) planned future developments in the LA in the next decade; and
- (t) area of an LA.

4.189 Indicators relating to Community of Interest are:

- (u) patterns of life, travel and work, and the linkages they form;
- (v) communication lines within an LA (e.g. roads);
- (w) geographic features and man-made features which separate communities;
- (x) identification with an LA by residents (eg. use of LA name by businesses and organisations);

- (y) total population;
- (z) population density;
- (aa) population growth or decline;
- (bb) distribution of population, including such matters as urban overspill;
- (cc) average number of electors per member;
- (dd) adequate access between the LA and residents, that is, location of LA office and access to it; and any other mechanisms encouraging access; and
- (ee) urban-rural population split.

Recommendation on Indicators

- 4.190 **The Commission recommends that the indicators listed in paragraphs 4.187 to 4.189 above be utilized by an on-going boundaries review mechanism, as a guide to assist in identifying LAs, which do not fit within the principles or which vary significantly from the norm, for closer examination. The Commission recognises, however, that a future on-going boundaries review mechanism will need to modify these principles and indicators from time to time in the light of its own experience.**

Other Issues Raised in Submissions

- 4.191 Finally before going on to specific cases, the Commission should deal with a number of arguments raised in submissions. A substantial proportion of submissions from individual members of the public raised existing differences in rate levels or differences in perceived efficiency between LAs, as arguments against amalgamation or boundary change. A large number of the submissions made the point that their LA should not be amalgamated because their LA charged lower rates or their LA was more efficient, or both.
- 4.192 The Commission understands this public fear that alteration of boundaries could mean that individual ratepayers would be subject to higher rates, or governed by a less responsive and efficient Council. However, the Commission is concerned to recommend boundaries which would apply for many years to come and with a view to the long term benefit of residents. Quite simply, today's low rating Shire may be tomorrow's high rating Shire depending on its future financial condition, due to alterations in interest rates, a decline in grants or reimbursable works or changing policies of the Council. Similarly, efficiency and effectiveness depends on staff and elected members, who are subject to change.
- 4.193 When looking at rating questions, the Commission looks primarily to the resource base and service area of an LA to see if the area to be serviced and the economic value of the land in that area are such that it would be an unduly expensive or difficult area to service, or would produce insufficient revenue for effective operation, no matter how efficient the LA's administration might be.

- 4.194 As will be seen in the following chapters, the Commission has recommended boundary changes to a number of LAs that may well have been efficient in meeting the requirement of their residents, but where an inadequate or inappropriate area handicaps their present operation or is likely to do so in the future.
- 4.195 Another matter raised was the fear of rural residents that boundary change would decrease the proportion of elected members representing a rural viewpoint on Council, and the level of personal contact with the elected representatives. Representation of a community is relevant where there is a genuine and sustainable community of interest, or where an LA may be so large as to lose the element of "localness". Representation levels for rural voters alone, however, cannot be a primary issue influencing boundary change. These arguments were often associated with another argument to the effect that bigger is not better. This view argued against increasing the size of LAs on the basis that larger LAs tend to have a bigger bureaucracy and be less responsive. The Commission simply notes in this regard that there is no ideal size of an LA. Whether an LA is responsive or bureaucratic depends more on the quality of management and staff than on considerations of size. In any event, the largest possible LA that could result from this review would be an amalgamation of Townsville City and Thuringowa City. The resulting LA would still be smaller than Logan City Council in population.
- 4.196 There is another issue relating to the principles. Constantly in the course of this review the Commission was urged to identify the benefits which are likely to result from amalgamation or boundary change. The Commission has endeavoured to do this in its analysis and reasons in the following chapters.
- 4.197 The New Zealand and the New South Wales experiences with wide scale boundary change indicate that any savings from boundary change may take some time to be apparent. Professor Bush of the University of Auckland (Hunter 1991a, p.2) said that it was far too early to evaluate the reforms, and that premature evaluation would *"be no more than unsubstantiated opinion"*. He believed that LAs *"should be given two full (3 year) terms before any comprehensive evaluation be attempted."* This view was supported by the New Zealand Local Government Association (Hunter 1991a, p.15), which referred to difficulties in calculating savings due to new accounting practices introduced after boundary changes, but *"was generally of the view that it was too early to make definitive statements regarding savings although indications were positive for many Councils"*.
- 4.198 The Commission is persuaded by the experiences in New Zealand and New South Wales that it is not possible to quantify possible savings in advance of a boundary change. Boundary change makes available to LAs a range of possible savings and efficiencies of operation, but it is the elected representatives of the community who will choose which savings or service adjustments are appropriate in the particular circumstances.
- 4.199 The Commission recognises that where, for example, two LAs are combined into one LA there is potential for savings, but particularly where there are transitional costs, such savings may take time to emerge. Further, amalgamated LAs should be given maximum flexibility in this regard. Some LAs may wish to achieve savings (including reduction in staff), other LAs may wish to use the savings to offer a wider variety of services.

- 4.200 Whilst the Commission has identified benefits, however, it has not attempted to make any calculations of savings which might result from rationalisation. To have done so the Commission would have had to conduct a detailed study of each LA examined which would have been expensive, time consuming and disruptive of the LAs concerned.
- 4.201 Finally in this regard the Commission notes that only two LAs (Blackall Shire Council S1197; Tambo Shire Council S1962) carried out any joint investigation of what savings might result from an amalgamation of the two LAs. The two LAs commissioned a firm of consulting engineers to examine the effect of amalgamation on the field staff of the two LAs totalling 82 staff. The study identified a potential savings of three field staff.
- 4.202 The Commission will now apply the adopted principles to the major cases chosen for investigation and to the less major cases. The Commission proposes to deal with each of the major cases in the order they were examined at the public hearings, that is, the first public hearing was in relation to Logan/Brisbane and the last public hearings were in relation to Cape York neighbouring councils.

CHAPTER FIVE

LOGAN / BRISBANE

Introduction

- 5.1 In its submission (S1311) Logan City Council proposed two boundary alterations, one of which affected Brisbane City Council. The Commission decided to examine the proposal involving Brisbane as a priority case principally because it had been the subject of lengthy unresolved negotiations between two of the largest LAs in Queensland. Further, Logan's proposal provided an opportunity to test the principles identified in Chapter Four in relation to a populous area in the south-east of the State.
- 5.2 This proposal sought the transfer of some relatively unpopulated areas from Brisbane City to Logan City. Logan City Council (S1313) initially proposed a transfer of the suburbs, or parts thereof, of Karawatha, Stretton, Berrinba, Drewvale, Parkinson, Larapinta, Underwood and Kuraby. However, it amended the proposal and it is this amended proposal (S2559, p.3) which has been investigated by the Commission. Logan's proposal was to shift its north-west boundary with Brisbane to the following new boundary:

"Commencing at the intersection of Logan Road and Underwood Road, Underwood, in a westerly direction by Underwood Road to the intersection of Millers Road, thence southerly by Millers Road to its intersection with Beenleigh Road, westerly by that road to the railway line at Kuraby and thence generally in a southern direction by the railway line to Compton Road, westerly by Compton Road to the Port Road [instead of the Mt Lindsay Highway], south by the Port Road [instead of the Mt Lindsay Highway] to its intersection with the Logan Motorway and then west by the Motorway to its boundary with Brisbane City Council."

Particulars of the proposed new boundary are set out in Appendix W, Map W.1.

- 5.3 As at 31 October, the Commission had received 60 submissions in relation to its examination of the Logan/Brisbane boundary. A public hearing was held at the Logan City Council Chambers on 11 June 1991. The Commission heard evidence from Logan and Brisbane City Councils, Koala Action Group - Qld Inc., Karawatha Forest Protection Society, Logan Chamber of Commerce, Mrs Edith Linssen, and Mr Ian Wyllie. The Commission also invited Mr Len Ardill MLA, Member for Salisbury, but he was unable to attend.

Matters for Consideration

- 5.4 Logan City Council is Queensland's second most populous LA. To its north and north-west, Logan City Council shares a common boundary with Brisbane City Council. It also shares boundaries with Redland, Albert, Beaudesert and Moreton Shires. Map W.1 in Appendix W shows the existing boundaries and major geographic features of the two LAs.
- 5.5 Logan came into being as a result of the *Local Government (Adjustment of Boundaries) Act 1978* which created the then Shire of Logan out of 241 square kilometres excised from the northern sections of Albert and Beaudesert Shires. Logan Shire became Logan City on 1 January 1981.

- 5.6 Over the past ten years, Brisbane and Logan City Councils have had many negotiations over boundary alterations (T43). Despite numerous meetings and submissions to the Minister for Local Government, no successful outcome has been achieved. Both LAs have now referred the issue to this Commission. Both LAs recognise that the current boundaries contain anomalies. As the Lord Mayor of Brisbane, Alderman Soorley (T37) said at the public hearing *"I think anyone with any sense can see that sensible adjustments need to be done."*
- 5.7 It is estimated that the population of the total area proposed for transfer by Logan City Council contains approximately 500 people. If the boundary changes suggested by Logan City Council occurred, the resultant increase in Logan City's population would have little impact on financial considerations, population base and service provision by Logan City. Equally a small reduction of the Brisbane City population of over 700,000 would have limited impact on Brisbane City. As a consequence, the proposed boundary change would not appear to present an economic strain or major economic advantage for either Brisbane City or Logan City. Nevertheless Logan City Council's proposal would involve about 27 square kilometres of land (T35) or 2.2 percent of the total area of Brisbane City.
- 5.8 To the north and west of Logan City, in the Brisbane City area, are the largely undeveloped suburbs of Karawatha, Berrinba, Drewvale, Parkinson and Larapinta. Their populations are very small, and have shown very little increase since 1981. Indeed the population of Berrinba and Drewvale has declined since 1986 (ABS 1991a).

Table 5.1
Selected Suburbs Adjacent to Logan City
Estimated Resident Population (ERP)

Suburb	Estimated Resident Population		
	1981	1986	1989
Berrinba	270	309	294
Drewvale	60	(a)	(a)
Karawatha	150	194	239
Parkinson (b)	100	115	200

Notes: (a) Included with Berrinba in 1986 and 1989
(b) Including Larapinta

Source: ABS 1981b; ABS 1986b; ABS 1991a.

- 5.9 Comparison of socio-economic data shows the relative homogeneity between the two LAs. The demographic composition of both LAs are quite similar. Both have relatively young age populations with 20-27 year olds the largest component. Logan City has a slightly younger population, however, than Brisbane City.

- 5.10 There are two schools in Berrinba. Woodridge State High School has an enrolment of 925 which has declined since 1981. Berrinba State School has maintained an enrolment of about 615 since 1981.
- 5.11 Given that the area and population associated with Logan City Council's proposal are relatively small, it is not expected that such a proposal would significantly reduce Brisbane City's resource base. Brisbane City Council claims however, to have spent in excess of \$35 million on infrastructure in the area.
- 5.12 Except for the Calamvale area, the areas in question are not currently serviced by the Brisbane City public transport system. The only public transport in the area is provided by Queensland Railways and private bus companies. The road networks in this area tend to feed back to Compton Road where residents may choose to travel into either Brisbane or Logan.
- 5.13 Private bus operators offer a number of routes that originate from Logan and work outbound on a hub network to Garden City and Sunnybank Hills shopping centres, which are at the outer limits of Brisbane City bus operations.
- 5.14 In the Underwood, Trinder Park, Woodridge, Berrinba and Browns Plains areas, the road network serving the Brisbane side of the present boundary draws traffic into the Logan area. There are few local roads and no major roads leading from those areas directly back into Brisbane. All of these boundary areas are accessed by Logan's road system.
- 5.15 Currently the two LAs share a common boundary running north-south on Logan Road, which divides the suburb of Underwood. On the eastern side of the road is dense urban development in Logan City. On the western side is a strip of commercial and industrial land in Brisbane City. A broad stretch of undeveloped or rural land lies between the development and the nearest Brisbane community.
- 5.16 Logan City is a member of the South East Queensland Water Board (formerly Brisbane and Area Water Board), which controls and manages primary water storages for South-east Queensland. Applications for the provision of water supply and sewerage services to individual properties in the Brisbane/Logan border areas are made to either Logan or Brisbane Cities.

Evidence and Arguments

- 5.17 From the beginning of its review, the Commission stated it would assess and analyse all evidence in terms of its principles and indicators. Chapter Four provides a brief analysis of the principles to assist in consideration of boundary change. The following analysis of Logan/Brisbane applies these principles where appropriate.

REFLECT LOCAL COMMUNITIES, AND THE SPATIAL PATTERN OF HUMAN ACTIVITIES

- 5.18 Logan City Council highlighted community of interest as the principle underlying its boundary claim. It (S2451, p.4) said:

"There is no doubt that communities such as Trinder Park, Kuraby, Karawatha, parts of Woodridge, parts of Underwood, and to a lesser extent Calamvale, have an affinity with Logan. Council acknowledges that Brisbane can rightly claim to be the focus of a much larger region, however it is felt that Communities of Interest still apply in the day to day activities of the residents ...

Logan believes that its ability for the citizens to be adequately represented at Aldermanic level would be enhanced by a change to Logan and therefore the argument by Brisbane on this point has no validity."

- 5.19 In relation to spatial patterns of human activities and communication lines, Brisbane City Council (T45) said:

"Logan claims that road networks and public transport routes indicate that human activity in the area has a strong link with Logan. In fact, the road network and public transport routes have a strong link to Brisbane city. These routes were historically designed to link outlying areas to Brisbane."

BOUNDARIES SHOULD NOT DIVIDE NEIGHBOURHOODS / AREAS WITH COMMON INTERESTS

- 5.20 Logan City Council (S1311, Vol 5, pp.37-38) agreed that where the current boundary divides properties, special solutions must be found. Logan City Council's proposal, however, encompassed a greater area than just the divided properties, on the following grounds:

- "* the existing boundary does divide the community*
- * road networks and public transport routes indicate that human activity in the area has a strong link with Logan*
- * land use activity on either side of the existing boundary is similar, ie. Residential and Commercial in the main and is interdependent*
- * shopping and commercial services and needs are interdependent across the boundary*
- * a demonstratable use of community facilities in Logan by residents in the area of on the Brisbane side of the boundary and vice versa*
- * a boundary relocation would fuse two divided communities which would enhance the principle of servicing the interdependence of these areas*
- * the residents on the Brisbane side of the boundary concerned would share a common sense of belonging to Logan*
- * the area could be adequately administered and serviced from Logan without a disproportionate increase in resources*
- * a joining of separate communities of similar nature would facilitate development and planning*
- * because of the closer proximity of the area to Logan rather than Brisbane administrative and service supply centres significant economies exist*
- * lands divided by significant geographic features such as the Logan Motorway can be linked to this logical local government area by adjustment of the boundaries*
- * the proposed 'Port Road' linking the Logan Motorway and the Gateway arterial may have a significant effect on dividing both the community of interest and the catchment area to the north-west of Woodridge."*

- 5.21 Logan City Council (T11) illustrated the community of interest between the subject areas and the remainder of Logan City:

"As we move easterly, the land is compatible between that which is currently on the Brisbane side of the boundary and the Logan suburb of Forrestdale, which is an acreage development - acreage residential. The further east we travel, the more compatible the uses become with the Logan City development, and again communication between the northern side of the motor way and the southern side become difficult; in fact, the area to the very east is in fact accessible only from the Logan side and is land-locked from the Brisbane side."

- 5.22 Addressing the community of interest principles and indicators outlined by the Commission in Issues Paper No. 8, Brisbane City Council (T45) said:

"Firstly, Logan claims that the existing boundary divides the community. We would suggest that the boundaries are appropriate except in a few minor cases where the boundary crosses allotments. We see no major problems with the boundaries, they're merely lines on maps. There might be a case if there was a major physical impediment such as a mountain range.

The pressing problem that we do acknowledge lies in the Garfield Road, Charles Avenue, Wembley Road area, where the current boundary bisects a dozen or more properties. Brisbane is happy to have that sorted out."

- 5.23 Brisbane City Council (T45) stressed that the areas in question are not really homogeneous:

"Logan claims that land use activity on either side of the existing boundary is similar, that is, residential and commercial in the main, and is interdependent ... The development intensity is much higher on the Logan city side. On the Brisbane side, it's practically non-existent. It has a semi-rural character and this is consistent with Brisbane's planning over a very long period of time. It's no accident; it's not undeveloped land, it is land that is designated as appropriately having a semi-rural character."

- 5.24 Brisbane City Council (T46) also disagreed with Logan City Council's claim that the current boundary divides a community:

"Logan claims that a boundary relocation would fuse two divided communities which would enhance the principle of servicing the interdependence of these areas. This, again, is a broad generalisation. ... Logan claims that the residents on the Brisbane side of the boundary concerned would share a common sense of belonging to Logan. They don't, in our opinion. ... We don't believe that Logan have any basis for this claim; it's pure speculation and has no basis of fact ..."

ACCESSIBLE CENTRE OF ADMINISTRATION AND SERVICE

- 5.25 Logan City Council (S1311, Vol 5, pp.9-10) argued that road networks left the residents of these areas effectively isolated from Brisbane. Logan City Council considered that it was therefore more appropriate for those people to be included in Logan City. Brisbane City Council did not accept this argument, especially where it related to the proposed Port Road. Instead, it (S2587, p.1) argued:

"It is not accepted that new tollways create any necessity to change the boundaries. The function of the Proposed Gateway Extension (referred to as the 'Port Road' in Logan City Council's submission) is to connect the Logan Motorway with the Gateway Arterial Road. The Proposed Gateway Extension will also interchange with the South East Freeway. Given these two major connections, a high level of accessibility to Brisbane is ensured for the areas on either side of the Proposed Gateway Extension. The Proposed Gateway Extension is unlikely to be constructed within the next ten (10) years.

Council does not support Logan City's arguments that the Logan Motorway severs the area to the south from Brisbane City. These lands are readily accessible to and from Brisbane. This is best illustrated by the Parkinson-Heathwood Industrial Area. This area is intrinsically linked with the other industrial areas of Brisbane because of its location within close proximity to major transport corridors including the standard gauge railway line and the Logan Motorway which will ultimately be linked with the Proposed Gateway Extension. These connections ensure the Parkinson-Heathwood Industrial Area has the highest possible levels of accessibility and linkages with other established industrial areas within and outside the metropolitan area."

- 5.26 Logan City Council (T11) stressed the access problems it sees created by the Logan Motorway:

"The areas between the Logan boundary and the Logan Motorway have difficult access from the Brisbane side and are generally accessed from the Logan side. The lands contained between those two boundaries are at this stage largely undeveloped, but are compatible with lands to the southern side across the Logan boundary. To the far west the land is largely suitable to be retained as a buffer because it is contained between the motor way and the Greenbank Army Camp."

GEOGRAPHIC AND MAN-MADE FEATURES

- 5.27 Brisbane City Council (T47-48) rejected Logan City Council's argument that the Logan Motorway provides a geographic feature along which the boundary should be re-aligned:

"Council does not support Logan city's arguments that the Logan Motorway severs the areas to the south from Brisbane. These lands are readily accessible to and from Brisbane."

Logan states that man made features such as the Logan motorway and the proposed Gateway arterial create a natural boundary, but Logan has used the reverse argument for extending their boundary west of Logan Road and north of Johnson Road, and is equally inconsistent when referring to the Logan motorway. Logan leapfrog the very road they claim to be a natural boundary to claim the land to the north; and we say again, these major transport routes service the areas rather than separate them.

The arguments put by Logan are considered to be inconsistent and irrelevant to the basic principles outlined by the Commission. Their reasoning has varied dramatically over the years."

- 5.28 In response to a question from the Chairman regarding what might be appropriate natural features in this area, Mr Sommerville of the Logan Chamber of Commerce (T121), replied:

"Well, obviously, you know, in the Kuraby area, there's a watershed area at the top of the hill which is, sort of, approximately midway between Compton Road and Old Beenleigh Road. In the western area, I think the motorway is an obvious barrier. May I further add that I've had recent local government appeals which I've been successful at - I've got to rub that in - and the argument particularly there was that a road was inappropriate boundary and the rear of properties is more definable."

RESOURCES TO PROVIDE SERVICES AND FACILITIES

- 5.29 Mrs Linssen, a resident of the Berrinba area, opposed Logan City Council's proposal because she (T73) felt it was a "land grab for more development and power." She (T72) outlined her objection in relation to the Berrinba area:

"This area is acreage, a minimum of five-acre blocks, not sub-dividable, and because it is situated in the green belt - or so-called buffer area - there are no services like town water or sewerage, a fact understood by the people who specifically bought in here to have peace, quiet, and breathing space."

...

Brisbane's point of view that no services could be provided is based on the enormous cost with no return in rates, as rates wouldn't be adequate to recoup. Logan's promise to provide these services can only be based on the assumption that development will be possible, even though they assured us we could stay put on acreage if we wished to do so."

- 5.30 Logan City Council claimed that Brisbane City Council's maintenance of certain roads was poor. Brisbane City Council (S2671, pp.14-15) rejected this proposition:

"Alderman S. Ayling from Logan City made reference to problems that LCC perceived with the boundary roads. In particular he mentioned the condition of the roads on Logan's side as compared with the condition of Brisbane's side and he also made specific mention of Priestdale Road culvert.

*It should be noted that these boundary roads are situated **entirely** within the City of Logan. Brisbane is under no obligation to provide funding for these roads at all...*

As pointed out earlier, Alderman Ayling used the example during the hearing, of the well maintained roads on the LCC side and the poorly maintained 'table drains' on the BCC side. It should be noted that the agreement with LCC is that Logan carry out all the routine maintenance such as pothole repair and grass cutting on both sides of the boundary roads and that BCC annually reimburse them for 50 percent of the cost.

Alderman Ayling also made specific mention of Priestdale Road. BCC has previously not agreed to funding of Priestdale Road culvert because a more economic solution would be to upgrade the Ford Road culvert. Ford Road culvert is totally within Brisbane and would be funded solely by BCC. This would provide flood-free access for residents of Logan, Brisbane and Redlands."

- 5.31 Concerning service provision in the area bounded generally by Mt Lindsay Highway and Compton Road, which is contained in a catchment flowing south-westerly towards Logan City, Logan City Council (T10-11) stated: *"Our contention is that makes that area much better served in terms of sewerage and drainage by the Logan City Council."*

FLEXIBLE AND RESPONSIVE FINANCING

- 5.32 Brisbane City Council (T39-40) expressed concern at rate increases to the ratepayers in the area, should the Logan City Council proposal proceed:

"... if Berrinba actually changes, their rates will rise 42 per cent under Logan. If Drewvale changes, the 33 residential properties there, when we compare the rating in the dollar, they will receive, if they're transferred to Logan, an increase of 49.5 per cent. Underwood, there are 40 residential properties in that area, and they will increase - receive a 52.6 per cent increase in their rates if they're transferred to Logan. Karawatha, there is only one residential property and it's fairly insignificant."

- 5.33 Brisbane City Council (S2671, p.14) provided financial data which established that it has invested heavily in the area under consideration:

"BCC has developed substantial assets in the area totalling in the order of \$35,000,000 and would expect to be compensated for this investment in infrastructure.

BCC also owns approximately 20% of the Subject Area and is currently negotiating to purchase substantial extra landholdings. This situation would generate substantial difficulties for both BCC and LCC if the boundaries are to alter.

Data on rates referred to by the Right Honourable the Lord Mayor at the Commission on 11th June had been calculated on the 1990/91 rating system. This data covered rates on all residential properties in the suburbs of Underwood, Berrinba, Karawatha and Drewvale. A comparison with LCC's rate in the dollar with BCC's rate in the dollar indicates that if residential properties were to be relocated to Logan City, then residents could expect to incur between a 42% and 52% increase in their rates."

CO-ORDINATED PLANNING AND DEVELOPMENT

- 5.34 Brisbane City Council (S1096) agreed with the Commission's assessment of urban overspill problems and identified the suburbs of Drewvale and Karawatha as disputed boundary areas. According to Brisbane City Council, this particular area has been subject to discussions between the two LAs for the last 10 years. While Brisbane City Council (S1096, Annexure B, pp.1-2) agreed that there were several anomalies that should be rectified, it strongly opposed the boundary adjustments suggested by Logan City Council in these areas because:

"Logan City proposes to excise 880 hectares of land currently zoned Non Urban and Future Urban in the Brisbane Town Plan. The majority of the subject land is zoned Non Urban.

Concept 6 of the [Brisbane City Council] Structure Plan states that the '... Non Urban Fabric represents those parts of the City where it is intended that generally the form of development should be low intensity. It includes areas susceptible to flooding, water supply catchment areas, steep land and land intended as major recreational resources for the City.

Furthermore, Section 2.2.1 of the Strategic Plan states that objectives relating to visual amenity will be achieved by' retention of undeveloped open space and semi rural buffer areas on the periphery of the City, particularly adjacent to major roads.

The subject land forms part of the large non urban buffer in the South eastern corner of Brisbane.

The Karawatha area, in particular, has been identified by Council's Bushland Task Force as having critical local and regional conservation value. It is also considered to have significant nature based recreational potential. Within the area these are continuous stands of high quality eucalypt forest and associated fauna habitats."

- 5.35 Brisbane City Council (S1096, Annexure B, p.3), while acknowledging the history of protracted negotiations between the two LAs, argued against Logan City Council's suggestions, and stated in one of its policy papers:

"Logan City has already developed directly adjacent to the boundary with Brisbane. A shift in the boundary along the lines suggested could result in the loss of some of the remaining peripheral areas of the Non-Urban Fabric ...

The Logan City view that this transport corridor [the Logan Motorway] should form the boundary between the 2 Councils is not supported on the grounds that:

. The area of land to the south of the Motorway is substantial and not physically isolated from Brisbane. Adequate vehicular access is provided at several points.

. The Strategic Plan for Brisbane places a particular emphasis on maintaining a non urban corridor adjacent to major roads. Transfer of the land, south of the Motorway, to Logan City will lead to more intensive zoning and ultimate loss of visual amenity."

- 5.36 Brisbane City Council (S2587, p.2) advised the Commission of the results of a Watercourses Management Study which it had conducted:

"An outcome of the study was that all creeks were divided into homogeneous units. The Logan Motorway, suggested by Logan as an appropriate boundary, actually bisects one of these homogeneous units identified by the study group. This would indicate that the motorway is not an appropriate boundary on the basis of catchment management as contended by Logan City.

Logan's argument for boundary changes on the basis of creek management is fairly 'thin'. Based on their logic we could argue that the effects of the management of the upper Oxley Creek catchment in Logan City will impact, in terms of flooding, on the downstream areas in Brisbane. Hence perhaps we should look at extending Brisbane's boundary into Logan to ensure we can better manage the upper catchment area and protect Brisbane's interests.

As pointed out earlier Logan now contend that the proposed Port Road would form an ideal boundary. The fact that a freeway or tollway is built through the City does not mean that communities on either side are isolated. Council does not consider that new tollways are a valid basis for altering the boundary."

5.37 In material furnished to the Commission since the public hearing, Brisbane City Council made the following additional points:

- . Brisbane City has invested some \$35 million in the area sought by Logan City Council (S2714, p.2);
- . Brisbane City owns 470 hectares or about 20 percent of the area - (S2671, p.3 and Fig. 9); and
- . to move the boundary as requested by Logan City Council penalises Brisbane City for its long term planning and discourages other LAs from planning (Alderman Soorley, S2714).

5.38 Alderman Ayling, Deputy Mayor of Logan City Council (T16-17), responded to Brisbane City Council's planning and development concerns by arguing:

"We have further, with regard to our environmental history, purchased major lands to the north of the Daisy Hill state forest commonly known as the Nev Lawrie Reserve to preserve that area.

I think it's about 130 or 150 hectares that we've purchased there. We have not sold any land for development. That's a point I want to make; when we purchase land we purchase it to preserve it. We don't purchase it and then sell it off to the developers. We are currently negotiating with developers in the Hideaway Mountain area to purchase land there, again, because of the environmental sensitivity of that area and knowing that if the development went there, the degradation of that area would be absolute and it's at no inconsiderable cost.

Our environmental record, although it was poor back in 1978 when we first incorporated, as our own local authority in our own right we have progressively increased our awareness of the environment and built up quite a large landstock of land that needs to be preserved."

5.39 Logan City Council (T28) added that it did not propose urban development for the additional area it sought:

"ALD GOLLEDGE: We're looking at what we call infill; that development of those established areas without going into our environmentally sensitive areas.

ALD AYLING: Council's current strategic plan has an ultimate population base of some 245,000 people, if I can recall correctly. That is under review but as the mayor has quite rightly pointed out, Logan City does have a fair amount of urbanisation now and there's a lot of infill that has to occur. The cheaper areas have been developed and now the infill has to occur and council is very reticent to allow any development outside of the designated areas until such times as that infill has occurred."

5.40 Brisbane City Council agreed there was a need to rectify specific boundary anomalies, but it still opposed Logan City Council's wider proposal. On the environmental value of the area, Alderman Soorley, Lord Mayor of Brisbane City Council (T39), said:

"It is Brisbane's long term strategy plan to provide a green buffer for this city, and we have a responsibility and a right to do it that has protected the city. And this green belt and a lot of the land was originally purchased in 1973 by Clem Jones. Successive administrations have basically maintained this as a green belt, and Logan's claims that it is the same either side of the road are obviously false.

So this green belt that we're talking about is really essential for Brisbane's long term future. It is in fact a lung for the city, and we must have control over that green space and our own lung. And all you need to do is look at Logan's long term strategy plan. Here it is; the one they talked about this morning. If you get their strategy plan and you look at the development around the boundary, it is intensive development all the way up to the boundary. And I cannot accept that if we transfer all that land into Logan we are just going to keep the same line."

- 5.41 A major concern of Brisbane City Council was that Logan City Council might allow the land to be developed, and thereby destroy the "buffer zone" which it had been trying to establish. In response to claims by Logan City Council that it is environmentally responsible, Brisbane City Council (T39-40) argued:

"If we listened closely to their comments this morning, even on Karawatha, the comments of the deputy mayor indicated that Karawatha wasn't even safe. And let me just remind you of what the Deputy Mayor said, if I can find my notes here:

'Logan doesn't see we would ever see the full development of Karawatha. We'll open up the fringes to be developed'.

That's what they said about Karawatha, even here this morning. So we are talking about taking bushland that successive Brisbane City Councils have protected and developing it."

- 5.42 Alderman Soorley of Brisbane City Council (T42), added:

"Logan indicated that they would support a buffer. Well, where's this change come from? I would ask where is the buffer between Brisbane and Logan on their side of the boundary?"

The only other comment I would make is this roadway, the Logan roadway as a boundary. I always thought roads were to join people together, not to act as a divide. And there is absolutely no logic using that motorway as a boundary. And talking about using the proposed port road, it may never eventuate."

- 5.43 Brisbane City Council (T48-49) highlighted the environmental importance of much of the area, especially Karawatha:

"Much of it is natural bushland, and the aerial photographs clearly illustrate that Logan has allowed intensive development, while Brisbane has endeavoured to preserve a green belt area, and unless Brisbane city retains control of these areas, they will be sacrificed to Logan's stated intention, of intensive development."

- 5.44 Mr Sommerville of Logan Chamber of Commerce (T120-121), referred to the problems facing developers:

"As a developer and a consultant I unfortunately found out that Logan City has become very environmentally sensitive and the need for environmental impact studies and responsible development is just as important in Logan as it is on the other side of the council boundary.

The areas around the Trinder Park up to Compton Road and west of Kingston Road, most of which are currently serviced through Logan City, have a dilemma, because not only do you have to negotiate with council on your road frontage but you pay rates to Brisbane City and you pay sewerage and water to Logan. It's rather ludicrous and I think that that should be corrected to provide some logical mechanism ...

The major concern that we have is the provision of services and the inequality comes from having to bargain with both authorities who tend to want their pound of flesh, and when you're on the boundary you have to give two pounds of flesh nearest the heart and they're clever enough these days to want the blood, as well."

EFFICIENT AND EFFECTIVE PROVISION OF SERVICES

- 5.45 With regard to efficient and effective delivery of services, Brisbane City Council (T46) said:

"Logan claims that the area that they're claiming could be adequately administered and serviced from Logan without a disproportionate increase in resources. Brisbane would say that the area is already adequately administered by Brisbane. We have almost no history of complaints from the residents and Brisbane city council's regional office at Upper Mount Gravatt provides a service to the subject area."

FUTURE PROJECTED GROWTH

- 5.46 Of major concern to Brisbane City Council (S2587, p.2-3) is that Logan City may use this buffer area as a solution for its future projected growth:

"Council also wishes to emphasise the environmental importance of much of the area in question, particularly Karawatha. These areas are important not only for their inherent value as green belt areas but also because they contain areas of high environmental value which Brisbane City Council has committed itself to maintaining. Much of the area is natural bushland. Aerial photographs clearly illustrate that Logan City has allowed intensive development on its side of the boundary whilst Brisbane has endeavoured to preserve a green belt area. It is of concern to this Council that unless Brisbane City retains control of these areas they would be sacrificed to Logan's stated intention of intensive development in the present Brisbane area."

Of the land which Logan seeks to excise from Brisbane, more than 50% of the area is bushland which is integral to the development of an integrated open space network in Brisbane."

- 5.47 Logan City Council (T8-9) further advanced its views:

"Logan City Council is not interested in expanding the extent of land under its administration other than to produce a solution to existing boundary anomalies and to rationalise boundaries in question so that the likelihood of similar anomalies arising in the foreseeable future are eliminated".

- 5.48 The Koala Action Group and Karawatha Forest Protection Society (T92-93) argued against Logan City Council's proposal which they saw as jeopardising the long term preservation of the environment:

"Now, we feel the disadvantages, should the boundary changes favour Logan. Now, we feel the residents of Brisbane and Logan would lose an important area of bushland and koala and wallaby habitat to development, as it involves such a large area of bushland, that we feel Logan City Council doesn't have a sufficient, strong resource base, both in fiscal and management capacity, to both acquire land and maintain services and facilities at desired levels and quality."

Now, Brisbane City Council is pro-active in bushland management, as evidenced by their bushland management policy. The alderman for the area, Kevin Bianchi; Chairman for Recreation and Health, Alderman David Hinchcliffe; and the Lord Mayor, Jim Soorley, have given public commitments to the preservation of the Brisbane City Council southern green buffer area, and Brisbane City Council already owns large tracts of bushland within Karawatha and surrounding areas."

Logan Council has no green levy, and we felt they would be loath to enforce one as a voluntary levy raised only approximately \$160. We believe Logan Council does not have the environmental qualifications and experience to compare with Brisbane City Council, who have a bushland management section, a bushland task force, a wetland management scheme, and an environment unit."

- 5.49 With regard to the Commission's principles, Mrs Volz (T100), representing both the Koala Action Group and the Karawatha Forest Protection Society said:

"Now, EARC principles H, N, P and Q within your own document number 8 - that's H, N, P and Q - would militate against Logan City's claim for Karawatha Forest. These principles recognise that the total area for co-ordinated planning in relation to environmental and land use systems is preferred to be within one local authority, and maintained by the best qualified staff, and backed by a strong resource base. Karawatha Forest should not be cut in half, and Brisbane city can better administer it."

- 5.50 Logan City Council (S3115, p.2) rejected such "pro-development" arguments and said it also was environmentally aware:

"Allegations were made during the hearing regarding Logan's 'pro-development' policy as allegedly evidenced by the concentrated residential development that has been 'allowed by Logan' on the boundary from Eight Mile Plains to Berrinba. There is no denying that development has occurred in these areas and would have been influenced by the proximity of the railway line, a classic example of urban overspill; however, this development occurred prior to the formation of Logan City. The development was in place when Logan was created."

In the area referred to in the public hearings as Karawatha bushland, it has never been Logan's wish to continue the intensity of development right up to some new boundary. We would see the more acceptable solution would be a tapering approach which would allow for a gradual transition from densely residential to a park residential type development leading to the untouched bushland."

Analysis of Evidence and Arguments

- 5.51 It is obvious that there are certain anomalies in the existing Logan/Brisbane boundary which require attention. It is a matter of regret that these anomalies have not been resolved well before now. The Logan/Brisbane boundary has been the subject of negotiation between the two LAs for 10 years and there has been no resolution of anomalies, notwithstanding that both LAs recognise anomalies do exist. The principal reason for failure to resolve these matters before now was given by Alderman Ayling of Logan City Council (T25):

"Successive Ministers of Local Government have told us that they would not entertain numerous alterations in respect of those boundaries; that they wanted one submission which was to encompass all the necessary changes to be done and they would not entertain continual changes coming forward even if we had agreed upon them."

- 5.52 The principal anomalies in the current boundary would appear to be the following:

- (a) The reservoir area north of Priestdale Road is currently within Logan City, yet all other property north of Priestdale Road is in Brisbane City. Logan City Council has always been prepared to cede this area to Brisbane City (T25). The Commission considers that this reservoir area should be transferred to Brisbane City so that Priestdale Road,

in the relevant area, constitutes a true boundary and demarcation between the two LAs. A minor complication is that there are proposals to change the line of Priestdale Road, which may cut through the existing reservoir area (S3140). Nevertheless, whatever the outcome of these proposals, the Commission considers that all land north of Priestdale Road should be in Brisbane City.

- (b) The existing boundary west of Acacia Road crosses the railway line from west to east and takes in a small corner presently part of Brisbane City in the vicinity of Alexander Street. This boundary is anomalous because there is no access to the area east of the railway line except through Logan City. The boundary in this area makes absolutely no sense at all. In the Commission's view, the relevant boundary in this area should be Acacia Road from Compton Road to the existing boundary at the corner of Acacia Road and Smith Road. All areas east of Acacia Road have a clear community of interest with Logan and are serviced by Logan City. The Commission believes that all the area east of Acacia Road should be transferred to Logan City.
- (c) The present boundary divides a number of properties in the vicinity of Garfield Road and Charles Avenue. This boundary is even more curious because the existing properties were well established at the time the boundaries were drawn in 1978 when Logan was created. The Commission considers that the boundaries should be drawn in such a way in this area as to eliminate any splitting of properties. As this area is the subject of a wider claim by Logan City Council, the Commission does not propose at this stage to recommend a solution to the anomaly but to consider it as part of the overall boundary recommendation in this area.

- 5.53 The Commission recognises the force of Brisbane City Council's argument that much of the additional area sought by Logan City Council constitutes a "green buffer" zone which has been developed by Brisbane City over many years (T39). This applies particularly to the areas in the vicinity of Karawatha where Brisbane City already owns substantial property. As Alderman Soorley (T38) said at the public hearing: *"Now if the Commission moves this boundary, you have in fact denied Brisbane twenty years of planning."*
- 5.54 The strength of Brisbane City Council's argument in relation to buffer zones, however, creates weaknesses in relation to other areas. If the areas identified by Brisbane City Council are truly buffers, and this seems to be the case, it weakens Brisbane City Council's claim to keep areas on the Logan City side of the buffer. A buffer inherently implies notions of separation and protection. Therefore, it is logically difficult (all other things being equal) to argue for the maintenance of a buffer zone and then seek to retain jurisdiction over land on the other side of the buffer.
- 5.55 In any event, the Commission considers that there are a number of areas presently within Brisbane City, but on the existing boundary with Logan City, that have a stronger community of interest and relationship with Logan City.
- 5.56 Those areas include parts of Underwood west of Kingston Road which presently contain the Big W shopping centre, as well as the area north of Beenleigh Road and west of Kingston Road. Logan City currently services a number of properties on the western side of Kingston Road, in particular the Big W shopping centre. Further, these lands and properties are on the Logan City side of the green buffer zone claimed by Brisbane City. The

Commission considers that an appropriate boundary in this area should be Millers Road between Underwood Road and Compton Road. The Commission notes that Millers Road is not complete between Beenleigh Road and Compton Road. If the boundary were moved westward to Millers Road, it would enable properties serviced by and having a community of interest with Logan to form part of Logan City, but at the same time preserve the integrity of the buffer zone to the west claimed by Brisbane City Council. The Commission does not accept Logan City Council's proposal in this area because it would include part of Brisbane City's buffer area and split the Kuraby community.

- 5.57 The Commission has already noted that the boundary should be adjusted to include Acacia Road to the point where it joins Smith Road. In the Commission's view the boundary should remain unchanged east of the Karawatha area and on the western edge of Trinder Park. The present boundary forms the eastern edge of Karawatha Forest.
- 5.58 All parties involved in this problem agreed that the environmental integrity of Karawatha Forest was a primary issue. The Commission is persuaded that the environmental integrity of Karawatha Forest is more likely to be preserved under Brisbane City Council's jurisdiction. Brisbane City has planned this area as part of a buffer zone for many years and has established its credentials to properly manage the area. In so concluding, the Commission does not imply that Logan City Council lacks credibility in this area. Logan City Council has developed environmental policies in recent years. The Commission can discern no good reason to change the status quo, however, so far as Karawatha Forest is concerned.
- 5.59 The next area for consideration is the area south-east of Karawatha constituting Garfield Road, Charles Avenue and properties on and south of Wembley Road. The Commission considers that this area (subject to appropriate delineation of boundary) should be transferred to Logan City. The properties concerned are very close to the civic centre of Logan City and many kilometres from the centre of administration in Brisbane. The natural lines of communication from these properties are to shopping centres and other facilities in Logan City. The Commission recognises that there are regional service centres maintained by Brisbane City in the general area, but nevertheless these service centres are a considerable distance away from the properties in question. Also, in the Commission's view if all the land in this area was transferred to Logan City, there would be a better prospect of effective flood control in the area. Logan City would then be responsible for the whole area, whereas the Commission detects that part of the problem addressed in evidence concerning flooding in the vicinity of Bardon Road is due to the fact that jurisdiction in the area is split between two LAs.
- 5.60 The Commission does not accept Brisbane City Council's contention (T39) that Logan City has promoted urban residential zoning to the limits of its boundaries and would inevitably develop urban residential blocks in the area in question. It is clear from the evidence that the urban residential development to the limit of Logan City's boundaries was substantially in place prior to the creation of Logan City and has nothing to do with Logan City. The Commission is also satisfied that, notwithstanding deficiencies in the past, Logan City is demonstrating a capacity to develop and implement sound environmental land use policies.

- 5.61 The Commission considers that west of Wembley Road, the Logan Motorway to the intersection with the Sydney-Brisbane Railway Line, constitutes a natural and effective boundary between the two LAs. The areas south of the Logan Motorway, currently within Brisbane City's jurisdiction, have a closer community of interest with Logan and contiguous Logan suburbs such as Browns Plains and Forestdale. The Commission has difficulty accepting that the areas just described are in any realistic sense a green buffer zone. The Drewvale area south of the Logan Motorway is subject to rural residential subdivision and the area south of the Logan Motorway and east of the Sydney-Brisbane Railway Line contains the site of a proposed industrial estate and a proposed crematorium. The Commission notes that Brisbane City owns substantial land in this area, but boundary questions cannot be determined on ownership issues alone. Whether or not Brisbane City continues to own the land if this area were ceded to Logan City, would be a commercial matter for Brisbane City Council to determine. It may be able to negotiate appropriate terms of sale with Logan City itself or with other purchasers. In any event, it is not unusual for one LA to own property in a neighbouring LA. The Commission considers, however, that the area west of the Sydney-Brisbane Railway Line and south of the Logan Motorway should remain in Brisbane City. Logan City Council concedes that this area is a buffer zone (see paragraph 5.26 above).
- 5.62 Accordingly, the Commission is of the view that the boundary in this area should extend from the present boundary in Casurina Avenue in Woodridge and proceed along the rear boundary of properties north of Garfield Road but south of the present Karawatha Reserve (so that Karawatha remains within Brisbane City), to a point on Wembley Road near the junction of Wembley Road and Lakemba Street proceeding south-west along Wembley Road to the Logan Motorway and then continuing along the Logan Motorway to the Sydney-Brisbane Railway Line and following that railway south to Johnson Road where it would join the existing boundary westward which would remain unchanged.
- 5.63 The Commission considers that the benefits of the boundary change proposal would include the resolution of a number of anomalies that have existed in the area for many years, as well as result in a boundary which would enable Brisbane City to effectively preserve the green buffer zone which it has planned for many years. A further benefit would be the transfer to Logan City of properties on the other side of the buffer zone or properties which have a greater community of interest and more effective lines of communication with Logan City.
- 5.64 As to the area west of the Sydney-Brisbane Railway Line, the Commission considers that the current boundary should remain unchanged. There is scope for Brisbane City to maintain its buffer zone in that area as well as the buffer zone extending through Larapinta, Parkinson, Stretton, Karawatha and Kuraby, all north of the Logan Motorway and Garfield Road.

Recommendation

- 5.65 **The Commission recommends that the boundary of Logan and Brisbane Cities be altered, as indicated on Map W.2 of Appendix W:**
- (a) **at Rochedale, to include Reserve No 2775 Priestdale Road currently in Logan City, in Brisbane City;**

- (b) at Underwood and Kuraby, to extend the existing boundary west along Underwood Road, from Logan Road (Pacific Arterial Road) to the intersection of Underwood Road with Millers Road, the boundary to then follow Millers Road south (including the unformed Millers Road) to Compton Road to the existing boundary;
- (c) at Karawatha, to extend the existing boundary where it intersects Compton Road west to the intersection of Acacia Road with Compton Road, the boundary to then follow Acacia Road south to its intersection with the existing boundary; and
- (d) at Karawatha, the Logan City boundary be extended at the south-west corner of R 2160 (Elm Park) in Elm Avenue, westwards to include all the subdivisions north of Garfield Road; the boundary to then run south to Wembley Road, to include all the subdivisions north of Wembley Road in the vicinity of Garfield Road and Charles Avenue; the boundary to then follow the northern side of Wembley Road, generally south westerly to the Logan Motorway; the boundary to then follow the Logan Motorway west along the centre of the Logan Motorway to the Sydney-Brisbane Railway Line at Parkinson, to then follow the Sydney-Brisbane Railway Line south along its eastern boundary to where it intersects the existing Logan/Brisbane boundary at Johnson Road.

CHAPTER SIX

ALBERT / GOLD COAST

Introduction

- 6.1 In response to the Commission's Issues Paper No. 8, Gold Coast City Council (S375, pp.1-2) proposed the following change to the external boundaries of Gold Coast City and Albert Shire:

"It is noted that Council has no territorial ambitions and is generally satisfied with its present boundaries. However, in view of the principles enunciated by the Electoral and Administrative Review Commission's Issues Paper Number 8 on Local Authorities External Boundaries Review, Council adopts the following policy:-

- (1) *Council does not support wholesale amalgamation of the Gold Coast City and southern section of Albert Shire. The combined area would cease to be local government and the number of constituents in each division, having regard to future growth would be unmanageable.*
- (2) *Any adjustment of boundaries should incorporate the following areas of the Shire ... within the boundaries of an enlarged Gold Coast City Council -*
 - (a) *The area of the Shire generally west of Mermaid Beach to Bermuda Street.*
 - (b) *The area of the Shire generally west of Palm Beach up to Guineas Creek Road and Galleon Way.*
- (3) *Council would not support any adjusted boundaries being so far west as to effect the economic viability of Albert Shire.*
- (4) *South Stradbroke Island (currently under the control of Albert Shire and Gold Coast City Councils) should be wholly contained in one or the other local authority area.*
- (5) *Council supports the formation of a voluntary organisation with representatives from the Gold Coast City, Albert Shire and Tweed Shire Councils to meet regularly and consider strategic planning issues for the region as a whole and any other matters of mutual interest or concerns, with a clear charter of responsibilities, objectives and purposes."*

- 6.2 Gold Coast City Council (S2558, pp.2-3) later amended this proposal as follows:

"In view of the location of Council's quarry in Reedy Creek Road, Burleigh West, Council considers that the proposed boundary should be revised as follows (changes in bold):

- . south along Bermuda Street, extending from its connection to Bundall Road at the Nerang River bridge to Reedy Creek Road at Burleigh Waters;*
- . west (not east) along Reedy Creek Road to the Pacific Highway;*
- . south-east along the Pacific Highway to Tallebudgera Creek;*
- . along Tallebudgera Creek to Guineas Creek Road;*
- . east along Guineas Creek Road to Galleon Way;*
- . south along Galleon Way to the Queensland-NSW border.*

The suburb of Andrews would thus come within the proposed boundary."

- 6.3 Gold Coast City Council's proposal in the main involved moving its boundary westwards to encompass a significant portion of the canal estates to the west of the Gold Coast Highway. Particulars of Gold Coast City Council's proposed boundary change as amended are set out in Map W.4 of Appendix W.
- 6.4 The Commission decided to examine part of Gold Coast City Council's proposal as a priority case because it involved a major boundary change between two of the larger LAs in Queensland and because it provided the occasion to test the principles in a major urban area; that is, whether certain areas west of Mermaid Beach and Palm Beach should be transferred from Albert Shire to Gold Coast City (T173-174).
- 6.5 A total of 36 submissions, including two petitions containing approximately 400 signatures, were received by the Commission up to 31 October 1991. The Commission held a public hearing at the Burleigh Waters Community Centre, in Albert Shire on 13 and 14 June 1991. The Commission heard evidence from Gold Coast City Council, Albert Shire Council, Water Resources Commission, Burleigh Waters Progress Association, Broadbeach and Gold Coast Chamber of Commerce, representatives of the Hawaiian Village, Mr Ballantine, Mr Davison and Mr Butler. Further information regarding witnesses and submissions is contained in Appendices D and G.
- 6.6 Immediately prior to the public hearing on 13 June 1991, Gold Coast City Council advised that it did not have consensus on the proposal for boundary change it had previously put to the Commission. At the public hearing on 13 June 1991, the Town Clerk for Gold Coast City Council read a resolution from six Gold Coast City Council Aldermen, including the Mayor, Alderman Bell. This document (L17) indicated that Gold Coast City Council had no territorial ambitions except for some specific anomalies and for South Stradbroke Island and was otherwise satisfied with its present boundaries. The document went on to state that if EARC wished to make boundary adjustments between Gold Coast City and Albert Shire, then the Council's position was as set out in paragraph 6.1 above as amended (see paragraph 6.2 above), the Council would be happy with the decision along those lines. Significantly, neither Alderman Bell nor any other Alderman attended to give evidence at the Commission's public hearings. Gold Coast City Council's evidence was left to the Town Clerk Mr Brown, and Chief Engineer Mr McGinnity, and Administration Officer, Mr McCann. This was the only occasion in the course of the Commission's public hearings on Local Authorities External Boundaries (excluding the ATSI hearings) where an LA was not represented by either its Mayor or Chairman, or in the case of Nebo Shire, the Deputy Chairman.
- 6.7 Notwithstanding Gold Coast City Council's ambivalence on the issue, the Commission decided to press ahead to consider Gold Coast City Council's original proposal. On 14 June 1991, Councillor John Handley, Shire Chairman of Albert Shire, was reported in *The Courier-Mail* that day as stating that the hearing in relation to this proposal was "a monumental waste of time and money". The Chairman of the Commission responded to that criticism at the outset of the public hearing in Albert Shire on 14 June 1991. In the course of this response the Chairman (T241) stated:

"Both Councils conceded in evidence yesterday that there are anomalies in the boundaries between these two local authorities, and they need to be addressed; and they conceded that communities are split, and communities are isolated by these present boundaries."

... We believe that it is highly significant that these anomalies that are conceded by both Councils have not been addressed all these years, and it is only when you have a review by a Commission of this kind that they start to be seriously looked at."

- 6.8 The LAs of Albert and Gold Coast are situated in the rapidly growing south-eastern corner of the State. Map W.3 in Appendix W shows the existing boundaries and major geographic features of the two LAs. Albert Shire and the South Coast Town were created in 1949 by the amalgamation of a number of smaller LAs. Albert Shire consisted of the former Coomera Shire, and parts of the Beenleigh, Nerang, Tingalpa and Waterford Shires. South Coast Town consisted of the former Coolangatta and Southport Towns and the coastal part of Nerang Shire (Window 1976, pp.62-63). South Coast Town changed its name to Gold Coast Town on 25 October 1958 and became Gold Coast City on 16 May 1959 (Window 1976, p.93). The boundaries of the South Coast LAs pre-1949 and post-1949 can be seen in Figure 6.1.
- 6.9 The population of Albert Shire grew from 13,804 at 30 June 1966 to an Estimated Resident Population (ERP) at 30 June 1990 of 139,781. The average growth rate for Albert Shire for 1986-1990 was 10.23%, making it the fastest growing LA in the State. Albert Shire has an area of 1,274 square kilometres containing a mixture of urban, rural residential and rural development (ABS 1966; ABS 1991c). It also contains a number of tourist facilities situated along the Pacific Highway linking Brisbane and Gold Coast City as well as in the hinterland.
- 6.10 The population of Gold Coast City grew from 49,338 at 30 June 1966 to an ERP at 30 June 1990 of 138,061. The current population of Gold Coast City, although similar to Albert Shire, is contained in an area of only 122 square kilometres. This gives Gold Coast City a population density of approximately 1,131.65 persons per square kilometre, compared to Albert Shire's 109.72 persons per square kilometre (ABS 1966; ABS 1991c). The character of Gold Coast City is predominantly urban with a large amount of high rise tourist and residential development.
- 6.11 A selection of demographic and geographic features of Gold Coast City and Albert Shire are contained in Table 6.1. Table 6.2 provides details of the population growth of Urban Centres/Rural Localities within the two LAs between 30 June 1966 and 30 June 1986.

Table 6.1
Selected Demographic and Geographic Features
of Gold Coast City and Albert Shire

LA	Estimated Resident Population 1990	Area (km ²)	Popln. Density (persons/km ²)	Average Popln. Growth 1986-1990 (%)	No. of Electors June 1991	Population Rural 1986 (%)
Albert	139,781	1,274	109.72	10.23	81,471	27.39
Gold Coast	138,061	122	1,131.65	3.50	81,716	1.74

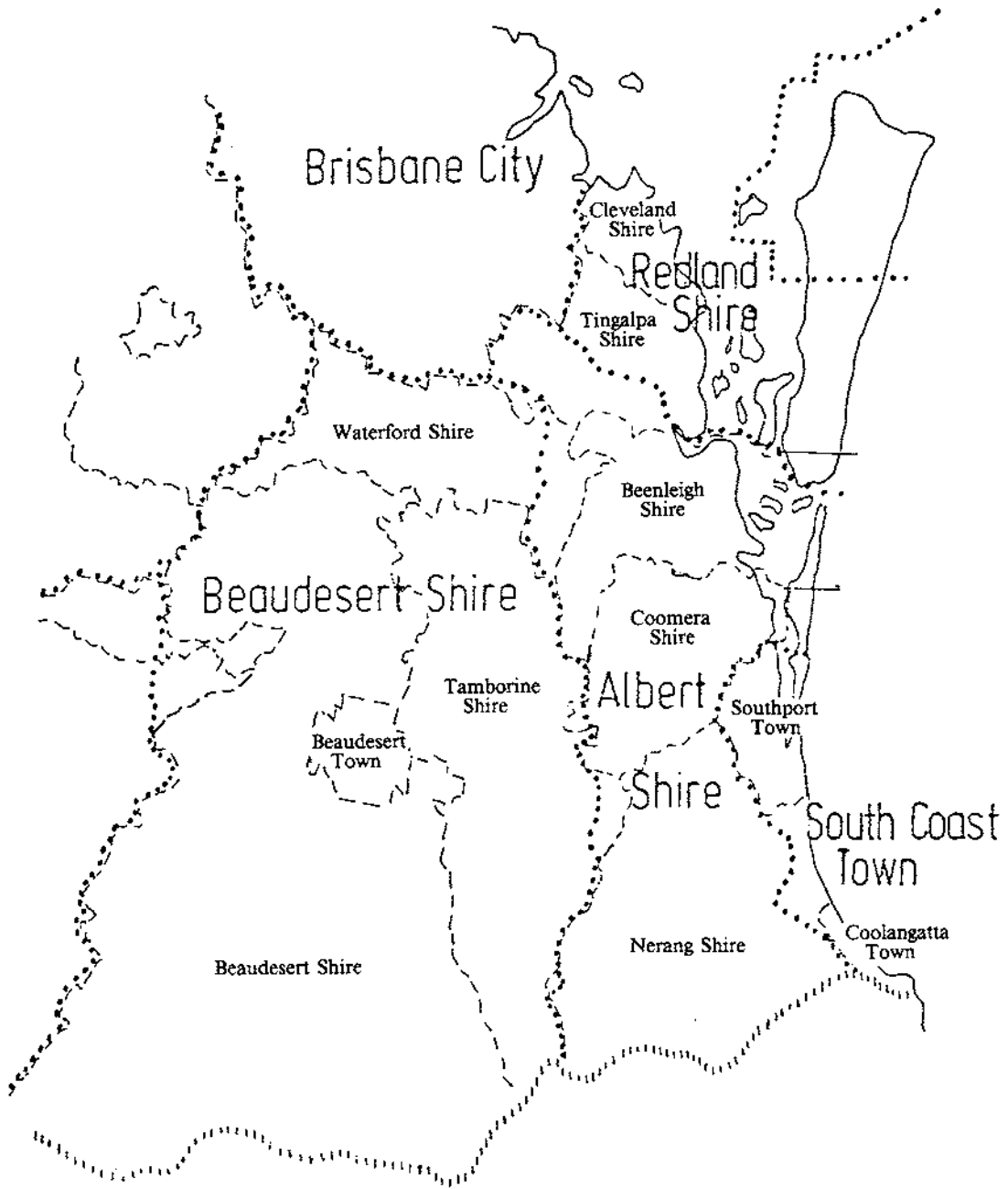
Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern; and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, their residents are classified as rural population.

This data represents 1986 Census material and developments since that time are not included.

Figure 6.1
South Coast Local Authorities
Pre 1949 and Post 1949 (prior to the Creation of Logan Shire)



Legend

- Boundary Pre-1949
- Boundary Post-1949
- ////// Qld-NSW Border

Table 6.2
Population of Urban Centres and Rural Localities over 200 persons 1966-1986

LA	Urban Centre/ Rural Locality	Population June 1966	Percent	Population June 1986	Percent
Gold Coast	Gold Coast (part)*	48,146	97.30	128,034	98.26
	Rural	1,335	2.70	2,270	1.74
	Total	49,481	100.00	130,304	100.00
Albert	Gold Coast (part)*	1,207	8.74	35,298	38.05
	Localities	3,508	25.42	32,062	34.56
	Waterford (part)	..	..	329	..
	Tallai	..	..	849	..
	Bonogin	..	..	1,075	..
	Mudgeeraba	..	..	1,804	..
	Bethania	..	..	2,863	..
	Helensvale	..	..	3,094	..
	Brisbane (part)	..	..	4,371	..
	Nerang	..	..	7,333	..
	Beenleigh	2,026	..	10,344	..
	Woodridge	1,482	..	**	..
	Rural	9,089	65.84	25,406	27.39
	Total	13,804	100.00	92,766	100.00

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern; and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, then residents are classified as rural population.

For the 1966 Census an attempt was made to identify a nucleus of dwellings using information from census schedules. These procedures were adopted in an effort to obtain data for unbounded localities on a basis more comparable with those of urban centres. As a consequence the apparent size of many localities was reduced from that shown in previous censuses. Care should therefore be taken when comparing 1966 census unbounded locality data with data published from previous censuses.

This data represents 1986 Census material and developments since that time are not included.

* The Gold Coast Urban Centre is comprised of parts in both Gold Coast City and Albert Shire.

** Woodridge became part of Logan Shire on its creation in 1978.

".." Not applicable.

Sources: ABS 1966; ABS 1986a; ABS 1991b.

- 6.12 A comparison of statistical data available from the Australian Bureau of Statistics for the area of the boundary change proposed by Gold Coast City Council indicates that Albert Part B, to which this area belongs, had an average growth rate 1986-1989 of nearly three times that of Gold Coast City (ABS 1991c). It also indicates that the area has a lower percentage of old people and a younger age structure than the surrounding suburbs (ABS 1986a).
- 6.13 Information from the 1986 Census indicates that although Gold Coast generally is a popular tourist destination, the subject part of Albert Shire does not contain a high percentage of visitors, the maximum was 8.8 percent in Broadbeach Waters. This compares with Gold Coast City areas such as Surfers Paradise (32.6%) and Broadbeach (30.3%) where the visitors are concentrated.

- 6.14 Population densities in most of the area are low when compared to those of Surfers Paradise, Broadbeach and Mermaid Beach with their high-rise buildings. The area is comprised almost exclusively of detached houses, many of them situated on canal estates; in parts of Mermaid Waters 99.5 percent of the population live in separate houses. This contrasts with the coastal suburbs of Gold Coast City where up to 83.6 percent of the population live in other types of dwellings, such as high-rise units. Many suburbs in the area have higher occupancy rates, in excess of three persons per dwelling, than the 2 - 2.5 persons per dwelling in Gold Coast City (ABS 1986a).
- 6.15 Industries in Gold Coast City concentrate mainly on servicing the tourist industry. This is also true of the area in question, where the highest percentage of workers are employed in the wholesale/retail industry. The exception is Andrews which has a concentration of construction industry workers in the industrial estate (ABS 1986a).
- 6.16 Both Council's answers to the Commission's Questionnaire indicated the existence of a number of joint arrangements including a Joint Water Supply Committee, a Joint Sewerage Planning Committee, a Regional Development Committee, a Joint Planning Advisory Committee, and a Committee for Recreation.
- 6.17 The Water Resources Commission (S2560, pp.4-5), however, indicated that the two LAs have had difficulties in the past in reaching agreement in relation to water supply, sewerage and flood plain management. The Water Resources Commission advised that it was called on to arbitrate when the two LAs failed to agree on a water charging policy, and that there was also conflict between the two Councils in relation to the disposal system to convey effluent from Elanora and Merrimac to the Southport Spit for discharge into the ocean.
- 6.18 The Water Resources Commission (S2560, p.5) further advised that there is little flood plain management across the boundaries of the two LAs. This is so despite Albert Shire being advised that subsidy on some flood mitigation work would not be approved until it had developed a management strategy with Gold Coast City that would cover the entire flood plain area.

Matters for Consideration

- 6.19 Gold Coast City and Albert Shire are closely linked in terms of spatial patterns of human activities, use of facilities, communication lines and a sense of community identity.
- 6.20 Community considerations have been given priority by the Commission in its evaluation of the appropriateness of LA external boundaries. Both Gold Coast City and Albert Shire were given ratings under the following community of interest indicators:
- . an LGA should include the territory with which the major centre has special linkages;
 - . communication lines within an LGA; and
 - . patterns of travel, life and work.

In addition Albert Shire was identified in relation to the indicator, "duplication of facilities".

- 6.21 In the application of demographic and geographic criteria an examination of the town plans and strategic plans showed evidence of moderate urban overspill for Albert Shire. In addition both Albert Shire and Gold Coast City were identified as suffering from the effects of rapid development in particular in terms of planning and co-ordination of future development.
- 6.22 Gold Coast City was also assessed as being an LA having both facilities used by residents of a neighbouring LA and an LA whose residents use the facilities of a neighbouring LA. Albert Shire was assessed as being an LA whose facilities are used by residents of a neighbouring LA.
- 6.23 In the application of economic considerations both of the LAs were assessed as being low or very low on External Risk and Fund Flexibility Stress, Rating and Population Change Stress and Overall Financial Stress.
- 6.24 Community, demographic and geographic considerations rather than economic considerations were therefore the determining factors in the decision to place Albert/Gold Coast on the priority list.

Evidence and Arguments

- 6.25 The evidence and arguments which have been put to the Commission are discussed in terms of the principles of boundary change detailed in Chapter Four.

RESOURCE BASE

- 6.26 Gold Coast City Council (S375, p.1) indicated that it did not support an adjustment to the boundaries of the two LAs that would affect the economic viability of Albert Shire.
- 6.27 Gold Coast City Council (S2558, p.9) argued, however, that the boundary change that it proposed would not adversely affect Albert Shire's viability:

"Council is well aware that the proposed boundary change would result in a loss in rate revenue to Albert Shire but Council rejects any suggestion that it would adversely affect the economic viability of Albert Shire. By adjusting the boundary so that Albert Shire is truly rural and Gold Coast maintains its urban character, would result in a considerably 'lighter' infrastructure for Albert Shire to be serviced by the smaller rate base.

Council is also well aware that, due to the high population concentration and the number of canal estates in the area concerned, the cost of service delivery is high relative to more outlying rural areas; a cost which would of course be borne by Gold Coast City Council, and would need to be offset against the gains in rate revenue. The magnitude of any discrepancy between revenue and the cost of service delivery in the area concerned and the distribution of assets would be a subject for negotiation."

- 6.28 When questioned about why Gold Coast City Council's proposal stopped at Bermuda Street and did not extend further west, Gold Coast City Council (T145) responded:

"MR BROWN: Well, the council decision in respect of this incorporates the statement that it does not wish to affect the viability of the Albert Shire Council in any proposals that we put up, so that the boundary if ever drawn would have to be contained to avoid that possibility.

THE CHAIRMAN: I see, so it is not a question of, for example, that at least for that point you feel you can provide these services more efficiently, but it gets more marginal as you go further west. It is simply a question of that is as far as you think you can go and not adversely affect Albert's viability, is that right?

MR MCGINNITY: Well, there is a need for redrawing of the boundaries in this area which is recognised by both councils. The degree of that redrawing in terms of the proposal by the Council, of course, is quite divergent.

...

However, it was thought appropriate to get to an appropriate boundary line, which is a major arterial road basically, Bermuda Street, and in some endeavour to contain overspill as much as could be done in that area, and to give some sort of a buffer. But, you know, the natural boundaries are not abounding here that are appropriate, so roads, major roads were seen as the more appropriate boundary."

6.29 When questioned further Mr Brown (T146) agreed that the proposed boundary did not address adequately the question of urban overspill and that, with the possible exception of Andrews, there was little undeveloped land in the area proposed to be transferred to Gold Coast City:

"THE CHAIRMAN: So you can't really put this proposal on the basis that you need more room to breathe, even with this proposal it looks as though the only direction the Gold Coast can go is up.

MR MCGINNITY: Quite likely.

...

MR BROWN: Mr Commissioner, one of the problems that we do have with regard to giving you any information, is that we are constrained by the council decision which says that it is not in favour of the wholesale amalgamation of the two areas. And, we are quite aware of the fact that if you extended that boundary any further to the west it would make Albert Shire completely non viable. It is probably in balance as it is at the present moment, and that decision of the council constrains the extent to which the boundary can be extended in any direction, because of their attitude towards the possibility of total amalgamation."

6.30 Albert Shire Council (S2563, p.22-23) strongly disputed Gold Coast City Council's assessment of the effect of the proposed change on its viability. It stated:

"The rates generated from this area consequently assist in maintaining an appropriate level of services and facilities in that area and they also contribute to the development of other areas of the Shire.

...

The area incorporated in the Gold Coast City Council proposal is a significant portion of the Shire in whatever respect it is viewed.

Data from Council's records indicates that the area incorporates:

- * 25.99% of total rateable assessments in the Shire;
- * 27.5% of total Shire valuations;
- * 31.23% of garbage services rendered within the Shire; and
- * an estimated 35,000 residents who constitute 27% of the Shire's total estimated population.

These are not minor proportions and the magnitude of these statistics place a significant obligation upon the Commission to seriously consider all aspects and implications of the Gold Coast City Council proposal.

The simple fact is that without proper and appropriate compensation, in all respects, for the facilities and infrastructure which would be taken over by Gold Coast City Council if its proposal is implemented, the financial integrity of the balance of the Shire will certainly be in jeopardy."

- 6.31 Albert Shire Council (S2563, p.33) provided the following estimate of the income received from the area proposed to be transferred:

<i>General Rates</i>	\$6,727,000
<i>% of Total General Rates</i>	28.32%
<i>Garbage Charges</i>	\$1,131,000
<i>% of Total Garbage Rates</i>	34.63%
<i>Sewer Charges</i>	\$4,170,000
<i>% of Total Sewer Charges</i>	35.77%
<i>Water Charges</i>	\$4,175,000
<i>% of Total Water Charges</i>	32.07%.

- 6.32 Albert Shire Council (S2563, pp.22-23) further argued that, while the Council would not have the cost of servicing this area if the proposed boundary change were to occur, it would still be responsible for the repayment of interest and redemption costs incurred on loans raised in order to provide services to the area. Albert Shire Council thought that this would be an unfair burden on the balance of the Shire's ratepayers. It also argued that the rates generated in the area not only assist in maintaining services and facilities in that area, but contribute to the development of other areas of the Shire.

CO-ORDINATED PLANNING AND DEVELOPMENT

- 6.33 Gold Coast City Council (S2558, p.10) referred to a lack of co-ordination of planning and development that has occurred between the two LAs:

"It is Council's experience that Albert Shire, while it has a documented Strategic Plan, has a far more haphazard approach to development and has often failed to consult with Gold Coast City in relation to such developments. It is not unreasonable for Council to expect such consultation given the impact that such developments have on public utilities (such as water) for which Albert Shire depends on Gold Coast City. The Shire's approach implies an assumption that adequate provision of public utilities is assured (which of course it must be)."

- 6.34 Gold Coast City Council (T148) later expanded on this statement:

"MR McGINNITY: The other area we would point out is that there has been very little consultation in real terms when major developments have occurred in the Shire, notwithstanding that the City is heavily involved in the water supply side as far as the Shire is concerned and that the - from that point of view, arrangements are made for major developments, and I mean very substantial ones, without consultation in that regard as to the efficient provision of services, so that from that point of view we would regard the planning as being haphazard if we look at the region.

THE CHAIRMAN: So it's haphazard in the sense that it's not properly co-ordinated.

MR McGINNITY: Yes.

THE CHAIRMAN: It may be quite sensible from Albert's point of view.

MR McGINNITY: Yes.

THE CHAIRMAN: But what you're saying is that the Gold Coast's interests aren't necessarily taken into account.

MR McGINNITY: That's correct."

6.35 When questioned by the Commission at the public hearing about the impact of the proposed boundary change on the problem of co-ordination and the likelihood of these problems persisting west of the new boundary, Gold Coast City Council (T150) representatives were unable to respond because of the constraints that had been imposed on them by the Council.

6.36 Albert Shire Council (S2563, pp.25-26) stated that the proposed boundary change would have the following implications for the co-ordination and management of services in the area:

"The area proposed to be incorporated into the City of Gold Coast is part of an integrated waterways system which is managed by Council. Matters such as catchment management, tidal control, stormwater drainage and maintenance are interrelated and incorporated in a complex management program.

Annexation of part of this system will cause serious maintenance and management problems which must be investigated prior to any boundary adjustment decisions being made.

...

... The boundary adjustment proposed by the Gold Coast City Council cuts across the water districts and sewerage catchments thus complicating the systems...

At present there are 14 bulk water supply points servicing the Shire. With capital works either under construction or planned for 1991/92, this number will be reduced to approximately 9. However, the boundary adjustments proposed by the Gold Coast City Council would introduce 24 new interconnections between the two water supply systems ...

...

The boundary adjustment proposed by the Gold Coast City Council will result in the absurd situation where sewerage from some parts of the Shire passes to the City, back to the Shire for treatment, than back to the city for disposal to the ocean. This would occur because the proposed boundary cuts across sewerage catchment boundaries."

6.37 Councillor Laver of Albert Shire Council (T168-169) further stated:

"What effect would this have on Council's forward planning? Does this mean that also that the growth of south-eastern Queensland in the next 20 years or so will mean that same sort of boundary changes every four or five years. The ratepayers and residents of this Shire require and deserve sensible, strategic planning that can only be provided by a local authority which can be competent at retaining the boundaries on which its strategic thinking and planning are based.

To address this aspect, I direct relevance to the current proposal, Mr Chairman, I would like to make two brief points: firstly, I referred to it elsewhere, to remove the area under review from the Albert Shire could seriously affect the balance of the Shire at least in relation to its capacity to properly and rationally provide services and facilities for its current and future residents; secondly, I make the point that in all seriousness, Mr Chairman, it has been made throughout our submission that there is practical benefit of local authority boundary changes of this type proposed."

6.38 When questioned about any difficulties with different planning rules and By-laws its members have experienced, Broadbeach Gold Coast Chamber of Commerce (T245) stated:

"Yes, there are different by-laws regarding each council. As I said, one of the concerns of our - particularly our members in the Albert Shire is that, given that Gold Coast City Council do have extra rules on signage and advertising and licence fees, they are concerned that they will be the extra charges that they will be up for."

- 6.39 The Robina Land Corporation Pty Ltd (S2674, p.2) referred to the absence of co-operation between the two LAs on planning matters:

"It is of concern to my Company that, while subjecting itself to severe and expensive conditions of development of the Robina Town Centre, this project is not part of an integrated plan for the Gold Coast Region and could be severely curtailed without complementary planning ..."

"The boundaries between the two local authorities are quite arbitrary and have their origins in recent history. But so long as Town Planning is to be the province of local authorities within their respective boundaries only, the Gold Coast Region will suffer badly from lack of a broader approach to the massive development yet to occur here."

EFFICIENT AND EFFECTIVE PROVISION OF SERVICES

- 6.40 The major argument which Gold Coast City Council (T141) put forward in support of the proposed boundary change was its ability to more efficiently service the area under review:

"THE CHAIRMAN: I get the impression, reading your material, that the basic reason you put forward to support this boundary adjustment is that Gold Coast feels that it can service those areas more cheaply and more efficiently than Albert can. Would that be a fair comment?"

MR BROWN: That would be a fair comment, yes."

- 6.41 Gold Coast City Council (T144) responded to the Commission's request for it to indicate which particular services it provides more efficiently to these areas, and how it would achieve this greater efficiency, by stating:

"Well, it is just on the basis that, you know, a denser area, which this attaches to, you have an economy of scale as it were in terms of provision of services, and if you look at the Albert Shire overall, when you consider the Shire as a whole, it has a dispersed distribution water and sewerage systems which are more costly to operate. So what I am suggesting to you is that in a city area, if it can be contained within that, you can do those services cheaper on a unit rate basis."

- 6.42 In response to a question from the Commission on the basis of Gold Coast City Council's claim that rates and charges for the residents in the affected area would be lower under Gold Coast City Council, Mr Brown (T142) stated:

"MR BROWN: On the basis of the information that we supplied with our submission to you, the 1991 rates for Gold Coast City Council were \$978, and the charges for the Broadbeach area in 1990/91, for Albert Shire Council were \$1238. that is the gross figure before discount."

...

THE CHAIRMAN: Now, is that based on an average property value, a typical property value. What is the basis of the figures?"

MR BROWN: That is the local government's statistical survey which gives the total rates and charges for the whole of Queensland."

THE CHAIRMAN: So that is an average figure?"

MR BROWN: That would be an average figure, yes."

THE CHAIRMAN: So it may not necessarily be the figure that would apply, for example, to a property in Broadbeach Waters or Mermaid Waters?"

MR BROWN: It may not, no."

6.43 The rating differential was clarified later by Commissioner Hunter (T156):

"CMR HUNTER: .. Can I take you first of all to a matter that our Chairman has already raised with you this morning, and to which you have given an answer, but I think the answer may have produced some misunderstanding, certainly some conflict with the written answer that's here. I refer to the exchange this morning regarding the rate differential.

I'm reading from page 9 of your answers and you say, relevant to the 1990/91 rates, first of all, that you have what I'll call a uniform rating policy, or a uniform residential rating policy. And you go on to compare that, which is probably a differential policy in Albert Shire - it doesn't say 'differential', but that's how I'll read it - and you finish up by saying, 'Total rates and charges for the Broadbeach area,' and I'm underlining the words 'for the Broadbeach area', were 1238, etcetera. Would you concede that that comment would indicate to me that you are comparing the rates in the subject area only, and that it's not a general response relevant to the whole of the levy for Albert Shire?

MR BROWN: That's what we're trying to draw out, yes."

6.44 Albert Shire Council (S2750, p.1) provided further figures on the rating differential between the two LAs for a minimum general ratepayer which indicated that total rates and charges in 1990-1991 amounted to \$854.00 in Albert Shire and \$999.00 in Gold Coast City. It was also pointed out that a Wheelie-bin refuse collection service is provided twice weekly in Gold Coast City and that the excess water charge in Albert Shire is 71.4 cents per kilolitre compared to 83 cents per kilolitre for Gold Coast City.

6.45 Gold Coast City Council (T143-144) also stated that, although it owns Hinze Dam and treatment plants from which water is distributed to the Albert Shire, Albert Shire Council has contributed to the cost of the Water Supply scheme and is responsible for the distribution of water to residents within its boundaries.

6.46 Gold Coast City Council (T154-155) also raised the matter of the inclusion of the suburb of Andrews in the Gold Coast LGA because of the location there of Gold Coast City Council's Gravel Reserve:

"MR McGINNITY: ... the city is relying on that area as both a gravel source, which is - and also has the effect of creating space for solid waste disposal. And so far we've had a lot of negotiations with Albert Shire in respect to solid waste disposal sites, and they're just as keen as we are to get one - we've been unable to locate them. Now, the City would put that area forward because they think from all - both sides point of view, it would be better if we were going to utilise the area, that we might also control it, so that we can react to any problems that come up there quite directly. So that was a deliberate addition to the previous decision, from that point of view.

THE CHAIRMAN: I'm glad you raised that. I just want to understand the basis upon which you made those comments. Are you saying it really by way of particular elaboration of the reasons for change, or are you saying to me that if all else fails, we are really concerned about that area?

MR McGINNITY: The latter.

THE CHAIRMAN: I see. Because if you don't have that area, you don't have that waste disposal facility, or you would use someone else's?

MR McGINNITY: Not necessarily so. What I'm saying is that they are industries, or activities, that generate community concerns, and our feeling is that the City would rather be responsible for responding to those community concerns if they arise - and we hope they don't - directly. But we certainly have a very, very vital interest in those areas - in that area of land."

- 6.47 In relation to this matter Albert Shire Council (T183) stated that it believed the problem could be overcome by regional co-operative arrangements rather than a boundary change. Albert Shire Council (S2750, p.3) further stated:

"There are perhaps three core issues which need to be addressed with respect to the proposed amendments to include this area in to Gold Coast City.

The first was referred to by the Chairman of the Commission, ... that is that there is a regional concern about appropriate solid waste disposal. Both Council's acknowledge this concern and are involved in discussions aimed at finding a solution to this long-term problem. The Gold Coast City Council's facility at Andrews has a limited life span and will not provide that long-term solution for the City or the region. As such, to move the Albert Shire/Gold Coast City boundary in order to contain this facility, and others in the nominated area, within the Gold Coast City would constitute a cosmetic change rather than a practical one. It would merely satisfy Gold Coast City's need to have that facility located within the City boundary.

The second issue, which follows the first, concerns the precedent that could be set by the movement of an external Local Authority boundary in order to locate a facility owned by that Local Authority within its boundary. Could this, for example, lead to a situation where Local Authority A purchases properties just within the boundary of its neighbouring Local Authority B and, at some later time, stakes a claim for extending the boundary to include areas containing these properties within Local Authority A on the basis of ownership and vested interest? ...

The final issue is one which was noted by the Chairman of the Commission ... and has been raised previously in submissions made by this Council. In the course of this Review, the Gold Coast City Council has gone from a position of having 'no territorial ambitions', to formulating a proposal for boundary change which would affect upwards of 35,000 Albert Shire residents, to then making a twelfth hour bid to the Commission for yet another area of the Shire, namely the Andrews area which contains their solid waste disposal facility."

FUTURE PROJECTED GROWTH

- 6.48 Gold Coast City Council (T145-146) indicated that the boundary change proposal would not provide additional land to cater for future growth as it contained little developable land. It stated (S2558, p.5):

"No adequate provision has or can be made for future growth, short of wholesale amalgamation of Gold Coast City with the southern part of Albert Shire. There is very limited scope for growth on the eastern side of the proposed boundary. However Gold Coast City's coastal location and the rate at which growth has occurred in the recent past means that provision for future growth of Gold Coast City can only ever be made through the adoption of complementary town planning policies."

REFLECT LOCAL COMMUNITIES, AND THE SPATIAL PATTERN OF HUMAN ACTIVITIES.

- 6.49 Gold Coast City Council has argued that there is a strong spatial pattern of human activities between the area of the proposed change and Gold Coast City. It (T140) indicated, however, that it has no hard evidence to support this impression:

"MR BROWN: As far as the boundary is concerned, the people that are contained within that would have a strong affinity with the City. That's fairly obvious from the interplay between both areas. Because while there's a tremendous amount of employment opportunity, of schooling, and various other facilities available in the City, to the people in this region, I think there is a flow back the other way as well, as far as employment opportunities in the Shire are concerned.

THE CHAIRMAN: So, basically, it's an impression and a view that the Gold Coast City Council has, but it's not backed up by any hard evidence, as such.

MR BROWN: There's no hard evidence, no, not on our side."

- 6.50 Albert Shire Council (T174) argued that, although many residents of Albert Shire may work and interact with Gold Coast City, the most important determinant of community of interest is where residents reside:

"Well, I believe that the people in Albert Shire, particularly those that have been in the Burleigh Waters area here, right where we are now, and indeed further up towards Mermaid and Florida Gardens and those areas west of the Gold Coast City and the area that is under review, would see themselves in the main very much Albert Shire residents who came into the area to retire or came into the area, deliberately, to live and probably work in the Gold Coast or work elsewhere. But they came here as a residential area. They see that it hasn't got the traumas and the intrusion of high rise living and, indeed, some of the disadvantages of the tourist industry - and I only say that expressing a view that I know some of the people have in the area. I recognise the need of the tourist industry. That is a part of the City, and we're the residential area of the City, and I think that's - that we're - the residential area of this region."

- 6.51 This was supported by Burleigh Waters Progress Association (T236):

"THE CHAIRMAN: I suppose part of the answer is that you don't necessarily have a community of interest with your place of work. It is more where you live.

MR EVERNDEN: Oh, yes. I think people go to work and then they come home and then they socialise and they have their own little pet hobbies or whatever. And it tends to be within their area."

- 6.52 Gold Coast City Council (S2558, pp.10-11) argued against Albert Shire Council's claim that it offers a residential and lifestyle choice substantially different from that in Gold Coast City:

"The areas within the Albert Shire referred to in Council's submission re boundary changes comprise substantially Res. A and Group Title development of the adjoining Gold Coast City areas.

As indicated in the Albert Shire Strategic Plan, the boundary would have to be moved to the Pacific Highway for the statement by the Albert Shire to have any validity."

- 6.53 In relation to the use of facilities, Gold Coast City Council (S2558, p.11) referred to the interchange in services between the two LAs and stated:

"In submission No 1850, Albert Shire Council would appear to be suggesting that the interchange of services is a reasonably reciprocal arrangement. In fact it is almost entirely one way with Albert Shire areas dependent upon the Gold Coast City Council for sewerage services and, of course, the whole of the southern Albert Shire dependent upon the Gold Coast City Council water supply scheme."

- 6.54 Albert Shire Council (T190) argued that the use of Gold Coast City facilities by residents of Albert Shire is balanced by the use of Albert Shire facilities by residents of Gold Coast City. It further argued that the boundary change proposed by Gold Coast City Council would not solve this problem, it would simply increase the number of Albert Shire residents west of that boundary using facilities previously provided by Albert Shire Council but now situated in Gold Coast City:

"MR MOORE: On the matter of those facilities, Mr Chairman, I'd like to stress again that they do not service only the people living in the area under review. And that the situation would become more that these people outside that area who use those facilities, and for whom they were provided, will become parasites on the Gold Coast City Council.

CR LAVER: Using your term.

MR MOORE: If that occurs. And as I said in my earlier submission, 2400 - over 2400 people alone whose address is Robina are registered as library users of either the library just over to my left here, or the one at Albert Waterways.

THE CHAIRMAN: Yes. I suppose you would argue that whilst there may be some element of Gold Coast servicing your ratepayers that it's balanced up by the services you provide the Gold Coast ratepayers?

CR LAVER: Without a doubt."

- 6.55 Albert Shire Council (S2563 p.19) further argued that the use of facilities provided by one LA by the residents of another LA should not affect external boundaries:

"It should not be surprising that residents of one local authority use the facilities of the other and vice versa. It is a recognised fact of life for both Councils and their residents.

...

In terms of general community services, Council does not view its external boundary as a line of demarcation. Council believes that neighbouring local authorities are of the same view."

BOUNDARIES SHOULD NOT DIVIDE LOCAL NEIGHBOURHOODS/AREAS WITH COMMON INTERESTS

- 6.56 Both Albert Shire Council and Gold Coast City Council agreed that there are anomalies in the existing boundaries that need correction. Gold Coast City Council (S2558, p.3) stated:

"Such anomalies have come about as a result of development which has occurred on or near the boundary. To simply 'nudge' the boundary past the affected area leaves the way open for a recurrence of past/present problems, when redevelopment takes place in the future. A more logical approach is to move the boundary to an open space or buffer zone such as exists at the proposed boundary. Ideally this area east of Bermuda Street should be contained within Gold Coast City."

- 6.57 Albert Shire Council (S2563, p.6) identified the following minor adjustments that need to be made to the existing boundaries to remove anomalies:

"The proposed [minor adjustments] relate to the following areas of the Shire:

- (1) 14-20 Seaview Avenue, Broadbeach Waters, from which the Seafarer Fibreglass Boats Company operates. This area does not have access to a dedicated road within the Shire.*
- (2) 30 Sportsman Avenue, Broadbeach Waters, at which the Mermaid Beach Hawaiian (Retirement) Village is located. This area is the subject of Submission No 2404 and does not have access to a dedicated road within the Shire.*
- (3) 2200 Gold Coast Highway, Miami, at which is located the Miami Caravan Park. This area also does not have access to a dedicated road within the Shire.*

- (4) *Tugun Heights is located in the south-east corner of the Shire and, as its name suggests, comprises a residential estate neighbouring the Gold Coast City suburb of Tugun and can only be accessed through Tugun. The locality is bounded by the McPherson Range (New South Wales border) in the south and a significant ridge line to the west. A major road reserve has been established at the foot of the ridge line to provide for the future Tweed By-Pass. This road reserve is a natural extension of the existing boundary which currently follows the Pacific Highway south from Currumbin Creek. It would serve as a more appropriate boundary."*

- 6.58 Gold Coast City Council (S2993, pp.1-3) also identified a number of properties in Albert Shire, to which access can only be gained via Gold Coast City:

"A group of properties at Tugun Heights, which are in Albert Shire, but which are accessible only via Gold Coast City..."

An area at Burleigh Water, which is in Albert Shire, but which has direct access only through Gold Coast City. The area is bounded by the current Gold Coast/Albert Shire boundary in the north, Bermuda Street in the west, Lake Heron, Miami Lake and Christine Avenue (between Miami Lake and Symonds Road) in the south and Symonds Road (between Mountain View Avenue and Christine Avenue) in the east. The area also included the small area west of the current boundary near Miami Village which has access only from Gold Coast City

...

An area at Mermaid Beach, which is in Albert Shire, but which currently has only very limited access through the Shire. The area is bounded by the current Gold Coast City/Albert Shire boundary in the north, south and east and Sunshine Boulevard and the north-south waterway west of Avanti Street and Sovereign Drive at Mermaid Beach."

- 6.59 Gold Coast City Council (S2993, p.3) stated that because of the proximity of the areas described above:

"... the Commission may consider a more logical boundary to run along the canal west of Miami Village and Pizzey Park, through Lake Wonderland, Rumrunner Lake and along the canal to Hooker Boulevard, then east to the current boundary."

- 6.60 Gold Coast City Council (S3179) further advised that Jupiters Casino could only be accessed through Gold Coast City. This was confirmed by Albert Shire Council (S3181):

"I would confirm that, technically speaking, there is no access from Albert Shire to the Casino.

However I would point out that there is no reason why such access could not have been provided. The design concept simply chose to locate the access some 10 metres over a small bridge, which just happened to be in Gold Coast City Council's area. The total time taken to travel through the Gold Coast City area would not exceed 15 seconds, unless for some reason traffic was halted.

The point I am making is that the siting of the access way is discretionary not mandatory."

- 6.61 Evidence was given by a representatives of the Hawaiian Village (T277), situated in Sportman Drive, of the problems caused by these anomalies:

"Concern has been expressed from time to time of the anomaly of dividing the village between Albert Shire and Gold Coast. All the units are of similar design, slightly different in area, but 50 are in Albert Shire, the remaining 19 in Gold Coast. The amenities are shared by all of us, but the communal lounge/dining room is also in Gold Coast. There are two toilet facilities in this area, the cost of which is added to the rates notices of the 19 Gold Coast residents, in addition to charges for refuse containers. This cost has to be reimbursed to us later. I am one of the 19, and the added cost on my last rate notice was \$51.27.

From that point of view, it would seem to be more efficient to have the village under one council and as we are very close to the highway, it seems logical that it be Gold Coast. However, the residents in Albert Shire prefer the system of half-yearly payment of rates."

- 6.62 Boral Quarries (S2670) advised that the site of the Company's West Burleigh Quarry is currently divided between Albert Shire and Gold Coast City. Some 70 hectares of the site are located in Albert Shire and the remaining 10 hectares are in Gold Coast City:

"Obviously this causes some frustrations to our Company, in that there are different by-laws, conditions and interpretations of regulations by both the Albert Shire and Gold Coast City Councils. Also, paperwork associated with renewal of operating permits and licences is complicated by these arrangements."

Advice received from Albert Shire Council (S3145), however, indicated that although the site is divided between the two LAs, it is in fact comprised of two land parcels, one situated wholly within Albert Shire and the other wholly within Gold Coast City.

BOUNDARIES REFLECT THE ECONOMIC MAKEUP OF AN AREA

- 6.63 Albert Shire Council argued that the economic make-up of the two LAs is different in that Gold Coast City is essentially tourism dominated, whilst Albert Shire is primarily residential in nature. In response to questioning by the Commission, Albert Shire Council (T176) indicated that although there were elements of tourism in the area, it is predominantly permanent residential with a rural mix. The boundary change as proposed by Gold Coast City Council, it argued, would have the effect therefore of splitting residential communities:

"THE CHAIRMAN: I'm just interested in pursuing this notion of community of interest a little bit further. I think I understand now what you're saying in terms of the differences between Gold Coast and Albert in these areas, and I suppose it's implicit in what you're putting to us is that not only is there that separate community of interest between the tourist high rise, transitory population in Gold Coast and the residential people to the west of that highway, but if Gold Coast's proposal were adopted, it would split a number of these residential communities."

CR LAVER: Exactly."

COMMUNITY SELF AWARENESS AND COMMUNITY BASED ACTION

- 6.64 Gold Coast City Council (S2558, p.11) stated in relation to community awareness:

"It is a fact that residents of both LAs generally feel that they 'live on the Gold Coast'. Council's 1988 and 1990 Surveys of Community Needs show that some one third of the residents of Gold Coast City perceive the Gold Coast as a region rather than as a single LA. Albert Shire residents would surely have the same perception, particularly those closer to the beach in the area of the proposed boundary change. A surprising number of Albert Shire voters attempted to vote at Gold Coast City polling booths at the 1991 Election apparently not realising that there are two LAs in the region."

- 6.65 Gold Coast City Council (T140) admitted however, that whilst it believed that the people in the area of the proposed boundary change have "strong affinity with the city", it had no hard evidence to support this impression.

- 6.66 The Robina Land Corporation Pty Ltd (S2674, p.3) stated that *"the Gold Coast is a unique identifiable region ... It is a collection of communities spread out yet bound by name and reputation of 'The Gold Coast'."* It further stated that there *"are underlying and traditional loyalties to the existing local authorities which there seems no point in upsetting"*. It (S2674, p.4) argued, however, that the name of Gold Coast City Council could be changed *"to avoid confusion between the Gold Coast Region and the Gold Coast City Council."*
- 6.67 Evidence from a number of witnesses indicated that residents of the area have a sense of community with Albert Shire and not with Gold Coast City. Burleigh Waters Progress Association (T234) expressed the sentiments of a number of these witnesses:

"We all know our neighbours. You know, Gold Coast is tourist orientated, the council have a big commitment to tourism, to facilities for tourism, it is the mecca, you know, of what people expect on the Gold Coast. And, Albert Shire don't have to get heavily involved in that. Sure they are involved in tourism but they don't have to get bogged down in that sort of thing. And I think what the people are really saying is, we have a lot of faith in Albert Shire the way it is, we know the facilities they provide, we know basically where our rates are going and we are happy with it."

GEOGRAPHIC AND MAN-MADE FEATURES

- 6.68 Albert Shire Council (S1850, p.19) stated that the existing boundary between the two LAs is marked by dominant geographical and man-made landmarks, namely natural waterways, tidal canals and major roadways.
- 6.69 Gold Coast City Council (S2558, pp.3-4) disputed this assertion and stated:

"To minimise confusion amongst the public, it is desirable that Local Government boundaries be distinguishable physical features such as rivers, and main roads. Bermuda Street, Reedy Creek Road, Pacific Highway, Guineas Creek road and Galleon Way are major, distinguishable thoroughfares."

...

... the current boundary is generally vague, runs along boundaries between properties and sometimes even through properties".

- 6.70 The possible use of waterways as boundaries to avoid problems associated with the maintenance and provision of services to boundary roads and to provide a more definitive demarcation between communities, was raised at the public hearing. Mr Ballantine (T260) raised one problem with the use of roads as boundaries when, in answer to a question as to whether he could see any other effective boundary in the area, he stated:

"Not really, because where I noticed it very prevalent, is the Albert Shire had the wheelie bins in - I mean, there's a lot of things you have got to thank the Albert Shire for. The wheelie bins were in a fair bit before the Gold Coast. And, I mean, as you were driving down Mountain View Drive, sort of on one side of the road you had the little wee bits of drums and rubbish hanging round the place, and on the other side, you had the wheelie bins. That was a pretty stark contrast, to my mind."

- 6.71 The possible use of waterways as boundaries was raised with Mr Moore, Shire Clerk of Albert Shire Council (T249-250):

"THE CHAIRMAN: .. I'm just trying to understand what consequences might flow if, for example - and I just put this as a hypothetical proposition - that you shifted the boundary line west and continued that rationale that occurs north of The Boulevard and run the boundary - I don't know whether you apply the medius felius rule - to the middle of the canal to one side, we would need to sort that out.

*...
THE CHAIRMAN: And coming down that way, there may start to be complications once you hit Bermuda Street. You may need to consider that. But I'm just anxious to try to understand that if that was recommended by the Commission, what effects that would have on the two shires in terms of maintenance in those canals because I wouldn't like to transfer a boundary road problem to a boundary canal problem.*

MR MOORE: It might be a good exercise in joint arrangements, Mr Chairman."

- 6.72 Mr Moore (T250) indicated that each LA currently has the capacity to maintain waterfront properties using their own staff and contractors. In response to a question on which produces the best results in terms of agreements between LAs, the use of roads or canals as boundaries, Mr Moore responded:

"I haven't thought about it a great deal, but off the top of my head I would see so much personal advantage in a canal. I think to have people on opposite sides of a road in different local authorities has different connotations as far as even things like a garbage service, having a different garbage truck go down that one road to service each side, where the canal, I think, is a more passive sort of situation. There's not the same services with a canal but it's certainly not the view of my - I'm not saying it's the view of my Council. Though my personal view I see advantages in a waterway being a boundary to a road."

JOINT ARRANGEMENTS

- 6.73 Albert Shire Council (S2563, p.14) argued that Gold Coast City Council's proposal would simply transfer existing problems from the current boundary to the new boundary. Albert Shire Council stated that improved joint arrangements are a more appropriate alternative to boundary change:

"Council firmly believes that a more constructive and successful means of addressing issues of mutual concern lies in joint arrangements between the two Councils (and formalising these arrangements if necessary). These arrangements would allow the development of appropriate joint strategies for addressing the future planning and service delivery needs of Council's respective communities.

The Commission will be aware that such arrangements have not already been put into place. This could well be attributed to the lack of perceived need for such formalised arrangements in the past. Nevertheless Council agrees with the Commission that the accelerated rate of growth in South-East Queensland, particularly with its attendant compounding implications, is making it more necessary than ever that joint arrangements be constituted and, if necessary, formalised."

- 6.74 Gold Coast City Council (S2558, p.8) agreed with Albert Shire Council but stated that difficulties have arisen in the past in reaching agreement with the Shire on matters of mutual interest. Gold Coast City Council (T159-160) indicated that there is a need for more formalised joint arrangements between the two LAs:

"MR BROWN: The joint arrangements that I would see being needed - and I think that I am supported by the Gold Coast City Council - was some formal agreement which requires the Councils to maintain either co-operation or transfer the responsibility for certain functions to that joint authority.

CMR HALL: Can you give me any indication as to why that is not already happening, as far as your Council is concerned?

MR BROWN: Both Councils have been agreeable to the voluntary arrangements that have been in place for some years.

CMR HALL: But I understand that that is not sufficient, that you really need much more organised joint arrangements than you have had in the past, that the voluntary arrangements aren't always working.

MR BROWN: I think in the case of a number of functions of local authorities, particularly planning functions and areas like that, it needs to be on some kind of joint arrangements whereby the functions are devolved upon a separate authority to maintain some level of continuity of development and some melding of the development within the area to the benefit of all the residents of the area."

6.75 The Robina Land Corporation Pty Ltd (S2674, p.3) argued:

"The Commission should strongly recommend a regional approach to planning the area administered by the Gold Coast City Council and Albert Shire Council. It could recommend that a discretionary power be held by the Minister (which he seems to have anyway) so that he should be assured that proper and meaningful co-operation had been held and a viable regional structure plan developed before gazetting Town Planning Schemes for the two local authorities consistent with it; and he should not approve or submit for gazettal rezonings of regional significance, unless satisfied they complied with the Gold Coast Regional Structure Plan."

6.76 The Water Resources Commission (T208) also referred to problems that have occurred in relation to co-ordination in relation to flood mitigation:

"Another instance - and it is perhaps not so much a matter of outright disagreement, its a matter of - been a matter of co-ordinating and getting a meeting of minds - and that has been on the whole issue of flood plain management on the Gold Coast. And we have adopted , again, a role of steering the - with the councils - the development of a model, and the development of a planning policy and a management policy for flood plains.

There have been difficulties in the local authorities coming to a general agreement on a uniform policy in that regard. I think that's been a process of - an evolutionary process, and if we're not at a point of final agreement now, we're so very close to it that it doesn't particularly matter. But I think the role that we're played in that has been quite valuable in bringing those two authorities to a point where they have been able to reach that agreement."

Analysis of Evidence and Arguments

6.77 The Commission is not persuaded by the reasoning in support of Gold Coast City Council's proposal. The canal estates to the west of the present Gold Coast City boundary are substantially detached residential development, whereas Gold Coast City in the relevant area is substantially high rise tourist oriented development. There is a distinct difference in community of interest between permanent residential areas in Albert Shire and the more transient tourist population in Gold Coast City.

6.78 The Commission considers that there may be areas in the canal estates which could be more efficiently serviced by Gold Coast City. Gold Coast City Council did not supply any detailed support for its claim, however, and the Commission suspects that any increased efficiency is likely to be marginal. In any event, unless such efficiency is substantial it is unlikely to outweigh the community of interest considerations.

- 6.79 The Commission notes Gold Coast City Council's concern at its need to purchase land in Albert Shire for a solid waste disposal site, and its lack of control over this land in which it has a vital interest. Albert Shire Council's statements about the limited life of the site and the need for a regional approach to the disposal of solid waste, does not detract from the fact that there is limited land within the existing Gold Coast City boundaries to cope with future growth and the provision of services. In any case, Gold Coast City Council does not need to have its waste disposal site located within its boundaries.
- 6.80 Nevertheless there are substantial anomalies in the current boundary which need to be addressed. The particular areas of concern are:
- (a) Jupiters Casino - north of Hooker Boulevard - is presently located in Albert Shire, but the only access to it is through Gold Coast City. Further, Jupiters Casino is a tourist development with more affinity towards Gold Coast City than to the residential areas to its west in Albert Shire. Accordingly, in the Commission's view, the Albert/Gold Coast boundary immediately north of Hooker Boulevard should be changed to place the whole of Broadbeach Island in Gold Coast City.
 - (b) South of Hooker Boulevard (through to the current boundary south of Acanthus Avenue at the southern extremity of Burleigh Waters), there is a substantial number of properties presently in Albert Shire which have either no access, or very limited access, to Albert Shire. All of these properties are essentially to the east of the canals and on the narrow finger of land stretching from the Spit to Burleigh. The Commission considers that the Gold Coast/Albert boundary should be moved west to the eastern low watermark of the canals and that the boundaries should be so drawn to continue on that watermark until the existing boundary of Acanthus Avenue is reached. The properties east of this line have ready and natural access to Gold Coast City. The recommended boundary avoids the splitting of the Hawaiian Village and the isolation of many properties in this area. Further, the existing boundary arbitrarily splits Miami State School from Miami and isolates the area near Miami Village also. The proposed boundary follows a natural feature and eliminates most of the irrationality of the existing boundary.
 - (c) The isolated area of Tugun Heights where there is consensus (for good reason) that this area should be transferred to Gold Coast City. This area is presently cut off totally from Albert Shire.
- 6.81 The above adjustments are recommended essentially for community of interest, particularly access and communication, reasons. In particular the benefits of the proposed new boundary are that it: follows distinct natural and man-made features; ensures that residents have direct access from their properties to the LA in which they reside; ensures that no property is split by an LA boundary; and provides a clearer division between residential development in Albert Shire and high density tourist-oriented development in Gold Coast City.
- 6.82 While the Commission believes there are benefits in the use of canals as boundaries, it presents minor problems in areas yet to be developed, for example, the north-west corner of Burleigh Waters, and minor adjustments may therefore be needed in the future as the area develops.

- 6.83 The Commission sees one other minor problem in the vicinity of Tugun Heights if and when land for the proposed Tweed By-Pass is resumed. The Commission believes that following this road reserve to the NSW border would provide an appropriate boundary, however, it is possible that property adjoining the New South Wales boundary may be split once land is resumed for the By-pass.
- 6.84 The Commission finally notes that the whole area south of Logan City may need to be reconsidered by an on-going boundaries review mechanism but perhaps not until the conclusion of the South-east Queensland 2001 process. This process may stimulate mechanisms for more effective co-operation in the area and any boundary review should await this outcome. Albert Shire, for example, has raised the possibility that population trends in the area may justify the creation of a new LA south of Logan City in the foreseeable future (S1850, p.19).

Recommendation

- 6.85 **The Commission recommends that the boundary of Gold Coast City and Albert Shire be altered as indicated on Maps W.4, W.5 and W.6 of Appendix W:**
- (a) west to the eastern low tide mark of canals from Miami Keys Estate (in Broadbeach Waters suburb) to Burleigh Waters suburb, as indicated on Maps W.4 and W.5; and
 - (b) at Tugun, to follow the centre-line of the proposed Tweed By-Pass Road Reserve, from where it joins the Pacific Highway at the existing Gold Coast/Albert boundary, to the New South Wales border, as indicated on Map W.6.

CHAPTER SEVEN**WARWICK / GLENGALLAN / ROSENTHAL / ALLORA****Introduction**

- 7.1 The Commission had identified Warwick City, Glengallan Shire and Rosenthal Shire as a priority case for examination in Issues Paper No. 8. Allora Shire was added to this area because it became apparent from the public submissions that Allora Shire's community of interest was closer to the Southern Downs than it was to Clifton and Cambooya Shires. Allora Shire was identified as a priority case in Issues Paper No. 8, together with Clifton and Cambooya Shires, which lie to the north of Allora Shire.
- 7.2 Warwick City Council (S1860, pp.2-3) initially proposed that its area increase from 26 square kilometres to 990 square kilometres to include alleged urban overspill areas, sufficient land for future development and buffer zones; the Leslie and Connolly dams and associated catchment areas, infrastructure and pipelines; and the Warwick aerodrome in Allora Shire. This claim (S2625, p.8; S2719, p.1) was subsequently reduced to an area of 275 square kilometres, including alleged urban overspill, foreshores of dams, and associated infrastructure and strategic works. Particulars of Warwick City's proposed boundary are set out in Maps W.7 and W.8 of Appendix W. Warwick City (S2625, p.8) also proposed that the non-viable balance areas of Glengallan and Rosenthal Shires be combined with Allora Shire to form an enlarged rural Shire of 4,178 square kilometres, thereby allowing the rural community to retain its identity and leave rural areas under a rural administration.
- 7.3 Allora Shire Council initially agreed with Warwick City Council's proposal for two LAs but it later altered this stance (T345; T353) in support of an enlarged Warwick City and two rural Shires, one roughly north-east of Warwick City based on Allora township and one to the south based on Killarney. Rosenthal and Glengallan Shire Councils opposed any form of amalgamation. Glengallan Shire Council (T425) stated, however, that if change had to occur, boundary change was preferable to total amalgamation with Warwick City.
- 7.4 A total of 105 submissions relating to this area, and 19 additional submissions (including a petition) that primarily related to the earlier proposal examining Allora, Clifton and Cambooya Shires, were received by the Commission as at 31 October 1991. The Commission held a public hearing at the Warwick City Council Chambers on 17 and 18 June 1991. The Commission heard evidence from Warwick City Council, Glengallan, Rosenthal and Allora Shire Councils, Water Resources Commission, Cunningham Irrigators, Warwick Regional Development Group, and eight private individuals. Further information regarding submissions and witnesses is contained in Appendices D and G.
- 7.5 Warwick City and Glengallan, Rosenthal and Allora Shires are situated on the southern Darling Downs. Warwick City is enclosed by Glengallan Shire to the east and Rosenthal Shire to the west. Allora Shire is located to the north and has common boundaries with Glengallan and Rosenthal Shires. All local roads centre on Warwick City.

- 7.6 Warwick was proclaimed a Municipality in 1861, became a Town in 1903 and a City in 1936. The Glengallan Divisional Board was created in 1879 and became a Shire in 1903. Rosenthal Divisional Board was established in 1889 out of part of Inglewood Divisional Board and became a Shire in 1903. Allora Municipality was proclaimed in 1869, and Allora Shire was created in 1915 from Allora township and part of Clifton Shire (File 010/790).
- 7.7 Many of the existing LA boundaries follow geographic features, for example, Glengallan Shire is bounded on three sides by the Great Dividing Range (Stevens 1972, p.1.1) and Rosenthal Shire is bounded on the south-west by the Herries Range (Swann 1973, p.1.1). Map W.7 in Appendix W shows the existing boundaries and major geographic features of the four LAs.
- 7.8 Warwick City has an area of 26 square kilometres, while Glengallan and Rosenthal Shires have roughly equivalent areas of approximately 2,000 square kilometres each. Allora Shire is one of the smallest Shires on the Darling Downs with an area of 699 square kilometres.
- 7.9 The population growth patterns of the urban and rural LAs have been quite different over the past 40 years. Warwick City grew strongly from 1947 to 1966, declined until 1976 and grew again in the last decade. Glengallan, Rosenthal and Allora Shires all declined in population from 1947, but they began to grow again from the early to mid 1970s. Glengallan Shire has shown steady growth, but Rosenthal Shire experienced a rapid growth from 1989 to 1990. Much of this growth in Rosenthal Shire appears to be rural residential development either on the outskirts of Warwick City or within commuting distance of Warwick. In 1986, the population of Warwick urban area was 10,133 of which 698 persons resided outside the Warwick City boundaries (ABS 1947; ABS 1954; ABS 1961; ABS 1966; ABS 1971; ABS 1976; ABS 1981a; ABS 1986a; ABS 1991c).
- 7.10 Some demographic and geographic features of the four LAs are set out in Table 7.1. Table 7.2 provides details of population growth of urban centres and rural localities with population greater than 200 persons between 30 June 1966 and 30 June 1986 for these same LAs.
- 7.11 Warwick City has been defined as the regional centre of the Warwick/Allora/Killarney area (Holmes 1986, p 267), and under central place hierarchy theory as a regional centre for the Darling Downs and South-west Region (Holmes 1986, p.260). Allora township is a small rural service centre and the second urban centre of the sub-region. Killarney has a number of industries, for example, abattoir and saw mill (Holmes 1986, pp.254, 256).

Table 7.1
Selected Demographic and Geographic Features of
Warwick City and Glengallan, Rosenthal and Allora Shires

LA	Estimated Resident Population 1990	Area (km ²)	Population Density (persons/km ²)	Average Popln. Growth 1986-1990 (%)	No. of Electors June 1991	Population Rural 1986 %
Warwick	10,488	26	403.38	0.86	8,946	0.00
Glengallan	3,837	1,735	2.21	0.48	2,697	78.88
Rosenthal	2,020	1,968	1.03	1.45	1,407	100.00
Allora	2,241	699	3.21	1.82	1,444	59.28

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern; and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, their residents are classified as rural population.

This data represents 1986 Census material and developments since that time are not included.

Sources: ABS 1991b; ABS 1991c; State Electoral Office 1991; ABS 1986a.

Table 7.2
Population of Urban Centres and Rural Localities over 200 persons 1966-1986

LA	Urban Centre/ Rural Locality	Population June 1966	Percent	Population June 1986	Percent
Warwick	Warwick	10,065	100.00	9,435	100.00
Glengallan	Killarney	880	22.53	779	21.12
	Rural	3,026	77.47	2,909	78.88
	Total	3,906	100.00	3,688	100.00
Rosenthal	Rural	1,553	100.00	1,963	100.00
Allora	Allora	707	37.41	831	40.72
	Rural	1,183	62.59	1,210	59.28
	Total	1,890	100.00	2,041	100.00

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern; and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, then residents are classified as rural population.

For the 1966 Census an attempt was made to identify a nucleus of dwellings using information from census schedules. These procedures were adopted in an effort to obtain data for unbounded localities on a basis more comparable with those of urban centres. As a consequence the apparent size of many localities was reduced from that shown in previous censuses. Care should therefore be taken when comparing 1966 census unbounded locality data with data published from previous censuses.

This data represents 1986 Census material and developments since that time are not included.

Sources: ABS 1966; ABS 1986a; ABS 1991b.

- 7.12 Warwick City and Allora township have higher proportions of persons over 65 years than the surrounding areas, which would suggest that rural persons are retiring into the two centres which offer appropriate services and accommodation (ABS 1988).
- 7.13 Rosenthal Shire's main concentration of population is Rosenthal Heights on Warwick City's outskirts. In addition to the towns of Allora and Killarney, the three Shires also contain small villages (under 200 persons), of which the largest are Yangan in Glengallan Shire and Leyburn in Rosenthal Shire (ABS 1988).
- 7.14 The economies of the four LAs are linked, but demographic data indicate that employment patterns and, therefore, industry mixes are different in the different LAs and their towns. Nearly 10 times as many persons are employed in agriculture in the Shires than in Warwick City, although the percentage drops markedly in Yangan, Killarney, Allora, and to a lesser degree Leyburn. There are much higher levels employed in construction and wholesale retail industries in Warwick City and in Yangan, Killarney, Leyburn and Allora, than in the rural areas of the Shires (ABS 1988).
- 7.15 Warwick City's retailing sector consists of a large number of small businesses providing a range of products and services. Manufacturing is largely based on producing goods from local raw materials and transportation services are closely related to the rural sector (Export Aid Pty Ltd 1990, p.7). The *Economic Development Strategy: An Appraisal and Economic Development Strategy for Warwick* (known as the "Elliott Report") estimated that on average 25 percent of all business is derived from the rural sector (Export Aid Pty Ltd 1990, p.12).
- 7.16 Despite these strong ties to the rural sector, the Elliott Report found that over the years Warwick City had become isolated and recommended that economic links must be forged with the surrounding Shires if Warwick City was to avoid stagnation. The Report identified Warwick City's weaknesses as: boundaries which limited growth and development; no spirit of co-operation or regional development programme; and an apparent lack of involvement in collaborative projects with the surrounding Shires (Export Aid Pty Ltd 1990, pp.22-23). The Report clearly stated that the prosperity of Warwick City is heavily dependent on the prosperity of its surrounding Shires (Export Aid Pty Ltd 1990, p.33).
- 7.17 Responses to the Commission's Questionnaire indicated that Warwick City provided facilities (eg. libraries) which were used by residents of Glengallan and Rosenthal Shires, and these Shires have chosen not to expend funds on similar facilities. In responses to the Commission's Questionnaire, Rosenthal Shire stated that, given more funds, it would not choose to provide any other services, while Glengallan Shire stated that it would provide a library. Warwick City Council (S1860, pp.14, 18), however, claimed that the provision of services to urban spillover areas of neighbouring Shires and the inability of the City to levy rates in these areas to cover costs, prevented efficient service provision.
- 7.18 There is little evidence of consultation or co-operation between LAs in the region, particularly with regard to water supply, sewerage, town planning and regular discussion of matters of mutual concern. In responses to the Commission's Questionnaire, Glengallan and Allora Shires claimed, for example, that some informal consultation is undertaken when required.

There are no joint agreements with regard to services and facilities, no works carried out on behalf of the other LAs, and apparently no sharing or hiring of plant. Glengallan Shire, for example, hires private plant when its own is fully used. There is some minor sharing of staff between the Shires.

7.19 Responses to the Commission's Questionnaire advised of the following joint arrangements:

- . a Joint Board to run the Warwick and District Saleyards;
- . provision of sewerage services to some Glengallan Shire businesses by Warwick City; and
- . contribution towards maintenance work and costs of boundary roads between Warwick City, Rosenthal and Glengallan Shires.

Warwick City had previously sold both bulk and reticulated water to Rosenthal Shire.

7.20 Information supplied by the Water Resources Commission indicated that Warwick City and Glengallan and Rosenthal Shires have had difficulties in the past in reaching agreement on water supply and sewerage and flood plain management.

7.21 The staff employed by the four LAs are listed in Table 7.3.

Table 7.3
Number of Staff Employed by Warwick City and
Glengallan, Rosenthal and Allora Shires

LA	Office/Admin	Field	Total
Warwick	26	63	89
Glengallan	7	41	48
Rosenthal	10	26	36
Allora	4	16	20

Source: EARC 1991b, pp.1-3

7.22 Responses to the Commission's Questionnaire indicated that the place of residence of the staff in the four LAs is as follows:

- Warwick City - 85 reside in Warwick City, two in Glengallan Shire and two in Rosenthal Shire
- Glengallan Shire - 19 reside in Glengallan Shire, 27 in Warwick City, one in Allora Shire and one in Stanthorpe Shire
- Rosenthal - 12 reside in Rosenthal Shire, 19 in Warwick City, four in Allora Shire and one in Glengallan Shire
- Allora Shire - 20 reside in Allora Shire.

These figures indicate the close interdependence in labour services of the areas involved, although Allora Shire is relatively self sufficient, and Warwick City residents account for 131 (68%) of the total workforce of the four LAs of 193 employees.

Matters for Consideration

- 7.23 Warwick City, Glengallan Shire and Rosenthal Shire were identified by the Commission as priority cases for investigation. Community considerations were given priority by the Commission in its evaluation of the appropriateness of existing LA external boundaries. Warwick City, Glengallan and Rosenthal Shires were given ratings under the following community of interest indicators:
- (b) the area should include the territory with which the main centre has major linkages (Warwick City is a service centre to residents of the Shires);
 - (c) communication lines (major local roads in the Shires radiate out from Warwick City);
 - (d) patterns of travel life and work; and
 - (e) duplication of facilities and sharing of facilities with neighbouring LAs (the offices of Glengallan and Rosenthal Shires are in the Warwick urban area).
- 7.24 The LAs were also identified under demographic and geographic considerations, for example, an examination of the town plans and strategic plans showed evidence of moderate urban overspill from Warwick City into Rosenthal and to a lesser extent Glengallan Shires.
- 7.25 Applying economic considerations, Warwick City was assessed as having very low potential financial stress, Glengallan and Allora Shires as average and Rosenthal Shire as high potential financial stress. Glengallan, Rosenthal and Allora Shires all have a level of specific purpose grants (for roads and bridge construction and other purposes) and a level of road grants which exceed 40 percent of expenditure (EARC 1990a, p.E.10).
- 7.26 Following further research and analysis of submissions, the Commission revised the priority list of LAs for further investigation. Allora Shire was added, because a number of submissions stated that Allora Shire had a community of interest with Rosenthal and Glengallan Shires and was oriented towards Warwick City, rather than with Clifton and Cambooya Shires which were oriented towards Toowoomba City.
- 7.27 The central issue is Warwick City's role as a regional centre, and whether the links of residents of the surrounding Shires to Warwick City reflect that regional role, or whether they reflect a community of interest appropriate for redefining LA boundaries. Other issues include the cross-utilisation by the ratepayers of Glengallan and Rosenthal Shires of services and facilities provided by Warwick City; urban overspill and the management of services and facilities in any overspill areas; the impact on co-ordinated development of competition between the LAs for rural residential and residential development; and the extent to which joint arrangements have been used to transcend boundaries in the interests of servicing ratepayers and residents.

Evidence and Arguments

- 7.28 The evidence and arguments which have been put to the Commission are discussed in terms of the applicable principles of boundary change detailed in Chapter Four.

RESOURCES TO FULFIL REQUIRED FUNCTIONS

- 7.29 Financial analysis indicated that all four LAs are currently sufficiently economically sound and viable entities to assume functions in addition to those they already provide.
- 7.30 Warwick City (T461) claimed that its proposal to create two LAs would improve the resource base of the LAs and allow for enhanced functions:

"Each local authority would provide those separate local authority functions now provided at varying levels and to differing standards by the respective city and shire local authorities. The role of each local authority would be clarified."

- 7.31 Responses to the Commission's Questionnaire indicated that the four LAs have differing mixes of functions although with substantial overlap. Both Rosenthal and Glengallan Shire Councils saw roads as the principal function required of them by rural ratepayers. Accordingly, the overwhelming proportion of their expenditure and grant income is committed to roadworks. Glengallan Shire Council (T426) stated:

"Well, our number one priority is communication in a rural shire. The situation with rural people is entirely different from the city and our communication is mainly in roads, and I believe that our representation of all rural residents in our shire gives prime consideration to roads as their number one priority."

- 7.32 Glengallan Shire Council (S1832, p.5) also stated: *"This Shire is quite capable of fulfilling all of the functions available to it under the Local Government Act, as required by the residents of the area."*

RESOURCES TO PROVIDE SERVICES AND FACILITIES

- 7.33 With regard to the principle that an LA should have a sufficient resource base to provide and maintain the services required by community needs, an analysis of funding and spending patterns for the LAs indicated that the surrounding LAs rely heavily on Warwick City for the provision of welfare and community services. This is reinforced by responses to the Commission's Questionnaire which indicated Warwick City is the only LA providing social welfare services and services for youth, aged and disabled, although Allora township contains a retirement home and aged accommodation.
- 7.34 Warwick City Council's response to the Commission's Questionnaire claimed that residents of Glengallan and Rosenthal Shires make considerable use of City facilities, with a much lower level of use of some City facilities by Allora Shire residents. Glengallan and Rosenthal Shires claimed that their residents use only the library, swimming pool and parks. Allora Shire Council claimed that its residents do not use the facilities of any other LA and vice versa.

- 7.35 Warwick City Council (S1860, p.32) claimed that its proposal for an enlarged Warwick City and surrounding rural Shire would produce LAs with resource bases sufficient to provide improved services: "Council would have increased resources to provide more specialised professional services in a broader range for the benefit of the community." Glengallan Shire Council (S1832, p.5) believed though that it had "a sufficiently strong resource base ... to both maintain services and facilities at desired levels and quality and to adopt new activities required by changing communities."

FLEXIBLE AND RESPONSIVE FINANCING

- 7.36 It is apparent that compliance with principles relating to flexible and responsive financing may involve conflicts with other principles relating to service areas and community of interest.
- 7.37 Dr Jones (T308) stated that growth of rural residential development increases the financial flexibility of rural Shires:

"I believe one of the great advantages of the existing arrangement is that it enable[s] rural shires to balance, to diversify their rate basis between rural and rural residential ... What this does with the problems facing the rural economy in this country with most farms returning 1 or 2 per cent on capital values with very uncertain markets in the world for primary products, a total rural rate base is a highly risky thing to have. It tends to produce a mentality in purely rural shires of extreme meanness in expenditure, extreme conservatism in expenditure because they have to keep the spending base low to take account of the bad times which seem to be coming more and more in the rural sector."

- 7.38 Consequently, Dr Jones (T308) stated that Warwick City Council's proposal for an enlarged Warwick City and a surrounding rural Shire would result in a non-viable rural LA, because the Shire would lose the non-rural income earners living in the rural residential areas closer to Warwick City. The proposed purely rural Shire would therefore be weak because of its purely rural rate base, and would become fiscally stressed very quickly (T310).
- 7.39 Glengallan Shire Council (T420) agreed that Warwick City Council's proposal would have grave financial impact:

"Implementation of EARC ... of this latest proposal by Warwick city to annex approximately 64 square kilometres of shire rural land into Warwick city would result in a financial loss of approximately \$70,000 in rate revenue, calculated on the 1991 unimproved land valuation and rate levy."

This figure translates to the loss of approximately 8.3 per cent of council's 1990/91 rural general rate levy and approximately 7.2 of council's 1990/91 total general rate levy."

- 7.40 Warwick City Council (T459-460), however, maintained that its proposal for two LAs would strengthen the position of both LAs and enable them to overcome stress-related financial problems, revenue raising limitations, urban overspill and the shortfall in Local Government services. Mr Edmonds, Warwick City Council's consultant (T460), stated that Warwick City Council's proposal would produce a more effective Warwick City and that:

"The new rural local authority would have a rateable value, as the mayor has said, exceeding \$100 million and compare this important base resource with the present rateable valuations of Glengallan 61.4 million, Rosenthal 26.5 million and Allora 29.3 million. The base resource is not there at present with a three local authority distribution. In the proposed new rural local authority the

valuation make up would be 56.4 million coming from Glengallan to the new local authority, 15.7 million from Rosenthal and 28.8 from Allora. Now, that makes up the \$100 million.

...

... the enlarged Warwick City will increase its rateable value from \$54 million to \$70 million, the population of Warwick would increase to 12,000 persons."

- 7.41 Rosenthal Shire Council (S1550, p.20) stated that the type of rate base was of more significance than area in relation to flexibility of revenue raising and priority setting. A financial analysis of Rosenthal Shire using 1988-1989 figures gives a misleading picture of financial weakness, as in that year Rosenthal Shire paid out all loans for water supply purposes, and expended considerable sums on flood restoration which were reimbursed in the following financial year. Rosenthal Shire Council (S1550, pp.19-20) therefore claimed that it had a high degree of fund flexibility and was not reliant on other levels of Government for funds, as the unfavourable ratio of external risk and fund flexibility for ordinary services had appeared to indicate. Rosenthal Shire Council (S2301, pp.34-35) subsequently stated that it had been able to fund capital works from revenue rather than borrowing, and it had established a useful General Reserve Fund which enabled the LA to respond flexibly to disasters and emergencies.

CO-ORDINATED PLANNING AND DEVELOPMENT

- 7.42 Warwick City Council (S1860, p.3) based its proposal for expansion in part on the principle that an LA needs to co-ordinate urban and fringe development, thus preventing problems arising from lower building standards in areas of urban overspill, and the need to manage and control development in water catchment areas and along pipelines:

"Additionally, Warwick City will have control over its strategic facilities. There will be sufficient area for urban, rural residential and industrial expansion. There will be a buffer area to minimise the extent of urban overspill that has occurred up to the present. There will be sufficient land to minimise the need for future major boundary changes.

Warwick City Council (S1860, p.31) claimed: *"The community around Warwick would be able to identify with a singular LA with uniformity of Council administration, policy determination and implementation and regulatory control."*

- 7.43 Warwick City Council (S2265, p.2) claimed that urban overspill was occurring and differing standards for urban developments existed in contiguous areas. It referred to urban overspill in Glengallan Shire, disputing Glengallan Shire Council's contention that this would not occur for two decades:

"Many small allotments of land have already been created in the urban overspill area of Glengallan Shire which have no water, sewerage or other services and Warwick City Council frequently receives requests for the extension of the City's services into this area."

Glengallan Shire Council (T444) responded that:

"... you speak as though there is rural residential allotments all the way around the boundary, but in actual fact, there [they] are not rural residential at all. They have been there for many, many years. They are small farms. There are some what we would describe as rural residential that have been rezoned to rural residential, but they are - well, mostly about a kilometre out from the boundary. They are not near the boundary at all ... we don't consider that rural residential. They are actually farms or the people have been there for a long while on failed farms possibly."

- 7.44 Warwick City Council (S2265, p.3) also referred to urban overspill in Rosenthal Shire and disputed Rosenthal Shire Council's contention that there is no urban expansion but only a deliberate choice of an alternative lifestyle to the conventional urban residential block:

"... there clearly is an urban overspill of Warwick into Rosenthal Shire and that this area contains both urban and larger allotments both of which are also provided within Warwick City under its Town Planning and Subdivision of land By-laws. There is clearly no different type of lifestyle in this urban overspill area than that offered within the City Area."

- 7.45 Responses to the Commission's Questionnaire indicated that there were no arrangements for consultation on matters of mutual concern (eg. town planning matters) between Warwick City and Rosenthal Shire, though Glengallan and Allora Shire Councils indicated that some informal consultation at officer level occurred where necessary. The levels and types of development control (eg. strategic plans and town plans) were different in each LA. Warwick City Council indicated that there had been little co-operation and co-ordination in planning matters and (S2625, p.19) stated:

"It has not been the practice in the past for the 3 LAs to exchange set of Town Plans, Strategic Plans, Policies and By-laws nor to liaise in the preparation of any such documents."

- 7.46 Rosenthal Shire Council (T329) indicated that town plans were exchanged just prior to the Commission's public hearing:

"... we did exchange information on our planning scheme a couple of weeks ago. We thought that there was a need especially as Warwick City took the initiative and delivered a plan up to us, we thought we would reciprocate. There is compatibility in land use.

...

Our planner ... assures me ... that she has consulted with the neighbouring local authorities, and, once that planning scheme comes into force, it recognises the Warwick land use that is on the other side of the boundary - not formally. There is a small part in our strategic plan just talking about compatibility."

- 7.47 Dr Jones (T316) stated that co-ordination needs were fewer where there was a low population growth rate as in the Warwick region. It should be noted, however, that Rosenthal Shire's population grew by 3.70 percent from 1989 to 1990, when State growth was only 2.56 percent (ABS 1991c).

- 7.48 Warwick City Council (S2625, p.18) referred to lower development standards imposed by Glengallan and Rosenthal Shire Councils on rural residential development and industrial development adjacent to or near the City boundaries:

"The lack of co-ordinated development and planning is evidenced by the establishment of industries in the Glengallan Shire on the immediate northern boundary of Warwick with only limited services. This also applies to the developments in the urban overspill area of Glengallan.

...

These developments have not been in the interests of sound town planning practice and have thereby led to fragmented local government standards.

These occurrences have hampered the co-ordinated controlled development of appropriately zoned and serviced land within Warwick."

7.49 Rosenthal Shire Council (T331-332) disputed that its rural residential development was of low standard and stated that its policy on rural residential development allowed for a minimum lot size of 1500 square metres in the closer zoned areas, with no requirement for sewerage connection. Water may be required as a condition of development, depending on the zoning of the land and its proximity to Rosenthal Heights, which has water connected to about 300 lots. Road requirements are bitumen sealed roads with eight metres kerb-to-kerb width, and a minimum frontage of 25 metres.

7.50 Rosenthal Shire Council (T331) admitted that the Chase Estate in Rosenthal Heights, which is a subdivision of about 65 lots of approximately 800 square metres, had problems with the discharge of sullage waste from several dwellings on to the roadway.

7.51 Warwick City Council (T485) criticized Rosenthal Shire's policy of allowing rural residential subdivision with lots as small as 1500 square metres without conventional sewerage, based on its own recent experience of non-sewered areas:

"... our minimum subdivision in these at that time was this minimum of 2000 square metres if there wasn't sewerage. We found we had - or the people had great problems with that size of allotment. Now it will also depend on soil type. But these days, with ultra modern gadgets, washing machines, dish dryers - the average water usage in Warwick is about 700 litres a day per household, and the majority of that is going to get discharged on the block of land - in my opinion 2000 square metres in many cases is not enough."

Rosenthal Shire Council (T310) in turn criticised Allora Shire for having no town plan, a lower standard of development than Rosenthal Shire, and an inability to plan for and service a larger area.

7.52 Glengallan Shire (T444) requires lot sizes of between two and four hectares. Glengallan Shire cannot provide a reticulated water supply, so it requires lot sizes sufficient for a dam, sub-bore or provision of an adequate rainwater supply and a 10,000 gallon water tank. Glengallan Shire does not require sewerage. Road requirements are for bitumen roads provision in a subdivision, although gravel surface has been acceptable where there is a small number of allotments.

7.53 Warwick City Council (S2265, pp.4-5) referred to a lack of co-operation in urban overspill areas:

"... evidenced by a failure to re-negotiate the agreement between the two Councils on supply of water by the City; the unreasonable, although lawful, bonding requirements placed on the City Council in respect of its Water Treatment Plant situated in this area; the total lack of any consultation or discussion on the Shire's new Town Planning Scheme and Strategic Plan and disagreements in respect of the City servicing water connections in this area."

7.54 Rosenthal and Glengallan Shires do not have reticulated sewerage systems and Warwick City's sewerage system has not been extended into Rosenthal or Glengallan Shires.

7.55 Warwick City Council (S2625, p20) had commissioned the Water Resources Commission to prepare a strategy study on Warwick City's sewerage. The report concluded that Warwick City had the capacity to sewer some 155 existing premises within Rosenthal Shire and 28 premises in Glengallan Shire. Elevation, pipe capacities and overall cost, however, would present problems in extending sewerage to all but the immediately adjoining areas of both Shires. Warwick City Council noted:

"There will need to be co-operation at a level not currently occurring for any such extension to occur. On present boundaries a substantial capital contribution from the Shires would be required to extend these services to provide the requisite standards."

7.56 If its proposal to create two LAs was proceeded with, however, Warwick City Council (T461) felt that urban overspill would be contained, contiguous urban areas would have similar development standards, and urban residents would have equivalent services (T461):

"... The controlled expansion of urban developments would occur. Planning and other strategic measures to enhance each local government area would be attainable. An effective regional development plan embracing both urban and rural areas and ancillary activities could be developed and implemented."

Warwick City Council (T463) stated: *"The total infrastructure of the enlarged area would have to be reviewed and properly planned."*

7.57 The Water Resources Commission (EARC File 010/O/210) has advised that Warwick City's water supply sources are the Leslie Dam in Rosenthal Shire and the Connolly Dam in Rosenthal and Glengallan Shires. Leslie Dam is owned and operated by the Water Resources Commission, Connolly Dam is owned and operated by Warwick City. Warwick City's water treatment plant is within the Rosenthal LGA near the Warwick-Rosenthal boundary.

7.58 Warwick City (T481) controls access to tapping points along its pipelines to Connolly and Leslie Dams, and it (T483) wants town planning powers over the land bordering the pipelines so that, for example, it can regulate the ribbon development on the western main and encourage industrial development:

"... we really have the right to say, well, no water. But on the other hand we don't have the right to say to an industry, 'Well, we're prepared to zone that land for you to come in.' So it's not the rejection; it's the acceptance of the industry that we don't have the right to ... that control of the zoning would give us ..."

7.59 The Water Resources Commission (EARC File 010/O/210) advised that successive planning reports concluded that the most economic water supply for Rosenthal Shire is treated water from Warwick City, and water from the Leslie Dam has been allocated for Rosenthal Shire's use. Difficulties between the two LAs, however, led Rosenthal Shire to develop its own water supply for Rosenthal Heights, which has to be supplemented by use of ground water presently allocated to Lyndhurst Stud. The ground water is inferior in quality to, although cheaper than, the Warwick City water supply. Rosenthal Shire (L25) has also refused to allow Warwick City to supply water to Rosenthal Shire residents.

- 7.60 The Water Resources Commission (T501) referred to possible future problems with Rosenthal Shire's ground water supply if Lyndhurst Stud takes its water allocation:

"It could be a problem if Rosenthal's development continues at the rate it is going now. They just will not have the capacity, and Lindhurst develops up its capacity to extract ground water that if they both continue - if Rosenthal takes in excess of its allocation and Lindhurst takes its allocation, there's potential for interference between the bores and consequently both will have disrupted supplies."

The Water Resources Commission (T502) stated that in the worst scenario, Rosenthal Shire could take its allocation of water from Leslie Dam or develop new bores, both of which imply future costs for ratepayers.

- 7.61 Warwick City Council (T445) has been opposed to extending its water supply to other LAs. Although 29 Glengallan properties near the border receive water from Warwick City, others have been denied supply. Individual property owners negotiated directly with Warwick City rather than through the Shire.
- 7.62 The Water Resources Commission (EARC File 010/O/210) advised that Glengallan Shire has a water supply scheme in Killarney. Allora Shire operates a water supply scheme at Allora township sourced from bore water, but has exceeded its allocation on many occasions. The Water Resources Commission has advised that by the year 2010, if current growth trends continue, Allora Shire would require an additional 25 percent of water, which would come from surface supply.

EFFICIENT AND EFFECTIVE PROVISION OF SERVICES

- 7.63 Warwick City Council (T462) claimed if its proposal for the establishment of two LAs was implemented, it would produce LAs whose areas and capabilities better met the service needs of the area:

"... the council considers that each local authority would be a viable unit of local government providing for its respective citizens a greater depth and breadth of functions and controls to meet the infrastructure development and service demands of the citizens of those local government areas."

- 7.64 Warwick City Council (S2625, p.24-25) pointed to the potential for rationalisation of service provision and to duplication of plant, machinery and office space, that offered opportunities for economies of scale and operational efficiency and that *"there is sufficient room for an expansion of the Warwick Administration Building with the probable short term use of the existing Shire Administration Centres."*

- 7.65 Warwick City Council (T461) stated:

"Achievable standards of efficiency and effectiveness in service delivery and overall performance would result. Strategic facilities would be contained within the one local authority with uniform standards of control. The plant equipment workshops, stores and depot facilities in each local authority would be rationalised. Duplication of facilities would be minimised."

The plant base of each local authority would, in fact, be expanded. A more efficient utilisation of plant would result and employee logistics would improve ..."

- 7.66 Glengallan Shire Council (T440) noted that Warwick City was a natural service centre and the natural focus of Glengallan Shire, and that a Killarney office/depot would not service the Shire any better than one located in Warwick City: *"I think the shire still does radiate from the half-moon situation where on the outskirts of Warwick is the logical place to have the centre."*

When questioned by the Commission, Glengallan Shire Council (T439) agreed that as Warwick City was the location of the major administration centres and depots, the cost and efficiency of service provision probably would not alter under an amalgamated LA.

- 7.67 Glengallan Shire Council (T426) said that the main service required by its residents is roads, which would suffer in a mixed urban and rural LA. The Council also admitted, however, that its resource base was insufficient to provide good surfaces on its thousand kilometres of Shire roads:

"... we haven't got the finance to crush enough gravel to put a good surface on or bitumen all the roads. So I'd say we need to maintain rural shires for the benefit of rural people because of the road situation."

- 7.68 Dr Jones (T310) believed that if two LAs were created in the Warwick area, Allora Shire would have insufficient experience and staff to effectively service a larger area, based on its present performance and staff levels:

"Rosenthal is critical of Allora in terms of it doesn't have an engineer, it doesn't have a health surveyor, it doesn't have a building inspector, it doesn't have a town planner. It is a static area. It has had no real experience in growth. It doesn't have the capacity to deal with the huge management challenge that would come from this vast rural shire. Rosenthal believes that they have allowed a low standard of development to occur, that is, it's not in keeping with what Rosenthal has allowed."

FUTURE PROJECTED GROWTH

- 7.69 Mr Quinn (T403) pointed to the necessity to determine LA boundaries that will allow for growth well into the future:

"The major functions involving local authorities are essentially long term: water supply, distribution, sewerage, and major constructions. Now, these can be very expensive. They require considerable time to plan and develop, and they are never undertaken lightly, but most importantly they are intended to meet the needs of the community for 20, 30, or more years ahead, and the justification for these projects derives from stable boundaries, knowing the area that is yours and making the projections 20, 30 or more years ahead in confidence, being confident that the projections you make are likely to eventuate."

Mr Quinn (T406-407) added:

"The Commission will not be making changes for the people who live here now. Any changes are directed to the future, medium, and the long term. I look forward to the commission deciding on an appropriate setting for the era of the 21st century."

- 7.70 Warwick City Council (T457) said that the present boundaries prevented growth and discouraged industrial development: *"The city's boundaries are insufficient to permit controlled expansion and to attract potential developments."*

- 7.71 Warwick City Council (T463) further stated that an enlarged Warwick City could actively pursue residential, commercial and industrial growth because it would have room to locate most types of industries within its boundaries:

"Warwick cannot pursue the types of development that are well suited to this area unless it is able to offer a complete package ..."

"There is always strong competition for industry from other areas. To compete the negotiation approval process must be made as quick and as non-complex as possible. Warwick has a very pressing demand for additional area so that large rural based secondary industries can be attracted to Warwick."

- 7.72 This was supported by statements in the Elliott Report. Peter Beatty, (T532) a Warwick Alderman and Chairman of the Warwick Regional Development Group, said:

"The Elliott Report recognises that growth and development of the city of Warwick was limited by the city boundaries and there was a lack of spirit of co-operation in the region, and there was not any regional development programme and no regional thinking ..."

- 7.73 Rosenthal Shire Council (S2301, pp.25-27) strongly disputed Warwick City Council's assumption that growth would follow boundary change. It claimed that Warwick is a viable provincial city, with enormous potential for growth within Warwick City's present boundaries, and that Warwick City Council failed to offer any evidence to substantiate its claim *"that an alteration to the City boundary would increase its potential for residential, commercial and industrial growth."*

- 7.74 Rosenthal Shire Council (S2301, p.26; T337) stated that there was adequate land suitable for industrial purposes within Warwick City. Warwick City Council (T472) stated that, apart from large areas of flood plain, there was land available for residential development, but no land available for industrial development and growth:

"Generally the main areas still to develop in Warwick, I'd say in the south Warwick area, up hill from the TAFE College. And all these zonings are appropriate to urban development but we've got nowhere to go for industrial development."

- 7.75 Mr Cuddihy, Warwick City Town Clerk, (T473) added:

"... the prime thinking for the expansion was to find land removed from the present urban settlement for industry, some of which, no doubt, will be noxious ... so the thinking was to get areas well removed from our current urban expansion ..."

COMMUNITY OF INTEREST

- 7.76 A number of general comments were made either supporting or rejecting the proposition that the Shires and Warwick City shared a community of interest. Mr Quinn (T403-404) stated:

"Community of interest is usually a determining factor in the drawing of council or electoral areas, and I believe there is very strong community of interest between Warwick City and the people of Rosenthal and Glengallan, especially in those parts adjacent or close to Warwick boundaries."

So many of them work and shop in Warwick. They play and pray in Warwick, but I often wonder how much community of interest there is within the shires. I feel that perhaps little seems to have been done by those councils to promote community awareness of their shires within the shire through some of the projects that I mentioned earlier. Neither has located its shire administration in one of its townships."

7.77 Glengallan Shire Council (T419) disputed this:

"The argument the rural community living just outside the boundary of the city have a community of interest with city residents is baseless, as their lifestyle is quite different, and there will always be people living just outside the boundary no matter how far it is extended."

7.78 Glengallan Shire Council (L24, p.5) also maintained that in proposing Allora township as the administration centre of the rural Shire in Warwick City Council's proposal for two LAs: *"Warwick City acknowledges that there is no Community of Interest between Warwick City and the residents of Glengallan and Rosenthal Shires."*

7.79 Allora Shire Council (T358-359) stated that it was the governing structures in each Shire that tied the people together rather than the community of interest:

"THE CHAIRMAN: Looking at the three rural shires as they presently exist, what do you see as the community of interest in those shires and what binds people together, or are we looking at simply areas of government that had lines drawn years ago and that's the way people have been?"

CR DEACON: I think, Mr Chairman, you're looking at areas of government.

THE CHAIRMAN: Essentially; and you'd include Allora in that?

CR DEACON: To a certain extent. We have a close affinity with Warwick."

7.80 Glengallan Shire Council (T437) agreed with the Chairman's statement:

"What you are really saying is that when you analysed the concepts and applied them to your area you could see a number of communities operating within your local authority area, so you took the view that really it is a question of looking at the boundaries of the shire and, if the shire council is effectively servicing that area, it has the necessary community of interests."

CR JAMIESON: Yes, that's right."

REFLECT LOCAL COMMUNITIES, AND THE SPATIAL PATTERN OF HUMAN ACTIVITIES.

7.81 Warwick City Council (S1860, p.31) identified its City as the centre of human activities in the sub-region:

"An expanded Warwick will continue to be and provide the central point of activity of the sub-Region as a centre of population, retail trade, commerce, industry, service facilities with structured recreation and passive recreation and leisure interests."

7.82 Mr Quinn (S2326, p.1) referred to the links between Warwick City and residents of Rosenthal Shire who use facilities provided only in the City:

"Rosenthal Shire Council particularly has provided no library, no cultural centre, no art gallery, no sporting complex and no Town Hall for its citizens."

There is no shopping centre nor medical facility in its area, especially where it adjoins Warwick ... the people rely on Warwick ... These facilities are provided by Warwick Council and businesses at no cost to Rosenthal but at considerable cost to Warwick. e.g. Warwick is currently expanding the size of its library to cater for increased usage.

...

... these people are de facto citizens of Warwick and a reasonable extension of Warwick boundaries would make them citizens in reality and secure future expansion."

- 7.83 Rosenthal Shire Council (S1550, p.10), however, considered that "no great emphasis need be placed on the community working and living in the same LA, particularly in the circumstances where provincial cities such as Warwick are involved."

- 7.84 Further, Rosenthal Shire Council (T319-320) found it difficult to define a Rosenthal community:

"CR COOPER: Well, it's a pretty diverse community because each district has within it its own community. We certainly have Cunningham, which is virtually just a district. There's quite a number of organisations that are Cunningham organisations. We've got Leyburn, which is a small town and all organisations involved with them there are Leyburn organisations.

There's Karara, another small area - couldn't be called a town. Karara organisations stem from that. Dalveen organisations stem from Dalveen. We each take our own district name, the same as Warwick is a big district.

...

CR MITCHELL: ... we're proud of the shire, we're proud of its achievement and we're proud of its people that live in it, so I think that's the best answer I can give."

- 7.85 Allora Shire Council (T363-364) indicated that its residents had linkages to Warwick City as a service centre rather than north to Toowoomba City:

"CR BURGE: ... I think Clifton people tend towards Toowoomba - Allora people - the high schoolers come to Warwick City - Clifton high schoolers, well, they've got their own high school. And I think the people shop down at their own centre. Allora people would shop in Warwick, by and large; Clifton people would shop in Toowoomba. There is a very small portion of Clifton shire that really has an affinity with Allora, but I'm only speaking of 15 families and probably something like 10,000 hectares.

The people, they - the school children come to Allora; the people shop in Allora; the older residents retire in Allora."

BOUNDARIES SHOULD NOT DIVIDE NEIGHBOURHOODS/AREAS WITH COMMON INTERESTS

- 7.86 Warwick City Council (S2265, p.3) contended that the current boundaries divided neighbourhoods and adjacent areas with common interests and:

"... that there clearly is an urban overspill of Warwick into Rosenthal Shire and that this area contains both urban and larger allotments both of which are also provided within Warwick City under its Town Planning and Subdivision of land By-laws. There is clearly no different type of lifestyle in this urban overspill area than that offered within the City Area."

- 7.87 Glengallan Shire Council (T420) did not agree that the Warwick/Glengallan boundary splits a community:

"... we maintain there is no urban overspill. This land contains no urban overspill areas and, in the main, is good quality agricultural land surveyed years ago into blocks ranging from 10 hectares up to 128 hectares, but averaging around 20 hectares. A great proportion of these blocks have been amalgamated into larger holdings to make the existing farms more viable.

The land under examination is zoned rural E - that is, rural productive buffer. Since the gazettal of its town plan in 1985, Glengallan has approved only seven applications to rezone land to rural D - that is, rural residential - within this area. Those rezonings contain a total of only 23 lots averaging between 2 and 4 hectares, and two lots of 6 and 13 hectares respectively.

On the other hand, the zoning of land in Warwick city along its boundary with Glengallan shire graphically bears out council's contention that there is no urban overspill into Glengallan shire."

- 7.88 Dr Jones (T305) also disagreed:

"The town appears to me to have something approaching to a green belt around the current boundaries, that it does not suffer from obvious urban over-spill on the model that exists in many other parts of Queensland ..."

BOUNDARIES REFLECT THE ECONOMIC MAKEUP OF AN AREA

- 7.89 Glengallan Shire Council (S1832, p.2) pointed to differences among the LAs:

"Council contends that the City of Warwick has a Community of Interest all of its own. It levies no rural rate, contains only 8 agricultural establishments compared to Glengallan's 293 and Rosenthal's 139 ... so must be classed as 100% urban."

- 7.90 Alderman Walsh, Mayor of Warwick (T480) acknowledged that Warwick businesses depended upon the rural areas.

URBAN AND RURAL INTERDEPENDENCE

- 7.91 The issue of urban-rural interdependence was considered at some length. Warwick City Council (T457) claimed that its proposal to create two LAs based around Warwick would foster urban-rural links and minimise urban-rural conflict.

- 7.92 Dr Jones (T309) acknowledged the obvious interdependence between the urban and rural areas. Rosenthal Shire Council (S1550, p.5) recognised the interdependence of rural and urban communities but opposed amalgamating such areas:

"... the Shire does have a community of interest with the City of Warwick, and it is agreed that there is inter-dependence between rural and urban communities and this must be recognised. However, Council believes that it is not necessary that all areas of rural and urban interest must be in the one LA area."

- 7.93 Rosenthal Shire Council (S1550, p.6) noted that the position of a provincial City and the surrounding rural areas over which it extends influence, is very different from a small town of 1,000-2,000 persons whose very existence is dependent on the surrounding rural areas. Rosenthal Shire Council referred to the regional community of interest factors relevant to Toowoomba as the dominant urban area in the Darling Downs Region, and noted that this dominant urban area itself had an influence on Warwick. Rosenthal Shire Council (S1550, p.6) stated that while:

"... there is inter-dependence between rural and urban communities in many ways, it must also be recognised and accepted that, in many instances, there can be a conflict of interest between these groups despite their common community of interest on other matters."

- 7.94 Allora Shire Council (T351) and Glengallan Shire Council (T429) drew a distinction between the level of urban-rural interdependence and linkages with a small town like Allora, compared with a larger City like Warwick. Mr MacKenzie (T380) gave evidence of the time when he was on the Glengallan Shire Council, arguing that the Shire centre should be in Killarney instead of Warwick. He said: *"I found it was ... a hopeless task and I just abandoned the project ... It's like a magnet. You can't make the filings go the wrong way ..."*

ACCESSIBLE CENTRE OF ADMINISTRATION AND SERVICE

- 7.95 The principle that an LA ought to have a centre (or centres) of administration and service easily accessible to its residents, was very relevant in this case. Allora Shire and Warwick City both have their administration centres and depots within their boundaries. The Glengallan Shire administration centre was moved from Warwick City in 1987, and together with its main depot/workshop, is situated just beyond the eastern boundary of Warwick City, and a second depot and part-time office is located in Killarney (T383). Rosenthal Shire's administration centre and major works depot was moved from Warwick City some 20 years ago. It is still located in the Warwick urban area, but is situated in Rosenthal Shire. Rosenthal Shire has works depots in the villages of Leyburn, Dalveen and Pratten.
- 7.96 Allora Shire Council (T348) criticised the location of the Rosenthal and Glengallan Shire offices in Warwick, as did Mr Quinn (T405) who said *"both located their administration blocks just outside Warwick's boundaries, and to me they seem to remain silent testimony to a greater interest in Warwick City"*.
- 7.97 Rosenthal Shire Council (S1550, p.37) claimed that the location of its administration centre was irrelevant so long as it offered effective access to Shire residents:

"Rosenthal's administrative centre and depot which, located within the shire although in close proximity to Warwick City, is considered to be ideally sited to be readily accessible to residents of the Shire."

- 7.98 Rosenthal Shire Council (S2301, p.7) further argued that the location of its office and major works depot was:

"... really central within the Shire, with all major traffic routes leading to that point ... it also has three Works Depots at other locations within the Shire. The location of the major depot at any of these other sites would have been far less convenient for the total Shire Works operations."

- 7.99 Glengallan Shire Council (S2577, p.5) similarly argued that the location of its office was the most convenient to service all its residents, and stated that:

"... the decision to locate the shire administration building and principal works depot in its present site, and not in Killarney, was made in the interests of all areas of the shire."

The office serves the needs of some 3850 residents scattered over 1735 square kilometres, as well as Killarney, with a population of 900, also includes the townships of Yangan, Emu Vale, Tannymorel, Mt Colliery and Maryvale. It's present location is at the hub of a radiating road network, and is therefore considered to be the most convenient."

- 7.100 Dr Jones (T309) stated that the proposed new Shire would not have a natural centre:

"This proposed rural shire would have no rural centre - would have no natural centre at all. Allora is not well placed to be the service centre for that region. You would have to have, I believe, a number of service centres which would be a very expensive setup ... So it's a very big shire with a small and scattered population."

- 7.101 Allora Shire Council (T348) stated that its proposal for an expanded Warwick City and two rural Shires did not mean that it was claiming that the headquarters of one Shire should be located in Allora. Rather, Allora Shire Council (T360) said that it was up to the new Councils to decide on the location of the administration centres; but in the case of total amalgamation:

"I think in the situation that you have drawn if the four of us were all put in together, obviously, the administrative centre would be Warwick, and there may be smaller offices situated, such as Allora or Killarney, or some of these, I don't know."

EFFECTIVE ELECTED REPRESENTATION

- 7.102 Rosenthal Shire Council (S1550, p.3) praised the capacity of small rural LAs to represent their constituents and offer personalised service. Glengallan Shire Council (T423) expressed similar views "An amalgamation of any kind will sever the close relationship currently existing between elected members and residents."

- 7.103 Glengallan Shire Council (T427) also stated:

"Where the numbers are is generally where the money is spent, from what I've seen, and no doubt that if the city had the majority of members with no rural interest, obviously the majority of the money would be spent in the city, and all I can see for rural residents would be an increase in rates for less representation and less service."

7.104 Allora Shire Council (L23, p.1) concurred:

"While representation is not conventionally regarded as a service, it is perhaps the most integral part of a Local Authority function. Council's main concern, in the event of amalgamation, would be the lack of representation of the various groups within the expanded Area and the perceived legitimacy of the elected council by its constituents. It is essential for the acceptance, viability and continuity of any amended Area that the people of that Area are afforded authentic and recognisable representation."

7.105 Mr Quinn (T408) however, drew a comparison between Warwick City and Chinchilla Shire where town and rural interests co-existed harmoniously in the one LA. He (T402-403) strongly criticised the many small LAs and the number of elected representatives in the Darling Downs area:

"The - one feature which struck me and rather strongly in severe areas was the cluster of shires in the relatively closely settled areas adjacent to the larger cities, and, as I see it, the daddy of them all is the area of the Downs from Toowoomba to Warwick. It's a classic example. You drive from the Rosenthal administration block towards Toowoomba, a distance of only about 90 kilometres, you encounter seven council areas which is an average of one about every 12 kilometres.

I understand that there are 65 elected members governing this compact region. We have 89 parliamentarians governing Queensland, and one wonders whether we need 73 per cent of that number to manage the Downs. One federal member can effectively represent 80 to 90,000 electors, a state member about 20,000, but with the kindest calculation those 63 local authority members would each represent fewer than 1500, and I suppose if you took the Toowoomba contingent and population out of it, they would be representing somewhat less than a thousand electors, and to me that is totally out of proportion to the other two tiers of government."

7.106 Warwick City Council (T462) stated: *"Whilst elected member representation would be reduced the result would not adversely affect the standard of local authority administration."*

POPULATION CHARACTERISTICS AND DISTRIBUTION

7.107 Rosenthal Shire Council (S1550, pp.13-14) stated that population diversity within an LA should be considered, and that Rosenthal Shire contained a good mix of rural and rural-residential population:

"... it is considered that a guiding principle should be diversity, in an effort to provide a mix of socio-economic groups and demographic factors within an LA.

...

... but the present population of the Shire is adequate to support the existing LA and the population distribution is considered to be quite good and includes a number of small villages, each of which services the needs of that particular community."

7.108 Dr Jones argued that the area's population is fairly static (T306). Hence, Rosenthal Shire Council (S2301, p.12) stated that the problems resulting from urban overspill (eg. rapid population change, rural Shires becoming dominated by metropolitan suburbs, and community of interest problems) do not exist in Rosenthal Shire:

"A steadily increasing population, as distinct from changes of considerable variation from year to year, can be quite manageable, and the steady growth rate experienced by Rosenthal has certainly not presented any problems.

... there has certainly been no domination of the rural based LA by any population growth in the acreage living areas."

JOINT ARRANGEMENTS

- 7.109 Warwick City Council (T474) maintained that because the Warwick area is comprised of a number of LAs which did not co-operate in developing and promoting the region, opportunities for growth were lost:

"...why weren't there co-ordinated approaches to attract industry. Most of the informal discussions that have occurred during my time here in the last five years, there seems to be a paranoia by the adjoining shires. Whenever we suggest doing something together they feel we are trying to take them over, or take over some of their land in some way."

- 7.110 Warwick City Council (T469-470) referred specifically to the non-support of the Elliott Report by Glengallan and Rosenthal Shires, and disagreed with statements by Glengallan Shire Council (T452) that the report was not relevant to the Shire's interests or designed to benefit outlying areas. Warwick City Council (T470-471) advised that the Elliott Report had been beneficial, because it highlighted some of Warwick's deficiencies and possible avenues of expansion including the enhancement of rural products for the district.

- 7.111 Glengallan Shire Council (T449) stated that it did not believe that any joint arrangement or combination of resources would assist in encouraging and co-ordinating development of the region.

- 7.112 Rosenthal Shire Council (T338) referred to a co-operative venture to attract development:

".. Rosenthal Shire, along with Glengallan and Warwick City Council, and, I believe, Allora, have participated in the organisation of a major projects co-ordination committee based in Toowoomba .. in an attempt to attract industry to this area ... that's been going for probably 6, 6 or 8 months or more now."

- 7.113 The Water Resources Commission (T493-495) suggested the creation of a regional Water Board, based on sub-units of the Condamine River catchment area, which would allow a larger group to participate in the development of those water resources so that: costs could be spread across more people; duplication and conflict could be avoided; and the common good rather than individual wants could be pursued.

- 7.114 Rosenthal Shire Council (T310-311; T326) supported the creation of a regional water board. Glengallan Shire Council (T446) also saw the potential for further development of joint arrangements for water supply.

- 7.115 The successful example of close co-operation cited by the LAs is the Warwick and District Saleyards Board, a Joint Board constituted in 1961. Its membership is composed of two representatives each from Warwick, Glengallan and Rosenthal LAs. Rosenthal Shire Council (T326) stated:

"We have a highly successful operation that has excellent assets. Actually, it is based within the city, near the industrial area ... Our assets are worth in the order of million dollars. The value of product that passes through the saleyards each year is in the order of \$30,000,000, and that, we feel, has a significant positive effect on the economy of Warwick."

- 7.116 Glengallan Shire Council (T424) referred to other successful co-operative ventures:

"Joint arrangements that are working satisfactorily include the cattle and sheep saleyards, State Emergency Service, Southern Downs Tourist Association, Warwick and District Tourist Association, the Warwick Hospitals Board, and the celebration committee."

- 7.117 Glengallan Shire Council (T449-450) also referred to the Southern Downs Tourist Association, composed of representatives of Stanthorpe, Rosenthal, Glengallan and Allora Shires and Warwick City:

"I've been on that board for some number of years, and it is working very well together, and endeavours to bring any business to this area that it can. We have a per capita contribution towards it from the shires, but the main funding, as I said, does come from the state government. But the Warwick city contributes, and Stanthorpe shire and Rosenthal and Glengallan and Allora contribute in various ways to it."

- 7.118 Dr Jones (T312-314) endorsed the value of joint arrangements:

"... I believe that the establishment of formalised regional arrangements, is something that should be done in these areas, because unless you have an incentive and an institutionalised arrangement for people to talk to one another they won't."

...

I fully agree that - that local government has no natural incentive to co-operate. You know, and I'm stunned by that even in areas where the council - where the shire offices are almost next door. That its proximity doesn't necessarily give you that - even of offices. It's the - it's the problem of the incentives in the public sector, that when you don't have that incentive to talk to your neighbour, why do it?"

- 7.119 Mr Kennett, Shire Clerk of Allora Shire Council (T356-357), referred to successful informal co-operative arrangements between the LAs:

"... I haven't been in Allora all that very long, but the informal arrangements which I have experienced since I have been there with the shires of Glengallan and Rosenthal and also with Warwick City have been nothing but co-operation. Now, I realise an informal arrangement is hard to document, but I had an offer from when we were having trouble obtaining the services of a health surveyor, and we had a particular problem in Allora which had to be dealt with, that the shire clerk of Rosenthal rang me and said, well, you know, if our health surveyor can be of assistance, you know, it couldn't be forever, but if he can be of assistance in this particular matter, well, we would only be too happy to have him help you out."

Those sort of informal arrangements, agreements are invaluable, and they're not documented except, perhaps, by a diary note of, you know, when the phone call came in."

- 7.120 Allora Shire Council (T357) agreed with the Chairman's statement:

"THE CHAIRMAN:... the four local authorities co-operate on an ad hoc basis quite regularly, but it's more likely than not that that co-operation is bilateral - that is, between two local authorities than between the four of you?"

"MR DEACON: Yes, indeed."

- 7.121 Glengallan Shire Council (T447) advised that it had not looked to joint arrangements or a combined library facility. Rather, when its investigations showed that a mobile library would be uneconomic, Glengallan Shire entered into an arrangement with Warwick City whereby the residents of Glengallan Shire could join Warwick City library on payment of a fee.

Analysis of Evidence and Arguments

- 7.122 The Commission considers that the development in Rosenthal Shire close to the Warwick City boundary contains urban and rural residential development of an overspill nature. Further, persons living there are no different to those living within the Warwick City boundaries and many would have close links to Warwick, and use facilities within Warwick City. The Commission therefore believes that the boundary divides a local community, and is contrary to community of interest principles. The Commission sees the development in Glengallan Shire as less clear-cut, primarily because without any water supply to those boundary areas, Glengallan Shire does not permit small lots.
- 7.123 Urban growth across LA boundaries can be a problem where there is no co-ordination of planning and differing development standards exist. The Commission considers that there has been an absence of co-operation and consultation on development standards and in planning for infrastructure, which will mean that future ratepayers will pay for past unwise planning decisions. Rosenthal and Glengallan Shires appear to court development in order to broaden their rate base, but the Commission believes that this produces conflict in community of interest and impedes the effective and efficient provision of services.
- 7.124 The Commission considers that the lack of co-ordination in water supply and sewerage services, especially between Rosenthal Shire and Warwick City, has meant unnecessary cost for ratepayers and further conflict is likely should ground water allocations to Rosenthal Shire's growing urban population prove insufficient. Warwick City seems to be pursuing a more regional outlook of late with its sewerage planning. Although Rosenthal Shire ratepayers have lower water cost per unit at the present time, the Commission considers that the true overall cost of the scheme is higher, and there will certainly be increased costs as new bores are needed. There are prospects of shortfalls if Lyndhurst Stud wants its water allocation back, or if development continues.
- 7.125 Rosenthal and Glengallan Shires have increasing numbers of rural residential ratepayers who improve the Shires' resource base, but for whom the Shires do not provide appropriate services. These residents currently make use of Warwick City's facilities but are likely to demand more services in the future, thereby imposing considerable costs on the Shires.

- 7.126 The Commission is persuaded that the current boundaries in some respects militate against economies of scale and efficient service provision, and the LAs have not sought the alternative of joint arrangements to solve this. Aside from the Saleyards Board, there are no significant areas of continuing co-operation and co-ordination across boundaries. There is little evidence of one LA carrying out services on behalf of another, and no significant use of co-operation contracts or agreements. Rosenthal and Glengallan Shires support the creation of a Water Board, however, it is noticeable that no LA in the Warwick area had proposed such arrangements before the Commission commenced its review.
- 7.127 The Commission believes that Warwick City is now looking for closer ties with the Shires and more co-operative wooing of industry and growth for the district. Warwick City has strong business ties with the rural areas and the Elliott Report states that Warwick's future growth and prosperity will be based on the prosperity of the Shires (Export Aid Pty Ltd 1990, p.33). Although 25 percent of all business in Warwick City is derived from the rural area, there are also substantial businesses in Warwick which have no such rural links.
- 7.128 The Commission does not accept the arguments of Glengallan and Rosenthal Shires and to a lesser degree of Allora Shire, that retaining the status quo would be a reasonable outcome of the review. The existing boundaries separate Warwick City from its outer areas and the Commission considers that Rosenthal and Glengallan Shire Councils, by the location of their Shire offices, have acknowledged Warwick City as the focus of their respective Shires. Rosenthal Shire has no independent urban centre at all. Rosenthal Shire and Glengallan Shire and their residents rely on services paid for by Warwick City ratepayers, and where the Shires have provided their own services (eg. Rosenthal Shire's water supply), this duplication will produce increasing inefficiencies and waste. Although Warwick City Council is beginning to seek more co-operation, there is ample evidence of non co-operation in the past on the part of all LAs in the area. This history of non-co-operation and entrenched attitudes make it unlikely that joint arrangements alone would solve the problems in the area.
- 7.129 The Commission agrees with arguments raised in submissions that total amalgamation would produce a mix of urban and rural interests, and a very large LA with a diverse rate base which would be difficult to service. In addition, the economy of Warwick City is becoming sufficiently diversified that it has less empathy with rural concerns, and this could lead to conflict in the future. Further, the three neighbouring Shires are substantially rural in character with rural concerns and priorities. The continuation of a Shire or Shires to serve the rural community is justified.
- 7.130 The Commission is persuaded that there are benefits in extending Warwick City's boundaries in the manner proposed by it. Warwick City is one of the smallest LAs in the State in terms of area (see Table 3.5), yet it is a substantial urban centre. The extension of the boundary will, in the Commission's view:
- (a) provide more efficient and consistent Local Government services in the whole Warwick urban area;

- (b) give Warwick City more flexibility in planning both residential and industrial development for the future; and
- (c) as Warwick City is the major user of reticulated water for both domestic and industrial purposes, the areas for dams and supply pipes will come under Warwick City's jurisdiction;

The Commission notes that Warwick City currently supplies both water and sewerage to properties which are in the urban environs of Warwick but are in Glengallan and Rosenthal Shires (S2625, pp.13, 20) and continues to receive requests from residents in those Shires for services. This is a clear case of detriment caused by the current boundaries.

- 7.131 On the other hand the Commission does not see any real benefits for total amalgamation. There is still a significant rural community of interest in the Southern Downs area which a rural Shire or Shires could more effectively service than one amalgamated LA. The Commission cannot accept, however, that continuation of the current situation of three rural Shires can be justified, particularly where two of those Shires are centred in Warwick City. The existence of so many Shires clearly results in duplication of facilities and in the Commission's view has been a factor in the lack of co-operation between the four LAs over the years.
- 7.132 Further, the expansion of Warwick City's boundaries will leave the balance of Rosenthal Shire unviable and will also have a significant impact on Glengallan Shire's rate base. Restructure of the rural shires is therefore necessary.
- 7.133 The Commission does not believe, however, that one rural LA (encompassing Allora Shire and the remainder of Rosenthal and Glengallan Shires) would be practical or efficient. An LA based on Allora would be too removed from communities such as Killarney or Dalveen.
- 7.134 The Commission believes that, in current circumstances, the interests of the area would be better served by two rural LAs:
- (a) one LA based on Allora Shire, combined with Divisions Two and Three of Rosenthal Shire; and
 - (b) one LA based on the balance of Glengallan Shire, combined with Division One of Rosenthal Shire.

This would mean that Rosenthal Shire would be split up, but as already noted, once Warwick City's borders expand to encompass its urban environs, Rosenthal Shire ceases to be viable.

- 7.135 The Commission's proposal:
- (a) would reduce the number of LGAs and the cost associated with those authorities;
 - (b) would result in three larger, stronger LAs servicing both urban and rural needs; and
 - (c) would provide greater scope for co-operation, rationalisation and economies of scale.

- 7.136 The Commission recognizes that the new Shire offices and depot recently built by Glengallan Shire Council would once again lie within the boundaries of Warwick City. It must be remembered, however, that a similar situation was accepted by Glengallan Shire residents for many years, and evidence indicated that a Warwick City based site was the best location for the Shire's service centre.
- 7.137 Given the problems over water in the region, the Commission believes that formal co-operative arrangements may be necessary. The Commission also considers that co-operation between the LAs in the area has not been utilised to its fullest potential. Co-operation will be necessary in the future if the Southern Downs area is to be developed in an effective and harmonious manner.

Recommendations

- 7.138 **The Commission recommends that Warwick City and Glengallan, Rosenthal and Allora Shires be abolished.**
- 7.139 **The Commission recommends that a new LA be created comprising:**
- (a) **the former Warwick LGA;**
 - (b) **that part of the former Allora LGA which incorporated the Warwick Airport Reserve north of the Condamine River;**
 - (c) **that part of the former Rosenthal LGA to the south and west of the former Warwick LGA, namely parts of Divisions One and Two, which incorporated the Leslie Dam, and the former Division Four;**
 - (d) **that part of the former Glengallan LGA to the east and south of the former Warwick LGA, incorporating the urban parts of the former Divisions One, Two and Four and lands on the eastern side of Rosenthal Creek, incorporating the Connolly Dam; and**
 - (e) **the LA be known as Warwick City.**
- as proposed by Warwick City Council in its amended proposal (S2625, S2719) and outlined in Maps W.7 and W.8 of Appendix W.**
- 7.140 **The Commission recommends that a second new LA be created comprising:**
- (a) **the area of the former Glengallan LGA, as amended by paragraph 7.139 above;**
 - (b) **the balance of Division One of the former Rosenthal LGA, as outlined in Map W.7 of Appendix W; and**
 - (c) **the LA be known as Glengallan Shire.**
- 7.141 **The Commission recommends that a third new LA be created comprising:**
- (a) **the area of the former Allora LGA, as amended by paragraph 7.139 above;**

(b) Division Three and the balance of Division Two of the former Rosenthal LGA, as outlined in Map W.7 of Appendix W; and

(c) the LA be known as Allora Shire.

7.142 The Commission further recommends that a Contiguous Councils Consultative Committee be established (under subsection 15(2) of the *Local Government Act 1936-1991* or otherwise) comprising the three new LAs, to meet regularly to discuss and resolve matters of mutual concern.

CHAPTER EIGHT

CLIFTON / CAMBOOYA

Introduction

- 8.1 In Issues Paper No. 8, the Commission originally proposed that the boundaries of Clifton, Cambooya and Allora Shires be reviewed. All three LAs initially opposed the amalgamation and some submissions claimed that Clifton and Cambooya Shires looked north to Toowoomba City whereas Allora Shire's community of interest lay south to Warwick City. The Commission decided, after considering public submissions, to examine Allora Shire separately (see Chapter Seven), but to proceed nevertheless to examine Clifton and Cambooya Shires. Clifton Shire Council (L29, p.7) later stated that an LA comprising Clifton Shire and parts of Allora and Cambooya Shires would be preferable if change had to occur.
- 8.2 Public submissions raised additional boundary proposals in the area which included: a proposal by Cambooya and Pittsworth Shire Councils to split the southern projection of Jondaryan Shire between Pittsworth and Cambooya Shires (Cambooya Shire Council S2573, p.2 and S2263, p.1; Pittsworth Shire Council S2612, p.1); a proposal by Mr Elliott and other residents of Merlin Court, Wissemann Road and Preston Road in the Preston area of Gatton Shire to transfer the Preston area to Cambooya Shire (Cambooya Shire Council S2573, pp.3-4; Mr Elliott S2527, p.1; Mrs O'Shea S2555, p.1); a proposal by Mr Turkington and Mr Crampton to transfer two individual properties in Gatton Shire to Cambooya Shire (Mr Turkington S2286, p.1; Mr Crampton S2285, p.1); and a proposal by Pittsworth Shire Council (S1408, p13) to transfer into its area parts of Millmerran, Clifton, Rosenthal and Jondaryan Shires. Jondaryan Shire (S2619, p.1; T610-611) requested part of Cambooya Shire in return for ceding the southern projection.
- 8.3 A total of 17 submissions including a petition with 941 signatures was received by the Commission as at 31 October 1991. The Commission held a public hearing at the Cambooya Shire Council Chambers in Greenmount on 20 and 21 June 1991. The Commission heard evidence from Clifton, Cambooya, Jondaryan, Gatton and Pittsworth Shire Councils and five private individuals. Further information regarding submissions and witnesses is contained in Appendices D and G.
- 8.4 Clifton and Cambooya Shires are situated on the eastern Darling Downs. Cambooya Shire is immediately to the south of Toowoomba and Clifton Shire is immediately to the south of Cambooya Shire and some 30 kilometres south of Toowoomba City. The eastern boundaries of both Shires follow the escarpment of the Great Dividing Range, and the western boundaries adjoin Jondaryan, Pittsworth and Millmerran Shires.
- 8.5 Clifton township was established in 1869 along the Toowoomba-Warwick railway line, and by 1891 was the fifth largest town on the Darling Downs. The Clifton Divisional Board was established in 1879, and controlled an area stretching from close to Toowoomba to within 11 kilometres of Warwick, with headquarters in Allora township (Schroder 1972, p.1.3). Clifton Divisional Board became Clifton Shire in 1903. Cambooya Shire was created in 1914 from part of Clifton Shire, and a further section of Clifton Shire became Allora Shire in the following year (EARC File 010/790).

- 8.6 Clifton and Cambooya Shires are of roughly equivalent size and population (see Table 8.1). Both Clifton and Cambooya Shires showed an overall decline in population between 1947 and 1976 (albeit with intermittent periods of growth). The pace of growth has increased markedly in the late 1980s with Cambooya Shire growing from 2,581 in 1986 to 2,899 in 1990 and passing Clifton Shire's population between 1981 and 1986 (ABS 1947; ABS 1954; ABS 1961; ABS 1966; ABS 1971; ABS 1976; ABS 1981a; ABS 1986a; ABS 1991c).
- 8.7 Much of Cambooya Shire's growth is thought to be commuters to Toowoomba settling on Toowoomba City's outskirts and in the small towns of Cambooya and Wyreema. The 1986 census showed no towns of over 200 persons in Cambooya Shire (ABS 1986a), yet a recent publication by the Eastern Downs Regional Organisation of Councils (EDROC) (L35, p.3) states that Cambooya township had a population of approximately 500. This publication also stated that the majority of Cambooya Shire's population reside in the rural residential areas of Hodgson Vale, Preston, Ramsay and Mt Rascal adjacent to the Toowoomba City boundary, and gave population figures for the townships: Greenmount 120, Greenmount East 100, and Wyreema (Cambooya Shire section) about 90 persons.
- 8.8 In comparison, Clifton township in Clifton Shire had a population of 765 in 1986 (ABS 1986a), falling to a currently estimated population of 682. Clifton Shire's second town of Nobby is estimated to have a population of 130 (L35, p.4). The major settlements in both Shires, namely Wyreema, Cambooya, Greenmount, Nobby and Clifton are all situated on the Toowoomba-Warwick railway line (Loader 1972, p. 1.1). The railway line forms part of the boundary of Cambooya Shire, and Wyreema and Cambooya townships are split between LAs as a result.
- 8.9 Holmes identified the Toowoomba area (including Cambooya and Clifton Shires) as a region, with Toowoomba City as its regional centre (Holmes 1986, p.267). Clifton township is classified as a stable rural service centre (Holmes 1986, p.255). Clifton township is a more developed centre than Cambooya or Wyreema offering more varied employment, more commercial facilities and more services to its residents. Clifton Shire Council (T550-551) stated that approximately 150 people are employed in Clifton township by such organisations as Davis Engineering, Clifton Farming Company, Stockyard Industries and the Clifton Shire. Clifton township has higher proportions of tradespersons, clerks as well as plant and machinery operators, higher proportions employed in construction, wholesale/retail, public administration and community services, reflecting the differences in industry structure between the township and other areas of Clifton and Cambooya Shires (ABS 1988). It has good recreational facilities including a swimming pool, a showgrounds/ racecourse/football facility together with an indoor sports stadium. Clifton township also has a State High School to grade 12 level and publishes a local newspaper.
- 8.10 Clifton Shire has an older age structure than Cambooya Shire (eg. more persons aged 65 years or more) (ABS 1988) which may reflect the availability of hospital care, housing for the aged and a senior citizens centre in Clifton township (L35, p.1 and L29, p.3), as well as young families oriented towards Toowoomba City settling in northern Cambooya Shire.

Table 8.1
Selected Demographic and Geographic Features of
Clifton and Cambooya Shires

LA	Estimated Resident Population 1990	Area (km ²)	Popln Density (persons/km ²)	Average Popln. Growth 1986-1990 (%)	No. of Electors June 1991	Population Rural 1986 (%)
Clifton	2,428	865	2.81	0.19	1,655	67.5
Cambooya	2,899	635	4.57	2.95	1,829	100

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern; and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, their residents are classified as rural population.

This data represents 1986 Census material and developments since that time are not included.

Sources: ABS 1991b; ABS 1991c; State Electoral Office 1991; ABS 1986a.

Table 8.2
Population of Urban Centres and Rural Localities over 200 persons 1966-1986

LA	Urban Centre/ Rural Locality	Population June 1966	Percent	Population June 1986	Percent
Clifton	Clifton	806	31.62	765	32.50
	Rural	1,743	68.38	1,589	67.50
	Total	2,549	100.00	2,354	100.00
Cambooya	Rural	1,617	100.00	2,477	100.00

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern; and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, then residents are classified as rural population.

For the 1966 Census an attempt was made to identify a nucleus of dwellings using information from census schedules. These procedures were adopted in an effort to obtain data for unbounded localities on a basis more comparable with those of urban centres. As a consequence the apparent size of many localities was reduced from that shown in previous censuses. Care should therefore be taken when comparing 1966 census unbounded locality data with data published from previous censuses.

This data represents 1986 Census material and developments since that time are not included.

Sources: ABS 1966; ABS 1986a; ABS 1991b.

- 8.11 The economic base of both Clifton and Cambooya Shires is primary industry. Predominant land usage in Cambooya Shire is primary production and rural residential living. There is little manufacturing although there are some established industries, including welding works, soft drink manufacture, peanut processing, agricultural seed research and marketing and mushroom growing (L35, p.3). Clifton Shire has more of an industrial base than Cambooya Shire, including seed merchants, grain handling, the manufacture of plumbing, hardware and surf boards as well as engineering, machinery, and vehicle repairs and servicing (L35, p.4; L29, p.4). Clifton Shire Council owns and operates a cattle selling facility (T551).
- 8.12 Although both Shires are members of the EDROC, which enables LAs in the region to consult on matters of mutual concern, Clifton and Cambooya Shires share few co-operative or joint arrangements. Particulars of the number of staff employed by each LA are set out in Table 8.3.

Table 8.3
Number of Staff Employed by Clifton and Cambooya Shires

LA	Office/Admin	Field	Total
Clifton	6	19	24
Cambooya	8	21	29

Source: EARC 1991b, pp.1-3

- 8.13 All of Clifton Shire's 24 staff reside in Clifton Shire. Of Cambooya Shire's 29 staff, 15 reside in Cambooya Shire, five in Clifton Shire, one in Gatton Shire, one in Jondaryan Shire and seven in Toowoomba City. These figures would suggest that Cambooya Shire has a level of interdependence with its surrounding areas, whilst Clifton Shire is relatively self-sufficient.

Matters for Consideration

- 8.14 Clifton and Cambooya Shires (and originally Allora Shire) were identified by the Commission as priority cases for investigation on the basis of economic considerations.
- 8.15 Clifton Shire was one of four LAs rated in Issues Paper No. 8 as potentially very highly financially stressed, while Cambooya Shire received a rating of average financial stress. Clifton Shire's financial rating arose from high dependence on external funds (eg. grants and payments for doing work on behalf of the Roads Division, Department of Transport); high debt levels; and high rating burden and capacity combined with low rating effort.

- 8.16 Clifton Shire was identified as one of 17 LAs categorised as the most "vulnerable" to changes in external funding in 1988-1989 (EARC 1990a, p.E.9). Clifton Shire had very high levels of outstanding debt in comparison to revenue (EARC 1990a, p.E.14) and had a high relative rating on debt payback (EARC 1990a, p.E.18). On the other hand, Clifton Shire's rating was relatively low.
- 8.17 Cambooya Shire was identified as an LA with a very strong agency role. LAs often perform private work (for which they are paid) for State Government agencies, other LAs, private companies and individuals. An LA's activity level associated with private works can significantly assist that LA to maintain a viable level of expertise, skills and plant. Cambooya Shire was one of 11 LAs in Queensland in 1988-1989 with reimbursements exceeding 85 percent of total receipts (EARC 1990a, p.E.8).
- 8.18 Clifton and Cambooya Shires were identified under the community of interest indicators for major centres - territory linkages and patterns of life, travel and work. There was also evidence that Cambooya Shire residents used the facilities of adjoining LAs (eg. Toowoomba City).
- 8.19 The central issue is the financial condition of Clifton Shire, and whether this situation is due to an inherent lack of resource base and financial viability that could be improved by boundary alterations, or whether it is the result of poor management decisions in the past. Other issues include the extent of urban overspill from Toowoomba City into Cambooya Shire; the likely future effects of population growth in the northern section of Cambooya Shire upon the rural nature of the Shire; the resource base of each Shire; and the extent to which joint or co-operative arrangements have been used to seek economies of scale and efficient service provision across boundaries.

Evidence and Arguments

- 8.20 The evidence and arguments which have been put to the Commission are discussed in terms of the applicable principles of boundary change detailed in Chapter Four.

RESOURCE BASE

- 8.21 The Commission examined Clifton Shire's financial condition for the period 1981-1982 to 1990-1991 to determine whether its financial stress rating was a consequence of an inadequate resource base and an overall lack of financial viability, or an outcome of unwise revenue and/or investment decisions by the Council. The comparative ratings of Clifton Shire and of Cambooya Shire over the period 1981-1982 to 1990-1991 are given in Tables 8.4 and 8.5 respectively.
- 8.22 The financial stress rating of Clifton Shire was a result primarily of its very high level of commitment to the servicing of debt and high rating stress, composed of a high rating burden and capacity combined with low rating effort (which measures the degree to which the LA taxes its rateable base/land). Clifton Shire was assessed as having a rating capacity (which measures the ability of an LA's property

owners and residents to pay property rates) more than 20 percent below the State average, and a rating burden (which measures the level of rates collected relative to the income base of an LA, or the tax level relative to current income) more than 20 percent above the State average. That is, its rates were low compared to similar neighbouring Shires, but its residents were relatively less able to support any substantial increase in rate levels.

8.23 This then impacted on the level of flexibility available to the Shire in applying its funds. Consequently in 1988-1989, Clifton Shire's ratio of committed untied revenue to total revenue was quite high at 55 percent, which contrasts with a State average of 23 percent, an average for Rural Shires under ACIR categories of 41 percent, and an average in the Darling Downs Statistical Division of 35 percent (ABS 1989a).

Table 8.4
Potential Financial Stress Rating - Clifton Shire

	1981-82	1984-85	1988-89	1989-90	BUDGET 1990-91
EXTERNAL RISK ASSESSMENT					
Financial Assistance Grant/Untied Revenue	34.9%	34.1%	30.5%	30.2%	33.5%
Tied Revenue/Total Revenue	29.1%	26.1%	31.9%	21.3%	19.6%
Reimbursements/Total Receipts net Reimb.	31.7%	59.5%	82.8%	64.7%	79.8%
RATING LEVEL					
cents in \$UCV	0.6	0.6	1.3	1.3	1.4
Minimum Rate \$	32	75	130	145	156
General Rate (ARV) \$	48 *	99	134	150	162
General Rate & Separate Rate (ARV) \$	..	..	155	169	185
FUND FLEXIBILITY					
Debt Service/Rates & Charges	46.0%	50.0%	58.0%	42.1%	40.5%
Debt Term (years)	6.7	6.4	5.2	6.0	5.8
Committed Untied Revenue/ Total Revenue	49.0%	48.0%	55.0%	43.3%	40.8%
DEBT LEVEL					
Outstanding Debt \$'000	785.2	1150.4	1586.2	1659.6	1606.1
Debt/Capita \$	328.50	495.90	659.00	686.90	..

Notes: UCV Unimproved Capital Value
ARV Average Residential Valuation
* In 1981-82 the General Rate figure was based on MCRV (Most Common Rateable Valuation)
".." Not applicable

Sources: Department of Housing & Local Government 1982; 1985; 1989; 1990; 1991.
ABS 1982; ABS 1985; ABS 1989a; ABS 1990; ABS 1991f.
Clifton Shire Council, 1990 *Adopted Budget 1990-91*
Clifton Shire Council, 1990 *Annual Report 1989-90*

Table 8.5
Potential Financial Stress Rating - Cambooya Shire

	1981-82	1984-85	1988-89	1989-90	BUDGET 1990-91
EXTERNAL RISK ASSESSMENT					
Financial Assistance Grant/Untied Revenue	27.4%	25.6%	20.2%	22.8%	24.2%
Tied Revenue/Total Revenue	28.0%	23.9%	42.5%	21.6%	13.9%
Reimbursements/Total Receipts net Reimb.	65.8%	49.1%	88.9%	80.1%	74.0%
RATING LEVEL					
cents in \$UCV	0.7	0.7	1.5	1.3	2.0
Minimum Rate \$	40	100	180	201	216
General Rate (ARV) \$	45 *	100	180	201	216
General Rate & Separate Rate (ARV) \$	..	..	180	201	216
FLEXIBILITY					
Debt Service/Rates & Charges	34.0%	39.0%	41.0%	21.5%	17.6%
Debt Term (years)	6.1	5.8	3.4	4.8	4.5
Committed Untied Revenue/ Total Revenue	44.0%	43.0%	57.0%	23.0%	24.5%
DEBT LEVEL					
Outstanding Debt \$'000	518.8	791.8	775.5	724.9	674.6
Debt/Capita \$	259.40	363.20	287.00	324.10	258.40

Notes: UCV Unimproved Capital Value
ARV Average Residential Valuation
In 1981-82 the General Rate figure was based on MCRV (Most Common Rateable Valuation)
".." Not applicable

Sources: Department of Housing & Local Government 1982; 1985; 1989; 1990; 1991.
ABS 1982; ABS 1985; ABS 1989a; ABS 1990; ABS 1991f.
Cambooya Shire Council, 1990 *Adopted Budget 1990-91*
Cambooya Shire Council, 1990 *Financial Statements 1989-90*

- 8.24 Clifton Shire Council (S2572, p.2) stated that it had adopted a Corporate Strategy which (T575) was favourably commented on by the Commission, and had embarked upon a programme to overcome its financial problems. Cambooya Shire Council (S1405, p.7) claimed that Clifton Shire would be a financial liability to any LA forced to amalgamate with it. Reasons put forward by Cambooya Shire Council in support of this claim include Clifton Shire's high level of debt, its low rates and a population unable to support any substantial increase in rates.

RESOURCES TO FULFIL REQUIRED FUNCTIONS

- 8.25 Responses to the Commission's Questionnaire indicated the two Shires have many common functions, however, Cambooya Shire alone performs strategic and town planning functions while, on the other hand, Clifton Shire alone provides a multipurpose community centre. Responses to the Questionnaire indicated that Clifton Shire would not perform additional functions if resources permitted, while Cambooya Shire would improve road and recreational facilities.

RESOURCES TO PROVIDE SERVICES AND FACILITIES

- 8.26 Clifton Shire Council (L29, p.3) stated that it had been able to ensure that Clifton township provided all the services and facilities required by the community and that its resource base was sufficient to meet future needs because essential infrastructure was already established. The Council (L29, pp.3-4) claimed that it offered a high standard of facilities to residents including recreation and sporting facilities (eg. cricket, football, bowls, golf, tennis, the showgrounds, swimming pool, race track, polo fields, and an indoor sports complex).
- 8.27 Health and welfare services in Clifton township included: a doctor, chemist, Clifton Co-operative Hospital, ambulance, dentist, Blue Nursing Service, a nursing home, pensioner units, a Senior Citizens' Centre, a proposed pensioners' hostel, and Meals-on-Wheels service (L29, pp.3-4; L35, p.4).
- 8.28 Clifton township has a locally-manned Fire Brigade and an Ambulance Centre which also services the Greenmount/Nobby area in Cambooya Shire. The Toowoomba Ambulance Brigade services the town of Cambooya and the Hodgson Vale, Ramsay, Preston and Wyreema areas (L35, p.3).
- 8.29 Clifton township contains a Post Office, garages, real estate agent, newsagent, printer/local newspaper, clothing stores, grocery store, cafes, welding works, hardware shop, hairdressing facilities, banking, rural agent, TAB, solicitor and Police. Clifton Shire has pre-school, primary and secondary education facilities (L29, pp.3-4; L35, p.4).
- 8.30 With regard to water supply and sewerage, Clifton Shire Council (T551) stated that Clifton township had been sewered for 20 years, and that it therefore did "require the natural maintenance that occurs over that period of time." The Council (L29, p.6; T562) said that the current water supply and sewerage schemes in Clifton township will serve a population increase of 25 percent without further significant capital outlay. In the future the Council (T551) may look to providing water and sewerage to Nobby township:

"We also have a well established water supply situation in Clifton but in the future we may be looking at water supply and other - and sewage [sewerage], maybe, for the town of Nobby which is really the only other small village that we're involved with."

- 8.31 Councillor Newman, Chairman of Cambooya Shire (T586), said that Cambooya Shire appears to have provided fewer town facilities than Clifton Shire in the past:

"Well, Cambooya Shire in Cambooya has not got as many facilities as Clifton has got. We have got a primary school, got lots of service organisations. There's a recreation reserve .. a rodeo ground, and pony club and tennis club. We haven't got a swimming pool, but I think the main reason for this is Cambooya is so relatively close to Toowoomba that a lot of the residents of our shire play their sport in Toowoomba or something like this, while Clifton being further out draws their local community into their community for these activities."

- 8.32 Cambooya Shire Council (T587) referred to the facilities in Clifton Shire and stated: *"I'm not aware that Cambooya has ever really strived to provide the facilities that Clifton has."*

- 8.33 Cambooya Shire Council (L30, p.3) stated that: *"Clifton has a comparatively long road length - 770 kilometres, of which only 44 percent is sealed."* Councillor Jones, Chairman of Clifton Shire Council (T571), advised that levels of road services in Clifton Shire are being cut:

"The situation is that Clifton ... because of its budgetary considerations, has had to review its attitude to road building and road maintenance ...

... the shire has had to make some decisions about which of those roads will be categorised as network roads, and which roads will be categorised as lower use roads and minor roads, and so on.

And I believe, quite frankly, that that should have been done years ago ... no shire, in my view, is in a situation where it can have the road network that Clifton has previously enjoyed ...

I will simply reiterate that we believe we've identified the roads and are in the process of identifying roads that are going to be given certain priorities; that that asset will be maintained, and that that asset is in pretty good shape in most cases."

- 8.34 Cambooya Shire Council (T584) noted that Clifton Shire's current financial difficulties may alter Clifton Shire's future budget priorities:

"This would mean there would be strong pressures to spend more on roads in the Shire of Clifton whereas spending priorities in the past seem to have been directed towards providing facilities in Clifton town."

- 8.35 Cambooya Shire Council (S2573, p.5) claims that Clifton Shire is currently financially unable to provide services required by its community:

"Over recent years, Clifton has been unable to allocate sufficient funds to adequately maintain their road system, and this has left a system where many roads are in a state of rapid deterioration and in need of urgent maintenance. This Council would even question the adequacy of the original design strengths of many roads which are so bad that complete reconstruction is required. There are also inadequate reserves set aside for maintenance and upgrading of the water supply and sewerage system.

Consequently, if amalgamation is forced on the Cambooya Shire, the new Council would not only inherit a financially stressed Shire with a high debt level, but a road network in need of about \$1 million dollars expenditure to bring them up to standards comparable with those in the Cambooya Shire."

- 8.36 Clifton Shire Council (T558) stated that the Shire would encounter difficulties if human or community services, as opposed to physical services like roads, were further delegated to Local Government but (T572) stated that otherwise the Shire was not facing any major capital outlay in the future :

"We believe though that raising of road standards over, say, a 10-year period whilst repaying debt is more manageable if we communicate to the public what we are on about than undertaking high capital - or capital intensive works for urban-type facilities like water and sewerage which demand that you borrow.

So we believe that the - the problem, if you like, in our financial structure can be handled without borrowing by natural progression and communication over the interim period and paying off the debt, and that's really the difference we see between a pressure for urban and water and sewerage facilities and a road network that might need some better attention."

- 8.37 Clifton Shire Council (L29, pp.5-6) identified potential problems of sufficient income to fund services, and increased demand for services in Cambooya Shire. Clifton Shire Council (L29, p.5) stated:

"In time, Clifton can see a situation where a lack of services provided by Council to these properties, matched with high land values, will demand the introduction of a Rural Residential Rate in Cambooya's rating structure. This could well reduce the high level of net rate contribution to the General fund currently enjoyed by Cambooya Shire."

- 8.38 Clifton Shire Council (L29, p.5) stated that rural residential residents of Cambooya Shire will in time hold significant voting power and may well demand services similar to those provided in Toowoomba City. Clifton Shire Council (L29, p.6) also predicted that the active development of small urban hamlets by Cambooya Shire Council would involve future costs (eg. Greenmount, East Greenmount, Cambooya and Wyreema):

"When Clifton considers the current day cost of providing sporting, recreational and cultural facilities, and installing Water and Sewerage services to scattered locations, the future Capital Intensive financial demand on Shire resources becomes apparent."

- 8.39 Cambooya Shire Council (S2573, p.8) stated that it intends providing facilities such as a tennis court and improved recreational facilities in Cambooya and Wyreema townships within five years, and water supply and sewerage within ten years.

- 8.40 Jondaryan Shire is a larger, wealthier Shire with substantial rural residential development, and the resource base to provide a range of services to its mixed urban rural residents. Councillor Taylor, Chairman of Jondaryan Shire (T621), acknowledged at the public hearing that Jondaryan Shire's range of services was due to the growth of rural residential development:

"THE CHAIRMAN: But would you agree, though, that if that rural residential development hadn't taken place into Jondaryan, for example, if all the development went north of Toowoomba and nothing came out this way, that Jondaryan probably would be a substantially rural shire providing basic rural services.

CR TAYLOR: Yes, I'd basically agree with your premise."

FLEXIBLE AND RESPONSIVE FINANCING

- 8.41 The Commission examined the financial position of Clifton and Cambooya Shires, for their potential to be flexible and responsive in financing the functions and services required by their communities. The 1988-1989 year produced a peak in many of the ratios used as economic indicators in Issues Paper No. 8, and Clifton Shire Council reassessed its financial and servicing policies in 1988-1989 prior to the commencement of the Commission's review. Clifton Shire Council (S1141, p.1) has stated:

"... by the end of the 1987/88 Financial Year, it was apparent that the economic constraints were still in place and that Council had reached a level of indebtedness that prudent financial management demanded be contained."

- 8.42 The Council (S1141, pp.1-4) undertook to solve its financial problems from July 1988, by increasing efficiency of operations, beginning to increase rates to a level more comparable to neighbouring Shires (resulting in a 32.5 percent increase in General and Separate Rates over the three financial years 1988-1989, 1989-1990 and 1990-1991), restructuring its debt, and ceasing to make new borrowings. It admitted that in the short to medium term it would continue to require a similar level of grant funding.

- 8.43 Clifton Shire Council (T556) stated that it has, since 1987-1988:

"... traded with full employment using the funds generated within each of those years.

In other words, the opening and closing balances in the general fund .. were basically equal."

- 8.44 The Council (T556) stated that its debt:

"... was renegotiated to be paid fully over a 12 year period starting from 1 July 1989 ... That arrangement involves .. a flexible interest rate, and also involves .. an ability to repay the loan at quicker rates if cash flows so enable the shire to do."

- 8.45 Clifton Shire Council (L29, p.2) stated that its financial difficulty was not typical of the Shire's true resource base and was "a temporary aberration rather than an inherent financial malaise." The Council (S1141, p.1) added:

"The effect within the Clifton Shire of a constricting financial environment experienced by Local Authorities in Queensland between 1983-1988 was an increase in indebtedness. Funds were borrowed to provide continued employment for existing employees and plant, to counter the effect of reduced Federal Road Funding and the revaluation of the Australian Dollar, which reduced Council income and increased current and capital operating expenses."

- 8.46 Clifton Shire Council (T549) explained that 80 percent of the debt was incurred from 1982 to 1987. The Council (T554-555) further stated that approximately \$0.5 million of the general fund debt of \$1.4 million was incurred to contribute to the costs of roadworks:

"... up until two or three years ago, shires had to contribute towards the cost of works it undertook on behalf of Main Roads at that time. Fifteen per cent permanent works, 10 per cent maintenance - if my memory serves me.

The traditional way of coping with that contribution in many small to medium Local Authorities, was to incur a loan each year through the State Treasury for the amount of contribution, and that situation was further worsened by the standard arrangement being that that loan would be repaid over 30 years."

8.47 Clifton Shire Council (T568-569) had previously kept its rates low in comparison to surrounding Shires, but (T458) stated that it had increased General and Service Rates by 32 percent from 1988-1989 to 1990-1991, while CPI increased by about 23 percent over the same period. The Council (T548) admitted that while *"that is not a massive change, it does demonstrate that council reviewed their previous policy."*

8.48 The Council (T569) also stated that its rate level was still low, and that its rate base would support further increases, that is, that it did not have a low rating capacity:

"That has been addressed to a certain extent in the last three years by a 10 per cent real rate rise, but I believe there is still further room there. I don't believe we are up against the ceiling of our rate capacity."

8.49 Cambooya Shire Council (T581) agreed that Clifton Shire was addressing rate levels:

"The Clifton Shire has been raising its rates to live within its means. Clifton rates rose about 30 per cent in the three years to 1991. In 1990/91, Clifton rural rates were a low 1.24 cents in the dollar after discount. The town rates, include water and sewerage, were a net 4.98, whereas Cambooya town rates, no sewerage, amounts to 5.18. This is not a high rate level in comparison with other parts of Queensland."

8.50 Clifton Shire Council (T557) stated that its income is equal to the maintenance costs on its major asset:

"We see that to be most viable we need no debt. Our theoretical road maintenance costs are very close to the available resources we currently have; given no I and R [Interest and Redemption] repayment. The strategy was therefore to say .. lets retire the debt over as quick a period as possible without putting stress on our cash flow, and maintain the roads during that period of repayment on a holding basis, with .. the longer term view of saying, in 10 years we will have the funds to properly undertake reconstruction and re-sealing, re-profiling, re-gravelling, and grading and so forth, of our roads."

8.51 Mr Volker (T656) saw amalgamation of the two LAs as increasing financial flexibility:

"Look, when we sell off some of the properties, some of the machinery that is excess, we are all one people, we have all got one outlook. We are all rural people mainly, and surely in the best interests of all of us, forget debts, and get on with it and get rid of the debt. It is not a matter of it is fair for me and fair for them, that is not in my book. We disregard that, we get on, we have got a combined debt, let us get in and reduce that combined debt. Whether it is fair on one or the other, we are all one people, we are all in one area, we are all in one district, we have all got the same community interests."

8.52 Cambooya Shire Council (L30, p.2), however, disputed that amalgamation would improve the financial situation:

"Amalgamation does not reduce the problem of servicing 1260 kilometres of roads with a population base of only 5372 (of June 1990) spread over 1500 square kilometres.

Amalgamation would not alter the problem of providing expensive infrastructure in small townships."

RESOURCE BASE TO MAINTAIN INDEPENDENCE AND AUTONOMY

- 8.53 Clifton Shire Council (L29, p.2) claimed that dependence on external funding is only a problem if there are foreseeable changes in the level of funding, and that:

"... the opposite prospect is apparent in view of Grants Commission "Effort Neutral" principles, the transfer of Commonwealth Aid Roadworks Funding to the Grants Commission, an undertaking by the Federal Government that Grants Commission funding will be maintained in real terms and a recommendation for additional funding to Queensland in a Federal Grants Commission Report."

- 8.54 Looking at dependence on agency works and private works, Clifton Shire Council (L29, p.2) stated that:

"... the Department of Transport has advised that it is confident that the Clifton/Gatton Road and the Toowoomba/Karara Road in the Clifton Shire will be classified as Category 1 Roads as a result of the current Statewide Review of roads under Departmental jurisdiction. These roads therefore will qualify to continue to attract Departmental funds for Permanent Works and Special Maintenance Projects. These roads are also located in Cambooya Shire."

- 8.55 Clifton Shire (L29, p.2) also noted that the Department of Transport can now nominate a workforce from one Shire to execute a project, on behalf of the Department, on a road located in another Shire, and that this would "reduce the likelihood of Department of Transport Agency Works Funding being significantly altered in respect of both Clifton and Cambooya Shire, should they remain independent of each other."

- 8.56 Cambooya Shire Council (L30, p.3) stated that Clifton Shire's grant levels were not out of the ordinary:

"In 1989-90, Clifton Shire received a total of \$564,000 in grants from other levels of government, twenty-six percent of total revenue. Cambooya received twenty percent of its revenue in grants. The average for the Darling Downs Statistical Division was seventeen percent. The average figure was lower because Toowoomba does not receive as large a proportion of grants, but it has a large population and is a relatively compact city without the long road lengths of a Shire. The South West Statistical Division received grants that amounted to 32 percent of total revenue (figures from Australian Bureau of Statistics 5502.3 1989-90). It would appear that Clifton receives a comparable proportion of its revenue in grants."

- 8.57 Clifton Shire Council (L29, p.5) pointed to a reliance by Cambooya Shire on private works and entrepreneurial activities for some of its income, and that this would impact on financial flexibility:

"Council is also aware that the current Rural Residential development in Cambooya Shire is resulting in high levels of Private Works income for the Shire (\$250,000 in 1990/91) and prompting Council to undertake subdivision developments on its own behalf, to generate commercial profit to assist Shire finances. (50 building blocks in Wyreema)."

- 8.58 Cambooya Shire Council (T584) agreed that it had a higher level of private works than Clifton Shire:

"In the last financial year, Cambooya Shire gained \$240,000 in revenue from private works from farmers and rural residential landholders ... Clifton Shire only had a revenue of about \$40,000 per year from private works."

CO-ORDINATED PLANNING AND DEVELOPMENT OF THE AREA

- 8.59 Clifton Shire Council (S2572, p.2) mentioned that it had embarked on corporate strategic planning that (T565) incorporated a forward planning process:

"One of the things that we're doing in Clifton Shire right now is improving our data base on information that allows the shire to operate ... to provide the infrastructure that allows us to collect data that we can use for road construction, for a road network, for development and so forth over a very long period of time.

For example, we'll looking now in the long term at where our gravel and sand resources are coming from, because some of the rural residential that people are quite gaily talking about now is going to find itself on top of some of the shire's best resources."

- 8.60 Clifton Shire Council (T560) stated that Cambooya Shire could not impose development controls or developer contributions on a number of small existing rural towns with old subdivisions:

"When we drive around some of the small towns like this one [Greenmount], for example, there are a large number of existing blocks which will become available for development once the area that's currently being developed is exhausted and those are areas, as I understand it, where development considerations won't or can't be asked for because they are, in fact, part of an existing town plan, and this shire [Cambooya] is full of them."

- 8.61 The Department of Housing and Local Government has advised that Clifton Shire had subdivision of land By-laws dating to 1984, but no town plan. Cambooya Shire (T601) has a town plan that reactively follows the old surveys and old towns, and is under review. Cambooya Shire's (T601) development control plan dealing with Rural Residential development is also under also review and the Shire will look to making a strategic plan in four to five years time.

- 8.62 Cambooya Shire Council (T600) advised that the towns of Greenmount, Cambooya and Wyreema contained old subdivisions of quarter acre blocks, although Wyreema was now fully developed. Cambooya Shire Council (T601-603) advised that its policy regarding construction in the old towns is to require a septic tank, and if there is no town water supply, to require a 10,000 gallon rainwater storage tank. The Council (T602) advised that the minimum lot size is 800 square metres. Where lots are smaller, Cambooya Shire Council (T602) stated:

"... in Greenmount here where there's a lot of lots which are 4 to 500 square metre blocks we require - they're zoned as special residential, and it's necessary to either convince the council that there's some extenuating circumstances where a house would be permitted on that one or else require them to have two or more such blocks."

- 8.63 Cambooya Shire Council's (T603) policy for rural residential development allows for 5,000 square metre lots if a water scheme is provided, or two hectare lots in some cases:

"The town plan really provides for block sizes of 2 hectares if they can provide ... a supplementary water scheme, which is a water scheme over and above the tank water, which can be used for gardens, septic tanks, and washing, and that sort of thing. We will allow them then to reduce their rainwater size down to 5000 gallons instead of 10,000 and we'll allow greater density of down to 5000 square metres ..."

8.64 Cambooya Shire Council (T603) stated that the supplementary water scheme is a pressurised water scheme of a lower standard than a conventional reticulated water system. Its main purpose is to supplement rainwater storage to enable the preservation of the head of water on individual properties.

8.65 Clifton Shire Council (L29, pp.5-6) maintained that Cambooya Shire is permitting unwise and unco-ordinated rural residential development in northern Cambooya Shire (bordering Toowoomba City) that will pose problems at a later date:

"Another aspect of Rural Residential development in Cambooya Shire which causes some long term concern among Clifton Councillors is the seemingly uncontrolled spread of this type of subdivision across a wide area of the northern end of the Shire.

This concern emanates from a lack of certainty as to the full extent of Cambooya's commitment to Rural Residential Development pursuant to the provisions of its Town Plan, as well as reports of a lack of underground water in some of the areas currently being settled.

In other rural residential areas, Council believes developers are having to provide independent community bores to supply water to residents of the subdivision, and that Council is to take control of these various water supplies once the subdivision is in place. This could lead to long term water supply management and maintenance problems for the Shire."

8.66 Cambooya Shire Council (L30, p.5), however, claimed to have high standards of rural residential development and to be sympathetic to the needs of such areas. It (T604) rejected Clifton Shire Council's comments:

"I don't know what they're talking about. We're providing roads; we're providing a supplementary water scheme in most cases; they have got at least an acre and a quarter in which to dispose of their septic areas. I'm afraid we just don't quite - can't even conceive what they're talking about. And as development occurs, there will be areas of parkland, of course, set aside with developments; those parklands will have - you know, other facilities. They will have tennis courts and things erected in due course. I don't really know what Clifton would be talking about."

8.67 Cambooya Shire Council (L30, p.5) added:

"At the moment, the difficulty in obtaining water is the only factor restraining the growth of the northern parts of the Shire of Cambooya. A developer with significant resources could boost the Shires growth dramatically by supplying a large scale water supply system."

8.68 Cambooya Shire Council (T590-591) stated that it actively seeks development of its area:

"We are doing that, we are actively seeking developers and encouraging developers. Even, sort of, gives an indication they may be even slightly talking about it, we go and see them and we walk over their piece of land, we tell them what council's policies are and we do everything we can, down to designing the roads and water supply networks, etcetera, etcetera and give them estimates of what the whole thing would cost and even drew up a - perhaps a tentative subdivisional layout. We do that now for them."

- 8.69 Cambooya Shire Council (L30, p.5) stated that Clifton Shire Council has little experience of rural residential development, but Jondaryan Shire Council (T619) referred to its considerable rural residential development fringing Toowoomba City and requirements for a high standard of development within a system of co-ordinated planning for urban and rural land:

"So we're trying to separate our productive land from our rural residential development.

So we've consciously allowed for that. We've put water supplied - we don't allow rural residential developments without, well, now, bitumen roads, water supplies - a full supply, not just top-up supplies - full water supplies and a fairly high standard of storm-water drainage, street lighting. Power has to be supplied, etcetera, etcetera. We believe we're asking for a reasonably high standard, but on the other hand we believe that's the right approach, because it's reflected in the marketplace later on."

- 8.70 The additional boundary proposals relating to the expansion of Pittsworth Shire arose in part from Condamine River flood problems. Pittsworth Shire Council (T663) gave details of an on-going problem co-ordinating drainage works between Clifton, Pittsworth and Millmerran Shires:

"The Condamine River overflows in flood time, and it's a section in Clifton and Pittsworth Shires - there's only a short section in Pittsworth Shire at the Condamine River - the Condamine River overflows and goes westwards.

It goes through a small area of Pittsworth Shire, but then causes a bigger problem in Millmerran Shire, and the Millmerran ratepayers have been taking up the matter with Pittsworth to try to do something about this ongoing problem of river overflow. It appeared to the Pittsworth Shire that if this area was all in one shire, it would have a common engineering basis for solution and also the beneficiaries of any work that was done would be in the one shire.

At the moment any work that is done in Pittsworth shire is benefiting almost exclusively people .. in another shire, so that hasn't been very much incentive for Pittsworth shire to be involved in the work."

- 8.71 Mr Elliott (T677) referred to problems with lack of co-ordinated development control by Gatton Shire, with respect to the fringe urban areas of Gatton which border Toowoomba City:

"And it's a growing area; at the moment there is seven buildings up; in that particular area there will be 16 buildings. It is a village environment; we'd like to keep it like that. The Gatton Shire have recently allowed one of the locals to put up a great big barn shed in his back garden. There seems to be no approval for this sort of thing in the Gatton Shire, they please themselves. If you talk to the right man you get the job done. I don't think it really concerns the community."

He (T681) stated that Gatton Shire has no specific plans for the area.

EFFICIENT AND EFFECTIVE SERVICE PROVISION

- 8.72 Mr Volker (S1285, pp.1-2) stated that an amalgamation of Allora, Clifton, and Cambooya Shires would produce more efficient and effective service provision:

"Excess costs of administration of the three shires is borne out by the fact that Allora spends 49.63%, Clifton 49.42% and Cambooya 48.4% of their rate intakes on Administration.

...

An important aspect to amalgamate small councils is the larger councils can offer more functions ..."

8.73 He (T651) added:

"With the advent of fast-moving machinery, new construction methods, etcetera, it is no longer cost effective to have shire councils the size of backyards. The administration costs have escalated dramatically along with all operational costs of these small shires.

...

It must be remembered that larger, efficient plant can move more earth much cheaper and efficiently than small plant. Why have three small plant operations when one larger, more cost-effective plant with less employees can be used.

...

With your outside work-force you will now attract with a bigger shire a more efficient person to run the work-force. You'll also attract better administration ..."

8.74 Mr Volker (T653) felt that:

"... it would be lovely if we could still keep these little shires, but the whole cold, hard, facts is their non-viability and they can no longer exist. The fact is, times have changed, the economy of the country has changed and local government must change. And we've got to do that within local government itself and with the men in local government, they must change."

8.75 Councillor Newman, Chairman of Cambooya Shire Council (T580), stated that amalgamation of the two Shires would not produce more efficient and effective service provision, because of the scattered population, low levels of population, long road lengths and the costs of providing infrastructure in small towns. He (T578) also claimed that small Shires are more efficient in service provision: *"A small council like Cambooya has tighter control over all facets of council operations and is more cost effective than larger councils."*

8.76 The Council (L30, p.6) referred to its extensive use of contractors in service provision.

8.77 Cambooya Shire Council (T581) referred to high administration costs in Clifton Shire:

"In 1989/90 Clifton Shire spent 15 percent of its total outlay on administrative costs, compared with 9 percent for Cambooya (Australian Bureau of Statistics). It appears that Clifton is taking steps to reduce administrative costs."

8.78 Clifton Shire Council (T558) advised of increased efficiency in operation, through reduction of staff and overheads and alterations to its service provision programme.

- 8.79 With regard to the additional minor western boundary proposal, Jondaryan Shire Council (T615) claimed that if the land it sought was granted, it would be able to provide the necessary services:

"... we would be able to service that area of the shire, which would become part of Jondaryan Shire, as well as we service the existing area adjoining and around the City of Toowoomba.

In fact, I think we would be able to upgrade the services to those people in that area, because of the points I've touched upon in terms of our equipment and plant available."

- 8.80 Pittsworth Shire Council (T662) referred to its boundaries which split two towns and caused problems in servicing the residents.
- 8.81 Mr Elliott (T676) felt that if his property was in Cambooya Shire rather than Gatton Shire, the provision of services would improve, *"... as far as we're concerned we get no facilities for our rates, and we feel at the moment if we moved into the Cambooya Shire we would get better facilities."*

He (T682) stated that the services wanted in the Preston area are an extra street light, road access, road and reserve maintenance, garbage disposal and a library.

FUTURE PROJECTED GROWTH

- 8.82 Cambooya Shire Council (L30, p.4) stated that the growth in its northern area would impact on amalgamation:

"EARC wants to make durable changes to local government boundaries in Queensland. If we look at the likely changes over the next twenty years, Cambooya and Clifton will be very different local authorities."

- 8.83 Cambooya Shire Council (T583) argued that its growth would unbalance an amalgamated LA:

"With each year, the affluent northern part of the Cambooya Shire will become the dominant population grouping in an amalgamated Clifton/Cambooya Shire.

The 700 population in Clifton township will not be able to counter-balance the far larger population of a more affluent people in the north. The capital values in the shire will shift towards the north."

- 8.84 Mr Volker (T656-657), however, did not see the growth in northern Cambooya Shire as a reason against amalgamation. He preferred amalgamation of Clifton and Cambooya Shires to the area becoming part of Toowoomba City, because he felt that agricultural usage of land would then cease:

"This has come about by a non viable shire, the Cambooya Shire, which has had to cut up land to increase their rate intake. There is no other word for it, they have butchered good grazing country ... There should be no grazing or agricultural country cut up for subdivision. It is a crime and any council that does it, or is guilty of it, should answer. And as far as I am concerned the northern end of the Toowoomba boundary should remain in Cambooya Shire, or the combined shire.

It is a part of this shire, and historically it is a part of this shire. The moment Toowoomba was to take that, or any part of that was given to Toowoomba, agriculture any where in that area would cease ...

...

But, however, if that has to go into Toowoomba at any time, then the growth centre of Cambooya, Wyreema, Hodgson Vale would also have to be included, because they are the growth centres."

REFLECT LOCAL COMMUNITIES AND SPATIAL PATTERN OF HUMAN ACTIVITIES

8.85 Both Clifton and Cambooya Shires acknowledged linkages to Toowoomba City. Councillor Jones, Chairman of Clifton Shire Council (T551) said: *"We would acknowledge that Toowoomba is our focus, Toowoomba is the city where most people would be attracted to for specialist services and other things."*

8.86 Councillor Newman, Chairman of Cambooya Shire Council (T587) stated:

"I think basically in the extreme southern part of our shire, probably south even from Greenmount, people do tend to go towards Clifton to a certain degree; their children might go to high school, they might use sporting facilities, that sort of thing. But from here north, basically, I think, most people go towards Toowoomba."

8.87 Clifton Shire Council (T552) stated that:

"... it's rather difficult to point to a focus in Cambooya Shire in the same way that we can point to Clifton in Clifton Shire. The villages in Cambooya are more scattered, there are many of them and there are, as far as we are aware, little in the way of facilities that are already established in our central village of Clifton."

8.88 Cambooya Shire Council (T587-588) agreed that its Shire did not have a central focus:

"THE CHAIRMAN: So what that tends to suggest is you're looking at patterns of activity or spatial distribution of people and where they get their community services, whether it be shopping or education, or medical facilities, so far as Cambooya is concerned it might be a question of a tendency for people in the south to go towards Clifton and people in the northern area to get those facilities from Toowoomba, but there's no focal point in Cambooya.

CR NEWMAN: There is a focal point to some degree, like the sporting facilities that are there ... We haven't got the classical centre like a lot of other shires have. We've got lots of small centres."

8.89 Clifton Shire Council (T550) detailed the educational, commercial, transport and business facilities in Clifton township which it stated contributed to a strong community of interest: *"Clifton has a very strong community of interest in many respects, and quite a number of these respects have in fact been detailed in our submission."*

8.90 Councillor Newman, Chairman of Cambooya Shire Council (T593), claimed that Cambooya Shire had a different community of interest to Clifton Shire:

"I think they are different areas. The sort of business that might establish at Clifton would not necessarily be the sort of business that would establish at Cambooya. We aren't talking about similar cases really. Clifton has a completely different community of interest than Cambooya does, and that's our basic argument: that, basically, probably 90 per cent of our shire population leans towards the northern part of the shire for a centre, while Clifton - admittedly they do a lot of their shopping in Toowoomba, and larger purchases - but to them, Clifton is their centre, and that's where they lean towards."

- 8.91 With regard to the additional boundary proposals, Mr Elliott (T682) advised that Merlin Court residents in the Preston area of Gatton Shire had links with Toowoomba City, in that probably 50 percent worked in Toowoomba City and used Toowoomba City as the main shopping and service centre. Mr Turkington (T686) claimed strong community of interest linkages to Cambooya Shire, which would be unaffected by an amalgamation of Clifton and Cambooya Shires:

"Well, I don't think it would make much difference as far as I'm concerned because this is the way our children come to school; this is the way we travel and our access is provided at the moment from Cambooya, you know. We go to Gatton occasionally, but our business and our connections are towards the Downs."

- 8.92 Pittsworth Shire Council (T662-3) discussed the spatial patterns of human activity in the southern portion of Jondaryan Shire:

"... there was a definite community of interest in the people on the eastern side of the Pittsworth boundary - that's where Southbrook town is on the eastern side - a definite community of interest with Pittsworth."

Now, this was displayed in, particularly, the school bus runs which delivers children to Southbrook school and then the high school children to the Pittsworth school and, as we're aware, once the children are going to school, well, that makes the parents involved in the community affairs in those centres. In looking at that area between Pittsworth and Cambooya - that's the tongue of Jondaryan Shire that goes down there, there seemed to be a natural division with Byrom Creek - it's about halfway across going north-south - and there seemed to be a natural division there where the people to the west of that had a community of interest with Pittsworth and the people to the east of it had a community of interest with Cambooya."

BOUNDARIES REFLECT THE ECONOMIC MAKEUP OF AN AREA

- 8.93 Mr Volker (S1285, p.1) referred to the similar economic bases of the LAs:

"The three Shires of Allora, Clifton and Cambooya are adjoining small rural shires on the southern Darling Downs. All shires produce grain, cattle and dairying is still carried in some areas of all shires."

URBAN AND RURAL INTERDEPENDENCE

- 8.94 Mr Volker (T651) stressed the need to keep urban and rural areas separate:

"There is an absolute need to keep the rural identity of each shire. Cambooya, 81.75 per cent of the population is rural; Clifton, 67.5 per cent and 59.28 of Allora is rural. In no circumstances, should any of these shires be amalgamated to any town."

COMMUNITY SELF AWARENESS AND COMMUNITY-BASED ACTION

- 8.95 Councillor Jones, Chairman of Clifton Shire Council (T551), referred to strong and active community-based action in Clifton Shire:

"In community organisations based on Clifton we have a progress association, we have an active Lions Club, a Masonic Lodge, Rural Youth, CWA, RSL, CATS - which is theatrical - a Blue Nurses, an historical museum, a scouts and girl guides."

ACCESSIBLE CENTRE OF ADMINISTRATION AND SERVICE

- 8.96 The centres of administration and service in Clifton and Cambooya Shires, are in the towns of Clifton and Greenmount respectively. Both towns are centrally located in their Shires.

- 8.97 Clifton Shire Council (S1141, p.4) saw problems if the LAs were amalgamated and one town was selected as the primary centre of administration:

"Amalgamation of Allora, Clifton and Cambooya will inevitably result in the concentration of Council facilities and main presence in one of the existing Towns of Allora or Clifton or Greenmount, even though some Depot presence may remain in each.

... whichever town is selected as the Administrative Centre for the amalgamated area will, over time, become the dominant commercial and residential centre of the new area.

Severe commercial and social rivalry and jealousy will inevitably result ...

Animosity between communities in the amalgamated area will be inevitable when such social and commercial changes occur."

- 8.98 Mr Volker (T654) preferred Clifton township as the location of the administration centre of an amalgamated LA:

"Clifton would have to be, because it has a township, swimming pool, far upgrade of amenities for the people than what we have got here in Greenmount. We have got virtually nothing in Greenmount; we have a hall and a hotel. But Clifton is a centre of a rich rural area, and I would think would help put some growth in Clifton."

- 8.99 Cambooya Shire Council (T583) disagreed:

"The inevitable urban development of Cambooya and the stagnation of Clifton means that it is not at all sensible to place the headquarters of an amalgamated Clifton/Cambooya in Clifton. Clifton town is nearly 50 kilometres from the northern boundary of Cambooya Shire where the main population of the amalgamated shires would live. The present headquarters of the Cambooya Shire at Greenmount are relatively close to the urban development to the north and to the rapidly expanding township of Cambooya and Wyreema."

- 8.100 Cambooya Shire Council (L30, p.7) stated that new offices would need to be constructed:

"The existing two councils service a large area of 1500 square kilometres. There is no surplus plant or office space in either Shire that could house the total plant required to service the region. Expensive new offices and depots would be required, probably at Greenmount. A centralised office and depot would probably mean that residents, council staff, and road plant would have to travel further than at present, with both Clifton and Greenmount towns offering logical headquarters."

- 8.101 With regard to individual proposals for boundary change, Mr Elliott (T678) noted that as a resident of Merlin Court in the Preston area of Gatton bordering the Cambooya - Gatton - Toowoomba boundaries, he did not visit Gatton Shire Office, which is 34 kilometres away and could only be reached via Toowoomba:

"THE CHAIRMAN: Do you have any reason to visit Gatton?"

MR ELLIOTT: Not really.

...

All the rates we're ever paid we just pay them by post. There is on [no] reason why we would go to Gatton. I mean, even now if you go to Brisbane you bypass Gatton so you - you wouldn't even go through Gatton township at all."

EFFECTIVE ELECTED REPRESENTATION

- 8.102 Mr Volker (S1285, p.1) strongly supported the reduction in representation levels that would follow amalgamation:

"Being small rural shires the three small shires are grossly over represented. The combined areas of Clifton, Allora and Cambooya is 2199 sq klms with a population of 7263 people being represented by 31 councillors. The near-by shire of Jondaryan has an area of 1904 sq klms, population of 10,037 people, and is represented by 13 councillors. Toowoomba City has a population of 80,000 but is represented by 8 alderman and a Mayor."

He (T650) added: *"Surely it is reasonable to see that Cambooya, Clifton and Allora are totally over-governed and over-administrated."*

- 8.103 Clifton Shire Council (S1141, p.5) stated that reduced representation levels in an amalgamated LA would mean that:

"... the degree of personalised service and communication between Electors and Representatives will suffer greatly as a result of the reduced Councillor numbers.

The demand on Councillor's time and resources will increase markedly ..."

- 8.104 Clifton Shire Council (L29, p.3) also stated that:

"... a consideration of population distribution and growth trends in an imagined amalgamated area, in conjunction with EARC principles in respect of Local Government Electoral Reform [would] ... result in a voting strength in an amalgamated area which could deprive Clifton Township of the realisation of its full potential as a natural community centre."

- 8.105 Clifton Shire Council (T574) said that its recent reorganisation had improved the quality of representation, by clarifying the respective responsibilities of elected members and employed officials, and by the following changes:

"We go and meet people in the countryside now and talk to them about roads and what we are doing. We have our meetings at night now ... and we have question time at our council meetings ...

... to try to improve the expertise of councillors in the making of decisions we have gone back to a committee system in our council administration where - because we have nine councillors, we have three committees, and we have three councillors which are uniquely involved with one committee or the other.

... it is very easy to look across a country council and say, well, you know, why don't you operate like that all the time, but traditionally councils have not operated like that, from my experience."

- 8.106 Councillor Newman, Chairman of Cambooya Shire Council (T607-608), agreed with Commissioner Hughes that a representation level of at most 385 electors per councillor, would not pose a problem, but that: *"The main issue is the area that they have to service - whether or not they can inspect the roads frequently enough to know what's going on ..."*

- 8.107 Cambooya Shire Council (L30, p.5) also referred to future representation problems:

"With each year, the affluent northern parts of Cambooya Shire will become the dominant population grouping in an amalgamated Clifton-Cambooya Shire. This northern group will gain more representation and will resent any cross subsidisation to the town of Clifton or to rural areas in the Shire."

- 8.108 Councillor Taylor, Chairman of Jondaryan Shire (T623) stated that he personally favoured reducing the number of elected members for Jondaryan Shire, which is larger in population and area than an amalgamated Clifton/Cambooya.

RATING BASE

- 8.109 Clifton Shire Council (T560) noted, with regard to the current and future impacts of rural residential development on the rate base of Cambooya Shire:

"... the development areas .. in Cambooya; they exist; they are bringing a high rate income to Cambooya. I wouldn't be sure how long that will continue. I'm not sure how long the people in that area will be prepared to pay that kind of rural rate-based rate when the services that they are given under that situation are ... modest ... I would imagine in the not too far distant future those people are either going to be looking for more and, therefore, expensive services, or they're going to be looking at a different rating - rural residential rating - which, of course, is going to give a far more modest income."

- 8.110 Jondaryan Shire Council (T619) referred to beneficial effects of such development on its rating base:

"... we have, as has been pointed out, have been pro-active in organising rural residential development in our part of our shire to broaden our base, an obvious reason. When I first became involved 70 per cent of the rates from the shire were paid directly by rural producers. Now that's down to about 40."

GEOGRAPHIC AND MAN-MADE FEATURES

- 8.111 With regard to individual proposals, Mr Turkington and Mr Crampton (T684-685) advised that the Gatton-Cambooya Shire boundary in their vicinity did not follow a prominent geographic feature. Their properties are in Gatton Shire but are separated from Gatton township by a steep cliff, as the Shire boundary follows the original boundary of Pilton Station. Mr Turkington (T685) advised that their properties are rural and are accessible only through Cambooya Shire:

There's no access whatsoever at all and the things we've had problems with in the past is fire control and all that ... Apart from that, the thing that's just come is pig control, and generally it follows the shire boundaries, it has in the past, and it has always created a problem with TB testing with all those things."

JOINT ARRANGEMENTS

- 8.112 Responses to the Commission's Questionnaire indicate the following minor co-operation and resource sharing arrangements between Clifton and Cambooya Shires. Clifton and Cambooya Shires do not have any formal joint arrangements, (ie. Joint Boards, joint committees or agreements pursuant to the *Local Government Act 1936-1991*). There is an informal agreement regarding the maintenance of boundary roads, and Cambooya Shire has hired plant from Clifton Shire in the past. Cambooya Shire also made its building and health inspector available to Clifton Shire (at full cost) for seven months in the last year, until increasing workload within Cambooya Shire led to the termination of the agreement. Clifton Shire is currently sharing a health and building surveyor with Inglewood Shire.
- 8.113 Responses to the Commission's Questionnaire indicate that Cambooya Shire does, however, have a number of formal and informal co-operative or resource sharing arrangements with other LAs. The joint arrangements are primarily with Jondaryan Shire and relate to the towns of Cambooya and Wyreema which are split by the common boundary. Arrangements include:
- . a joint agreement with Jondaryan Shire pursuant to the *Local Government Act 1936-1991* for refuse collection in Wyreema;
 - . a joint agreement with Jondaryan Shire pursuant to the *Local Government Act 1936-1991*, for preparation of the Wyreema water supply planning report and application for government funding under Country Towns Water Supply Improvement Programme (COWSIP);
 - . a joint agreement with Jondaryan Shire for Cambooya Shire to construct and operate the water supply scheme in Wyreema, with contributions from Jondaryan Shire (T599); and
 - . informal joint arrangements between Cambooya and Jondaryan Shires sharing the cost of park development in Wyreema, and regarding town maintenance in Wyreema.

- 8.114 Jondaryan Shire Council (T615) stated its policy with regard to Cambooya Shire carrying out works in the split towns:

"... we allow Cambooya to do that to build up their work, because we are quite capable of doing all the total area of that thing with the present workforce, but we let Cambooya do it, because they seem to need some private works."

- 8.115 Other joint arrangements relate to boundary roads (Gatton Shire and Toowoomba City), performing noxious weed inspections at cost (Toowoomba City), and lending or borrowing plant and operators between neighbouring LAs.

- 8.116 Both Shires are members of EDROC which has been in existence since early 1990 and whose membership includes the LAs of Toowoomba, Cambooya, Clifton, Crow's Nest, Gatton, Jondaryan, Millmerran, Pittsworth and Rosalie. Cambooya Shire Council (S2573, p.6) stated that it uses EDROC for consultation with adjoining LAs on matters of mutual concern, with respect to co-ordination and promotion of regional development. EDROC is preparing a strategic plan for regional development that will identify existing resources and assist in co-ordination of LAs' town planning schemes.

- 8.117 Clifton Shire Council (T564) found the regional land use planning activities of EDROC useful:

"There is a planning activity which looks at what the shires in this area might do, in co-operation over a period of time. We're looking at the demographics of that; we're looking at what railway services might be involved; we're looking at road networks beyond shire boundaries and how they look."

- 8.118 Clifton Shire Council (T566) said the valuable aspect of EDROC was:

"... that we have equal input opportunity with all the other members of EDROC, so therefore we can contribute with ideas and perceptions for the benefit of the area and ourselves in particular, and use the grouped substantial resources and political influence that the regional body contributes, so that we have got nothing to lose at all and everything to gain."

- 8.119 The Council (T568), however, said that co-operation was still at an early stage:

"I think that EDROC has led to more communication, rather than, so far, distinct co-operative efforts, but that's the first point in that process. EARC, I think, has prompted more discussion in specific areas of problem solving, if you like, rather than ongoing operational joint efforts; that's my insight."

- 8.120 Cambooya Shire Council (S2573, p.6) advised that through EDROC, Toowoomba City had made staff available to relieve staff members on leave from the smaller LAs, and also ran staff training courses. Clifton Shire Council (T567) hoped that EDROC would be of assistance to small Shires with staffing problems:

"It hasn't been common so far, commissioner, because of the short period of time of operation, but it is one of the main concepts that people look to EDROC for, particularly the smaller people, and particularly in health and building as time goes on, you'd be aware of changing legislative requirements in that area. So that's a big worry to small local authorities."

- 8.121 Pittsworth Shire Council (T670) noted that having multiple LA membership of River Improvement Trusts would not solve the particular problem that led to its proposal for boundary change in the region:

"One of the things that we've got to realise here, though, is that cleaning the river [Condamine River] - which is a river improvement trust thing - is not necessarily the solution to that problem because it will improve the river capacity to a degree, but there will regularly be overflows from the river, irrespective, and that happens to be one of the breakout points, so that there will be a drainage problem there no matter what river improvement trusts are undertaken; and, as I say, Pittsworth Shire has no rate base, even to do river improvement works. I mean, there's no revenue coming in from the area that's going to be subjected to the damage."

- 8.122 Councillor Stallman, Chairman of Pittsworth Shire Council (T672) agreed that the drainage areas downstream of Ellengowan were complicated, but not so major as to merit the establishment of a large river improvement trust or some sort of joint drainage authority.

Analysis of Evidence and Arguments

- 8.123 In Issues Paper No. 8, the Commission identified Clifton Shire, using 1988-1989 financial data, as having very high potential to experience financial stress, while the assessed financial condition of Cambooya Shire was considered satisfactory (average).
- 8.124 The Commission considered that as Clifton Shire and other LAs identified by financial indicators as having high potential for stress (eg. Burke Shire) were experiencing financial difficulties in 1988-1989, validates the use of these indicators. Both Clifton Shire Council (S1141, p.1) and Cambooya Shire Council (S1405, pp.6-7) agreed with the Commission's assessment of financial condition, with Cambooya Shire Council (S1405, p.7) describing Clifton Shire as *"a financial liability to any LA forced to amalgamate with it."*
- 8.125 The Commission considers it important to identify the causes of financial stress, that is, whether such stress is a consequence of deficiencies in the overall financial viability and economic base of an LA, or an outcome of unwise revenue and/or investment decisions.
- 8.126 Clifton Shire essentially had high debt levels (much of which was incurred over a short space of time), and had relatively low rate levels. Like many small rural Shires, it was also highly dependent on external funding via grants and payments for roadworks, and was very vulnerable to any changes in the levels of these funds.
- 8.127 Cambooya Shire, despite a satisfactory rating overall, has grown dependent on agency and private works.
- 8.128 The Commission is of the view that although both LAs are striving to cope with their respective financial situations, both have an insufficient resource bases to continue to operate independently and effectively in the future.

- 8.129 Clifton Shire admits that its present financial situation is due to previous ill advised decisions (S1141, p.1; T548-549). The Commission considers that the fact that a few unwise loans and rate restrictions could destabilise the Shire to such an extent, indicates the slender margins within which it operates. Clifton Shire Council has reorganised its operations, reduced its staff levels and service programme, restructured its debt and increased its rates, and maintains that it is working its way out of its problems (T551; L30, p.3; T571-572; S2573, p.5). Evidence presented to the Commission, however, indicates that when Clifton Shire is debt clear, it is likely to face large road maintenance and infrastructure maintenance and augmentation costs, which will impact on its financial stability (T551; T557; S2573, p.5). Clifton Shire will always be constrained, even with the best management, by its revenue base and the level of external grant and subsidy support (T557). It should be added that the Commission was impressed by the current management of Clifton Shire.
- 8.130 The two Shires of Clifton and Cambooya originally had similar economic makeup and depended on the same industries although Clifton Shire had more diverse non-primary industry. The Commission considers that Cambooya Shire is using agency works and diversifying into rural residential development in the northern part of the Shire to expand its revenue and rate base. Cambooya Shire is growing faster and altering rapidly, and its small towns are becoming commuter dormitories. Its valuation figures are rising, and it acknowledges that it is strongly seeking development. The standard of that development, however, is not high and unco-ordinated development is likely to impose costs on ratepayers in the long run. Clifton Shire Council has suggested that rural residential ratepayers in Cambooya Shire will in the future begin to demand services for their rates akin to those supplied in Toowoomba City, and this development will begin to impose costs instead of earning revenue for Cambooya Shire.
- 8.131 The Commission took note of Jondaryan Shire Council's evidence that Jondaryan Shire's current strength is due to its mixed economic base, and to the high standards it imposed on developers of rural residential subdivisions, thus controlling later costs which would otherwise be borne by ratepayers. This may be partly due to increased flexibility because of Jondaryan Shire's larger size and greater rate base.
- 8.132 The Commission noted the limited use of co-operative arrangements, joint service arrangements and resource sharing by Clifton Shire to overcome its limitations. The Commission believes that small LAs ought to consider using co-operative mechanisms to overcome deficiencies inherent in small size, which can reflect in higher unit cost of services, lower than average service quality, or the non-provision of some services. The Commission notes, however, that participation by both LAs in EDROC is providing opportunities for greater co-operation in the eastern Downs area.
- 8.133 Both Clifton and Cambooya Shires are small in area, population and economic base, and the issue faced by the Commission was whether amalgamation (eg. increasing area) would increase the resource base of an amalgamated Shire, to a greater extent than it would increase service costs. The Commission believes that a combined Shire would have a broader economic base, would serve its present and future residents well, and would have a better chance of surviving into the future. The Commission is conscious that both LAs live in the

shadow of Toowoomba City. The Commission was impressed by the evidence of the Shire Chairman of Jondaryan Shire which, being a larger Shire, has been able to cope reasonably well with the residential encroachment into the Shire coming from Toowoomba City. The Commission is concerned that the two small LAs of Clifton and Cambooya (particularly Cambooya Shire because of its closer proximity to Toowoomba City), will not be able to cope as well separately with the pressure for residential property, and at the same time preserve important agricultural land.

- 8.134 The Commission considers that it would be in the best interests of Clifton and Cambooya Shire residents for those Shires to be amalgamated. Amalgamation is likely to result in:
- (a) a larger and stronger rural Shire with a broader rate base;
 - (b) a Shire with greater strength to ensure the rural residential and urban development close to Toowoomba City is carried out to appropriate standards;
 - (c) rationalisation of existing facilities and services;
 - (d) a more secure financial future; and
 - (e) better prospects for the protection of agricultural land from undue development.
- 8.135 The Commission noted that the Darling Downs is characterised by many small LAs and that there have been calls (eg. Jondaryan Shire Council T610-611; Cambooya Shire Council L30, p.1) for all LAs in the region to be reviewed. Pittsworth Shire Council (T661) advised that its proposal for wide ranging changes to Millmerran, Clifton, Rosenthal and Jondaryan Shires, was predicated on the assumption *"that there would be down the track large amalgamations of Shires."* It involved a substantial expansion of Pittsworth Shire to the east and the south, and requires close examination. The proposal did not receive general support and was opposed by Clifton Shire Council (T575-576).
- 8.136 The proposal by Cambooya Shire (S2573, p.2; S2263, p.1) and Pittsworth Shire (S2612, p.1) for the southern projection of Jondaryan Shire to be split between Cambooya and Pittsworth Shires, and the counter proposal by Jondaryan Shire Council (S2619, p.1; T610-611) for a portion of Cambooya Shire, likewise require closer examination and the opportunity for public comment by affected residents.
- 8.137 Cambooya Shire Council (T594-595) stressed that its proposal should only be adopted if the residents of the area agreed. Cambooya Shire Council (S2573, p.2) stated that for some years there has been strong community support for the transfer of this land but it has waned somewhat *"with the prospect of possible amalgamation with the financially stressed Clifton Shire, and fears that this may drain the resources of the Cambooya Shire."* There was no public comment on this matter, however, and the relevant landowners have not expressed their views to this Commission.

- 8.138 The proposal to add the Preston area of Gatton Shire to Cambooya Shire is supported by some individuals (Mr Elliott S2527, p.1; Mrs O'Shea S2555, p.1), Cambooya Shire Council (S2573, pp.3-4) and strongly opposed by Gatton Shire Council (T636). Toowoomba City Council (EARC File 010/O/189), advised that in its opinion:

"... the residents of the area delineated in your letter have a community of interest with a rural shire, either Gatton or Cambooya Shire, which is greater than any community of interest they may have with Toowoomba."

The Commission proposes that the Preston area be transferred to the amalgamated Shire. The addition of the Preston area to an amalgamated Clifton/Cambooya Shire will lead to more efficient service delivery to that area as well as adding to the rate base of the amalgamated Shire.

- 8.139 The proposal to transfer lots 137 and 140, Parish of East Haldon, from Gatton Shire to Cambooya Shire, is supported by both Cambooya Shire Council (L32) and Gatton Shire Council (EARC File 010/495). The Commission has discussed this proposal in more detail in Chapter Seventeen, and considers that these properties should be transferred from Gatton to the amalgamated Shire.
- 8.140 The Commission also gave attention to the best location for a Shire office in the amalgamated LA, and concluded that the town of Clifton would be the most suitable as it occupies a relatively central position for servicing the community and appears better equipped for this purpose in terms of infrastructure and facilities.

Recommendations

- 8.141 **The Commission recommends that:**
- (a) **Clifton and Cambooya Shires be abolished;**
 - (b) **a new LA be created comprising:**
 - (i) **the former Clifton LGA;**
 - (ii) **the former Cambooya LGA;**
 - (iii) **lot 137 on CC934 and lot 140 on CC582, Parish of East Haldon, Gatton LGA (see paragraphs 17.76 to 17.87); and**
 - (iv) **the Preston area of Gatton LGA as outlined in S2573;**

as shown on Map W.9 of Appendix W; and
 - (c) **the new LA be known as Clifton Shire, with its Administration Centre in Clifton township.**
- 8.142 **The Commission further recommends that the remaining matters raised by Jondaryan and Pittsworth Shires be referred to an on-going boundaries review mechanism for review.**

CHAPTER NINE**ROMA / BUNGIL****Introduction**

- 9.1 Roma/Bungil was identified as a priority case for examination in Issues Paper No. 8 and remained a priority case after consideration of submissions.
- 9.2 The original submission by Roma Town Council (S732) documented the views of each Alderman because a consensus could not be reached on the amalgamation issue. The majority of the Aldermen supported amalgamation; the balance acknowledged that joint arrangements, while not ideal, were preferable to total amalgamation.
- 9.3 Following the March 1991 election, four new Aldermen including a new Mayor, were elected to the Roma Town Council. Roma Town Council (T696) then passed, by a majority of the Council, the motion that joint arrangements with Bungil Shire were a "*more suitable course of action than the amalgamation of the two.*" Despite a slight change to the composition of Bungil Shire Council at the election, Bungil Shire Council has consistently opposed amalgamation.
- 9.4 In relation to Roma/Bungil, the Commission had received a total of 28 submissions as at 31 October, 1991. A public hearing was held in the Roma/Bungil Community Centre on 24 and 25 June, 1991. The Commission heard evidence from the two LAs, as well as Maranoa Economic and Tourism Development Association, Maranoa Graziers' Association, Injune Chamber of Commerce and Industry, Roma and District Chamber of Commerce, Cattlemen's Union Roma/Wallumbilla Branch, Graingrowers' Association, and interested individuals. Further information regarding submissions and witnesses is contained in Appendices D and G.
- 9.5 Roma Town is situated in the southern part of Bungil Shire. Injune, approximately 75 kilometres to the north, is the largest centre of Bungil Shire. Roma is the major service and administration centre for a large rural hinterland comprising the LGAs of Bungil, Bendemere, Warroo, and Booringa which surround it. Map W.10 in Appendix W shows the existing boundaries and major geographic features of the Roma and Bungil LAs.
- 9.6 Roma Town Council was incorporated in 1867 (Tucker 1981, p.496). The Bungil Divisional Board was gazetted in May 1880 (EARC File 010/790).
- 9.7 Since 1880, there has not been any significant boundary change to either Roma or Bungil LGAs. Answers to the Commission's Questionnaire indicate that no proposals for boundary change between Roma Town Council and Bungil Shire Council have been raised in the last ten years.
- 9.8 Roma Town Council covers an area of 78 square kilometres whereas Bungil Shire Council has an area of 13,302 square kilometres. As at 30 June 1989, Roma Town had a total of 208 kilometres of road, of which 83 kilometres were sealed. There were 5,098 motor vehicles registered. Bungil Shire had a total of 2,023 kilometres of roads, of which 531 kilometres were sealed. There were only 736 motor vehicles registered (ABS 1991d).

9.9 Roma Town has a significantly higher population density than Bungil Shire and the population growth rate of Roma Town exceeds that recorded for Bungil Shire. The Census figures show a population for Bungil Shire of 2,117 persons in 1947, rising to 2,628 in 1961, and falling to 2,111 in 1976. The population of Roma Town rose from 3,880 persons in 1947, to 5,996 in 1966, but decreased to 5,899 persons in 1976 (ABS 1947; ABS 1954; ABS 1961; ABS 1966; ABS 1971; ABS 1976). Further demographic data for the two LAs are summarised in Table 9.1.

Table 9.1
Selected Demographic and Geographic Features of Roma Town
and Bungil Shire

LA	Estimated Resident Population 1990	Area (km ²)	Popln. Density (persons/km ²)	Average Popln. Growth 1986-1990 (%)	No. of Electors June 1991	Population Rural 1986 (%)
Roma	6,991	78	89.63	1.02	4,128	6.08
Bungil	2,031	13,302	0.15	-0.75	1,454	81.43

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern; and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, their residents are classified as rural population.

This data represents 1986 Census material and developments since that time are not included.

Sources: ABS 1986a; ABS 1991b; ABS 1991c; State Electoral Office 1991.

9.10 Each LA has one principal urban centre. The township of Injune in the northern end of Bungil Shire had a 1981 Estimated Resident Population (ERP) of 407 and in 1986 an ERP of 395. The town of Roma had a 1981 ERP of 5,706 and 1986 ERP of 6,069 making it the thirty-fourth largest urban centre in Queensland in 1986 (ABS 1988). Between 1961 and 1986 Bungil Shire recorded a negative growth rate. For the 1961-1966 period, Bungil Shire showed a population decline of 6.2 percent whereas Roma Town recorded a population growth rate of 7.6 percent. Roma Town recorded population decline of 2.1 percent between 1966 and 1971, Bungil Shire recorded population decline of 1.3 percent. Between 1971 and 1976, Bungil Shire showed a population decline of 11.6 percent; Roma Town had a population growth of 0.5 percent for the corresponding period. Between 1976 and 1981, Roma Town again showed a population decline of 3.3 percent. For the same period, Bungil Shire showed population decline of only 1.5 percent. (ABS 1961; ABS 1966; ABS 1971; ABS 1976; ABS 1981a; ABS 1986a). Thus, the population decline in Bungil Shire was not as severe for the periods in which Roma Town recorded negative growth rates. Table 9.2 provides demographic information on the two LAs.

Table 9.2
Population of Urban Centres and Rural Localities over 200 persons 1966-1986

LA	Urban Centre/ Rural Locality	Population June 1966	Percent	Population June 1986	Percent
Roma	Roma	5,996	100.00	6,069	93.92
	Rural			393	6.08
	Total	5,996	100.00	6,462	100.00
Bungil	Injune	..	..	395	18.57
	Rural	2,562	100.00	1,732	81.43
	Total	2,562	100.00	2,127	100.00

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern;
and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, then residents are classified as rural population.

For the 1966 Census an attempt was made to identify a nucleus of dwellings using information from census schedules. These procedures were adopted in an effort to obtain data for unbounded localities on a basis more comparable with those of urban centres. As a consequence the apparent size of many localities was reduced from that shown in previous censuses. Care should therefore be taken when comparing 1966 census unbounded locality data with data published from previous censuses.

This data represents 1986 Census material and developments since that time are not included.

".." Not applicable.

Sources: ABS 1966; ABS 1986a; ABS 1991b.

- 9.11 Table 9.3 shows the number of staff employed by Roma Town Council and Bungil Shire Council. In response to the Commission's Questionnaire, Bungil Shire Council advised that 12 members of its staff resided in Bungil Shire and 43 staff members resided in Roma Town. Roma Town Council advised that 64 members of staff resided in Roma Town, four staff members resided in Bungil Shire and one staff member resided in Bendemere Shire.

Table 9.3
**Number of Staff Employed by Roma Town
and Bungil Shire**

LA	Office/Admin	Field	Total
Roma	18	51	69
Bungil	10	45	55

Source: EARC 1991b, pp.1-3

- 9.12 The beef cattle industry introduced by the first settlers of the area has been a major contributor to the region's economy. Roma is regarded as the biggest store cattle selling centre in Australia (Alderman Hatcher, T861; Councillor Freeman, T756). The rural sector is also reliant on sheep and agricultural pursuits as well as forestry. Timber harvests from approximately 370,500 hectares of the Roma Forestry District represent a stable industry. A quota system is in place to ensure a sustainable yield and a continuity of activity into the future (Office of Local Government 1987; EARC File 010/O/214).
- 9.13 Although the Roma/Bungil area has been dominated by pastoral and agricultural activities, the oil and gas industry now comprises a major component of the local economy. Gas and oil have been extracted on a full commercial basis since the early 1960s. A pipeline to Brisbane refineries was completed in 1964. As the level of activity in exploration often varies, the industry experiences considerable fluctuations (Office of Local Government 1987).
- 9.14 A large proportion of the private sector in Roma is employed in the wholesale and retail trades, underlining the regional service function of Roma. In 1987-1988, Roma Town had a total of 16 manufacturing establishments. By contrast, Bungil Shire had four manufacturing establishments in that same year. Roma Town had 87 retail establishments yielding a \$45,526,000 turnover in 1985-1986, whereas Bungil Shire had 13 retail establishments with a \$1,994,000 turnover (ABS 1991d).

Matters For Consideration

- 9.15 Demographic and geographic considerations and particularly the community of interest principles categorised Roma/Bungil as a priority case meriting further review. The Commission decided to examine a situation in a western area where a Town was surrounded by a rural Shire with the two administration centres in the Town. Similar cases (Dalby/Wambo and Goondiwindi/Waggamba) were on the original priority list but the Commission had to reduce the list because of emerging complexity and time constraints. The reasons for selecting Roma/Bungil over the other similar cases were marginal but as events turned out Roma/Bungil was a fortunate choice because it gave the Commission the opportunity to examine an innovative co-operative arrangement as an alternative to boundary change.
- 9.16 The community of interest principles applied to the present review of Roma/Bungil include:
- (a) the spatial pattern of human activities (eg. where people live, work and engage in recreation);
 - (b) general community self-awareness;
 - (c) efficient and effective use of physical and human services;
 - (d) urban and rural interdependence;
 - (e) centres of administration and service easily accessible to all citizens; and
 - (f) economic makeup.

- 9.17 In this case, community of interest exists between a rural LA with a large area (13,302 square kilometres) and a small population (2,031 persons - ERP 1990), which completely surrounds an urban LA of only 78 square kilometres but with a larger population (6,991 - ERP 1990). The demographic and geographic aspects therefore assume a far greater importance. Whether effective representation would be lost in any boundary change then becomes a major issue.
- 9.18 Future growth, co-ordinated planning and development of Roma/Bungil must also be considered, particularly in light of the rural decline.
- 9.19 Roma Town and Bungil Shire have engaged in a number of joint arrangements in the past. The proposed formal cost sharing agreement between Roma Town Council and Bungil Shire Council is the latest joint arrangement between the two LAs. A past history of effective co-operation between the LAs needs to be considered when examining any future proposal as an alternative to boundary change. Generally, a joint arrangement should improve the situation where, for example, there is a duplication of services, a poor provision of services, subsidisation of services, or where lack of co-ordinated planning and development is evident.

Evidence and Arguments

- 9.20 For analysis purposes, the revised principles and indicators identified in Chapter Four are applied to the evidence and arguments.

CO-ORDINATED PLANNING AND DEVELOPMENT

- 9.21 The Mayor of Roma Town Council, Alderman Braithwaite, (S252, p.2) stated:

"Urban overspill is not a problem in this community, and with thoughtful planning by both councils and revision of the town plan to take place shortly, should not cause concern in the future."

- 9.22 Alderman Braithwaite (T707) added that Roma Town had a population of only 7,000 in an area of 78 square kilometres: *"Warwick, I understand, only has a third of that area. So, you know, we have got a fair bit of room to move."*

- 9.23 Bungil Shire Council (S1532, p.16) argued:

"Both authorities are aware of the need to take a regional view of their functions; but the Town is best advised to focus on maintaining Roma as an attractive, prosperous town, while the Shire ought to focus on the difficult issue of assisting the rural sector to cope with difficult economic conditions in the future."

- 9.24 The Maranoa Economic and Tourism Development Association Management Committee (METDA) in its original submission was strongly in favour of amalgamation for the overall benefit of the Maranoa Region. The President (S687, p.12) contended that:

"... the 'them and us' mentality must not stand in the way of securing population growth and development for the whole Maranoa ...

A larger authority will give the Maranoa a more substantial and viable economic base from which to stimulate growth. If we do not choose to plan for the future we will go backwards and fail to compete with the other more viable Local Authorities."

- 9.25 At the public hearings in Roma, Mr Garvey and Mr Orr gave evidence as representatives of METDA which differed from the Association's original submission. Mr Garvey and Mr Orr (T790-791) argued for the maintenance of the status quo together with the formal agreement as proposed between Roma Town Council and Bungil Shire Council. There were differences of opinion within METDA at the public hearings. The Commission gave two METDA members, Alderman Hatcher and Mr Raynor, an opportunity to put an alternative view. Their evidence, in support of amalgamation, is at T856-870.
- 9.26 Notwithstanding the evidence given at the public hearings, METDA (S2722, p.1) confirmed its original submission to the Commission, supporting amalgamation, as being that of the majority of the Association. A copy of the Association's resolution to clarify its views was annexed. Certain misunderstandings had led to the presentation of only a minority view at the public hearings.
- 9.27 Councillor Behrend (T734) sought to discount the view of METDA by advising that METDA's total membership was less than 40 and was comprised mainly of Roma businessmen.
- 9.28 Alderman Stansbie (S732, p.16) opposed amalgamation but believed: *"There is a strong case FOR the formation of a Regional Council, meeting once or twice a year to formulate, plan, develop and encourage Regional matters."*
- 9.29 Alderman Stansbie (T786) explained that:
- "... my concept of a regional board is to cover the whole region, including as far away as the Bauhinia shire and Waroo ... whereas I feel the council's concept is to employ a regional development officer for Roma/Bungil and I wouldn't say that would be detrimental to the Roma town or Bungil shire, but it hasn't got the scope that I think we would have to apply if we really want to get on to tourism and major road development."*
- 9.30 Bungil Shire Council Chairman, Councillor Behrend, (T750) argued that:
- "... as far as development is concerned, we've got two identities in our own right, and whenever you go to government or you go for money, or whatever, as far as - my concern is I believe that over a long period of time, I'd sooner fight one person than two."*

EFFICIENT AND EFFECTIVE PROVISION OF SERVICES

- 9.31 The answers to the Commission's Questionnaire revealed that the two LAs perform for the most part a similar range of functions. The functions performed by Roma Town, but not Bungil Shire, include flood mitigation, promoting industrial development, and control of off-road vehicles. Unlike Roma Town, Bungil Shire provides the services of caravan park construction, maintenance and operation; camping sites; and aged/disabled housing, nursing homes, and school hostels.
- 9.32 Bungil Shire Council (T744) contrasted Roma Town with itself stating: *"Our functions are completely different; the areas are completely different."* Bungil Shire Council (T744) added that:
- "... a lot of Roma's activities are based on their undertakings - their water, gas, sewerage undertakings - and there are economies of scale where you have population concentrations. There is no doubt about that, and therefore they have got those things in which there are economies of scale, and then as the chairman mentioned they have got limited town streets requirements compared with Bungil."*

9.33 The previous Mayor of Roma Town Council, Mr Coomber, (T763) stated that: *"... generally speaking, the attitude of country people and town people are a little different in what they regard as desirable standards of facilities, perhaps, that sort of thing."*

9.34 The provision and maintenance of roads is of paramount importance to the people of Bungil Shire because roads provide vital economic and social links. Mr Douglas of the Roma/Wallumbilla Branch of the Cattlemen's Union (T838) stressed that: *"... as far as rural people and cattle people are concerned, roads - the emphasis on roads - and our need for those. It's a very strong point which I can't over emphasise."*

9.35 Bungil Shire Council (T746) again emphasised the necessary priority placed on the function of roads:

"... the road structure is not only to get goods and services to a city or municipality, or vice versa, we must look at the education angle as well, as we put a lot of emphasis in Bungil Shire on education. We have I think something like 10 or 11 major bus runs within the shire and some feeder bus areas, and over the last 15 years that I've been in Bungil Shire, we continually get people writing in asking us to improve our road facilities for those children that do travel over our road, and I think that is a very important part of the overall situation, as far as our expenditure on roads is concerned."

9.36 Roma Town Council indicated in response to the Commission's Questionnaire that it would provide the following services if resources permitted: youth recreation centre; regional development officer; a rural training college property; noxious, offensive, and hazardous-zoned estate. Bungil Shire Council did not indicate any additional functions which it would perform if resources permitted. Mr Sullivan of the Graingrowers' Association (T850) identified, however, that:

"... the main area that the Bungil Shire is made up of is a catchment area. It's a catchment area to some of the rivers that run into the Darling River system. It's divided that way by a dividing range, and it's divided north and south by another division, where you have the Maranoa catchment area, and you've got the Bungil catchment. This is the reason why I believe that there's going to be in the next quarter of a century unreal and untold pressure put on the shire to help in construction of better soil conservation."

9.37 The Roma area draws its water supply from a series of bores. The level of performance of the supply system is of some concern and problems of unreliability of supply and pressure deficiencies have often been encountered. Councillor Freeman of Bungil Shire Council (T753) believed that:

"... the inhibiting factor to growth in the Roma area has always been insufficient water, so I don't think there's going to be any great tremendous growth in the future unless this problem is addressed. We go on the artesian system and that is the sole source of water here. Unless some dam scheme was to go in in the future I don't believe that any great industry growth would occur in this area."

9.38 The Water Resources Commission stated in information supplied to this Commission (EARC File 010/O/214) that the existing capacity of water supply is not sufficient for Roma Town. The Injune water supply located approximately 60-70 kilometres from Roma Town's water supply is the only scheme maintained by Bungil Shire. In the opinion of the Water Resources Commission (EARC File 010/O/214): *"Water supply, Sewerage, Drainage or flood mitigation, would generally not be affected by the merger of these two Councils."*

- 9.39 Roma has a sewerage treatment plant which is currently operating near full capacity. Roma is now connected to the State electricity grid, superseding the local gas-powered generator. Natural gas is now reticulated through most of Roma and is being extended progressively as Roma develops (Office of Local Government 1987; EARC File 010/O/214).

FUTURE PROJECTED GROWTH

- 9.40 Bungil Shire Council (T753) stated that insufficient water supplies had always been "the inhibiting factor" to population growth in the Roma area.
- 9.41 Bungil Shire Council (T749) argued that:

"... the previous population decline in the Bungil Shire has been turned around. We have got a - albeit a very modest increase, maybe only five people from June '89 to June '90, but it has gone up. Some of that, no doubt, is attributable to the recent gas exploration at Yellow Bank, in the north-western area of our shire, which feeds into the Gladstone pipeline.

From evidence we have, that work will certainly increase and could generate quite a few more jobs in that area. But even apart from that, there have been - not a lot - but there are subdivisions coming in. There are new building approvals happening in the shire, and we would like to think that we're at least static, anyhow, and possibly increasing in population."

COMMUNITY OF INTEREST

- 9.42 Community of interest is a fundamental principle for the review of LA external boundaries and one which identified Roma/Bungil as a priority case for further examination.
- 9.43 Bungil Shire Council (S1532) has strongly objected to its being a priority case based on community of interest, particularly in relation to the northern end of Bungil Shire around Injune.
- 9.44 The Injune Chamber of Commerce (T821) stated:

"Our community's interests with Roma Town Council is nil. Ask any Injune and district person where they come from. They don't say Roma. They are proud to be members of the Injune community. They have their own organisations, such as the one that we are. The political, business, and public bodies are concerned for their community efforts in association in part with their shire council.

The residents of the town and shire are long term residents. They are not like the floating population of Roma town who come and go according to their work or their business or professional interests."

- 9.45 A contrary view was put by Mr Coomber (S732, p.3), when he was Mayor of Roma Town Council, who submitted that there is a "very strong community of interest" between Roma Town and Bungil Shire. Further:

"The suggested 'Community of Interest Principles' as outlined in section 5.2 page 24 of your Issues Paper quite accurately reflects the situation that exists in the Roma/Bungil community. This community of interest is somewhat less in the northern parts of Bungil Shire where the town of Injune has a limited role as a community centre. It could be argued that the western parts of Bendemere Shire have a greater community of interest with Roma than do the northern extremities of Bungil Shire."

Reflect local communities, and the spatial pattern of human activities

9.46 Roma Town Council (T716) argued that:

"... we have a community of interest with Bungil Shire. We also have a community of interest with Toowoomba because a lot of people do their shopping there. We have a community of interest with Brisbane because that's where the majority of our goods come from. Now, how far do you go with these things."

9.47 In answer to the Commission's Questionnaire, Bungil Shire Council stated that its residents make moderate use of Roma Town's cemetery, swimming pool, and library. Roma Town Council stated that Bungil Shire residents make substantial use of its library, pool, cultural and community services, parks, recreation ovals, and airport. Bungil Shire Council stated that residents of various LAs made minor use of its swimming pools and parks. Roma Town Council said its residents did not use the facilities of any other LA.

9.48 Mr Golder, a Roma businessman in retailing, (T829-830) stated:

"Community of business interest between Roma town council residents and Bungil shire residents is very real. That having been said, Toowoomba looms high as a business centre also for Bungil residents as well as Roma town."

Boundaries reflect the economic makeup of an area

9.49 Communities of interest have developed according to the economy of the area. As put by Bungil Shire Council (T744):

"... it comes back to the operation of what those people do. Some of these people have been living in Bungil Shire for 100 years, they identified themselves with Bungil Shire, their families are still here. Our main source of revenue, naturally is agriculture on three fronts, the cattle industry, the wheat industry and the wool industry to a lesser extent. And I think people generally when asked the question of where they come from, they will give an answer something like this: I believe I come from say, 40 miles, or 40 ks north of Injune. We live in the Bungil Shire."

Urban and Rural Interdependence

9.50 Alderman Hickey (S732, p.9) argued that the functions "now jointly shared by Roma Town and Bungil Shire are irrefutable reasons for the Town needing the Shire and conversely the Shire needing the Town."

9.51 Bungil Shire Council (T733-734) acknowledged that:

"... there is interdependence or community of interest between Roma and those parts of the shire in close proximity to Roma, which is basically a commercial interest. However, this sphere of interest dissipates as you move to the northern parts of the shire. This was acknowledged in the submission of the former mayor of Roma."

The community based on Injune is fiercely independent, and self-supporting with a strong business centre, and adequate for services and facilities. There are in fact many residents in the surrounding shires who use Roma as a shopping, commercial centre, more than a lot of Bungil Shire residents, particularly in the northern parts of the shire."

- 9.52 Mr Douglas of the Roma/Wallumbilla Branch of the Cattlemen's Union (T841) acknowledged an urban and rural interdependence:

"THE CHAIRMAN: ... you mentioned ... that this debate has polarised the communities, the rural and the town communities. But isn't the current situation already polarised, in that you have a separate town interest represented by one local authority and a separate rural shire representing the people in the rural areas, does not that produce a polarisation?"

MR DOUGLAS: No, it doesn't. No, we are interdependent. We recognise our dependence on one another. The business people in Roma recognise the buying purchasing power of the people that produce outside, the people who live outside Roma, welcome having a good town with good services, good shopping, you know, there is an interdependency. There is not a polarisation. Polarisation is probably about maintaining the lifestyle, and certainly the road system, which supports our industries."

- 9.53 Mr Golder (T831) and Mr Raynor (T834) warned that if the LAs were to be amalgamated, Bungil Shire residents would transfer their business to Toowoomba which is only three and a half hours drive away in reaction to what would be perceived as a loss of effective rural representation. Mr Raynor (T834) said that: *"... businessmen fearing commercial backlash. I think that's a very real fear. Whether that should stop us doing the right thing or not is a different story."*

Community self-awareness and community based action

- 9.54 Bungil Shire Council (T745-746) observed:

"The Bungil Shire consists of - there are a large number of communities within the Bungil Shire. There is, for example, the Eumamurrin, Bymount, Blydale, Gunnalong West, Injune, Yellow Bank ... There are little separate communities of interest within the Bungil Shire, which - with similar tastes, they pursue the same culture, the agricultural pursuits. They are united under various producer organisations, and they band together under the Bungil Shire banner.

...

... They have got agricultural pursuits, they have got unity of interest."

- 9.55 Bungil Shire Council (T746) agreed that what binds them together is the need to have an LA to maintain the roads to the properties of its residents and to give that top priority.
- 9.56 The Injune Chamber of Commerce (S686) objected to amalgamation on the grounds that it has no common interest with the residents of Roma Town. Its submission enclosed a petition bearing 350 signatures supporting that view. As already observed, Injune had a population of 395 persons in 1986 (Table 9.2).
- 9.57 The Injune Chamber of Commerce (T824) stated that:

"... the general business that exists in a small town such as Injune lends itself more for community of interest than it would in a town the size of Roma. Now Injune - the majority of businesses in the Injune community service the small business people who live outside the town, and that's us, the grazing community. There are lots of businesses in the Roma community that just have no bearing much on the rural community."

Accessible centre of administration and service

- 9.58 The administration centres for both Roma Town and Bungil Shire are situated in Roma. Answers to the Commission's Questionnaire revealed that the distance between the administration centres is only 100 metres. Bungil Shire Council (S1532, p.13) defended this situation:

"Federal and State governments in Australia are noted for their emphasis on separate, specialised organisations for each narrow function. We should think of Roma and Bungil Councils as being like separate departments of State and Federal government, because their functions are so different."

- 9.59 Further, Bungil Shire Council (T734) submitted that the answer :

"... clearly demonstrates that the location of the administration centre and the major portion of council's workforce in Roma, the centre of the most densely populated area of the shire, is the optimum solution in terms of access to ratepayers, and servicing of the road network."

- 9.60 The Injune Chamber of Commerce (T822) rejected the suggestion that simply in terms of distance, it would make no difference whether Bungil Shire and Roma Town continued the way they were or amalgamated:

"You have to appreciate that the Bungil Shire was formed perhaps 100 years ago. The town of Injune wasn't formed until 1920. Now had our founding fathers had a little town such as Injune is and had that district been of necessity a council in those days, then certainly, the centre of the shire would have been Injune."

- 9.61 The Injune Chamber of Commerce (T823) argued that the administration centre has remained in Roma "purely" for economic reasons and not because there is a community of interest with Roma Town.

Effective elected representation

- 9.62 The major argument against amalgamation was that effective elected representation for both residents of Roma Town and Bungil Shire will be compromised. Alderman Reardon (S732, p.16) warned: *"Loss of representation is a real fear and must be satisfactorily addressed."*

- 9.63 Alderman Braithwaite (S252, p.2) believed that Roma is a successful western town because the Council has rightfully been dedicated to its role of promoting Roma. Also, he submitted:

"Roma Town as the centre, with the highest population, will have the most representatives on a combined council, whatever the number of elected representatives, due to the already decided principle of one vote one value. We could try to create equal divisions by splitting the town itself into areas, combined with the country vote, however in practice that would seem impractical."

- 9.64 The Graingrowers' Association strongly opposed amalgamation on loss of representation grounds. The Association (S854, p.3) added that *"the One Vote, One Value Method in this case of assessment is most unfair."*

- 9.65 Bungil Shire Council (S1532, P.20) stated:

"The average number of electors per member may be relatively low but that is exactly what the electors desire as it affords better representation. Similarly, population density is low. This should not mitigate against Council as the large area involved necessitates more time to adequately service the ratepayers."

- 9.66 Bungil Shire Council is particularly concerned at the effect that loss of rural representation would have on the priority of the roads function. The Shire Chairman, Councillor Behrend, (T736) said:

"But there must be, and I emphasise, there must be an interest in the community at large. And I believe that people living in Roma could not, and would not, have the time to come and look at our road structure and problems associated with the Bungil Shire. And again, as I said before, I don't believe that our people would have the time to look after that area and represent it as well as they do at the present time, particularly at grass roots level. And I think that's what local government is all about."

- 9.67 Indeed Mr Coomber, the previous Mayor of Roma Town Council, (T777-778) said:

"For instance, we had a lot of ratepayers in Edward Street, which was a long street in town, that had a dirt road and had long complained that they wanted a bitumen road, and, over a couple of years period, we did it and they now have a bitumen road. On the southern road, we took the bitumen as far as the golf club, and we didn't see any justification in going further because there was virtually nobody out there. When you get to the Bungil shire boundary, they considered that road was a priority for their ratepayers, and so they put bitumen from their boundary down for the next 20 kilometres or so."

"So leaving Roma, you have bitumen to the golf club, dirt road to the town boundary, and then bitumen road again for the shire residents, you see. So that's one area where the priorities of the two councils don't co-ordinate, and so it's an anomaly."

- 9.68 The emphasis on roads is not the only function peculiar to the rural people of Bungil Shire. The Graingrowers' Association (T847) advised:

"Less local government representation by amalgamation in this area would be disastrous. The spread of the vicious pertanium weed in the north and south of the shire has been strongly supervised by the Bungil Shire staff."

- 9.69 Both Roma Town Council (T712, T785) and Bungil Shire Council (T735) feared that amalgamation would jeopardise quality representation, because the workload of a combined LA would be greater than either of these two existing LAs, but the number of members would not increase proportionately. Moreover, the quality of candidates contesting Council positions would be less because the more successful and active community people would be *"loathe to stand because of the time involved"* (T712).

JOINT ARRANGEMENTS

- 9.70 The Roma-Bungil Showgrounds and Saleyards Board was constituted under section 20 of the *Local Government Act 1936-1991* as a joint local authority. The By-laws were gazetted on 15 March 1969. The function of this Joint Board is the construction and operation of saleyards, showgrounds, racecourse, and sporting complex. The answers to the question on Joint Boards in the Commission's Questionnaire revealed

that the Board's most notable achievement was that the saleyard and Bassett Park were completely debt free. Further, Bungil Shire Council stated that the saleyard is the top store cattle selling centre in Australia and Bassett Park is a modern multi-purpose recreation facility.

- 9.71 The Chairman of Bungil Shire Council, Councillor Behrend, (T750) advised that the saleyards generate a \$60 million industry. He (T755) added:

"I go back 15 years on that board, and I do make the point that these arrangements have worked extremely well, and the casting vote has never to my knowledge ever been used."

- 9.72 The Mayor of Roma Town Council, Alderman Braithwaite, (T730-731) also said:

"I've been on that joint board for the last six years, going on to my seventh year, and I've never yet come across a situation where there has been a dispute that wasn't able to be resolved amicably. In fact, I don't even know of any dispute, to be honest."

- 9.73 Bungil Shire Council (T733) identified additional previous joint arrangements as *"the Roma swimming pool July 1970, the aerodrome July 1976, cemetery early 1970s. Roma/Bungil Cultural Centre and library January 1986."*

- 9.74 Roma Town Council (T729) stated that the per annum contributions by Bungil Shire Council have been approximately \$28,000 towards the Cultural Centre and the library; \$4,000 towards maintenance and costs of the swimming pool; \$10,000 towards the cemetery; and \$10,000 towards the aerodrome.

- 9.75 In response to the joint arrangements question of the Commission's Questionnaire, Bungil Shire Council stated that it contributes \$28,000 per annum to finance a debenture loan of \$150,000 which was used for construction of the Cultural Community Centre, 40 percent on net operation costs towards Roma Town cemetery and \$4,000 per annum towards operation of the swimming pool, and is to contribute \$12,000 (20 percent) of the estimated cost of a learn to swim pool and shade canopy. Bungil Shire Council further identified a Roma and District Community Support Association of which Roma Town and Bungil, Bendemere, Booringa, and Warroo Shires are members. Each LA contributes \$1,000 per annum to this Association which deals with construction of low rental housing, crisis accommodation and general social work.

- 9.76 Answers to the question regarding Joint Agreements in the Commission's Questionnaire indicated that the parties to the Airport Maintenance Agreement included Bendemere Shire (10 percent), as well as Roma Town (50 percent) and Bungil Shire (40 percent). The most notable achievement is the recent extension and lighting of the runway. Roma Town Council stated, however, that there have been difficulties with funding of maintenance and capital improvements. Bungil Shire Council claimed that the difficulties occurred because Bungil Shire is also responsible for Injune Airport. Formerly Warroo Shire was also a party to the Airport Agreement. Mr. Coomber, previous Mayor of Roma Town Council, (T774) expressed concern:

"... about how binding an agreement would be when Waroo simply withdrew from the airport agreement and failed to make any further payments towards their share of the running costs. It's a matter that I presume our council could have pursued before the courts but for the amount of money that was involved; we found it wasn't worthwhile pursuing."

9.77 Many informal joint arrangements have been entered into by Roma/Bungil. For example, Bungil Shire Council's answer to the Commission's Questionnaire showed that Roma Town and Bungil Shire share a Health/Building Surveyor.

9.78 Another example of an informal arrangement was supplied by Roma Town Council (T728):

"... sporting facilities, normally what would happen there is if we'd felt that Bungil were using certain sporting facilities and we needed to do something about it, quite often Bungil would bring their equipment in and help us out, shape an oval or do something like that."

9.79 The history of joint arrangements for Roma/Bungil is characterised by frequent informal arrangements. The effect of a successful Showgrounds and Saleyards Board with equal representation from each LA has contributed to this history as the Shire Clerk of Roma Town Council, Mr. McKenzie, (T730) observed:

"So when you have an organisation like that in place, it brings you together every month, because we have monthly meetings, and which I am the secretary of. So you've got an inbuilt case of liaison all the time. And that's what's brought the two local authorities so close together."

9.80 Not all joint arrangements between Roma Town and Bungil Shire have been successful. Mr Coomber (S732, p.4) came to the conclusion: *"The current system of contributions and joint arrangements that exists between Roma Town and Bungil Shire Councils is haphazard and unsatisfactory."*

9.81 Mr Coomber (T765) also stated that the negotiations with Bungil Shire on their contribution to the Community and Cultural Centre were quite protracted:

"We tried to squeeze as much as we could out of them. Yes, they were quite protracted."

...

... probably over 12 months."

9.82 Further questioning of Mr Coomber (T766) revealed:

"THE CHAIRMAN: ... do you believe that an amalgamated authority covering both Roma and Bungil could have proceeded with the construction of this facility more quickly than in fact occurred ?"

..

MR COOMBER: .. I don't think it would have delayed it to any great extent, but certainly that wouldn't - that process wouldn't have been necessary."

- 9.83 Alderman Hatcher (T859) described his time serving on the Roma Town Council as one where *"there has been a complete lack of trust between both councils in terms of communication."* In support of this observation Alderman Hatcher (T859) provided as an example the arrangements for the Community and Cultural Centre:

"... last year, on Roma town figures, the cost of maintenance of this combined section of the building was \$50,000, of which we got \$20,000 back in hire fees.

The people who support the maintenance of this building ... to the tune of \$30,000 a year are the Roma ratepayers. Now, when - there was never any sort of discussion that Bungil would contribute to this and the mayor is now pushing a point that we can co-operate. Now, he has had six years as the finance committee chairman to get together and co-operate and work out something ... that is fairly basic like maintenance on this building. And we haven't been able to achieve it."

- 9.84 It is apparent to the Commission that success of joint arrangements depends, at least in part, on the personalities involved. For example, a resident of Roma for the past 36 years, Mr Stansbie, (T780) believed that the success of the Saleyards and Showgrounds Board could be attributed:

"... in the first instance, to the dictatorial role that the late Honourable Ken Tomkins took in that his attitude was, 'We are going to do it because it's the best thing to do,' and I know the Show Society in the first instance weren't in favour of it; I don't really think a lot of other organisations were in favour of it, but with his rather persuasive ways he convinced everybody that it was good, and it has been proved since to be the ultimate."

- 9.85 Mr Clem Jones, a previous Lord Mayor of Brisbane City Council, (T2276) agreed that a lot of the success of the "Contiguous LAs" group involving the Brisbane City Council and surrounding LAs which he had established was due to the personalities involved. Further, Mr Jones believed that the circumstances prevalent at the time such as the pressing need to reach an agreement to solve a problem for the benefit of all involved, promoted successful negotiations.

FORMAL AGREEMENT WITH ROMA TOWN COUNCIL

- 9.86 Opponents of the total amalgamation of Roma Town and Bungil Shire have argued that joint arrangements are a better alternative. Councillor Behrend of Bungil Shire Council (T732-T733) stated that:

"... the formal arrangements agreement between Roma Town and Bungil Shire Councils is an ideal solution, and far superior to the alternative of amalgamation. It satisfactorily addresses any prior concern of the Roma Town Council regarding equitable payment for services and facilities used by shire residents. And at the same time enables the individual councils to carry out the respective functions with optimum representation, and to remain master of their own destinies."

- 9.87 A formal joint agreement was negotiated by Roma Town Council and Bungil Shire Council since the commencement of the Commission's review. Essentially, the agreement is a cost-sharing arrangement for cultural, sporting, recreational, and tourism matters. The proposed agreement covers those facilities or services for which Bungil Shire residents have use, but for which Roma Town has been providing the full or substantial cost.

- 9.88 In the recitals to the agreement (S3169), Bungil Shire Council acknowledges that its residents use facilities provided in Roma Town. Subject to the Minister's consent under subsection 32(3) *Local Government Act 1936-1991*, Bungil Shire Council resolved to contribute towards the provision of those facilities in Roma.
- 9.89 The Commission notes that there are three basic elements to the agreement:
- (a) The recurrent costs of existing facilities are to be shared between Roma Town and Bungil Shire. The contributions are based on population, currently Roma Town (77.5%) and Bungil Shire (22.5%). The relevant facilities are the Cultural Centre, Tourism Promotion, Library, Swimming Pool, other Recreational and Sporting Facilities and Cemeteries. The agreement provides that Roma Town will provide \$156,526 and Bungil Shire will provide \$51,122 per annum. Future contributions will be adjusted for inflation.
 - (b) The creation of a Capital Reserve Fund with contributions of \$100,000 per annum adjusted for inflation. Initially, Roma Town will contribute \$77,500 and Bungil Shire \$22,500. The Capital Reserve Fund will be expended on capital items in the following areas:

cultural centre improvements, tourism, community and youth centre, sporting facilities, regional development officer, rural college development and industrial estates.
 - (c) Provision for future co-operation in such areas as land fill disposal (including rubbish tips); use of natural resources such as crush aggregate and gravel deposits; and formulation of regional policies for joint venture projects and representations to State and Federal Government.
- 9.90 The contributions set out in the agreement are in addition to existing cost contributions such as the Airport Maintenance Agreement, Cultural Centre and aerodrome improvements loans.
- 9.91 Current per annum contributions payable by Bungil Shire and the formal agreement (S3169) and existing agreements are itemised in Table 9.4. This contribution would constitute 1.82 percent of Bungil Shire's 1990-1991 Estimated General Fund Total (Budget Statements 1990-1991) of \$6,427,700.
- 9.92 Pursuant to subsection 15(2) of the *Local Government Act 1936-1991*, the agreement establishes a joint committee with six members, three from each Council. The Mayor of Roma Town Council must be a member of this committee and is the Chairman of the committee with the casting vote.
- 9.93 The agreement provides that if either LA does not pay a contribution payment by the due date then that sum is deemed to be a debt due and owing and accordingly is a liquidated sum recoverable in a court of competent jurisdiction.

Table 9.4
Bungil Shire Contributions to Roma Town for Facilities and Services
1991-1992

Contribution	Item	Amount \$
Proposed	Cultural Centre	11,503
	Tourism Promotion	3,150
	Library	5,344
	Sporting and Recreational facilities	12,690
	Swimming Pool	7,918
	Cemeteries	4,837

		45,442
Plus 12.5 percent		5,680

		51,122
	Capital Reserve Fund	22,500

		73,622
Existing	Airport Maintenance Agreement	9,712
	Discharge of Existing Loans for Cultural Centre and Aerodrome Improvements	32,741
	Roma and District Community Support Association	1,000

		43,453

	Total Assessment Payable 1991-1992	\$117,075
		=====

Source: S3169, First Schedule; S2596; EARC File 010/Q/29.

- 9.94 Roma Town Council (T704) stated that Roma Town proposed the formal agreement and that if it were not for the activities of this Commission the agreement would "possibly not" exist.
- 9.95 Alderman Hatcher (T860) stated that he did not believe that the proposed formal agreement was adequate. For example:

"... the Commonwealth Government granted a grant to the Roma Town Council of \$358,000 to put up student hostel accommodation in Roma. This was conditional on the Roma Town Council spending \$75,000 in contributions of land and sewerage or works associated with the building.

Now, I am certainly not against the idea of the hostel, and anything like this is obviously good for the town and the district, and that is my view. But I certainly can't see any value in Roma Town having to contribute 100 per cent to the contribution of that. And I also can't see that the agreement that is in place now that you can ask Bungil to contribute 22 1/2 per cent. On what grounds? You know, if anyone the major user of this will be Bungil and people outside the district."

9.96 Alderman Hatcher (T863) did concede, however, that the agreement is an improvement on the existing situation.

9.97 A main concern of Alderman Hatcher (T859), who was on the liaison committee set up to negotiate the terms of the agreement with Bungil Shire, is the haste with which the agreement was adopted: "... four meetings, the longest lasting an hour and a half, and I think the whole process took something like two or three weeks."

9.98 He further claimed (T858):

"I have no doubt that there has been an active process of intimidation of businessmen in town to support joint arrangements. This intimidation; I mean, one of own councillors has got up in a meeting and said that he has been told that he would lose accounts if he supported the idea of amalgamation."

9.99 Whilst Roma Town Council (T704) and Bungil Shire Council (T732) advocate the formal agreement specifically as a preferable alternative to amalgamation, others are not as convinced. Alderman Hatcher (T869-870) does not have confidence in the agreement because:

"... of past experience of contact and dealings with the Bungil Shire. Both of us have got a veto. The three members from each shire have got to go back to their own council to get approval, and you might be on the committee and feel it's a good thing but your council tells you, no, its not to go ahead because of financial considerations. I just don't think it's a workable situation."

9.100 Roma Town Council (T705) and Bungil Shire Council (T757) clearly stated that they intend to be legally bound by the agreement and they will take all possible steps to facilitate the adoption of this agreement. The formal agreement was executed on 10 October 1991. Bungil Shire Council (S3169) advised: *"The original and copies have been forwarded for stamping after which they will be sent to the Department of Housing and Local Government for the Minister's consent."*

Analysis of Evidence and Arguments

9.101 Although Roma Town and Bungil Shire perform a similar range of functions, Bungil Shire gives more emphasis to its rural road function. Significant community of interest is evidenced by urban-rural interdependence, close proximity of administration centres and spatial patterns of human activities. The demographic and economic makeup of Bungil Shire, however, necessitates an emphasis being placed on the road function by the LA. This is a reflection of the rural service concerns of Bungil Shire residents. Injune, though an urban centre, has a strong sense of community identity separate from Roma.

9.102 Given the strong link between provision of services and community of interest of Bungil Shire residents, the loss of effective rural representation is a relevant argument in light of the greater urban population and population growth in Roma. The Commission does not believe, though, that it is a sufficient argument against amalgamation, should no other structure or arrangement be developed and set in place.

- 9.103 Bungil Shire is a rural LA. Roma/Bungil is unlike Gympie/Widgee, for example, where the urban overspill areas are obvious. The properties in Bungil Shire are generally large rural properties generating income from rural land use rather than rural residential blocks of 600-2,000 square metres. Injune, the largest urban centre of Bungil Shire is situated approximately 75 kilometres north of Roma. In contrast, the largest urban area in Widgee Shire is Gympie South which is situated on the outskirts of Gympie City. The case of Roma/Bungil is characterised by a strong urban-rural interdependence whereas Gympie/Widgee reflects the phenomenon of a mixed urban/rural LA in which the boundary between residential and rural land use is increasingly blurred.
- 9.104 The fact of Roma Town and Bungil Shire's interdependence is corroborated by their long history of joint arrangements. The formal agreement negotiated between the two LAs, in reaction to this Commission's review, further acknowledges this interdependence. Despite the necessary emphasis on road works as a priority function, Bungil Shire demonstrates a responsible attitude to urban development. The Commission noted the high standards evident in the township of Injune in the course of a visit there on 25 June 1991.
- 9.105 Roma Town Council (T720) agreed that the joint committee to be established under the formal agreement is only a co-operative committee without standing in terms of delegated powers. The success of the Saleyards and Showgrounds Board can be largely attributed to the fact that it is constituted under section 20 of the *Local Government Act 1936-1991*. In effect, the functions delegated to it become the sole province of the Board and the LAs may not intervene unless the Board delegates those functions back to the LA.
- 9.106 The joint committee under the formal agreement will therefore not enjoy the same degree of autonomy as a Joint Board. In practice, Alderman Hatcher (T869-870) alluded to the possibility that the committee members would be puppets of their respective Councils, as the committee decision would effectively be the decision of the Councils and to that extent objectivity would be lost. There is, however, a distinction between the Saleyards and Showgrounds Board and the proposed joint committee in that the delegation of functions to the Board relates to one specific function, whereas the joint committee would cover a wider range of functions and a wholesale delegation to a non-elected body may be inappropriate.
- 9.107 Roma Town Council (T731) foresees potential problems with the success of the joint committee:

"Things can change: personalities as you said change, people change. So therefore we do need some sort of watchdog, and I would say the Electoral Boundaries Commission should really be put in place to do that."

At this stage, however, Roma Town Council believes that the agreement would be preferable to amalgamation.

- 9.108 It is clear to the Commission that the majority of the joint arrangements in Roma/Bungil have been informal and ad hoc in nature. Some members of Council are more prepared to reach agreement than others. This is an inevitable stumbling block at the primary stage of establishing the agreement/framework or simply agreeing that there is a need to agree. The operation of a joint committee under the proposed formal agreement would at least proceed on the basis of an established framework, and by virtue of the joint committee's existence, the need to agree is acknowledged.

- 9.109 The Commission recognises a significant community of interest between the two LAs as demonstrated by urban-rural interdependence, close proximity of administration centres, and spatial patterns of human activities between the LAs, particularly on a commercial basis. The Commission notes, however, that Roma Town has a relatively large area and there is no evidence of urban overspill or fringe rural residential development such as exists in other LAs examined by the Commission. The formal cost sharing agreement appears to be a worthwhile initiative which should be given an opportunity to work. The agreement clearly has the potential to improve co-operation and minimise duplication of facilities and services. On balance, the Commission does not favour amalgamation at this stage, but the matter should be kept under review.
- 9.110 Finally, the Commission would encourage LAs, in circumstances similar to Roma Town and Bungil Shire, to consider entering into legally enforceable cost sharing agreements. There is a clear public interest in such co-operative cost sharing measures. Agreements of this kind should not, however, be regarded as substitutes for boundary change where this is clearly the best remedy.

Recommendation

- 9.111 **The Commission recommends that:**
- (a) **Ministerial approval be given to the cost sharing agreement executed between Roma Town Council and Bungil Shire Council; and**
 - (b) **the performance of the agreement be monitored by an on-going boundaries review mechanism and if the arrangement proves unsuccessful, the question of amalgamation of Roma Town and Bungil Shire be reviewed again.**

CHAPTER TEN

GYMPIE / WIDGEE

Introduction

- 10.1 Gympie/Widgee was identified as a priority case for examination in Issues Paper No. 8 and remained a priority case after consideration of submissions.
- 10.2 Gympie City Council (S1864, p.2) proposed boundary change as the first option because it would be of benefit to the City. Map W.11 in Appendix W indicates the Council's proposed boundary change. As a second option, Gympie City Council proposed amalgamation of Gympie/Widgee because it would be of benefit to the region.
- 10.3 Despite Gympie City Council (S1864, p.6) nominating boundary change as the preferred option, it stated that:
- ".. the City, if expanded to the south as part of a boundary change proposition, will form a virtual division of the balance of the Widgee Shire. The Bruce Highway, the Mary River and the Northern Railway will be major contributors to this occurrence.*
- The breadth of the Widgee Shire at the Gympie location is not extensive and a constriction in this breadth could occur by moving the Gympie boundaries 'north/south'. Such a boundary change would have the undesired effect of virtually severing the 'eastern' and 'western' portions of the Widgee Shire."*
- 10.4 Gympie City Council (S1864, p.30) initially considered:
- "... the creation of a new Local Authority based on Rainbow Beach/Tin Can Bay ... This was not proceeded with as it involved other LGAs and appeared to be outside of the 'Terms of Reference'."*
- 10.5 The possibility of a coastal-based LA and a hinterland-based LA was raised by both Gympie City Council (T904) and Gympie and District Chamber of Commerce (T950). Although it was argued that future development would entrench a tourism-oriented community of interest distinct from communities of interest based on Gympie and the rural area, the small size of the present population of the coastal area could not justify the establishment of a separate LA.
- 10.6 In relation to Gympie/Widgee, the Commission had received a total of 169 submissions as at 31 October 1991. A public hearing was held in the Gympie Civic Centre on 27 and 28 June 1991. The Commission heard evidence from the two LAs as well as Gympie and District Chamber of Commerce, Gympie Electorate Citizen's Initiated Referenda and selected individuals. Further information regarding submissions and witnesses is contained in Appendices D and G.
- 10.7 Gympie is situated approximately 150 kilometres north of Brisbane on the main railway line and highway to northern Queensland. It is on the eastern side of the Mary River. Widgee Shire extends from the coast to the west of Gympie and surrounds Gympie City. The place name "Widgee" applies to a small township in Kilkivan Shire and is also the name of a creek in Kilkivan Shire. Map W.11 in Appendix W shows the existing boundaries and major geographic features of Gympie City and Widgee Shire.

- 10.8 Gympie, Widgee and Glastonbury Divisional Boards were created in 1879 under the *Divisional Boards Act of 1879*. As a result of the demands of residents, however, Gympie was quickly given the status of a Municipality. Glastonbury was later merged with Widgee. Noosa Shire was separated from Widgee in 1910 (Pedley 1979, p.27, p.134). Gympie/Widgee have a long history of boundary changes and proposals (Department of Local Government; Pedley 1979). In 1928 the Royal Commission on Local Authorities Boundaries recommended a total amalgamation of Gympie and Widgee LAs (Royal Commission of Inquiry into Local Authorities Boundaries 1928, pp.15-29).
- 10.9 The latest boundary change in the area resulted from a boundary change proposal to transfer properties, located north-west of Gympie, from Widgee Shire to Gympie City. This proposal was raised in 1982 by some of the property owners situated north-east of Gympie in Widgee Shire. Gympie City Council supported the proposal. Widgee Shire Council rejected the proposal although it was willing to transfer some land to Gympie City if the transfer would resolve the water and sewerage services dispute between the two LAs (EARC File 010/O/219). In answer to the question regarding boundary changes in the Commission's Questionnaire, Widgee Shire Council stated that the change was to increase flexibility and access to Gympie City water and sewerage services.
- 10.10 The boundary change proposal progressed slowly due to the failure of the two LAs to reach any agreement. In mid-1983, Widgee Shire refused to consider the transfer of land until the water and sewerage matter was finalised. Gympie City wanted the boundary changes finalised prior to the signing of the new water and sewerage agreement. Finally, the Minister for Local Government intervened stating that agreement in principle on the water and sewerage agreement should be reached prior to any boundary changes proceeding. The Minister noted that the renewal of the water and sewerage agreement had been under discussion for a number of years and that the matter should be resolved in the interests of good Local Government. He stated that the area sought by Gympie City was in excess of that envisaged by him following the initial proposal meetings. Gympie City consequently modified the area of land it requested (EARC File 010/O/219).
- 10.11 Finally, on 17 January 1985 the boundaries of Gympie City and Widgee Shire were altered by Order in Council, by including parts of Widgee Shire's Division One in Gympie City (EARC File 010/O/219). Gympie City gained two square kilometres from Widgee Shire, including approximately 60 persons and 18 dwellings (ABS 1991d).
- 10.12 Gympie City has an area of 20 square kilometres and Widgee Shire an area of 2,938 square kilometres. As at 30 June 1989, Gympie City had a total of 119 kilometres of roads, almost all of which were sealed. There were 11,955 motor vehicles registered for that area for 1988-1989. Widgee Shire had a total of 1,384 kilometres of roads of which 700 kilometres were sealed at 30 June 1989. Nearly 5,000 motor vehicles were registered for that area in 1988-1989 (ABS 1991d).
- 10.13 Gympie was the sixteenth largest urban centre in Queensland in 1986 (ABS 1988). The population of Gympie City declined slightly between 1981 and 1986 (ABS 1991c), whereas Widgee Shire grew rapidly at a rate of 5.7 percent per annum with net migration accounting for over 80 percent of its growth (EARC File 010/817). Widgee Shire has continued to grow and by 1981 it already had a larger population than Gympie City (ABS 1991c). Table 10.1 provides further demographic and geographic information.

Table 10.1
Selected Demographic and Geographic Features of Gympie City
and Widgee Shire

LA	Estimated Resident Population 1990	Area (km ²)	Popln. Density persons/km ²)	Average Popln. Growth 1986-1990 (%)	No. of Electors June 1991	Population Rural 1986 (%)
Gympie	11,358	20	567.90	0.21	7,473	0.00
Widgee	16,104	2,938	5.48	4.05	10,470	70.06

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern; and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, their residents are classified as rural population.

This data represents 1986 Census material and developments since that time are not included.

Sources: ABS 1991b; ABS 1991c; State Electoral Office 1991; ABS 1986a.

Table 10.2
Population of Urban Centres and Rural Localities over 200 persons 1966-1986

LA	Urban Centre/ Rural Locality	Population June 1966	Percent	Population June 1986	Percent
Gympie	Gympie	11,279	100.00	10,772	100.00
Widgee	Localities	835	11.15	4,191	29.94
	Kandanga	321		..	
	Gympie South	..		2,053	
	Imbil	514		416	
	Rainbow Beach	..		544	
	The Palms	..		265	
	Tin Can Bay	..		913	
	Rural	6,655	88.85	9,807	70.06
	Total	7,490	100.00	13,998	100.00

Notes: The Australian Bureau of Statistics uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern; and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, then residents are classified as rural population.

For the 1966 Census an attempt was made to identify a nucleus of dwellings using information from census schedules. These procedures were adopted in an effort to obtain data for unbounded localities on a basis more comparable with those of urban centres. As a consequence the apparent size of many localities was reduced from that shown in previous censuses. Care should therefore be taken when comparing 1966 census unbounded locality data with data published from previous censuses.

This data represents 1986 Census material and developments since that time are not included.

.. " Not applicable.

Sources: ABS 1966; ABS 1986a; ABS 1991b.

- 10.14 Population densities within Gympie/Widgee vary. South Gympie densities are close to those of the outer suburbs of Gympie. Table 10.2 shows demographic information in relation to the urban centres and rural localities with population greater than 200 persons in the two LAs.
- 10.15 Table 10.3 shows the number of staff employed by Gympie City and Widgee Shire. In response to the Commission's Questionnaire, Gympie City Council advised that 89 members of its staff resided in Gympie City, 15 staff members resided in Widgee Shire and one staff member resided in Noosa Shire. Widgee Shire Council advised that 126 staff members resided in Widgee Shire, 63 staff members resided in Gympie City, three staff members resided in Tiaro Shire, one staff member resided in Kilkivan Shire and one staff member resided in Noosa Shire.

Table 10.3
Number of Staff Employed by Gympie City and
Widgee Shire

LA	Office/Admin	Field	Total
Gympie	34	71	105
Widgee	47	147	194

Source: EARC 1991b, pp.1-3

- 10.16 The urban area of Gympie City and Widgee Shire is connected by a constant flow of business and social transactions between the two LAs. (Holmes 1986, p.264) also found a very close correlation between telephone traffic flows and consumer orientation. He identified primary links between Brisbane and Gympie, and Gympie, Imbil and Kilkivan (Holmes 1986, p.266).
- 10.17 Overall, Gympie City has an older age structure than Widgee Shire, with more persons aged over 65 years, and less aged under 15 years. Many areas of Widgee Shire have in excess of 30 percent of their population aged less than 15 years (ABS 1986a).
- 10.18 For its first 100 years, Widgee Shire's economy was almost wholly rural based. Timber has been for over 100 years one of the mainstay industries of the Shire. It is expected that this industry will continue to play a vital role in the economy of the area in the future due to the Forestry Department's continuing programme of reforestation, which has given the area some of the biggest softwood plantations in the country (Cooloola Regional Development Bureau; Pedley 1979).

- 10.19 While the primary producers will always be an important entity of the Shire, the numbers involved are still falling, in line with the increasing trend towards urbanisation.
- 10.20 The opening up of the Cooloola Coast has expanded the tourism industry particularly in Rainbow Beach, one of the youngest townships in the Shire. The last of the mining leases along Inskip Point are due to expire in the mid 1990s and provision is being made for a major tourist development along the point from Rainbow Beach (EARC 010/O/219).
- 10.21 Town planning for Tin Can Bay allows for a major population gain over the next century, with land set aside for an industrial complex and facilities such as a hospital, an ambulance sub-station and commercial development (EARC 010/O/219).

Matters for Consideration

- 10.22 The Commission rated Gympie/Widgee as a priority case for review on the grounds of community of interest and urban overspill.
- 10.23 In the application of demographic and geographic considerations an examination of the town plans and strategic plans showed evidence of extensive overspill from Gympie LGA into Widgee LGA. Consequently, Widgee Shire was rated in Issues Paper No. 8, as suffering from extensive urban overspill which results in future problems relating to the provision of services such as sewerage, and therefore merited review. Also in Issues Paper No. 8, Widgee Shire residents were identified as using the facilities of its neighbouring LA, Gympie City.
- 10.24 In this review, community of interest indicators which identified a shared community of interest between Gympie/Widgee include:
- (a) the spatial pattern of human activities (eg. where people live, work and engage in recreation);
 - (b) efficient and effective use of physical and human services (eg. duplication, particularly where both administration centres are located in the one LA);
 - (c) urban and rural interdependence;
 - (d) centres of administration and service easily accessible to all citizens; and
 - (e) where boundaries divide local neighbourhoods.
- 10.25 The material features of the Gympie/Widgee case are that an urban centre is surrounded by a rural Shire far greater in size; with a larger population; with a growth rate more than four times that of the urban centre; and with the area of urban overspill approaching the area of the actual urban LA itself. In light of these features, co-ordinated planning and development, resource base, future projected growth, and joint arrangements require consideration.
- 10.26 The Commission notes that several of the submissions received refer to problems experienced as a result of the 1985 boundary change, in particular the lack of prior consultation with the residents and an increase in rates which followed the boundary change. Evidence regarding the 1985 boundary change was submitted to the Commission to highlight previous problems.

Evidence and Arguments

- 10.27 For analysis purposes, the revised principles and indicators identified in Chapter Four are applied to the evidence and arguments.

CO-ORDINATED PLANNING AND DEVELOPMENT

- 10.28 Gympie City Council (T886) stated that the residential development outside the City boundaries in Gympie South (known as South Side) began approximately 20 years ago. Australian Bureau of Statistics data confirm that population growth has been considerable since the 1970s. Gympie South showed a population change of 48.2 percent between 1966 and 1971, 92.9 percent between 1971 and 1976, 17.0 percent between 1976 and 1981 and 178.9 percent between 1981 and 1986 (ABS 1966; ABS 1971; ABS 1976; ABS 1981a; ABS 1986a).

- 10.29 Widgee Shire Council (T920) believed that future growth and development would occur:

"... on the coast for certain; around our smaller townships, yes; and certainly spreading out from south side, going further out into our rural area, that will happen; but there is still a lot of interest in our genuinely rural areas for development."

- 10.30 Many parts of the Shire are already becoming less rural through rural residential development particularly in the areas to the west of Gympie; but Widgee Shire Council (T908) stated that this was not a result of any urban overspill from Gympie City:

"... but because Widgee Shire Council has deliberately encouraged and set a course that will eventually change the shire from one which is predominantly rural to one which has a balance of urban and rural development."

- 10.31 Gympie City Council (T882-T883) stated that although in the past five years there has been some urban residential development, it has been limited. Further, it stated that within its boundaries a substantial area was subject to flooding and therefore unsuitable for development.

- 10.32 In the co-ordination of development, Widgee Shire Council (S2592, p.5) noted the role of the Department of Housing and Local Government in ensuring town planning conflicts do not occur between adjoining LAs and submitted:

"In the preparation of the Widgee Shire Town Plan review, Widgee Shire officers viewed and considered the Gympie Town Plan and had numerous discussions with Gympie City officers. The full Gympie City Council was invited to view the new Widgee Town Plan prior to its going on public display ...

No specific liaison takes place between Gympie and Widgee regarding By-laws, however, Widgee is not aware of any problems in this regard."

- 10.33 As an example of its support for, and involvement in, co-ordinated development, Widgee Shire Council (T932) stated that it supported the Cooloola Regional Development Bureau: *"... we treat them as an organisation who will, perhaps, draft a submission for us or give us the information that we need to be able to supply for potential developers."*

- 10.34 The Gympie and District Chamber of Commerce (S2607, p.2) submitted that total amalgamation was the most attractive option because it would promote strong productive growth. The Chamber indicated that the Gympie/Widgee area is disadvantaged by problems in co-ordination of planning and development. As a co-ordination issue, the Chamber (T955) believed that future industrial development should aim to diversify employment:

"We have a number of areas that are involved in the woodworking industry, in the timber industry, etcetera, but the Chamber of Commerce would like to see a diversification away from that to factories - light industrial factories - that are going to employ 20 to 100 type people".

- 10.35 Gympie City Council (S1864, p.32) indicated that development of the region could be promoted more by an amalgamation of the two LAs rather than merely a co-ordination of their planning and development interests: *"Amalgamation would provide a City of Strategic Regional importance with a voice in all sectors and in all relevant industries and overall would provide a base for future economic growth."*
- 10.36 This argument was supported by the Gympie and District Chamber of Commerce (S2607, p.2) because: *"Historically, the area has been beset by petty empire building to the disadvantage of strong productive growth."*

- 10.37 Gympie and District Chamber of Commerce (T951) continued:

"... each shire seems to be taking swipes at each other at every available opportunity which isn't good if you're trying to achieve unity within a community and have a community go in a particular direction, as far as development goes."

- 10.38 Gympie and District Chamber of Commerce (T943) also submitted that development was frequently disadvantaged when Gympie was considered on its own, rather than considering the combined Gympie and Widgee area:

"... a lot of business people, government departments, and commerce look at Gympie and they find there's only 12,000 people there. They look at a growth rate of approximately one per cent which is basically a negative growth rate, where in actual fact we have a population base of approximately 26,000 and a 4.6 per cent growth rate."

Urban overspill

- 10.39 The main area of urban overspill beyond Gympie City's boundaries is the area west of the Mary River. The City Engineer for Gympie City, Mr Dinneen, (T880) identified further areas of overspill *"on the eastern side of town, and also a bit on the northern side of town"*, that is, in the direction of Tin Can Bay Road, east of the Bruce Highway and in the general area of Hamilton Road (T880). Mr Dinneen (T880) also stated that future primary urban residential development: *"... would occur in that eastern area that we mentioned and the northern part, but probably also as well over in the what we call the south side of the western part of the Mary River."*
- 10.40 Councillor McClintock, Chairman of Widgee Shire Council (T908), disputed the urban overspill suggestion:

"... if we had urban overspill, there would be nothing to indicate when one left Gympie city area and entered into Widgee shire. The most urban developed area of the shire is the township of South side, and this is clearly separated from Gympie by the Mary River and an extensive flood plain. One cannot help but know when the city is left behind and the township is entered."

- 10.41 To justify this proposition, Widgee Shire Council (L43, p.2) submitted:

"South Side has its own 'community of interest' and contains most of the facilities one would expect in a small township of a couple of thousand people - shopping centre, primary school, sporting facilities and other amenities such as reticulated water and sewerage.

We firmly believe that the development in the Shire adjacent to the Gympie boundary has developed because our Council fostered that development by the provision of services and town planning procedures."

- 10.42 However, Mr Davison, former Alderman of Gympie City Council, (S1859, p.2) disagreed:

"The urban overspill is easy to recognise as the Mary River splits the City with approximately one quarter of the City living to west of the Mary River and three quarters living in the defined City area."

- 10.43 Mr Davison (S1859, p.4) indicated that the South Side is separated from Gympie City by a river only and not by separate communities of interest:

"Gympie is Gympie and I feel the residents should be united and not divided by a river. They should not be grouped in with residents of Tin Can Bay and Rainbow Beach, etc when their interests and concerns are vastly different."

- 10.44 Widgee Shire Council (S2428, p.2), however, did not believe that the existing boundary divided local neighbourhoods because South Side was not a result of urban overspill from Gympie but a preference for rural residential living:

"South Side is a separate entity from Gympie City in many respects. For example, it offers a wide range of housing alternatives due to the various sizes of land parcels available e.g. 600 sq. m., 2,000 sq. m., 2 ha. People have by-passed Gympie and chosen to live in this part of Widgee Shire for many reasons e.g. lifestyle alternatives, lower rates etc."

- 10.45 Mr Kean (T974) of the South Side area also submitted:

"Development around Gympie should not be seen as an overspill from Gympie city. The people living adjacent to the city boundaries are doing so by choice, mainly, I believe, to take advantage of the low density lifestyle available. This preference for acreage over 32-perch blocks has resulted in a sizeable proportion of the shire population living with 5 to 10 minutes drive of the city's boundaries."

- 10.46 Widgee Shire Council (T908) later suggested that if South Side is a result of urban overspill, then it is overspill from the Sunshine Coast and not Gympie City:

"Unfortunately Gympie has not been receptive to change to attract development, and so really has not benefited from any overspill which may have come from the Sunshine Coast. We certainly regard our urban development in the South side area as a separate community and not an area developed because of overspill from Gympie."

- 10.47 Mr Davison (T1022) argued against any boundary change including more than the developed area, because:

"... you'll have the same situation as we have now where development leapfrogs over the area because it gives the opportunity for the adjoining shire to set less conditions to encourage that development at basically no cost to them because the services that they would normally have supplied with regards to parks and gardens and whatever are not required because they are supplied by the local council here."

- 10.48 In effect, Mr Davison's argument against boundary change is based on the proposition that urban overspill is a result of the City subsidising the development of the Shire. That is, the urban area does not simply sprawl irrespective of boundaries, but there is calculated development in the Shire just beyond the LA boundary. The residents may prefer low density living and lower rates, but they use City services.
- 10.49 Widgee Shire Council (T939) acknowledged that the main attraction of the South Side area is the rates. Widgee Shire Council (T920) also agreed that *"there will be further development at south side. That's for certain."*
- 10.50 Gympie City Council (S1864, p.16) stated its concern that Gympie City has no land available to meet population demand, and consequently the growth occurs in the Shire:
- "The rapid escalation of the Shire population is by far outstripping the population in the City. This could clearly indicate that the lack of available land for development in the City is restraining its possible growth."*
- 10.51 Widgee Shire Council (T939), however, suggested that Gympie City could re-develop its area by Green Street-type development:
- ".. if that sort of development took place and the opportunity for young marrieds to live in those areas, maybe a lot of them would stay in Gympie rather than look farther afield, but Gympie at present has a lot of older homes ... The style of living, perhaps the lack of opportunity in Gympie for the style of development they would like."*
- 10.52 Whilst Widgee Shire Council believed that *"young marrieds"* leave Gympie City for the Shire, Mr Davison (T1023) added that Gympie City has an ageing population and that the trend is for the aged living in the surrounding Shire to move from the Shire into Gympie City. Mr Davison (T1023) added that the Gympie City rates remission policy helps to explain this, but:
- "... the most important reason towards this is because they are then closer to their facilities. They are close to their doctors; they are close to the hospital; they are close to the shops, whatever else they wish to have. As people age, obviously, they do not wish to do as much travelling as they normally do."*
- 10.53 This demographic assessment reveals a history of community of interest between Widgee Shire and Gympie City residents. This is evidenced by the fact that Gympie City provides the type of services which Widgee Shire residents require, and that Widgee Shire residents travel to Gympie rather than another urban centre to use Gympie's services. That is, a common spatial pattern of human activities between the two LAs is evident.

EFFICIENT AND EFFECTIVE PROVISION OF SERVICES

- 10.54 Gympie City Council (S2610) stated, in answer to the Commission's Questionnaire, that substantial or very substantial use is made by residents of Widgee Shire of Gympie City's facilities, including:
- (a) Community Centre;
 - (b) Olympic swimming pool;
 - (c) Senior Citizens' Centre;
 - (d) various parks and gardens;
 - (e) various sporting fields and playing areas;

- (f) One Mile Sporting Fields Complex;
- (g) Albert Park Sports Field;
- (h) Lake Alford picnic grounds and Mining Museum area;
- (i) public toilets;
- (j) free off-street car parking areas; and
- (k) school bus pick-up and set-down areas.

10.55 Gympie City Council did not list any facilities of Widgee Shire that are used by Gympie City residents. Widgee Shire Council, however, in answer to the Commission's Questionnaire stated that Gympie City residents made substantial use of Widgee Shire's:

- (a) Rifle Ranges;
- (b) parks/picnic areas;
- (c) beaches/foreshores;
- (d) Driver Education Centre;
- (e) fish hatchery;
- (f) saleyards;
- (g) Industrial Estate;
- (h) hockey complex; and
- (i) racecourse/showgrounds complex.

10.56 Widgee Shire Council also stated that moderate use is made of country halls, minor use is made of the aerodrome, and that Widgee Shire residents make substantial use of Gympie City's sporting facilities/parks and moderate use of its Civic Centre and library.

10.57 Gympie City Council (S1864, p.28) argued that Gympie City experienced problems other than the disabilities identified by the Commission, regarding duplication of municipal facilities and lack of public services in the Shire such as sewerage:

"Gympie City also has problems in respect of the control of strategic facilities eg. the water supply headworks and rising main facilities located in the Shire area. Also, by direction, Gympie supplies water to the Shire for reticulation in the urban overspill areas on a cost of production basis only. There is also the requirement for the City to treat sewerage from the Shire areas."

10.58 The Town Clerk of Gympie City (T888-889) advised that treated water is provided to Widgee Shire at cost and sewerage is treated at cost: *"There's no profit margin in it and they take the water from us and reticulate it to their residents, and sewerage is the same."* Widgee Shire has its own reservoirs and its own reticulation. Gympie City Council (T897) also advised that the water treatment plant owned and operated by Gympie City is located in Widgee Shire on Crown Reserve.

10.59 In the South Side area, Widgee Shire Council (T928) stated that 600-800 square metre blocks are fully serviced with sewerage and blocks with a minimum of 2,000 square metres have *"water, bitumen road, in some cases kerbing and channelling, depending on the topography of the land, but they have not got sewerage."*

10.60 Mr Kean (T978), who opposed boundary change, could see practical benefits in amalgamation:

"MR KEAN: ... an area like the south side where everybody is on a septic system ... it must be sewered eventually because it's got to be because the sheer number of people living there, you just can't all live on a septic system, although we'd all like to, because we only see our own little half acre block. But in the greater scheme of things that area must be sewered in the not too distant future and the sooner the better I would suggest."

THE CHAIRMAN: Yes, and you're putting that, whether it's Widgee's responsibility or an amalgamated shire's responsibility, someone will have to do it.

MR KEAN: That's right, and I believe it will happen earlier if amalgamation was to take place."

10.61 Mr Brown (T1010) noted the imbalance in service provision and concluded:

"Gympie spends three times as much on recreation and culture per capita as Widgee shire. Gympie receives no general rates on many properties occupied by state and federal Government and charitable bodies. These facilities are shared by the Widgee/Gympie community, but are predominantly paid for at a local government level by Gympie ratepayers.

... unless a satisfactory solution to the financial burden is found the burden on Gympie city will become intolerable as Widgee shire's population outstrips Gympie city's."

10.62 Widgee Shire Council (T912) stated that the different levels of service provision between the two LAs reflect philosophical differences between a rural Shire and a City Council:

"For example, Widgee shire's basic approach to the provision of recreation facilities is one of self help. Council will often provide the community with land and/or financial assistance and expect that that community will then be responsible for the operation and maintenance of the facility."

10.63 Mr Doolan (T1008-1009), a resident of Widgee Shire, argued for no change at all, but admitted that as his property is not serviced with garbage removal, his practice is to use Gympie City's facilities:

"CMR HUNTER: You have no garbage removal, either?"

MR DOOLAN: So it is only a matter of, you know, a kilometre up the road we are there, from the area we are, to put them all in the big drums which are provided.

CMR HUNTER: What do you do with your own garbage? What do you do with your own refuse? Your own garbage?"

MR DOOLAN: Well, you can put it in the drums, the big drums that the Widgee provides, or you can slip around to the left and dump it in the Gympie City Council dump. You go to the Gympie City Council at night-time and you go up to the other one in the daytime. I knew you would ask that."

10.64 Mr Davison (T1024-1025), former Chairman of the Gympie City Administration and Finance Committee, stated that the Local Government Grants Commission certainly recognised the provision of services to the neighbouring Shire as a disability factor, and this factor was reflected in Grants Commission funding:

"I specifically asked one of the Grants Commissioners, and it was the chairman of Kilkivan Shire, I said the additional compensation that is supplied in there, I said, would that compensate for the amount that is required to be spent by Gympie to provide these regional type facilities? And he said, no, it doesn't go anywhere near compensating totally for that."

10.65 The view that compensation is not adequate, was confirmed by the Chairman of the Local Government Grants Commission, Mr Young, (T2237) at the Brisbane Public Hearing:

THE CHAIRMAN: And you are certainly not trying to completely compensate them?

MR YOUNG: No.

THE CHAIRMAN: It's an equalisation adjustment?

MR YOUNG: Yes, that is right.

THE CHAIRMAN: And it bears no relation to the actual cost of providing the subsidised service?

MR YOUNG: I keep telling local authorities I couldn't care what you spend, actually, ..."

COMMUNITY OF INTEREST

- 10.66 Mr Lawlor (T1035), resident of Widgee Shire, could not understand how a community of interest can "realistically" be denied. To support this, Mr Lawlor gave an example in which he asked his high school students, as an exercise, to state which LA they lived in and two-thirds of the students did not know.
- 10.67 Mr Lawlor (S1923, p.2) indicated that the residents of the two LAs reflect a common community self awareness because they generally identify themselves as "coming from" Gympie rather than Widgee when they are outside the region:

"People of this area identify themselves as coming from Gympie. Obviously if someone in Gympie asks where you are from you say 'Dagun' or 'The Mary Valley'. You never say 'Widgee'. A resident of Gympie would give their answer as 'Nelson St' in the same way. Outside of Gympie we identify ourselves as coming from Gympie."

- 10.68 Widgee Shire Council (T907; L43, pp.1-2), on the other hand, argued that few residents of Widgee Shire would claim a substantial community of interest with Gympie City:

"For most residents of the Shire, the area of 'community interest' or the locality they can call 'home' is usually their direct neighbourhood or the small town such as Imbil, Kandanga, Rainbow Beach, or Tin Can Bay in which they live. I believe a very small number of residents of the Shire would say that they had any substantial 'community of interest' with Gympie City."

- 10.69 Widgee Shire Council (S2592, p.4), however, admitted that because a spatial pattern of human activities exists, some community of interest cannot be denied:

"A Community of Interest of some degree does exist, this is not denied. Gympie does provide shopping facilities which are patronised by Shire residents. Equally numerous facilities in the Shire are used by Gympie residents."

- 10.70 Mr Lawlor (S1923, p.3) gave another example of a lack of Widgee Shire identification:

"When the Council give awards, for example on Australia Day, it is generally difficult for Widgee Shire to get nominations. One reason for this is because of the lack of identification that people have as citizens of Widgee Shire."

- 10.71 Further, Mr Brown (S1931, p.7) submitted that Widgee Shire had an "identity crisis", as Widgee Shire is not to be found in any atlas and Gympie is usually shown covering this region. In addition, he stated:

"Things which the shire supports are not tagged with their name anyway

*Gympie Showgrounds
Gympie Hockey Centre
Gympie Industrial Estate
Laminex Factory called Gympie manufacturing Plant
Gympie South - Name of southside
Gympie East School."*

Reflect local communities, and the spatial pattern of human activities

- 10.72 Ms Fereday (T987), a resident of Widgee Shire who opposed amalgamation and boundary change, conceded:

"The community interest area that you have put forward is valid, and we support the central business area from Gympie side. Yes, we use some of their facilities, but I'm sure Gympie city would not survive without Widgee's participation in their business centre, in their helps of using the cultural centre."

- 10.73 Widgee Shire Council (T936) also acknowledged that a spatial pattern was evident between the LAs as the coastal areas of Widgee Shire are used for week-end fishing or holidays and "I know a lot of residents of Gympie who enjoy a days fishing at Tin Can."

- 10.74 Mr Brown, a Widgee Shire Councillor from 1985 to 1991 (T1013), stated:

"For over a hundred years the Gympie/Widgee community has been restricted by being divided into two local government authorities. In recent years, these divisions have become increasingly arbitrary. My family has lived in Gympie and Widgee community since gold was discovered. If we think of three generations represented by my parents, my grandparents, and my wife and I, each generation has lived in both Gympie and Widgee, worked in both Gympie and Widgee, owned property in both Gympie and Widgee. My sons are the third generation who have lived in Widgee and attended the Gympie High School.

.. If I include my brother, three generations have lived in Widgee and been married in Gympie churches.

... In the end, we will all be buried in the Gympie cemetery - and I can go on ad nauseam with that example."

- 10.75 Gympie City Council (S1864, p.8) submitted that a definite spatial pattern of human activities between the residents of the two LAs is evident:

"The spatial pattern of human activities in the combined area is quite diverse. The human activities throughout the Shire revolve around rural production, rural and rural residential living, tourism, recreation and leisure.

...

Gympie City and its environs service the principal commercial, industrial and recreation needs of the Shire residents."

Boundaries Should Not Divide Local Neighbourhoods

- 10.76 Widgee Shire Council (T908) argued that South Side had its own community of interest and had most of the facilities required for its independence. Gympie City Council (S1864, p.7) countered that:

"... there will not be a division of local neighbourhoods caused by a City/Shire amalgamation or a boundary change in the Gympie environs. In fact the Community of Interest will be strengthened by the common bondage. Community patterns will thereby become united."

Urban and rural interdependence

- 10.77 Gympie City Council (S1864, pp.8-9) submitted that the LAs of Gympie and Widgee are "virtually totally interdependent":

"The geographical location of Gympie within and in the centre of the Shire's external boundaries as part of the historic 'Town/Divisional Board' relationship has ensured that the City has developed as the focal point of the Shire's operations.

...

... the City is to a certain (unassessed) extent dependent on the production of the rural area. The Shire is dependent upon the City for the commercial facilities to service its rural residential residents and its rural producers."

Accessible centre of administration and service

- 10.78 Answers to the Commission's Questionnaire revealed that the administration centres of Gympie City and Widgee Shire are located in Gympie City within one kilometre of each other.
- 10.79 Gympie City Council (S1864, p.11) contended that the location of the administration centres is significant in showing a common community of interest:

"The Widgee Shire administration centre and depot are 'perhaps strategically' located in Gympie. This situation is an obvious confirmation that a definite community of interest with Gympie exists."

- 10.80 Widgee Shire Council (S2592, p.4) argued by contrast that the location of its administration centre in Gympie "is largely based on matters of convenience and common sense." According to Widgee Shire Council, a proposal to relocate the administration centre to Widgee Shire in 1978 was strongly opposed by Widgee Shire residents.

Effective elected representation

- 10.81 In the event of an amalgamation, Gympie City Council (T890) did not believe that Gympie City would be dominated by Widgee Shire:

"Well, there'd be still a fair representation from Gympie and the south side and I don't think there's very many people that don't look on south side as part of Gympie now, even though it is governed by the Widgee Shire. So that their representation would still come from a larger populace in the centre."

- 10.82 Gympie City Council (T891) stated that the population of the Gympie urban area is fairly equal to that of Widgee Shire's urban areas. Further, Gympie City Council (S1864, pp.12-13) argued:

"An amalgamated Gympie/Widgee would certainly provide challenging responsibilities which would engender in the community a maximum of public interest to encourage high quality candidates (in the long term as well as for the initial elections) ..

...

There would still be adequate access to the Council office as both Council offices are presently within the City there would be virtually no change."

- 10.83 Widgee Shire Council (T909) observed that in the event of an amalgamation "an approximate population of 26,000 people or perhaps 2,000 people to each councillor" would result. Widgee Shire Council (S2592, p.10) believed:

"With the concentration of voters in the central area of the new Authority that would result from an amalgamation, there is a grave fear that the needs of the more distant areas would be overshadowed and overruled by the central urban area. In particular, the rural areas would effectively have greatly reduced representation and thus would invariably have far greater difficulty in securing the same level of priority to such things as road maintenance which they currently enjoy."

- 10.84 Mr Clarke (T963), who owned property transferred to Gympie City in 1985, also believed that major boundary change would affect representation: "Since our representative remained in Widgee Shire after we were handed over, we now have no representation at all."

- 10.85 Mr Kean (T978) rejected the suggestion that it would be harder to access a larger amalgamated Council, because there would be more bureaucrats to access:

"... if I went around some of the areas people there that would not know who their alderman were. They will go straight to the - just ring up the local, the appropriate section within the council if they've got a problem. I don't think their representative is always accessed anyway, and if the section is bigger it is a better place to handle their inquiries."

JOINT ARRANGEMENTS

- 10.86 Gympie City Council (S2610, p.4) stated that Gympie City and Widgee Shire have co-operated on a number of occasions in the past and provided the following examples: Joint Library; Joint Counter Disaster Planning Committee; Gympie Cemetery Trust; and Cooloola Regional Development Bureau.
- 10.87 The answers to the Commission's Questionnaire regarding joint arrangements identified the Joint Advisory Committee of the two LAs as a joint committee under subsection 15(2) of the *Local Government Act 1936-1991*. In addition, the answers identified the following joint arrangements: Joint Library Agreement, Water Supply Agreement, and the Sewerage Treatment arrangement.

10.88 Further, Gympie City Council (S2610, p.4) advised:

"Representatives of both Councils meet on a regular basis as members of the Joint Advisory Committee to deal with matters of mutual concern and involving co-operation of both Councils ... It is conceded that the parochial attitude of members of both Councils has on occasion hampered some arrangements in the past."

10.89 Gympie City Council (S1864, p.11) also argued that joint arrangements are limited *"for the provision of services, comment is made that the proper management of strategic facilities cannot be efficiently controlled by bodies with differing priorities, expectations and regulatory controls."*

For example, Gympie City Council (S1864, p.11) stated: *"Sewerage reticulation services exist in only part of the overspill Southside area."* The nature of the area and development would:

"... make these areas difficult and expensive to service in any future scheme for the sewerage of these areas: The impact of this cost will be far greater due to the design and construction of sewerage reticulation having to be effected after the developments have occurred."

10.90 Widgee Shire Council (S2592, pp.2,7-8) also conceded problems regarding joint arrangements with Gympie City, summarised as follows:

- (a) recently, a recommendation for the purchase of a computer system for the Joint Library Service was rejected by Gympie City in favour of a cheaper system. Widgee Shire Council resolved the matter by financing the additional cost (\$18,360) for the larger computer;
- (b) Widgee Shire requested Gympie City to construct a missing link in a bikeway between Gympie and South Side. Gympie City refused and Widgee Shire Council constructed the missing link at its own cost for a service that is located in Gympie City; and
- (c) a Joint Advisory Committee recommendation that Council Engineers submit a report on an effective way to upgrade the sewerage plant with cost-sharing arrangements. Gympie City Council rejected the operations and Widgee Shire met the cost of the Engineer's Report.

10.91 Mr Brown (T1010-1011), who was on the Gympie/Widgee Joint Library Committee for six years, argued that energy is wasted on *"exasperatingly petty"* disputes. For example:

"Our book stocks are 1.4 books per capita as compared with the standards recommended by the Queensland Public Library of 2 books per capita. Many of our books are in a poor state of repair and contain out of date information. In the 90/91 budget the Gympie/Widgee library expenditure on new books was \$2 per capita as compared with 3.6 for Maryborough and \$4.5 for Noosa ...

...

Widgee shire councillors were quite willing to allocate land and furnishings for inefficient and inferior branch libraries in Widgee shire, but their unwillingness to spend sufficient funds on a central Gympie/Widgee facility located in Gympie has denied thousands of our people the quality service enjoyed by surrounding areas served by single local authorities."

- 10.92 Mr Brown (S1931, p.13) also argued that public conflict between the LAs could seriously affect economic development, because the State Government could perceive the LAs as "inefficient" and "refer potential investors elsewhere". Moreover, public conflict alone could discourage entrepreneurs to invest.
- 10.93 The Mayor of Gympie City Council (T906) recognised that particular demographic and geographic characteristics of Gympie/Widgee highlight the limits of joint arrangements:

"We've got six primary schools, three high schools, plus all the pre-schools in that 20 square kilometres. With - as Gympie is looked on as an ageing population, we are providing the infrastructure around those schools for all the neighbouring - and I don't know how you can come into a joint arrangement for that."

Analysis of Evidence and Arguments

- 10.94 Prior to conducting its public hearing in Gympie, the Commission had conducted hearings in Warwick, Cambooya and Roma. In those areas, the Commission noted, although LAs were adjacent to urban areas they nevertheless retained much of their essentially rural character and distinct community of interest. In the case of Gympie/Widgee, however, the Commission noticed a significant difference which was to recur as the Commission conducted public hearings up the Queensland coast.
- 10.95 Widgee, while historically a rural Shire, has in recent years (with tourist development on the coast and residential development around Gympie) become progressively more mixed. The proportion of its rural population is declining. Further, immediately to the south of Gympie/Widgee, the Commission noted that the LAs of Noosa and Maroochy seem to be successful combinations of urban, tourism and rural elements. In other words, the Commission did not have to go far to see models of how a combined Gympie/Widgee may develop. The models were immediately to the South.
- 10.96 In relation to the residential areas around Gympie, Widgee Shire Council disputed the argument that the South Side area, for example, is the result of urban overspill from Gympie City. Widgee Shire Council even suggested that such urbanised areas in Widgee Shire are the result of Sunshine Coast overspill which is fostered by the Shire. Widgee Shire Council later argued that many people live in South Side because those people prefer the low density lifestyle offered. Widgee Shire Council further stated that "young marrieds" would stay in Gympie City if the preferred type of development was available, thereby inferring a population movement from Gympie City outwards.
- 10.97 Irrespective of the reasons for the urban residential development in the "overspill" areas, it is clear to the Commission that development will continue in those areas. Accordingly, this needs to be taken into consideration in future planning and development of these areas.
- 10.98 In order to justify the "convenience and common sense" explanation for the location of Widgee Shire's Administration Centre, the existence of spatial links of human activities between Widgee Shire residents and Gympie City must be assumed. Evidence from all parties identified definite spatial linkages between Widgee Shire residents and Gympie City, at the very least, for commercial purposes; and by Gympie City residents to Widgee Shire, at least for recreation.

- 10.99 Mr Brown, Mr Lawlor, and Gympie and District Chamber of Commerce suggested that Widgee Shire's sense of community and identity is not as strong as a Gympie identity. Many organisations in the Gympie/Widgee area such as Gympie Showgrounds and Gympie Industrial Estate, have "Gympie" rather than "Widgee" in their name even where the organisation is located in Widgee Shire.
- 10.100 Widgee Shire Council stated that the 600-800 square metre blocks in the South Side area are fully serviced. The 2,000 square metre blocks have water, bitumen, maybe kerbing and channelling, but not sewerage. Although there is lower density living, the area of South Side, for instance, is still an urban area with most, if not all, of the services provided to the residents of Gympie City. The Commission believes that boundaries should not divide neighbourhoods. With modern standards of transport and communication, the Mary River, situated between South Side (in Widgee Shire) and Gympie City, does not cause an effective division of community of interest sufficient to create a "neighbourhood" separate from the City. The very names "South Side" and "Gympie South" disclose the direct relationship of this part of Widgee Shire with Gympie.
- 10.101 Both LAs claimed substantial use by the residents of the other LA of many of its facilities. Apart from confirming a substantial spatial pattern of human activities, these claims show that the service needs of all residents are similar. The Commission is of the view that, with residents of different LAs wanting similar facilities, there will be either duplication of provision of facilities and services, or subsidisation of services by the residents of one LA only. Indeed, subsidisation by Gympie City was recognised by the Local Government Grants Commission in allocation of funds on the basis of its regional centre role.
- 10.102 The loss of effective rural representation argument loses impact because the rural Shire has a greater population than the City and a significantly higher population growth rate. Statistics (see Table 10.2) and submissions (T891) revealed that the total population of Gympie and Gympie South would be approximately equal to the population of the remaining, largely rural-based, area which has only relatively small urban centres. Further, Widgee Shire Council (T908) stated that the rural population of the Shire will continue to decline in relative importance, which indicates that the urban versus rural argument would have less impact in the future.
- 10.103 Gympie City Council's proposal for boundary change, as opposed to amalgamation, is undermined by the results of the 1985 boundary change to Gympie City/Widgee Shire. Urban development continues in the outlying "overspill" areas of Gympie/Widgee. Further, Gympie City acknowledged that its proposed boundary change would sever Widgee Shire into two parts. Also, boundary change would do little to advance the "attract economic development" argument submitted by Gympie and District Chamber of Commerce and others. The Commission believes that there is a need to allow for sufficient future urban development so that another incremental boundary change will not have to be made in the near future. The Commission also believes that the 1985 boundary change did not provide sufficient area, as evidenced by population growth in the overspill areas, which has made it necessary to consider further change only six years after the previous change.

- 10.104 Gympie City Council (S1864, p.11) argued that the use of joint arrangements in the Gympie/Widgee situation is limited. Widgee Shire Council identified considerable problems with previous joint arrangements. Neither LA has demonstrated the same level of preparedness to make joint arrangements a successful venture as shown, for example, by Roma Town and Bungil Shire Councils.
- 10.105 The Commission believes that Gympie/Widgee provides a compelling case for amalgamation. In reaching this conclusion, the Commission makes no reflection on the current administrations of both LAs. Indeed, both LAs seemed quite efficient and were coping despite the limitations in the current situation.
- 10.106 The Commission's reasons for concluding that amalgamation of the two LAs is the appropriate course are as follows. Firstly, the current divided situation where Gympie City has a static aging population and Widgee Shire has the younger developing population, is not good for the overall development of the area. The anomalies of cross-use of services and facilities, and lack of overall planning and co-ordination of basic services produces inefficiencies, notwithstanding the best efforts of the two LAs.
- 10.107 Secondly, like Noosa and Maroochy Shires, the Gympie/Widgee area will face in the future increased coastal tourist development and closer residential settlement of its hinterland. The area needs a strong LA to properly plan for the overall development of the area. If the present situation is maintained, there is a real risk that:
- (a) Gympie will decline as its population ages;
 - (b) wasteful cross-use of resources will continue;
 - (c) the community will continue to be divided; and
 - (d) the inevitable development of the area will not be properly planned.
- 10.108 An amalgamated LA would only be of moderate size (in terms of both population and area) by Queensland standards, and the Commission sees no difficulty with accessibility by electors to their elected members. Councillors and Aldermen who are not accessible to their electors pay the price at the ballot box.

Recommendation

- 10.109 **The Commission recommends that:**
- (a) Gympie City and Widgee Shire be abolished;**
 - (b) a new LA comprising the areas of the previous LGAs of Gympie and Widgee, as defined in Map W.11 in Appendix W, be created; and**
 - (c) the new LA be known as Gympie City.**

CHAPTER ELEVEN**MARYBOROUGH / TIARO / WOOCOO****Introduction**

- 11.1 These three LAs were on the Commissions original list of priority cases for examination in Issues Paper No. 8 and remained on the final list of priority cases announced in April 1991.
- 11.2 Maryborough City Council (S1540, p.1) proposed an extensive boundary change involving the boundaries of Tiaro and Woocoo Shires, and Hervey Bay City. Particulars of Maryborough City Council's proposal are set out in Map W.13 of Appendix W. As a second option, Maryborough City Council proposed that it be amalgamated with Tiaro and Woocoo Shires. Tiaro Shire Council (S2604, p.2) and Woocoo Shire Council (S1851) both opposed boundary change and amalgamation.
- 11.3 As at 31 October 1991, the Commission had received 101 submissions in relation to its examination of the external boundaries of Maryborough City, Woocoo Shire and Tiaro Shire. A public hearing was held at Tinana Hall, Gympie Road, Maryborough on 1 and 2 July, 1991. The Commission heard evidence from the LAs involved; the Fraser Coast-South Burnett Regional Tourism Board; Woocoo Progress Association; Graziers Association of South-east Queensland (Tiara Branch); Ratepayers and Electors Association of Woocoo Shire, Division One; and selected individuals. For further information regarding the submissions and witnesses see Appendices D and G.
- 11.4 The LAs of Maryborough, Tiara and Woocoo are located on the southern coast of Queensland between Hervey Bay and the Cooloola Coast and are part of the Wide-Bay Statistical Division. Map W.13 shows the existing boundaries and major geographic features of the three LAs.
- 11.5 Maryborough was proclaimed a Municipality in 1861, and a City in 1905 (EARC File 010/790). Its area was substantially enlarged in 1917 (Tucker 1981, p.382). The Divisional Board of Tiara was proclaimed in 1879 and became Tiara Shire in 1903 (Middleton 1972, p.1-3). Woocoo Shire was formed in 1915 from Division One of Tiara Shire (Middleton 1972, p.1-3). There have been three changes to LGA boundaries in the Maryborough district since 1975. Indeed, this area is one of the very few areas in Queensland to undergo significant boundary change in recent times.
- 11.6 In 1974, the State Government established a Committee of Inquiry into Local Authority Boundaries in Maryborough, Burrum, Hervey Bay and adjoining Local Authority Areas. This Committee considered whether any boundary alterations should be made having regard to the actual and potential needs of the residents of Maryborough City and the then Burrum Shire for at least the ensuing ten years. The recommendations of this Committee were that Maryborough City be enlarged; Hervey Bay Town be created from part of Burrum Shire; and Baddow Shire be created from the balance of Burrum Shire and Tiara and Woocoo Shires (Committee of Inquiry into Local Authority Boundaries in Maryborough, Burrum, Hervey Bay and adjoining Local Authority Areas 1974, p.35).

- 11.7 In December 1975, Hervey Bay Shire was created and the following boundary alterations were made: parts of Burrum and Tiaro Shires were transferred to Maryborough City; rural land north of Maryborough was transferred to Hervey Bay Shire; and parts of Divisions Three and Five of Burrum Shire were transferred to Woocoo Shire (EARC File 010/O/221). Hervey Bay Shire was created from the balance of Burrum Shire, the northern part of Fraser Island and other islands in the Great Sandy Strait (EARC File 010/O/221). Hervey Bay was proclaimed a Town in 1977 and a City in 1984 (EARC File 010/O/221).
- 11.8 In 1981 Hervey Bay Town and Woocoo Shire Councils agreed to the transfer of Toogoom and Burrum Heads and the Howard and Torbanlea areas from Woocoo Shire to Hervey Bay Town, despite local community opposition (EARC File 010/O/221). In 1983 there was a minor boundary adjustment between Tiaro Shire and Maryborough City.
- 11.9 Maryborough is the twelfth most populous city in Queensland and is located near the mouth of the Mary River (ABS 1988). In addition to the city area, Maryborough City contains rural lands used for sugar cane production, State Forest, part of the Great Sandy Strait and the southern half of Fraser Island (ABS 1991d). Maryborough's economy is based historically on manufacturing, particularly wood and metal products (Harris 1983 and ABS 1991d). It is a regional centre and contains retail outlets, schools, government offices, a TAFE College and hospitals.
- 11.10 Woocoo Shire has no significant urban centre and its rural population is serviced by a number of small towns. It contains rural residential developments adjacent to its boundary with Maryborough City. The Shire does not have an identifiable centre within its boundaries and the administrative centre is located at Oakhurst. Agriculture is the predominant source of income for this Shire and in particular, sugar cane production.
- 11.11 Tiaro Shire does not have a significant urban centre but has six small townships which service the rural population of the Shire. The administration centre of the Shire is located in Tiaro which is also the principal town and the identifiable centre of the Shire. Tiaro Shire also contains the coastal area around Tinnanbar. The Shire of Tiaro has an agricultural economic base with emphasis on livestock production. It contains significant areas of State Forest which are not rateable.
- 11.12 Maryborough City is a predominantly urban LA and provides an extensive range of services common to such LAs. Woocoo Shire's major function is the provision and maintenance of roads. It does not provide any water, sewerage or refuse services. Tiaro Shire's primary function is the provision and maintenance of roads. It provides a limited water supply and undertakes refuse disposal in the township of Tiaro.
- 11.13 Tables 11.1 and 11.2 provide details of population, area, and urban centres of the three LAs.

Table 11.1
Selected Demographic and Geographic Features of
Maryborough City and Tiaro and Woocoo Shires

LA	Estimated Resident Population 1990	Area (km ²)	Popln Density (persons/km ²)	Average Popln. Growth 1986-1990 (%)	No. of Electors June 1991	Population Rural 1986 (%)
Maryborough	23,286	1,130	20.61	0.57	15,725	10
Tiaro	2,834	2,196	1.29	2.33	1,902	100
Woocoo	3,212	2,025	1.59	4.02	2,158	100

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern;

and

- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, their residents are classified as rural population.

This data represents 1986 Census material and developments since that time are not included.

Sources: ABS 1991b; ABS 1991c; State Electoral Office 1991; ABS 1986a.

Table 11.2
Population of Urban Centres and Rural Localities over 200 persons 1966-1986

LA	Urban Centre/ Rural Locality	Population June 1966	Percent	Population June 1986	Percent
Maryborough	Maryborough	19,659	100.00	20,177	89.96
	Rural			2,253	10.04
	Total			22,430	100.00
Tiaro	Rural	2,110	100.00	2,518	100.00
Woocoo	Rural	567	100.00	2,700	100.00

Notes: The Australian Bureau of Statistics uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern;

and

- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, then residents are classified as rural population.

For the 1966 Census an attempt was made to identify a nucleus of dwellings using information from census schedules. These procedures were adopted in an effort to obtain data for unbounded localities on a basis more comparable with those of urban centres. As a consequence the apparent size of many localities was reduced from that shown in previous censuses. Care should therefore be taken when comparing 1966 census unbounded locality data with data published from previous censuses.

This data represents 1986 Census material and developments since that time are not included.

Sources: ABS 1966; ABS 1986a; ABS 1991b.

- 11.14 Responses from the Commission's Questionnaire stated there are no Joint Boards involving the three LAs and listed the following joint agreements under subsection 32(1) of the *Local Government Act 1936-1991* involving Maryborough City, Woocoo and Tiaro Shires: the use of Maryborough City's library by Woocoo and Tiaro Shire residents; and the maintenance of boundary roads between Woocoo Shire and Tiaro Shire.
- 11.15 Answers to the Commission's Questionnaire indicated that the Maryborough District Local Authority Land Use Committee was formed under subsection 15(2) of the *Local Government Act 1936-1991* and its membership comprises the LAs of Maryborough, Tiaro, Woocoo and Hervey Bay.
- 11.16 Responses from Maryborough City and Woocoo Shire to the Commission's Questionnaire indicated that there are a number of informal joint arrangements between Woocoo Shire and Maryborough City, including:
- . maintenance of boundary roads between Maryborough City and Woocoo Shire;
 - . Maryborough Promotion Bureau;
 - . use of a refuse tip in Woocoo Shire by Maryborough City residents; and
 - . provision of water supply by Maryborough City to some Woocoo Shire residents.
- 11.17 Answers to the Commission's Questionnaire indicated that the LAs of Maryborough, Woocoo, Tiaro and Hervey Bay and industry representatives are members of the Maryborough District Local Authorities Land Care Committee, which advises on rural land development.
- 11.18 Tiaro Shire indicated in its response to the Commission's Questionnaire that it has a joint agreement with Gympie City for use of its library service. Tiaro Shire is also a member of the Gympie and District Land Care Group.
- 11.19 The LAs of Maryborough, Tiaro and Woocoo stated in their answers to the Commission's Questionnaire that they do not share staff with other LAs and no new proposals for joint arrangements (formal or informal) have been proposed, received or rejected in the past five years.
- 11.20 Table 11.3 shows the number of staff employed by the three LAs.

Table 11.3
Number of Staff Employed by
Maryborough City and Tiaro and Woocoo Shires

LA	Office/Admin	Field	Total
Maryborough	56	130	186
Tiaro	6	30	36
Woocoo	7	21	28

Source: EARC 1991b, pp.1-3

- 11.21 Maryborough City has 159 of its employees residing in Maryborough City, 17 in Woocoo Shire and 10 in Hervey Bay City. Tiaro Shire is relatively self-contained with 28 employees living in Tiaro Shire, six in Maryborough City, one in Gympie City and one in Gooburrum Shire. Fourteen employees of Woocoo Shire reside in Woocoo Shire, 10 reside in Maryborough City, two in Tiaro Shire, one in Biggenden Shire and one in Hervey Bay City.
- 11.22 *The Report of the Commission of Inquiry into the Conservation, Management and use of Fraser Island and the Great Sandy Region* recommended (No. 29) that:

"Consideration be given in a review of local authority boundaries by the Electoral and Administrative Review Commission (EARC) to the alteration of the boundaries of the cities of Maryborough and Hervey Bay and the shires of Noosa and Widgee and the inclusion of the entire region within one local authority area or to the inclusion of the whole of Fraser Island into one local authority area and the inclusion of the entire mainland part of the region into one other local authority area" (1991, p.97).

Matters for Consideration

- 11.23 The LAs of Maryborough, Tiaro and Woocoo were identified in Issues Paper No. 8 as a priority case for further investigation on the basis of community of interest. The relevant community of interest indicators were inclusion of territory with which the major centre has special linkages; and patterns of travel, life and work.
- 11.24 Tiaro and Woocoo Shires were both assessed as being LAs whose residents use the facilities of a neighbouring LA. Maryborough City was assessed as being an LA whose facilities are used by residents of adjoining LAs. Examination of the town plans and strategic plans indicated mild overspill from Maryborough City into Woocoo Shire. The evidence did not disclose any overspill into Tiaro Shire. The application of the general financial indicators found all LAs to be financially sound.
- 11.25 In addition, the public submissions raised other issues including: different levels of service provision to areas divided by LA boundaries; lack of co-ordinated development; and the inability to plan and provide for appropriate infrastructure. Consequently, Maryborough/Tiaro/ Woocoo was retained as a priority case with the determining factors being resource base, service provision and community of interest considerations.
- 11.26 The State Government has recently adopted in principle the recommendation of the *Report of the Commission of Inquiry into the Conservation, Management and use of Fraser Island and the Great Sandy Region*, that "*Fraser Island be in the boundaries of one local authority*". The matter has not yet been referred to the Commission. The Commission has decided not to consider this recommendation because there has been insufficient time to fully investigate the matter with the LAs involved. The Commission will therefore recommend that the matter be referred to an on-going boundaries review mechanism.

Evidence and Arguments

- 11.27 The evidence and arguments are discussed in terms of the Commission's principles for boundary change as detailed in Chapter Four.

RESOURCES TO FULFIL REQUIRED FUNCTIONS

- 11.28 Maryborough City Council's proposed boundary changes have serious implications for the viability of both Woocoo and Tiaro Shires. Woocoo Shire Council (S2622, Question 13) stated that:

"... if Maryborough's proposal for partial amalgamation were adopted, the balance area of Woocoo Shire would have a rate base of \$167,393.00 only, and a total revenue base of around \$400,000.00. The balance area would not be a financially viable Local Authority."

- 11.29 Woocoo Shire (S1851, p.28) has considerable rural residential development adjacent to its boundary with Maryborough City, described by its Council as follows:

"The general areas for such Rural Residential development are in reasonable proximity to the City/Shire boundary, with the main area being to the west of such boundary at Oakhurst, and to the south of Tinana, with a further area well to the south of the City and the Mary River off Langers Road. There is a total of 1,114 Rural Residential properties existing in these locations ... "

- 11.30 These areas are of growing importance to the viability of Woocoo Shire and are within Maryborough City Council's proposed new boundary. Woocoo Shire Council (S2622, Question 12) stated that the area proposed for inclusion in Maryborough City represents 85 percent of the Shire population, 75 percent of the revenue raising capacity and 40 percent of Federal Government road grants.

- 11.31 Further, Woocoo Shire Council's reasoning for recently moving its administration centre from Brooweena, in the centre of the Shire and some 50 kilometres from Maryborough, to Oakhurst which is 10.8 kilometres from Maryborough, is further evidence of the importance of these residential developments to the Shire. Woocoo Shire Council (S2622, Question 17) stated:

"The principle reason for change of location of the Shire Office from Brooweena to Oakhurst was to place the Administrative centre closer to the centre of distribution of the Shire population, as opposed to the centre of the Shire Area."

- 11.32 The area of Tiaro Shire proposed by Maryborough City Council for inclusion in its boundary contains extensive rural land, State pine forest and the coastal area of Tinnanbar. Tiaro Shire Council (S2604, p.6) indicated that this area represented 42 percent of its total rates and 44 percent of its total revenue. The Council (S2604, p.6) added: *"It is considered that the proposed boundary change, which virtually cuts the Shire in half, would leave the balance area in a non-viable condition."*

RESOURCES TO PROVIDE SERVICES AND FACILITIES

11.33 Woocoo Shire Council has considered proposals for water supply within its Shire. A number of water supply investigations have been undertaken by the Water Resources Commission and the then Department of Local Government, in addition to discussions with Hervey Bay and Maryborough City Councils.

11.34 The Water Resources Commission reported to this Commission (EARC File 010/O/221) on the LAs being reviewed as follows:

"Woocoo Shire has contemplated constructing its own scheme to serve south Tinana. Raw water is available to Woocoo Shire from the Mary River barrage but treatment costs are prohibitive for the existing rates base."

11.35 In 1986 the Department of Local Government in its *Planning Report on South Tinana Water Supply* stated that financially, Woocoo Shire could not provide a water supply service:

"From the investigations into all the alternative schemes, it is concluded that regardless of the size of the water supply area, a full pressure water supply scheme designed in accordance with the Department's Water Supply Guidelines for the South Tinana area would be prohibitively expensive due to the rural residential type of development and the scattered nature of the existing residences" (p.26).

11.36 In response to the findings of this investigation, Woocoo Shire Council (T1172) indicated that it has no intention of planning for the provision of water anywhere in the Shire in the immediate future. The Council (T1172) added that if there is development of smaller blocks, the increased population density could provide the basis for a viable water supply.

11.37 This is in contrast with a previous statement by Woocoo Shire Council (S1851, p.27) that it has made no provision in its Shire planning for future residential development and the only development to take place has been, and is likely to be, of a rural residential character with large blocks not requiring either water or sewerage.

11.38 In New South Wales, Dubbo City, with a population of 25,000 and Talbragar Shire with a population of 3,500, were amalgamated in 1980. At that time the Shire strongly opposed amalgamation. Representatives of Dubbo City Council, including some from the previous Talbragar Shire indicated the major changes and benefits since amalgamation:

"The major change since amalgamation has been better integration of services and a better overall plan.

The main area of benefits have been:

- . better development and planning;*
- . better integrated services; and*
- . provision of water supply to areas in the old shire which would not otherwise have got it" (Sherman, 1991, p.27).*

In particular, the representatives indicated that amalgamation of the two LAs had enabled provision of water supply to certain rural subdivisions which the Shire would never have been able to provide with its more limited facilities (Sherman, 1991, p.27).

FLEXIBLE AND RESPONSIVE FINANCING

- 11.39 Although Woocoo Shire is unable to fund a water supply system solely from its own resources, there have been limited attempts to secure the provision of this service by other financing options.
- 11.40 Woocoo Shire had the opportunity to provide a water supply through the extension of Maryborough City's scheme when it augmented its treatment works in 1985. No agreement was reached, however, between the two LAs. Maryborough City Council (T1089) indicated that Woocoo Shire's problem at that time was an incapacity to take responsibility as a reticulation authority.
- 11.41 Formal joint arrangements have not been used extensively in this area in the past. Both Tiaro Shire Council (S2604, p.5) and Woocoo Shire Council (S1851, pp.61-63) argued that the use of joint arrangements is a preferable alternative to boundary change or amalgamation. Maryborough City Council (S2621, p.2) did not support this view. Woocoo Shire Council (T1166) conceded that joint arrangements are limited in their effectiveness:

"I've been very involved in the Maryborough District Land Use Advisory Committee, which consists of four local authorities, Hervey Bay, Maryborough, Tiaro and Woocoo, and I really think this has got a part to play. It is an uphill battle, because each local authority likes to run his own thing. But that land use advisory committee has got a very wide representation, particularly on state government level, in many departments and primary industry as well as local authority. I think the concept is good, but I do really say that I feel that there is a need to, well, for want of a better word, to put some teeth in it to hold it together to make it a more effective organisation."

- 11.42 The *Local Government (Planning and Environment) Act 1990-1991* provides for LAs to levy headworks charges on residential developments to assist with the considerable capital costs of implementing water supply and sewerage systems. As there is no planned development of a water supply or sewerage scheme for Woocoo Shire, the Council has been unable to take advantage of the Act's provision and levy water headworks charges on its developments. Woocoo Shire Council (T1172-1173) stated that:

"... you know, water headworks charges can only be levied by the Council if a scheme is envisaged for implementation within five years. So you know, we can't honestly go out and say that we have a scheme envisaged - and to be done within five years. So we'll supply headworks and not charge."

CO-ORDINATED PLANNING AND DEVELOPMENT

- 11.43 As part of its proposed boundary change, Maryborough City Council (S1540, p.3) submitted that:

"... Council feels the coastal townships of Maaroom, Boonooroo, Tuan, Poona and Tinnanbar (Tinnanbar is currently controlled by Tiaro Shire Council) should be under a uniform coastal management plan. This could more easily be achieved by having these centres under the administration of one Local Authority."

- 11.44 Tiaro Shire Council (S2154, p.3) considered that the reasoning for this proposal was unsatisfactory and illogical. In support, the Council (S2154, p.3) provided:

"The development of Residential Land at Tinnanbar is entirely under the control of the Land Administration Commission, as the Crown is the owner of all land in the area with the exception of those lots already developed and sold. The Land Administration Commission will continue to be the principal developer, irrespective of which Local Authority is involved. In addition Tiaro Shire has expended significant funds in developing the Town of Tinnanbar and plans are in hand to construct the first stage of the Tinnanbar-Cooloola Coast Road access. A Town Planning Scheme is proposed for the whole of the Tiaro Shire, including a Development Control Plan for the coastal area including Tinnanbar. Council is quite prepared to liaise with Maryborough City in relation to the preparation of the Town Plan and Development Control Plan."

- 11.45 The development of rural residential property in Woocoo Shire has occurred near the Maryborough City boundary. Maryborough City Council (S1540, p.2) submitted that this resulted in different levels of service provision by the two LAs in adjacent areas as well as requests to Maryborough City from Woocoo Shire residents for the provision of services not provided by Woocoo Shire:

"There are also differing levels of Council Services provided to residents of the same community who live in the same street but in different Local Authority areas. Maryborough ratepayers have garbage and sewerage services but Woocoo ratepayers do not."

- 11.46 Woocoo Shire Council (S2622, Question 10) disputed this:

"The statement relates to two situations only - that of the boundary roads Kinghorn Road and Iindah Road.

[Kinghorn Road] Both the Woocoo residences and the Maryborough residence have water supply - a private line paid for by the residents themselves ...

The Maryborough residence is serviced by garbage collection; the Woocoo residences are not.

All residences in this street have septic systems ...

[Iindah Road] The Maryborough City premises are serviced for garbage collection, the Woocoo premises are not. The Woocoo Shire premises of Iindah Road are rural residential lots and are not serviced by water or sewerage - the Maryborough City rural residential properties on Iindah Road similarly ARE NOT SERVICED BY WATER OR SEWERAGE RETICULATION. There are eight residential size lots on Iindah Road on the Maryborough City side which do have sewerage and water supply services.

Essentially then the only service enjoyed by 'boundary road' residents in Maryborough City that is not 'enjoyed' by Woocoo residents in the same street is garbage collection.

This Council mooted the possibility of a Shire garbage collection service within Division Three last year (1990), and the feedback to divisional representatives was that the residents did not want it. The Council refuse tip in Division Three is only 500 metres off Iindah Road and therefore convenient to these residents who do not wish to be burdened with a Refuse Collection Charge."

- 11.47 Despite this position, Maryborough City Council (S2621, p.3) claimed that it still receives new requests for services from Woocoo Shire residents and that in 1990 there were eight requests for reticulated town water, 10 requests for refuse collection and 10 requests for testing of water. Maryborough City Council (T1077) stated:

"So it seems to me that we are forced with this small development along our boundaries - people are going there for a particular lifestyle, but are requiring city services. And we see at this point in time the only way to satisfy that need is to at least incorporate those areas into the City, and we could cope with it."

11.48 Rural residential lots have been developed in Woocoo Shire since 1981 and during this time there has been no formal agreement between Maryborough City and Woocoo Shire regarding water supply, even though Maryborough draws and treats its water supply in Woocoo Shire.

11.49 The residential developments within Woocoo Shire are of different standard to those within Maryborough City. Maryborough City Council (S2621, p.2) submitted: "Woocoo does not have a Reticulated Water Supply Scheme and has allowed small Rural Residential Allotments to be subdivided." In evidence, Maryborough City Council (S2972, p.3) provided:

"There is ample evidence that Woocoo has set out to establish residential areas on rural residential lots. In fact, Woocoo Shire is at present dealing with an application for the creation of some 94 lots of about 0.4 ha (one acre) each by a member of that Council on land in Springvale Road which is in very close proximity to the present Woocoo Shire/Maryborough City Boundary at Tinana."

11.50 Developments comprised of smaller blocks have a greater need for service provision, including sewerage. The Town Clerk of Maryborough City Council (T1076) stated:

"Our advice to the Council has always been a concern because of a multitude of septic systems and septic trenches, and in the clay area around the city is not good and that's why up to now the council - the Maryborough City Council, doesn't like the idea of coming down to too small an allotment, unless there's water and sewerage."

11.51 Maryborough City currently supplies water to 55 properties in Woocoo Shire but has an existing policy of no further connections to properties in the Shire. According to Maryborough City Council (T1073), this situation developed as follows:

"MR GORRIE: No, Mr Chairman, it's the result of individual agreements with the individual property landholders which were negotiated many, many years ago. In fact, it was in the days of the Burrum Shire Council."

THE CHAIRMAN: Right. And your policy is not to extend those services to any others at this point in time?

MR GORRIE: In 1978 the Council and Woocoo were trying - the Maryborough City Council and the Woocoo Shire Council were to get together to talk about future needs in the water-supply area. And that didn't happen satisfactorily, and at that stage the then council, mooted, or resolved a policy that it would not provide any further individual connections to the water by individual agreements from that point in time until a satisfactory conclusion was reached. And that policy is still in force."

11.52 Tiaro Shire Council (S1092, p.45) submitted that it has endeavoured to protect its rural lands:

"... the Shire is preserving its rural character and not permitting traditional residential development of an urban type other than in very small and restricted locations associated with existing townships within the Shire."

11.53 In evidence, Tiaro Shire Council (S2797, p.3) cited its Rural Land Subdivision Policy Statement:

"The aim of this policy is to ensure that the integrity of productive rural lands is protected and to ensure that a satisfactory standard of development is maintained through the application of the criteria expressed in this document."

- 11.54 The only rural residential development in Tiaro Shire has been the Curra Country Estate on the Tiaro/Widgee boundary. Tiaro Shire Council stated (S2797, p.1):

"In deciding which land should be included in the Rural B area (ie. Rural Residential) Council had a Land Suitability Study prepared by the Department of Primary Industries and only the poorer class of land was included in the Rural B area."

- 11.55 The Report of the Committee of Inquiry into Local Authority Boundaries in Maryborough, Burrum, Hervey Bay and adjoining Local Authority Areas, recommended:

"There is a definite need for the residential and industrial areas adjacent to the City of Maryborough to be included in Maryborough if essential services are to be provided and to enable the City to obtain a contribution for the provision of facilities used by those living outside the City and accepting it as their centre. Moreover the inclusion within the City of these adjacent areas would enable Maryborough to plan and bring within its town planning scheme the essentially urban development taking place beyond its present boundaries" (1974, p.35).

EFFICIENT AND EFFECTIVE PROVISION OF SERVICES

- 11.56 Many of the submissions from Tiaro Shire residents expressed their opposition to the amalgamation proposal and indicated satisfaction with the current Tiaro Shire administration. This assessment is exemplified by the submission of the Graziers' Association (S1056) which stated: "We consider the Shire is capably run and ratepayers are happy with their own Council." Mr & Mrs Kearney (S2163, p.2) supported this view: "The Tiaro Shire Council over the years has provided a Standard of services which we as residents find satisfactory, they have provided these services at a low cost."
- 11.57 Mr Barrett (L51, p.2) contended that Maryborough City should be expanded to incorporate residential growth areas along the Maryborough/Woocoo boundary to eliminate waste, inefficiency, absurdities and the following areas of friction:

- A. *Maryborough's rubbish dump at Granville is in Woocoo Shire.*
- B. *Woocoo's rubbish dump at Tinana is utilised by Maryborough City ratepayers of that suburb.*
- C. *Woocoo Shire Council plant and machinery that is used to service Tinana, Teddington, Bidwill and Magnolia has to travel through some part of Maryborough.*
- D. *The Maryborough City water pipeline from Teddington Weir in Woocoo Shire runs along Teddington Road and only those connections made many years ago are allowed to draw water from it. Until agreement can be made between the two Councils upon methods of funding and collection of moneys Woocoo Shire ratepayers are the losers."*

- 11.58 Maryborough City presently draws and treats water from Teddington Weir which is situated in Woocoo Shire, and pumps it through Woocoo Shire (including South Tinana) to the reticulation system inside its boundary. The Water Resources Commission reported to this Commission:

"Woocoo Shire Council desire to have reticulated water supplied to South Tinana, a Rural Residential area which adjoins the Maryborough City Council boundary at Tinana, and at Oakhurst. Maryborough City Council have been unable to supply water to Woocoo Shire."

11.59 A preliminary report by the then Department of Local Government on South Tinana Water Supply in 1985 recommended that Woocoo Shire Council commence negotiations with Maryborough City Council with a view to entering into an agreement with that Council on the supply of bulk treated water to the Shire (Department of Local Government 1986, p.2). A later report, *Planning Report on South Tinana Water Supply* (Department of Local Government 1986, p.2) indicated: *"Negotiations between the Councils for the supply of treated water proved unsuccessful ..."*

11.60 The viability of providing water to some developments in Woocoo Shire is hindered by the nature of rural residential developments. Maryborough City Council (T1084) stated:

"I think one of the problems with the water has been that it hasn't been - it hasn't been a viable proposition because of the large - large acreages and the spread of development. I think that's always going to be a problem until there's more densification. But certainly, even - I think from Woocoo's point of view, and I would understand that this would be one of the reasons, and certainly from Maryborough's point of view, we would have to look - if these areas were extended, then it would also would have to be looked at as to what areas have the density to justify the cost of reticulation because they're so spread."

11.61 Woocoo Shire Council (T1165) outlined some problems with Maryborough City's existing water supply system, namely that:

"... from the old Bruce Highway, there are rural residential properties in there, and they do not have water reticulation to them. There are many pockets of rural residential land within the Maryborough City Council that don't have water reticulation to them."

Maryborough City do have problems with their water supply at the moment, and they can't afford to extend that reticulation. The example on King Horn Road where we had 10 residences on our site - the line into there, as I understand it, is a private line installed by the people collectively there at their own expense and may possibly - I couldn't guarantee this, but it may possibly be PVC and not a steel or galvanized iron supply there, and they do suffer low pressure water problems there."

11.62 The Water Resources Commission (EARC File 010/O/221) reported to this Commission on the LAs being reviewed as follows:

"The Teddington treatment works located adjacent to the Weir were augmented in 1985 but there has been insufficient capacity available in the delivery system to Maryborough to cope with peak demand periods."

11.63 A number of submissions proposed that Woocoo Shire's rural residential developments offer ratepayers a choice of lifestyle. For example, Mr and Mrs Wolski (S2457) stated:

"Recently, I have had an opportunity to talk to most of the residents in the Tinana area adjacent to Maryborough City Council/Woocoo Shire boundary. Most residents chose deliberately to purchase properties outside Maryborough City area. Reasons given were varied but consisted of: lower rates; availability of land; greater freedom to use land without restrictions and quiet rural atmosphere."

11.64 At the public hearing (T1085-1086) this question of lifestyle choice was put to Maryborough City Council in relation to the area of Burrum Shire it incorporated following the 1975 boundary change.

"CMR HUGHES: One of the problems that we've been told about at successive hearings, is that there are a large number of people out there who basically want to keep government provision to the bare minimum, in the hope that this means that their contribution to government charges and rates will be kept to the bare minimum, and what they are fearful of is falling into the hands of a larger more functioned authority, if I could put it that way, that will then come and press water and sewerage, kerbing, and guttering, and garbage services, and heaven only knows what on them, when they don't really want anything.

They just want to be left alone on a moderate sized block, digging a hole for their bore water, carrying their garbage away to the local dump from time to time, but basically keeping services to the barest minimum possible. And I just wonder, as we have had in this area at least some recent experience of amalgamation, whether there's any evidence left of people still grumbling that things were much better in Burrum's day - that they were left alone - and people keep pressing services on them they don't want, and they certainly don't want to pay for.

MR GORRIE: I haven't heard anything to that effect. There are areas - other areas that council took over from the old Burrum days which is slightly west of Maryborough in the Copenhagen Bend area, which is now in our boundary area, who had no water and sewerage, and they have been complaining for years about the lack of water services, and within the next 12 months or so they will get their water services. But the complaints are lack of services, not too many."

FUTURE PROJECTED GROWTH

- 11.65 In its proposal for boundary change Maryborough City Council (S1540, p.4) advised:

"Maryborough's development is stifled under its present boundaries. It has little suitable rural residential land that can be redeveloped for urban expansion. This urban expansion is taking place in Woocoo Shire and is aptly described as 'urban overspill'."

- 11.66 Both Woocoo Shire Council (S2788, Part B, p.1) and Tiaro Shire Council (S1092, pp.24-35) disputed this claim by Maryborough City Council. In evidence, Woocoo Shire Council (S2788, Part B, p.1) cited the Maryborough Strategic Plan Part (b) 21.1.1:

"At current dwelling approval rates, there is sufficient land in areas planned to be seweraged or already zoned residential to cater for at least ten years detached housing construction (allowing a generous margin for suitable land not utilised in this period). Council proposes to commit to urban residential development the equivalent of a further four years allotment supply."

- 11.67 Further evidence was provided by Mr Mill (T1105), consultant to Tiaro Shire Council:

"... Maryborough City Council, as recently as 20 December 1990, having completely reviewed its town plan, saw no reason to change the earlier information which the Tiaro Shire submits indicates a very small growth so that there cannot possibly be overspill in the real sense."

- 11.68 Maryborough City Council (S2621, pp.2-3) further advised:

"Prior to 1986, which was the date Council's Strategic Plan came into operation, there was no provision in Maryborough's Town Planning Scheme for Rural Residential Subdivision. Accordingly all developments occurred outside of the City's boundary in the Woocoo Shire area.

Maryborough has land within its area which could be available for future development."

- 11.69 There is no residential development on the boundary dividing Maryborough City and Tiaro Shire. The urban area of Maryborough is separated from Tiaro Shire by part of Woocoo Shire and the common boundary of Maryborough City and Tiaro Shire is located within State Forest. Mr Mill (T1105) stated that:

"... the effective boundary of Maryborough City and Tiaro is about 14 kilometres distance. There is a common boundary but, of course, that is through a state forest, which has no significant bearing as far as earthen development is concerned ... It simply hasn't got an overspill problems from Maryborough."

- 11.70 Tiaro Shire Council (S1092, p.34) submitted that:

"... the boundaries of Tiaro Shire and Maryborough City are approximately 14 kms apart with the intervening area being within the Woocoo Shire. Thus, for any overspill to occur into Tiaro, Maryborough would need to experience massive urban growth instead of its current static status."

- 11.71 This is confirmed by Maryborough City Council (S2621, p.6) which stated "nil" as its best estimate of the number of persons living in the overspill area of Tiaro Shire.

- 11.72 Maryborough City Council (T1072) indicated the differences in the developments occurring in Woocoo and Tiaro Shires:

"... the sprawl out into Woocoo area is more in the nature of rural/residential development and that is a type of development which has not been available within Maryborough city until recent times. The people who are moving from the south, I believe are likely to look at this type of development in areas reasonably close to Maryborough, because they will look at Maryborough as their centre and many of them will seek employment within the city."

I see the situation to be different in Tiaro. Tiaro has a number of small towns. Those towns will develop, but I don't see that they will develop, from any form of urban sprawl from Maryborough. They have little characteristics of their own that will appeal to people that move into the area and they will be able to capitalise on those characteristics."

- 11.73 Woocoo Shire Council (T1153), in disputing the reference to its rural residential development as urban overspill, stated:

"One major reason that rural residential development got underway in Woocoo shire was that Maryborough city's town plan right up to 1986 did not allow or provide for rural residential subdivision within the city limits."

Therefore any developer, desirous of taking that path was more or less focussed into Woocoo Shire, and I must say we are grateful for that. The absence of growth in Maryborough city also has a lot to do with the relationship between high land development costs and more particularly low market value for sale."

- 11.74 Woocoo Shire Council (S2788, Part B, p.11) indicated the substantial difference in fees charged by the two LAs:

"For a Developer to Rezone 4 hectares of land to Rural Residential for the purpose of subdividing 10 lots of 4000m² (1 acre), each the Maryborough City Council Rezoning Fee is \$6,200.00."

For a Developer to make the same application to Woocoo Shire, the Rezoning Fee is \$530.00."

COMMUNITY OF INTEREST

- 11.75 Maryborough City Council (S1540, p.2) proposed that:

"... its external boundaries be altered to encompass the community that utilizes the facilities and services of the City of Maryborough. The present boundaries do divide adjacent rural residential and rural areas from the urban centre that services them.

Based on community of interest, spatial patterns of activities, accessibility by the ratepayers and ability of staff to service the needs of the community, re-division is essential."

Reflect local communities, and the spatial pattern of human activities.

- 11.76 In support of the existing boundaries, Tiaro Shire Council (T1101) stressed:

"Tiaro Shires' ratepayers are in the main engaged in rural pursuits and their expectations are not the same as urban dwellers; their main needs being the construction and maintenance of roads."

- 11.77 Tiaro Shire Council (T1137) indicated its preference to be involved in organisations of a rural nature rather than those involved in tourist promotion. It is not a member of either the Fraser Coast - South Burnett Regional Tourism Board or the Maryborough Promotion Bureau. Tiaro Shire Council (T1137) explained to Commissioner Hall that it had declined invitations to join these organisations and also the Cooloola Regional Development Bureau:

"CMR HALL: So you've tended to look at ones that are more likely to have very close relevance to the majority of residents in your shire.

CR JAMIESON: That's right. Those that impact upon the rural lifestyle and rural pursuits."

- 11.78 Maryborough City Council (T1092) recognised the existence of an essentially rural area in the Maryborough region, evidenced by its preference for boundary change rather than full amalgamation: *"Maryborough Council saw a need at that stage that there was evidence to suggest that there should possibly be a rural based area not included into the Maryborough City area."*

- 11.79 Further, Maryborough City Council (S1540, p.3) stated that *"the residents of the western part of Woocoo Shire (approximately 600) are predominantly rural landholders."*

- 11.80 Woocoo Shire Council (S2307, p.4) indicated that a link existed between its rural sector and the communities located in surrounding rural LAs:

"... whilst the elected representatives, residents and ratepayers in the balance rural area overwhelming support retention of the Shire in its present form, these persons are even more vehemently of the opinion that if partial amalgamation eventuates the former Division One (to January 1991) of the Shire should attach to another rural based Shire."

- 11.81 Mr Martin (S2752, p.2) submitted the following information regarding the former Division One of Woocoo Shire:

"1. This section was serviced by Tiaro until 1915.

2. *This area is a sparsely populated area. The main service required by people in this area is roads.*
3. *No matter what Shire controls this area, whether it be Woocoo, Maryborough, Biggenden, Kilkivan or Tiaro the existing depot at Brooweena would have to be maintained to physically service this area."*

11.82 Tiaro Shire Council (S1092, pp.36-37) acknowledged that Maryborough City performs a regional centre role, but stated that with respect to Tiaro Shire, Maryborough's role is limited to the northern half of the Shire:

"... the Shire residents look toward both Maryborough City and Gympie City as their regional centres. More than half of the population of Tiaro Shire is located in the southern half of the Shire so that, whilst the Shire is satisfactorily self-contained from a community aspect, the residents relate to both Gympie City and Maryborough City in the same way as any fringe or outlying Local Authority relates to its regional centre."

11.83 This is supported by Maryborough City Council (S1540, p.3): *"The ratepayers south of Gunalda range would more readily associate with the Gympie community and the Tiaro, Widgee boundary is within 16 kilometres of Gympie."*

11.84 In comparison, residents of the residential developments of Woocoo Shire are more dependent upon Maryborough as their regional and service centre. The strength of the link between the urban centre of Maryborough and Woocoo Shire residents living adjacent to the Maryborough City boundary, was described by Mr. Baker (T1253-1254):

"The rural residential - I'm looking from the rural residential side. That's, I'd say, the biggest percentage of all of us, we work in Maryborough; our sports - everything is connected with Maryborough. It's associated and you know if we lose out, to me - if we let Maryborough go down the tube, we're letting ourselves go down the tube. Even though we live in Woocoo, we still relate, talk, eat, think, live Maryborough ..."

11.85 Mr Barrett (L51, p.1), a resident of Tiaro Shire, also indicated a community of interest between these areas of Woocoo Shire and Maryborough City:

"It is my contention that the majority of people that live in the areas of Woocoo that adjoin Maryborough are reliant upon Maryborough facilities in many ways, even if it is only for employment and sporting opportunities."

11.86 Further, in relation to the recent change in location of its administration centre, Woocoo Shire Council (S2622, Question 18) stated:

"This situation also reflects the principle function of Maryborough City as a regional centre and the Administration Centres location at Oakhurst is convenient for Shire residents should they wish to also visit the City when having business with the council."

11.87 Maryborough City Council (S1540, p.2) proposed that *"its external boundaries be altered to encompass the community that utilizes the facilities and services of the City of Maryborough."*

11.88 Tiaro Shire Council (T1100) responded:

"As far as the use of Maryborough city's facilities by shire residents is concerned, we consider that Tiaro Shire residents mainly use Maryborough as a regional centre for shopping purposes and the use of Maryborough's other facilities would be very limited indeed.

Conversely, Maryborough residents use facilities provided by Tiaro Shire on a limited basis."

- 11.89 Tiaro Shire Council (T1102) provided evidence of links between the coastal area of Tinnanbar and the remainder of Tiaro Shire, namely that:

"... the Tinnanbar area has a significant community of interest with the remainder of Tiaro Shire. Some residents have holiday homes at Tinnanbar whilst many others see Tinnanbar as a quiet, pleasant spot to go fishing, swimming, or just have a picnic on the beach."

Urban and rural interdependence

- 11.90 Maryborough City Council (S1540, p.3) in proposing major boundary change, claimed: *"Much of the rural area also is economically associated with suppliers based in Maryborough."*
- 11.91 On the other hand, Tiaro Shire Council (S1092, p.36), in support of the existing boundaries, argued: *"Tiaro Shire is a self-contained Shire of rural character and as such, is entirely different in character from the predominantly urban City of Maryborough."*
- 11.92 Woocoo Shire Council (S1851, p.29) also opposed any boundary change or amalgamation: *"Clearly, there is a basic difference between the rural Shire of Woocoo and the predominantly urban City of Maryborough."*
- 11.93 Mrs Carlson (T1216) indicated that some rural interests in Tiaro Shire do not use Maryborough as a service centre: *"Maryborough is not a good town to service rural industry. The agricultural needs are in limited supply" and "There is no stock and station agency and only limited opportunity to dispose of stock."*
- 11.94 The Graziers' Association of South-east Queensland (Tiaro Branch) (T1202-1203) provided further support for the case that Maryborough is not the service centre for the rural industry stating that the major inputs into grazing businesses including fuel, fodder, seeds and fertilizer, were obtained either locally or from Gympie or Murgon.

Accessible centre of administration and service

- 11.95 Maryborough City Council (S2621, p.1) stated that *"the access by residents of Tinnanbar to an Administration Centre in Maryborough would be easier than to Tiaro's existing office."*
- 11.96 Mr Barrett (L51, p.2) also argued that Tinnanbar would be more efficiently serviced by Maryborough City:

"The coastal township of Tinnanbar is approximately 40kms from Tiaro as the crow flies, through mainly state forests. Unfortunately bulldozers and graders do not fly, so the road distance is much greater."

Maryborough City Council already service to within 15kms by road of Tinnanbar. The township of Poona which is already administered by Maryborough is only 6kms. across the water.

I feel that it is ridiculous that the Tinnanbar area is serviced from Tiaro when there is nothing else to service on the way to or from Tinnanbar. It would be more efficient for it to be serviced by Maryborough."

- 11.97 Mr Martin (S2752, p.1) submitted evidence that was contrary to Mr Barrett's view:

"The distance from Tiaro to Tinnanbar is shorter than from Maryborough to Tinnanbar. Direct access to Tinnanbar from Tiaro is via Forestry Roads. These roads are first class gravel roads that are used by the General Public and detailed on maps available from Sunmap."

Evidence provided by Tiaro Shire Council (T1143-T1144) confirmed that the road between Tiaro and Tinnanbar is not a dedicated road (ie. it is not for public use).

- 11.98 Tiaro Shire Council (T1102) referred to its servicing of Tinnanbar:

"Although Tinnanbar is a remote settlement of Tiaro Shire being separated by a large area of forestry land, it is also remote to Maryborough city, being separated by a large area of forestry land and the Poona Creek."

- 11.99 Woocoo Shire Council (S2622, Question 19) maintained that access to the LA's administration centre was an important consideration and an argument against amalgamation:

"There may be a limited number of residents in the northern end of Tiaro and the eastern section of Woocoo Shire who may find actual access to the City Council offices marginally easier.

Obviously the vast majority of current Woocoo and Tiaro residents will have much longer distances to travel and, as stated above, have to contend with traffic and parking problems.

However, their problems with access to the physical administrative centre will be insignificant compared with the difference they will encounter with ready access to Senior Officers in the City Council as opposed to ease of access to Senior Officers of their current Shire Councils."

- 11.100 Tiaro Shire Council (S2604, p.2) agreed that amalgamation would in most cases make access more difficult, particularly in relation to personal contact:

"... with few exceptions, Tiaro Shire ratepayers would be forced to travel an additional 26kms to the Administration Centre and this would obviously make personal contact with Council Officers and Members much more difficult and time consuming."

Effective elected representation

- 11.101 Woocoo Shire Council (S1851, p.11-12) stated that it was satisfied with its recently altered electoral divisions, which reflect a mixture of rural activities and a small measure of rural residential development.

- 11.102 Both Woocoo and Tiaro Shires have expressed similar concerns regarding loss of representation in the event of a major boundary change or amalgamation. Tiaro Shire Council (S1092, p.20) stated:

"The most likely scenario would see the creation of a number of divisions with a mixture of urban and rural interests and the Council would see this as a serious degradation of the representation system. One obvious effect would be a detrimental variation in the ratio of the number of electors to individual members. Another would be the loss of the close linkages which now exists between members and their constituents."

- 11.103 Woocoo Shire Council (S1851, p.12) stated:

"It seems inevitable under amalgamation that divisions will be created which will contain a mixture of urban and rural interests, with the urban interests predominating. The Council would see this as a serious degradation of the representation system. The ratio between the number of electors to individual members would no doubt increase and this would upset the close link which now exists between members and their constituents."

- 11.104 The Brooweena District Land Care Group Inc. (S3131) indicated its concerns regarding amalgamation of Woocoo Shire and Maryborough City:

"Following amalgamation, not only would the rural area have no elected representative, but also there is a distinct possibility that the entire Shire could be devoid of representation."

"If local government is about having ready access to an informed elected member, than any degree of amalgamation would make a total mockery of this admirable and long accepted concept."

- 11.105 Maryborough City Council (S1540, p.2) considered the effect of its proposed boundary change on representation:

"The problem of representation has been examined and Council feels that with the addition of two aldermen and a re-distribution of internal electoral boundaries, the rural and rural residential areas would have sufficient representatives."

- 11.106 Tiaro Shire Council (S2154, p.2), in response to Maryborough City's proposal, stated that the rural areas would have ineffective representation on an amalgamated Council:

"With one (1) member per 2000 electors, as suggested by Maryborough City, and with a re-distribution of electoral boundaries, it may be that the former Shires of Tiaro and Woocoo would have one (1) representative between them and at best, would have two (2) representatives. Council considers that a maximum of two (2) members on a Council comprising eleven (11) members, hardly means effective representation."

Population characteristics and distribution

- 11.107 Most of the submissions which support the retention of the existing boundaries, claim that Woocoo and Tiaro Shires are essentially rural LAs and quite distinct in character and function from Maryborough City. Notwithstanding these submissions, Woocoo Shire Council (S2622, Question 12) stated that 85 percent of its population resides within residential developments adjacent to its boundary with Maryborough City. This is consistent with the statement by Maryborough City Council (S1540, p.3) that the western part of Woocoo Shire, which contains predominantly rural landholders, has an approximate population of 600.

Geographic and man-made features

- 11.108 Mr Thompson (T1209-1210) indicated that geographic features separated Tiaro Shire from the western area of Woocoo Shire:

"... that western part of Woocoo Shire is a little bit isolated geographically from the bulk part of Tiaro Shire. The Tiaro Shire, if you notice the boundary of it, sort of follows the [Urah] Range along."

They're sort of physically isolated to a certain extent by - you know, it's not connected in a straight line by any direct road route, and it's a bit geographically isolated. Just the nature of the terrain in between."

Analysis of Evidence and Arguments

- 11.109 The Commission considers that there are significant differences between Woocoo Shire and Tiaro Shire as they relate to Maryborough City. The common boundary between Maryborough City and Tiaro Shire is substantially within State Forest. This is in contrast to the common boundary between Maryborough City and Woocoo Shire, which is located in an area of rural residential and residential development. Fifty percent of Tiaro Shire's population is located in the southern half of the Shire and those residents use Gympie as their regional centre. Maryborough is the regional centre for Woocoo Shire and also a service centre for residents of the developments adjacent to Maryborough City's boundary.
- 11.110 The Commission believes that the evidence does not support claims that Woocoo Shire is predominantly a rural LA, given the importance of the rural residential sector to the Shire's viability. The rural residential area of Woocoo Shire has become central to the Shire Council's viability, as evidenced by its contribution to the rate base and the proportion of its population living in the area. The decision to relocate Woocoo Shire's administration centre to Oakhurst was based on a desire to be central to this rural residential area. Such a move reinforces the importance of the residential ratepayers to Woocoo Shire.
- 11.111 The Commission, however, agrees that Tiaro Shire is a genuine rural LA and that Tiaro Shire Council's (S1092, p.36) claim to being "*a self-contained Shire of rural character*" has been substantiated. The Commission considers that current development taking place in Tiaro Shire is limited to existing residential areas. There is no evidence that the developments in Widgee Shire which have changed Widgee (to the south) from a rural to a mixed Shire are likely to spread north to Tiaro in the foreseeable future.
- 11.112 The Commission considers that development along the Woocoo/Maryborough boundary is not typical of urban overspill in other priority cases. The extensive rural residential developments have not been caused by a lack of space within Maryborough City's boundaries and a growing population. Rather, the boundary area has been subject to development as the result of lack of provision by Maryborough City for rural residential development, and the decision by Woocoo Shire to increase and diversify its rate base. More recently, this development has probably been encouraged by lower fees charged by Woocoo Shire for rural residential developments.
- 11.113 The Commission considers that increasing development of the area, requests to Maryborough City for water supply, the steady growth rate of the Shire, and the smaller size of some lots being developed, all indicate that future physical services will be required in these rural residential areas of Woocoo Shire. Although Woocoo Shire has examined various proposals to provide a water supply to its residents, it currently does not have any plans to provide the necessary infrastructure. Despite the extensive residential developments taking place in Woocoo Shire, it does not have an adequate resource base to provide water supply or sewerage services to these areas. The inability of Woocoo Shire to provide services, conflicts with the Commission's principle that an LA should have a sufficient resource base to provide and adapt to the changing needs of that community whether by itself, by contract or in conjunction with other LAs.

- 11.114 The Commission considers that an adequate water supply to the Maryborough urban area has not been provided efficiently and effectively. Some areas, in both LAs, have no water supply and other locations have less than satisfactory supply. No attempt has been made by the two LAs to establish a joint water supply despite the following circumstances: Maryborough City's water supply system has its source and treatment plant in Woocoo Shire and adjacent to some residential developments in Woocoo Shire; the former Department of Local Government recommended that the two LAs enter into an agreement regarding the supply of water to South Tinana; and an opportunity existed for Woocoo Shire to be able to purchase bulk water from Maryborough City prior to the augmentation of its system.
- 11.115 The Commission believes that the history of co-operative arrangements between Maryborough City and Woocoo Shire with regard to water supply indicates that the establishment and successful operation of a joint arrangement for the supply of water in this area would require intervention by a third party.
- 11.116 The Commission considers that the evidence demonstrates that there is a community of interest between the urban centre of Maryborough and the rural residential ratepayers of Woocoo Shire. For example, it has been shown that there are spatial linkages involving work and social patterns between the urban centre of Maryborough and the residential developments in Woocoo Shire. Woocoo Shire does not have a service centre and most development has occurred in an area adjacent to Woocoo Shire's boundary with Maryborough City.
- 11.117 The Commission considers that although Maryborough City is the regional centre for the northern part of Tiaro Shire, there is insufficient evidence to support the contention that there is a community of interest between Maryborough City and Tiaro Shire.
- 11.118 The Commission believes that the evidence did not indicate a community of interest existing between Tinnanbar and other coastal townships in Maryborough City. The Commission further believes that Poona Creek provides a natural boundary between Maryborough City and Tinnanbar consistent with the Commission's community of interest principle regarding the location of boundaries.
- 11.119 The Commission believes that the rural western area of Woocoo Shire would identify more with the surrounding rural Shires than with an expanded Maryborough City, on the basis of the community of interest principle that LAs should reflect local communities and the spatial pattern of human activities. The rural sector of Woocoo Shire was shown to have a different pattern of activities and a different economic make-up than the residents of Maryborough City and the residential developments of Woocoo Shire. No evidence was proffered of the existence of an interdependence or community of interest within Woocoo Shire, between the residents of the rural sector and the residents of the developments adjacent to the Maryborough City boundary.
- 11.120 The Commission believes that if there was major boundary change involving the rural residential areas of Woocoo Shire and Maryborough City, the rural area of Woocoo Shire by itself would not form a viable LA. The Commission therefore considers that further investigation of this area of Woocoo Shire and the surrounding rural LAs is necessary to determine which LA would best satisfy community of interest principles.

- 11.121 The Commission also considered whether the western rural areas of Woocoo might be combined with the rural Tiaro Shire to achieve better community of interest. This has not proved feasible because the evidence disclosed that there was not easy access between western Woocoo and Tiaro.
- 11.122 The Commission considered whether the said western rural areas of Woocoo Shire should be amalgamated with Biggenden Shire, but could not resolve the question without delaying the inquiry to consult other LAs.
- 11.123 The proposed amalgamation of Maryborough City and Woocoo Shire is recommended on the grounds of sufficient resource base, suitable service area and community of interest. In particular the benefits of forming a new LA are: a sufficient resource base to provide the services required by its residents; an increased service area to enable more efficient and effective provision of services, and in particular, water supply; and a service area which reflects the area's growth and the spatial linkages of its community.

Recommendations

- 11.124 **The Commission recommends that:**
- (a) **the LAs of Maryborough City and Woocoo Shire be abolished;**
 - (b) **an LA be created from the areas of the previous LGAs of Maryborough and Woocoo, as defined in Map W.12 of Appendix W; and**
 - (c) **the new LA be known as Maryborough City.**
- 11.125 **The Commission recommends that Tiaro Shire retain its existing boundaries.**
- 11.126 **The Commission further recommends that the question of the possible future excision of the western part of the new Maryborough City, and its amalgamation with the adjoining Biggenden Shire, be referred to an on-going boundaries review mechanism for examination.**
- 11.127 **The Commission also recommends that Recommendation 29 of the *Report of the Commission of Inquiry into the Conservation, Management and use of Fraser Island and the Great Sandy Region*, be referred to an on-going boundaries review mechanism for examination (see paragraph 11.26 above).**

CHAPTER TWELVE**BUNDABERG / GOOBURRUM / WOONGARRA****Introduction**

- 12.1 The Commission proposed in Issues Paper No. 8 that the boundaries of Bundaberg City, Gooburrum Shire and Woongarra Shire be reviewed and the three LAs remained on the final list of priority cases announced in April 1991.
- 12.2 Bundaberg City Council (S681, p.23) proposed an extension of its boundaries to include the urban areas of Gooburrum and Woongarra Shires and to allow future expansion. Particulars of Bundaberg City's proposal are set out in Maps W.13 and W.14 of Appendix W. As a second option, Bundaberg City proposed that it be amalgamated with Gooburrum and Woongarra Shires and that the LGA be designated as the City of Bundaberg. Both Gooburrum Shire Council (S1309, p.26) and Woongarra Shire Council (S2626, Question 2) opposed amalgamation or any boundary change.
- 12.3 A number of other proposals were received suggesting boundary changes affecting the LAs of Bundaberg, Gooburrum and Woongarra. They included: a proposal by Mr Abrook (S2033, p.1) to form an urban-based LA and a rural-based LA involving Bundaberg/Gooburrum/Woongarra/Isis/Kolan/Miriam Vale; a proposal by B Goodwin (S113) to extend Bundaberg City's boundaries to incorporate urban and coastal areas, and amalgamation of the remaining rural areas of Gooburrum and Woongarra Shires; a proposal by Mr & Mrs Green (S1541, p.4) to amalgamate Miriam Vale and Gooburrum Shires; a proposal by Mr Bodinnar (S48, p.2) to revamp Local Government leading to the creation of corporate management with province-size areas; and a proposal by Mr Jensen (S54, pp.1-2) to extend Bundaberg City's boundaries with the remaining area of Woongarra Shire to be incorporated with Isis Shire and the remaining area of Gooburrum Shire to be included in Perry Shire.
- 12.4 As at 31 October 1991, the Commission had received 311 submissions in relation to its examination of the external boundaries of Bundaberg City, Gooburrum Shire and Woongarra Shire. More than 250 of these submissions were common form submissions that opposed boundary change to the Shires. A public hearing was held at Bundaberg TAFE College on 4 and 5 July, 1991. The Commission heard evidence from the LAs involved; Water Resources Commission; Bundaberg and District Chamber of Commerce; Bundaberg Cane Growers' Office; Bundaberg and District Irrigation Committee; and selected individuals. For further information regarding the submissions and witnesses see Appendices D and G.
- 12.5 The LGAs of Bundaberg, Gooburrum and Woongarra are situated in the coastal area in the lower reaches of the Burnett River and are part of the Wide-Bay Statistical Division. Map W.13 shows the existing boundaries and major geographic features of the three LAs.

- 12.6 The Municipality of Bundaberg was gazetted in 1881. Bundaberg achieved the status of a City in 1913 (EARC 010/790). It was substantially enlarged in 1917 and in 1918 the Greater Bundaberg area was created (Tucker 1981, p.382). The Gooburrum Divisional Board was formed in January 1886 and became Gooburrum Shire Council in 1903 (EARC File 010/790). Woongarra Divisional Board was established in 1885 and became Woongarra Shire in 1903. Barolin Shire formed in 1879 was absorbed into Bundaberg City and Woongarra Shire in 1918 (EARC File 010/790).
- 12.7 The boundary between Bundaberg City and Gooburrum Shire was initially the Burnett River, but was moved northwards on three occasions in 1917, 1951 and 1962, to enable expansion of the North Bundaberg area of the City. The boundary between Bundaberg City and Woongarra Shire was altered to enlarge the City area in 1917, 1935, 1940, 1951 and 1964. No proposals for boundary change have arisen between Bundaberg City Council, Gooburrum Shire Council and Woongarra Shire Council in the last ten years (EARC File 010/O/211).
- 12.8 The Bundaberg region has large areas of land under sugar cane production (Cameron McNamara 1986, p.4.4). In recent years there has been diversification into horticulture to an extent that in some areas its production value is greater than sugar (L55, p.12). Historically, however the strength of the local economy has been the sugar industry, its associated processing and the manufacturing of associated equipment (Cameron McNamara 1986, p.1.1). Tourism is a developing industry and contributes significantly to the regional economy (Cameron McNamara 1986, p.7.1).
- 12.9 Bundaberg is the eighth most populous urban area in Queensland and is the regional and commercial centre for these three LAs (ABS 1988). Neither of the Shires has an urban service centre within its boundaries. The administration centres of the three LAs are located in the one city block of Bundaberg City. Tables 12.1 and 12.2 provide details of population, area, and urban centres of the three LAs.

Table 12.1
Selected Demographic and Geographic Features of
Bundaberg City and Gooburrum and Woongarra Shires

LA	Estimated Resident Population 1990	Area (km ²)	Popln Density persons/km ²	Average Popln. Growth 1986-1990 (%)	No. of Electors June 1991	Population Rural 1986 (%)
Bundaberg	33,300	45	740.00	0.71	22,503	0.55
Gooburrum	6,914	1,304	5.30	4.17	4,413	87.19
Woongarra	14,701	731	20.11	5.84	9,890	56.08

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern;
- and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, their residents are classified as rural population.

This data represents 1986 Census material and developments since that time are not included.

Table 12.2
Population of Urban Centres and Rural Localities over 200 persons 1966-1986

LA	Urban Centre/ Rural Locality	Population June 1966	Percent	Population June 1986	Percent
Bundaberg	Bundaberg part*	25,402	100.00	31,249	99.45
	Rural			172	0.55
	Total			31,421	100.00
Gooburrum	Bundaberg (part)*	..		441	7.45
	Moore Park	..		317	5.36
	Rural	4,776	100.00	5,159	87.19
	Total	4,776	100.00	5,917	100.00
Woongarra	Bundaberg (part)*	..		1,678	14.08
	Localities			3,555	29.84
	Bargara	..		1,914	
	Burnett Heads	..		1,192	
	Elliot Head	..			
	Rural	4,934	100.00	6,682	56.08
	Total			11,915	100.00

Notes: The ABS uses the following criteria to classify areas as Localities. The area must:

- (i) contain a non-farm population of at least 200 people;
- (ii) have a minimum of 40 occupied non-farm dwellings with a discernible urban street pattern;
and
- (iii) have a discernible nucleus of population.

If areas of rural residential development do not meet these criteria, then residents are classified as rural population.

For the 1966 Census an attempt was made to identify a nucleus of dwellings using information from census schedules. These procedures were adopted in an effort to obtain data for unbounded localities on a basis more comparable with those of urban centres. As a consequence the apparent size of many localities was reduced from that shown in previous censuses. Care should therefore be taken when comparing 1966 census unbounded locality data with data published from previous censuses.

This data represents 1986 Census material and developments since that time are not included.

* The Bundaberg Urban Centre is comprised of parts in Bundaberg City, Gooburrum Shire and Woongarra Shire.

.. Not applicable.

Sources: ABS 1966; ABS 1986a; ABS 1991b.

- 12.10 Bundaberg City is a predominantly urban LA and provides those services which are common to urban LAs. Bundaberg City Council also operates an aerodrome, a multi-purpose community centre, theatre, child care centre, hostel, respite centre, and art gallery.
- 12.11 Gooburrum Shire is predominantly a rural Shire with some rural residential and residential development along its boundary with Bundaberg City at North Bundaberg. It also includes some coastal development which is expected to become more intensive in future years. Woongarra Shire is a mixed LA with extensive coastal development, residential development along its boundary with Bundaberg City, and a rural community. Gooburrum and Woongarra Shires provide a wide range of services and facilities, including water supply, sewerage, flood mitigation, recreation facilities and traffic management.

- 12.12 Responses by the three LAs to the Commission's Questionnaire indicated that although there are no Joint Boards involving the three LAs, there are several other types of joint arrangements both formal and informal between the Shires and the City. These arrangements include:

Joint Committees:

- . Bundaberg and District Library Advisory Committee;
- . Bundaberg and District State Emergency Service Advisory Committee;

Joint Agreements:

- . supply of water by Bundaberg City to North Bundaberg and Tantitha (Gooburrum Shire);
- . supply of water by Bundaberg City to Avoca and Thabeban (Woongarra Shire);

Informal Joint Arrangements:

- . Sewerage agreements;
- . Community Development Officer;
- . Immunisation program.

- 12.13 The LAs' responses to the Commission's Questionnaire also provided details of informal arrangements involving Bundaberg City, Gooburrum and Woongarra Shires and other contiguous Shires. These include:

- . sharing of laboratory facilities between Bundaberg City and Gooburrum Shire;
- . hire of plant and combined collection of kerbside refuse for recycling between Bundaberg City, Gooburrum and Kolan Shires;
- . review of residential regulations between Gooburrum and Isis Shires;
- . sharing of an Environmental Health Officer by Gooburrum and Kolan Shires.

- 12.14 All of the LAs are members of the Bundaberg and District Local Government Association and the Bundaberg and District Development Board.

- 12.15 In the past five years, Bundaberg City rejected the following proposals for joint arrangements involving Bundaberg/Gooburrum/Woongarra: a Joint Board for management of the region's water supply requirements; and a regional refuse disposal operation. Bundaberg City also rejected a proposal by Woongarra Shire to "swap" water between the two LAs at two different locations.

- 12.16 Bundaberg City draws its water supply from bores located around the town and an intake on the Burnett River (EARC File 010/O/211). All of the bores are within Bundaberg City and have a small treatment plant associated with them. The intake from the River, its treatment plant and ground level reservoir are located in Woongarra Shire (EARC File 010/O/211).

- 12.17 Four reticulated water supply schemes exist within the Gooburrum Shire, servicing the urban residents of Rocky Point, Moore Park and North Bundaberg, and rural residential areas of Tantitha and Burnett Downs (S1309, p.12). The areas of North Bundaberg and Tantitha are supplied with water from Bundaberg City (EARC File 010/O/211).

- 12.18 Woongarra Shire draws water from bores and treats it through a number of small water treatment plants for supply to its coastal towns (EARC File 010/O/211). Avoca and Thabeban are supplied with water from Bundaberg City and bores (EARC File 010/O/211). Woongarra Shire has proposed to construct schemes independent of the City supply for the Thabeban and Booloolah/Kalkie areas (S681, p.7).
- 12.19 Bundaberg City has two major sewerage treatment plants at East Bundaberg and Millbank. The East Bundaberg plant services most of the City area and Booloolah in Woongarra Shire (S681, p.11). Millbank is located on the Burnett River in Woongarra Shire and services the Airport, the Bunda Industrial Estate and some residential areas (S681, p.11).
- 12.20 Gooburrum Shire has a sewerage treatment plant at Tantitha which services North Bundaberg and Hinkler Heights/Belmont Park Estate, located in Bundaberg City (S681, p.12). Woongarra Shire has three sewerage treatment plants, situated at Avoca, Bargara and Thabeban. The location of the Avoca plant is 1500 metres upstream from Bundaberg City's Millbank plant (EARC File 010/O/211).
- 12.21 Table 12.3 provides the number of staff employed by the three LAs and Table 12.4 indicates the LAs in which the employees reside.

Table 12.3
Number of Staff Employed by
Bundaberg City, Gooburrum and Woongarra Shires

LA	Office/Admin	Field	Total
Bundaberg	49	258	307
Gooburrum	13	35	48
Woongarra	31	69	100

Source: EARC 1991b, pp.1-3

Table 12.4
Residence of LA Employees
Bundaberg City, Gooburrum and Woongarra Shires

LA of Residence	Bundaberg City	Gooburrum Shire	Woongarra Shire
Bundaberg	248	18	54
Gooburrum	4	20	2
Isis	5	-	1
Kolan	7	2	-
Woongarra	43	8	43
	307	48	100

Source: EARC 1991b, pp.4-6

- 12.22 Seventy-two percent of staff employed by the three LAs reside in Bundaberg City. Thirty-eight percent of Gooburrum Shire employees and 43 percent of Woongarra Shire employees reside in Bundaberg City.

Matters for Consideration

- 12.23 In Issues Paper No. 8 Bundaberg/Gooburrum/Woongarra was identified as a priority case for examination on the basis of community of interest and urban overspill. The LAs were identified by the community of interest indicators that the area should include the territory with which the major centre has special linkages, and patterns of travel, life and work.
- 12.24 Examination of town plans and strategic plans indicated mild urban overspill from Bundaberg City into Woongarra Shire and extensive overspill from Bundaberg City into Gooburrum Shire. The Issues Paper also identified duplication of facilities as an issue, as evidenced by the central location of the administration centres and depots of the three LAs. Bundaberg City was identified as an LA whose facilities are used by residents of adjoining LAs. Both Gooburrum and Woongarra Shires were identified as LAs whose residents used the facilities of adjoining LAs.
- 12.25 The application of the general economic indicators for ordinary services found all LAs to be financially sound. All of the LAs have a high level of debt, however, in respect of their water supply and sewerage undertakings. For the 1988-1989 year, Gooburrum Shire's debt servicing costs represented more than 60 percent of its rates and charges compared to Bundaberg City's rate of 35 percent and Woongarra Shire's rate of 43 percent. The State average for the same year (1988-1989) was 34 percent. (Calculated from Appendix D, Explanatory Note on Financial Condition of Local Authorities to accompany Issues Paper No.8)
- 12.26 Other issues were identified in public submissions, including lack of co-ordination and co-operation between Bundaberg/ Gooburrum/ Woongarra in providing water supply and sewerage services to the urban parts of the region. In addition, the Bundaberg LGA does not allow for future projected growth of the area. Both of these matters relate to the principle that an LA should have an area that allows for: co-ordinated planning and development of the area for the long-term good of present and future residents; efficient and effective provision of physical and human services; and future projected growth. These issues, together with confirmation of those issues identified in Issues Paper No. 8, ensured that Bundaberg/Gooburrum/ Woongarra was retained as a priority case for examination.

Evidence and Arguments

- 12.27 The evidence and arguments are discussed in terms of the Commission's principles of boundary change detailed in Chapter Four.

RESOURCES TO FULFIL REQUIRED FUNCTIONS

- 12.28 The boundary changes proposed by Bundaberg City Council would have different impacts on the viability of Gooburrum and Woongarra Shires. Gooburrum Shire Council (T1321) stated that *"the Shire admits that to lose 10-15 percent of its population and rate base, it would not destroy the shire;"*. Consequently, Gooburrum Shire Council (T1321) favoured Bundaberg City's proposed boundary change to amalgamation.
- 12.29 Woongarra Shire Council (S2626, Question 3) claimed that *"the proposal by the City Council accounts for approximately 40% of the existing rate base"*. Woongarra Shire Council (T1372) agreed that if there was to be change it might as well be amalgamation.

RESOURCES TO PROVIDE SERVICES AND FACILITIES

- 12.30 In support of the existing boundaries, Woongarra Shire Council (T1361) stated:

"Satisfaction with an industry is often a matter of intangibles. These intangibles such as identity with an area or a council will be lost with amalgamation and in the present times of continual radical change in society people like to feel secure with their own backyard, their own locality and their own local government. Amalgamation or massive boundary change will destroy this security and create confusion about who pays and who benefits from the various local government activities."

- 12.31 In support of its existing boundaries, Gooburrum Shire Council (L55, p.11) argued that diversification of its resource base had increased its service capacity:

"The Shire of Gooburrum wishes to remain in its present form because of the benefits of diversification. A purely rural Shire is subject to severe problems because of the instability of the rural sector. The Shire feels it has attained the population and rate base that allows it to enter a different threshold. It can expect to hire more professional staff, engage in longer term planning, and react responsibly to State government plans for local government. Shires in Queensland modernise their activities and broaden their attitudes by catering to a mixture of urban, rural residential, and coastal development. This exciting threshold will be lost if Bundaberg is successful in gaining its demand for incorporating sixteen per cent of the Shire's existing population into Bundaberg City."

- 12.32 Gooburrum Shire Council (S2634, p.4) further argued that Bundaberg City's proposal to incorporate the urban area of Gooburrum Shire would have a detrimental impact on the effectiveness of the services being offered to all Shire residents at the present time:

"The viability of retaining fulltime services provided by such personnel as the Shire Engineer, Environmental Health Officer and Building Inspector must be considered along with other affects such as reduced town planning accessibility and reduced plant utilisation."

- 12.33 Mr Campbell MLA, Member for Bundaberg in the Legislative Assembly (S2729, p.2), pointed out that amalgamation of the LAs would produce one "diversified" LA: *"It was stated that this diversification was 'good' for the shire. If this argument is taken further is it therefore good for the district to have one 'diversified' local authority?"*

CO-ORDINATED PLANNING AND DEVELOPMENT

- 12.34 The provision of water supply and sewerage services within the region covered by these three LGAs indicates a lack of co-ordination and co-operation between the LAs. The Water Resources Commission (T1393) considered that:

"The situation with regard to the provision of water supply and sewerage services in Bundaberg and fringes area has, on the whole, got to be assessed as less than totally satisfactory.

Many of the difficulties referred to in our submission: different water rates, different sewerage rates, water restrictions, different headworks policies, are exemplified in the Bundaberg situation."

- 12.35 Table 12.5 provides details of the water and sewerage rates levied by the three LAs for the financial year 1990-1991:

Table 12.5
Annual Water and Sewerage Rates 1990-1991
Bundaberg City, Gooburrum Shire, Woongarra Shire

Urban Centre	Water \$	Sewerage \$
Bundaberg City		
Bundaberg	157	199
Gooburrum Shire		
Moore Park	116	..
North Bundaberg	180	535
Woongarra Shire		
Avoca	242	247
Bargara	242	274
Elliot Heads	242	..
Thabeban	242	294

Note: ".." Not applicable

Source: Department of Housing and Local Government 1991

- 12.36 Bundaberg City Council (T1278-1279) provided evidence of the lack of co-ordinated planning for the provision of infrastructure in the region:

"A report prepared by the Bundaberg City Council in 1974 proposed that the whole of the Bundaberg urban area within the limit of urban development ... be seweraged by augmentation and extension of the then existing two major schemes, East Bundaberg and Millbank."

The Council (T1310) added that *"the design and construction of the Avoca plant (in Woongarra Shire) was under way before the city was aware that the Shire was developing its own independent plant."*

Bundaberg City Council (T1310) agreed that the excess capacity of the Millbank was intended to be used for Avoca.

- 12.37 In the case of the sewerage treatment plant at Tantitha in Gooburrum Shire, Bundaberg City Council (T1310) claimed that:

"... the city had planned to take that area into its east plant in the long term, but the timing of that wasn't suitable to the shire. They wished to sewer their area at an earlier date which they did, but the city's scheme at this stage could handle the sewerage from Gooburrum Shire on the northside back to our east treatment plant."

- 12.38 An extensive study commissioned by the three LAs several years ago did not produce a lasting joint approach to the management of water supply in the region. Woongarra Shire Council (S2626, Question 7, p.1) indicated that, following the release of the report, the Water Resources Commission recommended to each of the LAs that a regional authority be established to manage the water operations. Woongarra Shire Council pursued this matter by initiating efforts to form a Joint Board with Bundaberg City, Gooburrum Shire and the Water Resources Commission. Gooburrum Shire Council (S2634, p.8) indicated a favourable response to the proposal. Woongarra Shire Council (S2626, Question 7, p.1) stated: *"The Bundaberg City Council was not in favour of the proposal and supported the retention of existing informal arrangements."*

- 12.39 With respect to resolving the difficulties caused by LA boundaries intersecting urban areas, the Water Resources Commission (T1392) stated:

"... while a redrawing of boundaries may well resolve these difficulties there are other models such as joint arrangements, joint local authorities, and more specifically water boards that would equally resolve these problem[s]."

- 12.40 Joint arrangements were advocated by both Gooburrum Shire Council (S2634, p.8) and Woongarra Shire Council (S2626, Question 9, p.1), as an alternative to amalgamation and boundary change. Gooburrum Shire Council (S2634, p.8) submitted:

"Joint arrangements could be feasible for services that cross Local Authority boundaries such as water supply and sewerage. In these areas, economies of scale should result in a lower unit cost for water supplied or sewerage treated."

- 12.41 Bundaberg City Council (S2623 p.10) claimed that the role of joint arrangements was limited:

"Joint arrangements do have their place as an alternative to boundary changes in limited circumstances. However, where major functions such as water supply, sewerage and drainage are all involved to a significant degree then joint arrangements are no longer an appropriate alternative."

- 12.42 Dr Jones (T1319), appearing on behalf of Gooburrum Shire Council, claimed that informal co-operation between the LAs had enabled water and sewerage planning for the region to be a model of effectiveness:

"... I believe there is actually a lot of informal co-operation goes on between council officers that doesn't actually - it is not a joint agreement or whatever, but there is a lot of this process goes on and it copes very well with the rate of growth in this region ... I believe it has been very economic; it has been very responsible; and it is a model of where the end result is very effective, even though there hasn't been formal joint agreements."

- 12.43 Mr Campbell, MLA (S2729, p.1), on the other hand, stated: *"It has been my experience, that the three councils have been competitive rather than co-operative in undertaking joint facilities or services."*

- 12.44 This position was supported by Bundaberg and District Fruit and Vegetable Growers' Association (S3070, p.1) which stated: *"There is certainly a lack of co-operation between the three Councils in the areas of water, sewerage, drainage and town planning."*

- 12.45 Mr Campbell, MLA (S2729, p.4) provided some background as to why a joint Water Board had not been established in the region:

"The history of the Bundaberg Irrigation Scheme has a significant bearing on the attitude of the City Council to a Water Board."

The State Government (W.R.C. - the then I.W.S.) allocated water from the Monduran Dam and underground aquifers on the basis of 1970 sugar cane assignments, areas of horticulture and urban and future urban demands.

The then Mayor of Bundaberg, the late Cliff Nielsen, was an advocate of urban supplies being provided from underground aquifers as this was the least expensive source for treated water for residents. His and the City Council's view was not accepted by the State Government and the city and shires were allocated both surface and underground water supplies.

In other words there was a feeling that the Council was treated badly in regards to its water allocation and that the cane farmers were treated very well.

As there was a majority of canegrowers (farmers) on the shire councils at that time it was felt that a Water Board could give growers the control of city water supplies.

At the time of the water allocations in 1970 the underground aquifers were very low and suffering salt intrusion and security of water supplies would have influenced the decision to provide surface water."

- 12.46 Mr Peters (S11) pointed out an inconsistency between the water supply policies of Woongarra Shire and Bundaberg City *"at present one has water meters while the other does not. Yet both draw on the same water supply. The unfair result is Woongarra properties are much more in demand."*

- 12.47 In support of this, Bundaberg City Council (S2623, p.5) stated:

"With the completion of universal metering and the implementation of a 'Pay for the Use Scheme' on the 1st July, 1990, as well as the completion of additional ground storage, the Bundaberg City Council lifted water restrictions which have been in force for many years. Similarly the urban areas of Gooburrum Shire are universally metered and restrictions no longer apply."

On the other hand Woongarra Shire has chosen not to install meters in its Bundaberg urban areas and currently has restrictions on the use of water for gardening purposes. This leads to considerable confusion for residents living in adjacent areas. Refusal by the Woongarra Shire to impose restrictions similar to those imposed by the City on a past occasion could have jeopardized the maintenance of supply at that time."

- 12.48 Woongarra Shire Council (S2626, Question 16) explained why it had not adopted universal metering:

"The Woongarra Shire Council compared several alternative demand management policies and charging policies for its water supply schemes during investigations for the Shire's Water Augmentation Strategy report ... Council was not prepared to incur the cost outlays associated with universal metering for no increased water availability and no guaranteed reduction in water usage or water service charges."

- 12.49 The provision of stormwater drainage is an area where there appears to have been a lack of co-operation between the three LAs. Bundaberg City Council (S681, Appendix, p.18) claimed that a number of problems have occurred where catchments were under the control of two LAs and cited the following instances:

"Catchment A Bundaberg City has constructed a concrete open drain to service the Hinkler Heights/Belmont Park Estates to the City Boundary. It has not been possible to reach agreement on the design and construction of shared works downstream in Gooburrum Shire. As a result extensive ponding of water occurs in the City Area during periods of wet weather."

Catchment C ... On two occasions in the past the Woongarra Shire Council has extended existing open drains to the south of existing catchments boundaries greatly expanding the catchment area and hence the flow through downstream drainage structure within the City area."

At present the Bundaberg City Council has to provide these structures or extend them as required while having no control over runoff from that part of the catchment in Woongarra Shire."

- 12.50 Gooburrum Shire Council (S2634, pp.5-6) disputed that such problems are the result of LA boundaries crossing stormwater catchments and stated:

"Stormwater problems' referred to in Bundaberg's submission are not caused or aggravated by the fact that stormwater catchments cross Local Authority Boundaries. The problem is caused by the large catchments with very flat drainage slopes. The urban areas of the city are in the upper reaches of the catchment and the natural rural areas downstream do not encourage rapid dispersion of stormwater."

- 12.51 Bundaberg City Council (T1307) indicated why it believed that no agreement had been reached with Gooburrum Shire in relation to the Hinkler Heights/Belmont Park Estates (Catchment A) drainage problem:

"... Gooburrum shire might have higher priorities than, you know, spending money on drainage in that particular area."

I think it would be very difficult to reach an economical agreement on that one unless Bundaberg city council funded the lot."

- 12.52 This assessment was supported by Gooburrum Shire Council (S2967, p.2):

"The drainage problem in North Bundaberg can be easily solved if the City Council funded the works (Mr. Byrnes, page 1307). Gooburrum is most receptive to assist the City in arranging the work even though our rural residents are suffering from increased stormwater run-off from the developed urban area. Intense development is not permitted in Gooburrum unless downstream drainage capacity is adequately addressed before the proposal is approved."

- 12.53 Woongarra Shire Council (S2626, Question 15, p.3) disputed the existence of the drainage problem cited by Bundaberg City:

"... this Council has not directed stormwater into any catchment to which it did not already contribute. Clarification of the 'two occasions' referred to by Bundaberg City has highlighted misinterpretation and inaccuracy within the statement made in Bundaberg's submission (S681). One 'occasion' occurred well in excess of 20 years ago while the other is totally inaccurate and hence unsubstantiated. The Water Resources Commission channel in this area is a physical barrier to overland flow and the area to the north of this structure which contributes to the City stormwater system is largely sparsely developed or undeveloped at this stage and hence the increase in natural run-off is not significant. Council recently considered proposals by developers of this land to detain and/or retain the run-off in this area so as not to increase the peak flow contribution to the City's system."

- 12.54 Woongarra Shire Council (S2626, Question 15, p.4) did however, provide details of a problem with Bundaberg City's Palmers Creek catchment (Catchment E) area:

"... the south-eastern boundary of their 'Catchment E' is in fact a major shopping centre whose drainage was directed across the Local Authority boundary (Johnston Street) into Woongarra Shire and into a natural drainage path through private property. The substantial increase in run-off from this expansive imperviously sealed roof and carparking area has caused considerable erosion to this private property and continual approaches by the landowner to the City Council have been ignored. No reference was made to the landowner for permission to discharge by the shopping complex developer nor were conditions applied to the developer to accommodate increased stormwater run-off."

- 12.55 The local representative of the Water Resources Commission (T1402) said of drainage problems in the district: *"It's never been brought to my attention of any regional-type problems or crossing of boundaries to discharge water from a drain into another shire."*

- 12.56 Bundaberg City Council (L53, p.7) claimed that a lack of co-ordination of planning and development exists across LA boundaries:

"District population growth since the early 1970's has resulted in a lack of co-ordination of planning and development across the City boundaries. These areas of development in the main are contiguous with the City or are located along arterial roads radiating from the City and in pockets of development along the Burnett River."

- 12.57 Bundaberg City Council (S2623, p.11) submitted that developments adjacent to its boundaries could have been better planned and co-ordinated:

"Had the adjacent development in Gooburrum Shire been within the City boundary, the development would have been more co-ordinated in the control of urban sprawl. Rather than permitting fragmented urban sprawl, a planned urban expansion programme would have ensured development occurred in conjunction with urban infrastructure."

Special attention would have been given to the allocation of priority areas for development which would have controlled leap-frogging of inner lands more suited for development than outer areas.

All lands designated for development in the short term would be those relatively economical to connect to services. Considerable cost savings on services could be achieved with this approach."

- 12.58 In evidence, the Council (L53, p.7) cited the three Towns Plans affecting the urban areas close to Bundaberg City:

"The Council has a Town Plan and Strategic Plan for the development of the City Area. The urban areas close to the City (Avoca, Booloolah, Maylands/Thabeban in Woongarra Shire and One Mile Road, Bonneys Estate/Tantitha in Gooburrum Shire) come under the Town Plans of the adjoining Shires."

- 12.59 Mr Campbell, MLA (S2729, p.3) indicated concern regarding town planning for the district:

"I am concerned that town planning for the district is disjointed and unco-ordinated. We have three strategic town plans - one completed in 1981, another 1988 and another soon to be completed - all carried out by different town planning consultants."

- 12.60 Gooburrum Shire Council (S2634, p.9) advised that the areas of Gooburrum Shire and Bundaberg City adjoining the common LA boundary have compatible land uses:

"... the majority of land uses adjoining the boundary are compatible ie. agricultural with agricultural, open space with agricultural, residential with residential.

The assertion that the current boundaries have caused unco-ordinated development across the boundaries cannot be substantiated.

... with the current boundary of the Bundaberg City Council, Belmont Park is surrounded by agricultural land and removed from existing residential development. This would suggest that unco-ordinated development can occur within existing local authority boundaries...

The land uses adjacent to the proposed boundaries are as compatible as the existing boundaries."

- 12.61 Woongarra Shire Council (S2626, Question 18) stated that a graphical representation of the town planning zones for the two LAs, in the area of the Woongarra/Bundaberg boundary, indicated there were no problems of compatibility of the two Town Planning Schemes.

- 12.62 Bundaberg City Council (S2623, p.11) confirmed the compatibility of zonings along the Bundaberg/Gooburrum boundary and the Bundaberg/Woongarra boundary:

"Inspection of the Gooburrum and Woongarra Shire Councils Zoning Maps, for the most part show there is no real incompatibility with the Zoning of Lands contiguous with the Zonings in Bundaberg City."

- 12.63 Mr Campbell, MLA (S2729, p.2) stated:

"It would appear to me that one town planning authority with one strategic town plan and one set of by-laws could better plan to reduce this conflict than having three approaches to this conflict."

- 12.64 Gooburrum Shire Council (L55, p.8) gave examples of co-operation between the three LAs:

"The region has pioneered co-operative arrangements with an effective systems of co-ordinated Strategic Plans prepared for the City of Bundaberg, and the Shires of Gooburrum and Woongarra. There is also effective regional industrial planning and promotion through the Bundaberg District Tourism and Development Board.

The three local authorities in the region co-operated in a study by Cameron McNamara on the Bundaberg Region Economic Diversification Study funded by the Commonwealth Department of Local Government and Urban Development published in 1986.

All three local authorities are keen to encourage local economic development and existing boundaries are no barrier to effective economic development strategies."

- 12.65 The Bundaberg and District Chamber of Commerce (T1408) indicated that, in the event of boundary change or amalgamation, Bundaberg and District Development Board would still operate harmoniously:

"CMR WATSON BLAKE: I understand that the three councils work very harmoniously, particularly in the development and tourism board.

MS JOHNSTONE: Yes, they do.

CMR WATSON BLAKE: I've heard that there's very good feeling there.

MS JOHNSTONE: Yes.

CMR WATSON BLAKE: So whether the status quo remained or the boundaries slightly changed or there was amalgamation that it probably would still work?

MS JOHNSTONE: Yes."

- 12.66 Woongarra Shire Council (L57, p.13) argued that a number of Councils in one region enabled choices and healthy competition:

"A number of Councils in one region provides for choices and comparisons and EARC needs to balance todays co-ordination problems with the existing healthy competition between Councils that assist in providing people with choices in lifestyles and spending levels. It can be said that micro economic reform in Australia has seen some emphasis on breaking down monopolies in all parts of the micro economic economy - giving one local authority in this region a monopoly seems a very outdated approach to reform."

- 12.67 This argument was disputed by Mr Quinn (T1429):

"There has been talk as well about the question of competition, healthy competition between the three local government authorities; quite frankly, I don't think it's competition, I think it's parochialism, and I believe that we would be much better placed as we do on many occasions now already and the development board is an example of this if we were, so to speak, to pool our resources and the outcome would, without a doubt and on my part, be synergistic."

EFFICIENT AND EFFECTIVE PROVISION OF SERVICES

- 12.68 The Water Resources Commission's (EARC File 010/O/211) report to this Commission on the Bundaberg region stated: *"There is a proliferation of water supply and sewerage schemes throughout a relatively compact region."*

12.69 The Bundaberg and District Fruit and Vegetable Growers' Association (S3070, p.1) also observed that there was unnecessary duplication of water and sewerage infrastructure.

12.70 Bundaberg City Council (T1279) argued that construction of independent sewerage schemes by Woongarra Shire has resulted in unwarranted duplication of services:

"This is particularly so in Avoca-Millbank area, where pumping stations and rising mains are duplicated, and the natural catchment is serviced by 2 treatment plants less than 1.5 kilometres apart. There are clearly economies of scale in relation to sewerage treatment plants. Water Resources Commission statistics indicate that the operation and maintenance costs per connection of the larger treatment plants such as East Bundaberg and Millbank could be less than half that for smaller plants."

12.71 Woongarra Shire Council (T1381) explained the development of the Avoca treatment plant as follows:

"We have schemes - separate schemes which service our areas and they are, from studies we've undertaken, the better option in terms of cost to our ratepayers."

This is in relation to the Avoca treatment plant, which was discussed this morning by the city council. The conclusions from this study indicated that treatment costs resulting as a levy on the ratepayers by directing the sewerage into the city council's treatment plant would be in the vicinity of \$171 as an across the board rate whereas the council's scheme going it alone would \$127 per connection. That's a significant saving. That's 75 per cent."

12.72 Woongarra Shire Council (S2359, pp.21-22) provided evidence to the effect that the urban residents of Woongarra Shire connected to Bundaberg City's water supply, are subsidising the water rates of Bundaberg residents:

"The Bundaberg City Council's submission indicates that City only charges the surrounding Shires 'the average cost of supply for the city'. This charge is currently 42.5 cents per kilolitre, less ten (10) percent. The Bundaberg City Council, at a public meeting held to allay resistance to its water meter charging policy, reported to the assembly that the cost of supply of treated river water at a water tower was approximately 33 cents per kilolitre, whilst the cost for supply of treated bore water at the same location was approximately 11 cents per kilolitre. On this basis the Bundaberg City Council charge for water supplied to the Shires must currently contain a significant component to cover the City water scheme's operation and maintenance costs. The scale of this 'subsidy' of Operation and Maintenance costs comes further into question when one considers that two of the three Woongarra Shire urban areas supplied with water from the Bundaberg City Council receive the cheaper bore water. The Woongarra Shire Council is still charged for this treated bore water at a unit rate even higher than the stated cost of supply of treated river water."

12.73 Gooburrum Shire Council (S2634, pp.6-7) made similar claims:

"The price that the Shire has to pay for water from the City indicates that the Shire is subsidising the water costs of the City's residents."

Water for the North Bundaberg area of Gooburrum Shire comes from underground. Under the present water allocation arrangement, the residents of Gooburrum appear to be disadvantaged by having to pay for surface water, but are actually supplied underground water which can be produced far more economically. Gooburrum Shire rate payers are subsidising the City's water users."

- 12.74 The Water Resources Commission (EARC File 010/O/211) also indicated in its report to the Commission that Bundaberg City's water pricing was excessive:

"Burnett Downs (Gooburrum) is currently reticulated with untreated water from the Burnett Barrage. The Shire wishes to remain independent of Bundaberg City Council, mainly due to excess pricing policy for water."

- 12.75 In defence of its water pricing policy, Bundaberg City Council (S2623, p.7) argued:

"The charges made for water to Woongarra and Gooburrum Shire Councils are on a reasonable basis. The Bundaberg City Council has an underground Water Allocation of 6,200 ML per year. Water used above this amount is supplied from surface water. The cost of Surface Water is extremely high due to the chemical costs involved.

As the amount supplied to the two Councils, when deducted from Total Usage would leave the Total Usage above 6200 ML there is a sound argument that the Charge should be at the Surface Water Rate, which would be well in excess of the current charges."

- 12.76 The Water Resources Commission (EARC File 010/O/211) in its report to the Commission provided examples of problems with the water supply and sewerage systems of the Bundaberg region:

"There are problems with developments in Woongarra not being sewered and the demand for on-site disposal of sewage. The region makes heavy use of the groundwater therefore there is a high risk of contamination of groundwater supplies.

There are apparently problems in the water supply trunk main distribution system in Bundaberg, highlighted by a recent failure of the North Bundaberg elevated tower and a system analysis which discovered an inability of the system to provide adequate water to East Bundaberg.

The area around Kepnock [Woongarra] is currently outside of the area covered by the Shire's water supply agreement with the City. This area is currently being held back from development because the City will not agree to supply water. The Shire is planning to reticulate water to this area from the Hummock reservoir.

Woongarra Shire has opted to supply reticulated water independently of Bundaberg City Council. The only area in the Shire to remain supplied from Bundaberg City will be a small area called Booloolah Estate."

FUTURE PROJECTED GROWTH

- 12.77 Bundaberg City Council (T1284) stated: *"The boundary designations have not allowed for growth to be part of the urban areas, as should have occurred in normal expansion."* The Council suggested that *"provision be made for future expansion to meet anticipated population increases for the foreseeable future."*
- 12.78 In support of the existing boundaries, Woongarra Shire Council (S2626, Question 2) stated:

"Past history has proven that the Councils of the Bundaberg District have a consensus on regional growth and there is no evidence that the actions of this Council or any Council in the District have prejudiced that growth."

- 12.79 Gooburrum Shire Council (S2634, p.9) expressed a similar view: *"Indeed, there is no evidence to suggest that the existing separate Local Authority boundaries in the Bundaberg Region have hindered or restricted development and growth of the Region."* The Council (T1322) further stated:

"...the choice and flexibility in this region with the three local government systems here, has enabled the region to grow and offer that choice and opportunity that would not have been offered if the city [had] control over the coastline."

- 12.80 Mr Quinn (T1435) claimed that the growth could not be attributed to the LA: *"There's been substantial growth, relatively speaking, but I'm not sure that that growth is simply because it's Woongarra Local Government Authority ..."*

- 12.81 Gooburrum Shire Council (L54, p.2) outlined the urban development within its boundaries:

"Urban development has been confined to a small area of overspill from Bundaberg and to small townships and settlements dispersed throughout the Shire. Subdivision development outside Moore Park has been predominately of a rural residential nature and this, too, has been dispersed throughout the Shire area. Current development activity is heaviest in and around the coastal town of Moore Park which suggests this will be the growth area of the Shire in the foreseeable future."

- 12.82 Gooburrum Shire Council (S1309, p.13) indicated that Moore Park had a population potential of 8000 people.

- 12.83 Dr Jones (T1322), as consultant for Gooburrum Shire, claimed that the North Bundaberg area in Gooburrum Shire *"on all projections is not likely to grow dramatically in the future."*

- 12.84 Bundaberg City Council (S2623, p.10) disputed this claim:

"Council is of the view that development will continue in these areas north of the City and westward along the Burnett River as it has done in recent years. It is considered that these developments will merge into one consolidated residential area."

The construction of the new Bridge over the Burnett River should see greater development take place in these areas."

- 12.85 Mr Campbell, MLA (S2729, p.2) also disagreed with Dr Jones' suggestion:

"I disagree strongly with this view due to the future construction of a second traffic bridge across the Burnett River. In other coastal cities which have improved the cross river traffic link growth has been substantial - Rockhampton and Mackay as examples."

- 12.86 Woongarra Shire Council (S2359, p.6) stated that *"a large proportion of the City area remains undeveloped and basically suitable for residential development."* The Council (S2626, Question 19) later added:

"It is submitted that there may be some infrastructure costs to provide water and sewerage services to the areas ... The lack of water, sewerage and drainage infrastructure to these areas is solely the result of the City Council's decisions to provide same or make it attractive or viable for private development."

The total area ... is approximately 12 square kilometres which is 25% of the gross area of the existing City Council area and conservatively could produce in the order of 7500 residential allotments."

- 12.87 Bundaberg City Council (T1293) advised that although there was vacant land, it was not all suitable or available for residential developments:

"All of the land that is shown vacant within the Bundaberg City boundaries, if you have a close look at it, most of the land on the north side is flood prone and possibly rural; some of the land on the south side, as the mayor has pointed out, in the retirement villages, a lot is owned by the Anglican church, and they're building a big retirement village there.

When you get to the airport land, we're down to the five acre lots which are owned by more or less individual persons, not a person owning a whole lot that could redevelop it as one. The Council has only water to some of that but will eventually put water there and have to get sewerage there,..."

- 12.88 Bundaberg City Council (T1294) indicated that a reasonable assessment of urban residential blocks available for future development would be a maximum of 1500 blocks.

- 12.89 Mr. Quinn (T1430) predicted growth along the arterial roads emanating from Bundaberg City:

"I also see, like as happened between Brisbane and the Gold Coast, but on a much smaller scale here in the Bundaberg district, this urban creep out along main arterial roads. It's certainly happened to the south and to the west and it's happening to the east, and there's no doubt in my mind that eventually Bundaberg City, as we understand it today, and the Bargara area will be linked totally."

Mr. Quinn (T1437) added *"but I can't see, if you like, a city of Bargara springing up in the next 20 years..."*

- 12.90 Mr. Abrook (T1474) argued that for the region to grow, an expanded LA is necessary:

"My contention is that for this area to grow, as long as we all agree that growth is a desirable factor in the area, the conditions that are needed are: room to expand within a local authority boundary; to have a major town within that local authority boundary as a nucleus; a good supply of developed land available for use in the cyclical periods during which development does occur; and desirably a coastal frontage, whether it's beach front or a major river or an estuary."

REFLECT LOCAL COMMUNITIES, AND THE SPATIAL PATTERN OF HUMAN ACTIVITIES

- 12.91 Bundaberg City Council (T1277) provided evidence of a community of interest between Bundaberg City and surrounding Shires:

"The population of the surrounding shires make extensive use of the commercial, educational, religious, medical, employment, and recreation facilities of the city. They are dependent on Bundaberg and form part of its community."

- 12.92 Gooburrum Shire Council (S1309, p.8) confirmed the existence of a wider community of interest:

"The City of Bundaberg is the centre of commercial, shopping, business and Government services throughout the region. This region extends to include the Shires of Miriam Vale, Gooburrum, Kolan, Isis, Perry and Biggenden."

- 12.93 Woongarra Shire Council (S1296, p.12) acknowledged a community of interest between the LAs of the Bundaberg region:

"It is quite realistic to say that many Local Authorities of the Bundaberg District have a Community of Interest in many respects in that Bundaberg (N.B. This is not a reference to Bundaberg City Council) is viewed as a major Commercial, Industrial, Agricultural, Retail, Government and Professional centre for a district extending past Gin Gin to the north, past Biggenden to the west and past Childers to the south."

- 12.94 Gooburrum Shire Council (L54, p.5) stated in relation to community of interest within its Shire:

"We are a rural Shire with a different 'community of interest' to the City. We have 27 identified communities and over 50 community organisations dispersed throughout the Shire. Each little community has its own bond and there appears to be a greater sense of neighbourly help."

- 12.95 Bundaberg City Council (S2623, pp.13-14) argued that although there was a diversity of interests among the three LAs, the urban residential development close to the City was a part of the City:

"It is agreed 'Gooburrum is very much a Rural Council' with its rural area northwards to Baffle Creek and westward from the coast to the ranges. However the existing residential development clustered around the City boundary does not fit the concept of rural land. The residents of these areas see themselves as belonging to the City of Bundaberg."

The urban population of Woongarra Shire is expanding in areas contiguous with or in close proximity to the City and also in the coastal townships. The majority of Woongarra Shire is rural with sugar and small crops being the dominant rural industries. Woongarra Shire residents in close proximity to the City travel to the City for employment and services of the City."

- 12.96 Bundaberg City Council (L53, p.2) stated that a community of interest existed between residents of the urban areas of Gooburrum and Woongarra Shires, located adjacent to the Bundaberg City boundary, and Bundaberg City:

"So there are thousands of people who live in the over spill suburbs who live, work, or operate businesses in Bundaberg. These people consider themselves to be residents of the City. Yet because of the current boundaries are denied the right to be counted as Bundaberg citizens, the right to vote in City Council elections or to have representation on this Council. In fact, they have no say in Council issues that affect their lives. The City has grown beyond its boundaries and until these boundaries are in more realistic positions, statistics won't be indicative of the actual growth of this City. We believe this adversely affects opportunities for the progress of this entire district."

- 12.97 Woongarra Shire Council (T1359) acknowledged the community of interest between urban residents of Woongarra Shire and Bundaberg City:

"The urban areas of the shire around the city council do have a degree of interdependence with the city, especially with the city business areas. However, they also have their own community of interests as is identified and are separate suburbs of the whole Bundaberg region."

- 12.98 Bundaberg and District Chamber of Commerce (T1404) provided evidence that the existing LA boundaries did not reflect the local community of interest, particularly in respect of work patterns:

"The main concern from this particular member was because his place of living, his home, was in one shire and place of work, his business, is in another shire. And it's not just with one person or one member of the Chamber; this happens with a lot of businesses in this town. And come election time, they don't have the choice to vote for the member they'd like to see in their place of work."

- 12.99 Gooburrum Shire Council (S1309, p.8) stated that *"the focus of development in the Shire is not centred on North Bundaberg, but is dispersed in accordance with existing communities of interest."* The Council (S1309, p.4) provided in evidence that *"the North Bundaberg urban area represented ... in 1986 just 7.4% of the Shire's population"*.

- 12.100 Gooburrum Shire Council (S1309, p.11) referred to the patterns of lifestyle of the rural settlements within the Shire:

"Many settlements are focused upon a local school, hall, sporting facilities or church. These centres provide the basis of the community focus for cultural activities. The cultural focus of these rural based communities of interests is not Bundaberg City, but in the nearest service centre to which these communities focus."

- 12.101 Gooburrum Shire Council (S2967, p.5) added: *"We represent a rural community and although our community is beginning to diversify, the needs of the rural community will predominate for some considerable time in the future."*

- 12.102 Bundaberg is the service and regional centre for both Shires. Bundaberg City Council (S2623, p.14) claimed: *"Residents of Woongarra and Gooburrum Shires have not formed separate communities with this range of facilities."*

- 12.103 Gooburrum Shire Council (T1315) stated that it contains no commercial development. The Council (T1350) also acknowledged:

"Yes, that's probably where Gooburrum is different to a lot of other Shires. We haven't got what you call a central base area. Moore Park is emerging as our most prominent area at this stage."

- 12.104 Woongarra Shire Council (S2359, p.7) advised that:

"... plans for a coastal high school are under investigation by the State Government, modern commercial and professional offices exist at Bargara and significant urban and rural commercial establishments are scattered throughout the Shire meeting the varied demands of the Shire residents."

- 12.105 Mr. Quinn (T1430), a resident of Woongarra Shire, observed that *"all of our high schools are actually in Bundaberg City, but, of course, they're used by the whole of our region"*.

- 12.106 Gooburrum Shire Council (S1309, p.15) submitted: *"The Shire provides both urban and rural infrastructure, and the required levels of environmental, recreational, tourist and human resources required to deal with any advance of urbanization occurring in the Shire."*

- 12.107 Bundaberg City Council (S2623, p.12) responded with respect to North Bundaberg residents: *"The ease of access to these facilities by Shire Residents would lessen the level of demand upon Gooburrum Shire Council to provide similar facilities."*

- 12.108 Gooburrum Shire Council (S2634, p.8) also claimed that the use of facilities is mutual and will always occur between neighbouring LAs:

"City residents use Gooburrum Shire refuse tip at Meadowvale for disposal of refuse and this has been accepted as an informal component of the co-operation and cost sharing which exists between Local Authorities."

BOUNDARIES SHOULD NOT DIVIDE NEIGHBOURHOODS/AREAS WITH COMMON INTERESTS

- 12.109 Urban overspill was an issue which contributed to these LAs being placed on the priority list. Bundaberg City Council (S2151, p.3) claimed that *"the overspill areas around the City are really part of the City Urban area and should be included with Bundaberg City area for integrated development."*
- 12.110 Gooburrum Shire Council (S1309, p.4) indicated that the area of North Bundaberg was an extension of suburbs of an adjacent metropolitan area: *"The Shire of Gooburrum is not being dominated by the extending suburbs of an adjacent metropolitan area."*
- 12.111 Gooburrum Shire Council (S1309, p.20), although admitting that there is urban overspill from Bundaberg City, stated that *"the level of urban overspill is of no significant level, either now, or in the future."*
- 12.112 Mr Campbell, MLA (S2729, p.3) supported the view that the urban area of Bundaberg City is divided by LA boundaries:

"Many people have chosen to live in the urban areas of Bundaberg, which happen to be in the adjoining shires, because the city boundaries have not been allowed to expand to take in these urban areas of Bundaberg."

I totally reject this proposal that somehow the 'lifestyle' is superior (!!) in the suburbs of Avoca and Thabeban and Woongarra Village to other 'city' suburbs of Kepnock or Avenell Heights."

- 12.113 Mr Campbell, MLA (S3153) gave Twyford Street as a specific example of the Bundaberg/Woongarra boundary dividing a neighbourhood:

"The Argyle Village Retirement complex is divided between the Bundaberg City Council and Woongarra Shire by Twyford Street."

Stages 1 and 2 are situated in the Bundaberg City Council area while the lodge and later stage developments are in Woongarra Shire."

The concern of residents is water supply. The residents in Stages 1 and 2 (Bundaberg City Council) have water meters, an annual water allocation of 600 kilolitres, and allowed to use sprinklers 7 days a week, 24 hours a day and pay for excess water. Across the road (Woongarra Shire) residents in Argyle Village have water restrictions - odds/evens roster with 2 x 2 hr. sprinkler periods."

This situation does cause some resentment for residents of Argyle Village with rates averaged for the residents over the whole complex while some residents have unrestricted water use and others rostered sprinkler periods."

Similarly, some residents of the retirement village are able to vote in the City Council election and for the local City Mayor, while others have to vote in the Woongarra Shire."

- 12.114 Bundaberg and District Chamber of Commerce (T1404) observed that the current LA boundary had split developments:

"The Actual boundaries of the city council shire we would like to see changed and extended for future developments. We have areas in the town where there is development: half of the particular development is in one shire and half is in the other."

BOUNDARIES REFLECT THE ECONOMIC MAKEUP OF AN AREA

- 12.115 Gooburrum Shire Council (L55, p.7) stated:

"The region has intensive agricultural activity primarily sugar cane but increasingly vegetable crops. These agricultural activities are adjacent to urban areas and Bundaberg City is located inland with crops between the City and the ocean. The preservation of excellent agricultural land is a key element in regional planning. The existing local government arrangements ensure the rural economy is looked after."

- 12.116 The Council (L55, p.14) further stated:

"There can be no doubt that residents of Gooburrum Shire use facilities in the City of Bundaberg. But the intensive agriculture in the region is the key source of the region's wealth. The Shire residents support the Bundaberg economy and the City's rate base by the support for town businesses."

URBAN AND RURAL INTERDEPENDENCE

- 12.117 Woongarra Shire Council (T1355) maintained that the different roles played by the three LAs were important:

"... It is submitted that the three councils of this region are in their special ways interdependent, very much interdependent, but different. The city has its central business district, older residential areas facing redevelopment pressures, and residential developments displaying the characteristics in vogue at the time of their development. New residential estates are still being developed in the city area. The developing rural city of Woongarra Shire has first-class urban areas, attractive rural residential developments, and established small communities scattered amongst the intensive sugar cane and small crop farming areas.

The rural shire of Gooburrum serves vast rural areas, many small township communities and several small urban areas. In these two shires it is this mixture of communities which as a whole allows the council to fund the necessary works and services to provide for all. It is a type of cross-subsidisation and enables all council areas to help each other in achieving full potential over time."

- 12.118 Mr. Quinn (T1436) stated that:

"...there is unquestionably an interdependence between the rural and the urban areas and I believe that's necessary and I believe that there would not be difficulties. Certainly those people who live further out would feel a little deprived but I suspect they feel a little deprived now."

- 12.119 Bundaberg City Council (S681, p.10) submitted: *"The present mutual dependence of the City and surrounding rural areas can be traced to these early days which reinforces the sense of unity of interest."*

COMMUNITY SELF AWARENESS AND COMMUNITY-BASED ACTION

- 12.120 Mr Quinn (T1429), in support of total amalgamation of the three LAs, stated:

"... the district has got to grow economically, and as Commission Watson Blake would understand when I say this, what we have to do really I believe, is sell Bundaberg as a destination, ... and this is no disparagement of Woongarra Shire because I live there, but I don't see how we can ever sell Woongarra as a destination."

- 12.121 The concept of a Bundaberg area encompassing the areas contained in the three LAs is evidenced by the following references: "Bundaberg's three Councils", in the local paper (*News Mail* 7-12-1990); and "Councils of the Bundaberg District", by Woongarra Shire Council (S2626, Question 2).

- 12.122 Mr. Tubbenhauer (T1460) stated:

"You go away from this district, someone says to you, 'Where do you live?' You are not going to say Gooburrum, Woongarra, or whatever because they're going to say, 'Where the hell's that?' You say the Bundaberg District, which it is. There has been a suggestion from councillors - according to the local paper - that we'll lose our district identity if the councils are amalgamated. I say we have no other identity than the Bundaberg District."

- 12.123 The Bundaberg and District Fruit and Vegetable Growers' Association (S3070, p.2) observed that Gooburrum and Woongarra Shires had a lack of community identity:

"In the case of Gooburrum and Woongarra Shires, a lack of community identity other than the city of Bundaberg. This latter observation is borne out by the Shires' offices being situated in the city of Bundaberg."

ACCESSIBLE CENTRE OF ADMINISTRATION AND SERVICE

- 12.124 The LAs' responses to the Commission's Questionnaire indicated that all three administration centres were located in the Bundaberg City and that the LAs' depots were located within or near the City.

- 12.125 Bundaberg City Council (S681, p.11) stated: *"The location of the three Local Authority administrative centres within one City block highlights the duplication of Bundaberg District Local Authority facilities and upholds the community of interest criteria ..."*

- 12.126 Gooburrum Shire Council (S1309, p.8) defended the location of its administration centre:

"With the population of the Shire of Gooburrum historically dispersed throughout its rural area, it is logical that its Council Chambers be located with this region's central service city so that Shire residents may visit the Shire Office at the same time as visiting this regional centre."

As urban development activity continues to occur within the Shire with the most rapid growth area being Moore Park, it is logical to assume that at some time in the future the Shire's administrative centre would be relocated to respond to this growth. The Shire currently owns land in the centre of the Moore Park township which is suitable for the development of permanent Council offices ..."

- 12.127 A community of interest between Woongarra Shire residents and Bundaberg City is evidenced by Woongarra Shire Council (S2626, Question 12, p.1) in its reference to the proposed construction of a new administration centre within the Shire:

"A recent survey of the shire householders resulted in approximately 83% of residents requesting that the Shire Office or a branch of same be located in the Bundaberg Central Business District or Major Shopping Centre."

- 12.128 Mr Quinn (T1436) indicated that Bargara was not an accessible location for some residents of Woongarra Shire:

"For example there was talk at one stage that Woongarra should have its shire office at Bargara and those people that lived way out in the western part of the shire at Pine Creek and so on they objected to that; they felt that was really too far away and that they'd have to pass through the city of Bundaberg, that is, the commercial district, and move a further 15 kilometres out to the coast in order to do business at the shire office, and I could understand that."

- 12.129 Bundaberg City Council (S2623, p.15) indicated that amalgamation of the three LAs would not change the existing arrangements for access by residents.

- 12.130 Mr Tubbenhauer (T1462) observed that changes in communication had improved access:

"Communication is another thing that's been floated in the newspapers as being something that will be lost. Communications as far as - goes no further really than either the telephone, the mail or your own motor vehicle. I would bet that there's not a single spot in the whole of the area that you couldn't reach in less than an hour in a motor car, observing the speed limits. So communication I don't see any problems there. Perhaps back in the old days when these shires were formed, I understand Woongarra was before the turn of the century, you got out the horse or the horse and buggy and it took you a day to go and see your councillor. It doesn't happen any more. You can pick up the phone."

EFFECTIVE ELECTED REPRESENTATION

- 12.131 Gooburrum Shire Council (L55, p.7) argued that amalgamation of the three LAs would lead to urban domination of the rural community:

"The City of Bundaberg is large in population with 33,300 people in June 1990. This large City creates problems in an amalgamation with the two Shires because the important rural community would have little influence and would be dominated by the urban population."

- 12.132 Mr Churchward (T1414), Chairman of both Bundaberg and District Irrigation Committee and Bundaberg Cane Growers' Office stated:

"The whole concept of the rural sector, in my mind, requires its own ears and eyes at representation level, and to this end the cane growers favour the retention of the close liaison that exists not only with the city - and we have very close relations and good relations with our city friends - but also with the Gooburrum and Woongarra/Kolan shires."

- 12.133 Bundaberg City Council (T1312) stated with respect to possible loss of representation should amalgamation occur:

"I can understand people living in the outer areas of the shires. The ones on the inner areas of the shires, well, they relate very closely to what's happening in the city, anyway. But the ones right on the outskirts, I can understand them feeling that they might have close representation because, I believe, some of them already feel that way with the councils that they already have, but to worry about people in the city not knowing what's happening on the farm, well, that can also be used in the opposite way and that is that the councillors on the shire councils now can be asked do they have knowledge of what is required for urban living and city dwellings."

- 12.134 The Bundaberg and District Fruit and Vegetable Growers' Association (S3070, p.2) opposed amalgamation of the three LAs:

"Our main objections to such a move are in the areas of representation and the electoral domination of a rural population by an overwhelming urban orientated City of Bundaberg. The Association is of the opinion that under such a system rural needs would be greatly disadvantaged."

- 12.135 Mr Neilsen (T1455) claimed there was over-representation of the region:

"Well, I would say this: we have far too many aldermen representing the three shires. You can't tell me that we need the number of aldermen to look after - particularly in number one division; we've got four aldermen in the Woongarra shire looking after number one division, which is ridiculous."

Analysis of Evidence and Arguments

- 12.136 The Commission believes there are differences in how Gooburrum and Woongarra Shires relate to Bundaberg City. Woongarra Shire is a mixed LA with an increasing urban component, recognised by Woongarra Shire Council (L53, p.3) in its reference to *"the developing Rural City of Woongarra"* and evidenced by the fact that urban development areas contiguous to the Bundaberg City boundary account for 40 percent of its rate base.
- 12.137 The Commission considers Gooburrum Shire to be a predominantly rural Shire as evidenced by its high proportion of rural population (see Table 12.1) and its limited amount of residential development. In particular, urban development at North Bundaberg along its boundary with Bundaberg City, is estimated by Gooburrum Shire to represent ten to fifteen percent of its population and its rate base (see paragraph 12.28).
- 12.138 The Commission is convinced that the planning and provision of water supply and sewerage services to the Bundaberg urban area have been severely hampered by existing LA boundaries and a lack of commitment to co-operation between the three LAs. The lack of co-ordinated planning is evidenced by the different rates levied (see Table 12.5); different water restrictions across LA boundaries; and different pricing levels imposed by Bundaberg City on water it supplies to the Shires. The Commission is particularly disturbed at the lack of action following the Water Resources Commission's recommendation that a regional authority be established to manage water operations in the area. The Water Resources Commission describes the water supply and sewerage schemes in the area as a "proliferation" (see paragraph 12.68).

- 12.139 The Commission further believes that the provision of these services to urban residents of the Bundaberg area has not been efficient and effective, evidenced by the determination of both Shires to develop their own schemes at considerable cost to their ratepayers. As a result, Bundaberg City's schemes have spare capacity, in addition to other problems within the existing systems as referred to by the Water Resources Commission (see paragraph 12.76).
- 12.140 The Commission finds this lack of co-ordinated planning by the three LAs and its resultant inefficiencies, in conflict with its principle that LA boundaries should encompass an area that allows for co-ordinated planning and development and for the efficient and effective provision of services.
- 12.141 The Commission is convinced that had a single LA been responsible for planning and provision of services, such services would have been better co-ordinated and more efficient. While joint arrangements including water boards have been raised as possible solutions to the infrastructure problems of Bundaberg, the Commission believes that there would need to be some direct involvement by the State Government to ensure the successful operation of such arrangements.
- 12.142 The Commission considers that because of its size and regional role played by Bundaberg City, a larger community of interest exists between the three LAs and that this community of interest extends further than the boundaries of Gooburrum and Woongarra Shires. The Commission also considers that Gooburrum Shire contains a number of areas that have local communities of interest focused upon rural settlements throughout the Shire.
- 12.143 The Commission believes that the urban areas of Gooburrum and Woongarra Shires contiguous to the Bundaberg City boundary represent an overspill of residential development from Bundaberg City. The urban areas north and south of the Burnett River are clearly one community and the current boundaries divide that community. The Commission considers Woongarra's description of "*the developing rural City of Woongarra*" as fanciful because the areas are clearly suburbs of Bundaberg and they have no City identity or centre other than that which Bundaberg provides.
- 12.144 The Commission considers that without the urban overspill areas, Woongarra Shire would not be a viable LA. Gooburrum Shire would be a viable LA without the urban area of North Bundaberg, however, given the low proportion of the Shire's population and rate base that it represents, and the Shire's steady annual growth rate. Further, any significant future development in Gooburrum is likely to take place on the coast north of Bundaberg at Moore Park (see paragraph 12.81 above). As this development occurs Gooburrum Shire will become a mixed Shire with rural and coastal residential areas. Significantly, as the development at Moore Park progresses there are prospects that the administration centre for the Shire could be located there.

- 12.145 The Commission considers that the lack of an identifiable centre within Woongarra Shire, given its Estimated Resident Population for 1990 of 14,700, is evidence of a strong dependence and community of interest with Bundaberg City. This is supported by evidence that 83 percent of Woongarra Shire's residents would prefer its administration centre or an agency to be located in Bundaberg City (S2626, Question 12, p.1).
- 12.146 In all the circumstances, the Commission concludes that the community in the Bundaberg urban area is badly fragmented between the three LAs resulting in:
- (a) division of a natural community;
 - (b) wasteful duplication of facilities and services;
 - (c) lack of overall planning and efficient co-ordination of services;
 - (d) lack of effective representation of that area with investors and other levels of government.
- 12.147 It follows that all the Bundaberg urban area should be governed by one LA. As Woongarra Shire lacks viability if its urban area is ceded to Bundaberg City, the two LAs should be amalgamated. An on-going boundaries review mechanism should examine, however, whether southern Woongarra Shire (particularly south of the Elliott River) might have more community of interest with Isis Shire. Further, the rural areas of Woongarra Shire might have more effective representation in Isis Shire. On the other hand, the present situation effectively prevents urban residents in the overspill areas from having any say in the Local Government of Bundaberg (see paragraph 12.98).
- 12.148 Further, the Commission believes that all of the urban area north of the Burnett River should be transferred to the new LGA. The balance of Gooburrum, however, should remain because it continues to be viable and will become more so as coastal development north of Bundaberg occurs.
- 12.149 The proposed boundary change is recommended on the basis of the Commission's principles that an LA should have boundaries which facilitate co-ordinated planning and development of the area for the long term good of present and future residents, and efficient and effective provision of physical and human services. Consideration was also given to the future projected growth of the region and the Commission's community of interest principles. Particular benefits of the proposed boundary changes include:
- (a) the entire urban area of Bundaberg will be contained within a single LGA;
 - (b) more efficient, effective and equitable water supply and sewerage services to urban residents;

- (c) improved co-ordination of planning for future services;
- (d) recognition of the extensive urban community of interest in the region;
- (e) effective representation of the urban community;
- (f) removal of instances where the current boundary divides neighbourhoods;
- (g) recognition of the significant rural community of interest in the region;
- (h) effective representation of the rural community; and
- (i) the capacity for the Gooburrum Shire to diversify its rate base without any encroachment of the Bundaberg urban area.

Recommendations

12.150 **The Commission recommends that:**

- (a) the LAs of Bundaberg City and Woongarra Shire be abolished;
- (b) a new LA be created from the former LGAs of Bundaberg City and Woongarra Shire, together with the area excised from Gooburrum Shire, north of the Burnett River as described in paragraph 12.151 and outlined in Maps W.13 and W.14 of Appendix W; and;
- (c) the new LA be known as Bundaberg City.

12.151 **The Commission also recommends that the boundary of Gooburrum Shire be altered:**

commencing at a point east of the intersection of the Burnett River and Splitters Creek, the boundary be moved northwards between Lots 3 and 4 on RP46039 to the southern boundary of Lot 1 on RL7620 generally east and north to the Tirroan Branch Railway, across the railway line and by the eastern boundary of RL529 to its intersection with Bundaberg Gin Gin Road, then following Bundaberg Gin Gin Road to its intersection with Moore Park Road, then following Moore Park Road to its intersection with Martins Road, then following Martins Road north-easterly to the south-east corner of Lot 3 on RP109211, northerly to Tanthitha Road, then following Tanthitha Road north-westerly to the south-west corner of Lot 59 on RP200211 northerly to the north-west corner of Lot 166 on RP807786, easterly to the northern boundary of Lot 26 of RP805461 to its intersection with the Burnett River

(as outlined in Bundaberg City's proposal (S681 p.21), with minor amendments and as detailed in Maps W.13 and W.14 of Appendix W).

12.152 **The Commission further recommends that an on-going boundaries review mechanism consider whether the southern part of the proposed Bundaberg City, particularly that area south of the Elliott River, would be better serviced by Isis Shire.**

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