

Logan City Council

Suburb Boundary Change Procedure

Logan City Council
2019

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1 Procedure Objective

This Procedure provides guidance to Councillors, Council employees and the community about Council's role in the suburb boundary change process, and about:

- The circumstances under which Council may consider making a submission to the State Government requesting an amendment to a suburb boundary; and
- The circumstances under which Council will agree to provide a letter of support to a third party who wishes to make a submission to the State Government requesting an amendment to a suburb boundary.

2 Who has jurisdiction to make decisions about amending suburb boundaries?

The Queensland State Government has the exclusive right to make decisions about whether to amend a suburb boundary. The Department of Natural Resources, Mines and Energy has jurisdiction to receive submissions from members of the community proposing a suburb boundary amendment, and exclusive jurisdiction to make decisions on those submissions.

3 What is Council's role in the suburb boundary amendment process?

Council has no legal authority to amend a suburb boundary, receive submissions from members of the community proposing amendments to a suburb boundary or make decisions on submissions.

Council's role in the suburb boundary amendment process is limited to the following:

- Council may make a submission to the State Government to request amendment of a suburb boundary; or
- Council may provide a letter of support to a third party who intends to make a submission to the State Government to request amendment of a suburb boundary.

4 When Council may make a submission to the State Government

If a Councillor or Council employee identifies that an amendment to a suburb boundary may be desirable for operational reasons, Council may consider making a submission to the State Government to amend the suburb boundary.

Under no circumstances will Council make a submission to the State Government on behalf of a third party, or for the purposes of advancing a political interest or a third party's interests.

4.1 Proposing to make a submission for a suburb boundary change

If a Councillor or Council employee identifies that an amendment to a suburb boundary may be desirable for operational reasons, the Councillor or Council employee must provide a written briefing to the Corporate Governance Manager. The written briefing must:

- Outline why the amendment is desirable for operational reasons
- Outline the benefit to Council and the community if the amendment is made
- Contain a map detailing the existing and proposed suburb boundaries
- Provide a list of the addresses that will be directly affected by the amendment

4.2 Corporate Governance Manager Report to Executive Leadership Team

When the Corporate Governance Manager receives a written briefing on a proposed amendment that complies with the requirements above, the Corporate Governance Manager will prepare a briefing report for the Executive Leadership Team to consider whether Council should make a submission to the State Government.

4.3 Consultation with Councillors

If the Executive Leadership Team endorses that the proposed amendment has operational benefit for Council and will result in a benefit to the community, the Corporate Governance Manager will provide a briefing to Councillors for the purpose of obtaining feedback about whether they are supportive of Council undertaking community consultation about the proposed amendment.

4.4 Community Consultation

The State Government undertakes formal community consultation when considering all submissions to amend suburb boundaries. The purpose of Council undertaking community consultation is to allow Councillors to understand the level of community support for a proposed Council submission to the State Government, so that Councillors can determine whether they will support the submission.

If the majority of Councillors support undertaking community consultation, the Corporate Governance Manager will:

- Prepare a covering letter, survey form and map detailing the existing and proposed suburb boundaries
- Arrange for the covering letter, survey form and map to be sent to
 - All affected property owners
 - The relevant registered native title body corporate or known traditional owners of the affected land
- Arrange for the survey form and map to be published on Council's website so that any other interested community members have the opportunity to submit their views
- Allow the community a minimum of 20 business days to submit their views

The survey form must contain a section allowing the affected person to acknowledge that they may need to change their postal address details if the proposed amendment is accepted by the State Government.

Once the community consultation period has ended, the Corporate Governance Manager will collate the survey results. A summary of the community consultation survey results will be provided to Councillors at a briefing and will be circulated to the Executive Leadership Team.

4.5 Preparation of submission to State Government

If at least 70% of the survey responses to the community consultation are in favour of the proposed amendment, the Corporate Governance Manager will coordinate the preparation of a submission to the State Government about the proposed the amendment.

The submission must contain:

- An outline of why the amendment is desirable for operational reasons
- An outline of the benefit to Council and the community if the amendment is made
- An acknowledgment that if the proposed amendment is accepted, Council will notify affected persons
- A map detailing the existing and proposed suburb boundaries
- A list of the addresses that will be directly affected by the amendment
- A copy of all survey responses

4.6 Where Council's submission is not accepted by the State Government

If the State Government does not accept Council's submission to amend a suburb boundary, the Corporate Governance Manager will prepare a letter to the affected property owners which will thank the property owners for participating in the survey during the community consultation, advise that the submission was not accepted, and advise that there is no change to the existing suburb boundary.

4.7 Where Council's submission is accepted by the State Government

After Council has received notification from the State Government that the submission has been accepted and the amendment has been gazetted, Council will inform any affected property owners.

The Corporate Governance Manager will prepare a letter to the affected property owners which must:

- Advise of the State Government's decision about the amendment to the suburb boundary
- Attach a copy of the State Government gazette notice and the plan released by the State Government
- Advise of which entities the State Government has informed about the amendment to the suburb boundary
- Provide a contact number for the relevant State Government department for any questions that the affected property owner may have
- Advise that Council will update its systems to reflect the amendment
- Encourage affected property owners to change their personal details to reflect the amendment where appropriate.

The information that Council can provide to the affected property owners is limited to the information that is provided to Council by the State Government.

5 When a third party seeks Council’s support for the third party’s submission to the State Government

Where a third party, such as a developer, wishes to make a submission to the State Government for an amendment to a suburb boundary, the State Government requires the third party to provide documentation to support their submission. Information on the requirements of a submission can be found on the Department of Natural Resources, Mines and Energy website.

5.1 Making a request to Council for a letter of support

The third party is required, amongst other things, to provide a letter of support from Council for their submission. Where a third party seeks a letter of support from Council, the third party must provide a written request to the Corporate Governance Manager. The written request must:

- Outline why the amendment is desirable
- Outline the benefit to the community if the amendment is made
- Contain a map detailing the existing and proposed suburb boundaries
- Provide a list of the addresses that will be directly affected by the amendment
- Provide documentation showing that the third party has consulted with all affected property owners about the proposed amendment submission
- Provide signed documentation from the affected property owners showing that they support the proposed amendment submission

If a written request does not contain all of the above items, it will not be considered.

5.2 Consultation with Councillors

When the Corporate Governance Manager receives a written request from a third party for a letter of support that complies with all of the requirements above, the Corporate Governance Manager will provide a briefing to Councillors for the purpose of obtaining feedback about whether they are supportive of Council providing a letter of support to the third party for their amendment proposal.

5.3 Endorsement by Councillors

If the majority of Councillors do not support the third party’s amendment proposal, the Corporate Governance Manager will prepare a letter to the third party advising them that Council does not support the amendment proposal.

If the majority of Councillors endorse providing a letter of support to the third party, the Corporate Governance Manager will prepare a letter to the third party stating that:

- Council supports the proposed amendment submission
- Council will provide notification to affected property owners if the State Government decides to accept the submission and amend the suburb boundary

5.4 Where Council is notified by the State Government that a third party submission has been accepted

After Council has received notification from the State Government that a third party submission has been accepted and the amendment has been gazetted, Council will inform any affected property owners.

The Corporate Governance Manager will prepare a letter to the affected property owners which must:

- Advise of the State Government’s decision about the amendment to the suburb boundary
- Attach a copy of the State Government gazette notice and the plan released by the State Government
- Advise of which entities the State Government has informed about the amendment to the suburb boundary
- Provide a contact number for the relevant State Government department for any questions that the affected property owner may have
- Advise that Council will update its systems to reflect the amendment
- Encourage affected property owners to change their personal details to reflect the amendment where appropriate.

The information that Council can provide to the affected property owners is limited to the information that is provided to Council by the State Government.

6 Roles and Responsibilities

The Chief Executive Officer has designated the following roles and responsibilities for managing requests for letters of support or requests for Council to make a submission about a suburb boundary change:

Role	Responsibilities
Councillors	<ul style="list-style-type: none"> ▪ Ensure all requests for changes to suburb boundaries are made in accordance with this Procedure ▪ Give due consideration and constructive feedback about community consultation for any Council generated proposal ▪ Give due consideration and constructive feedback about any request by a third party for a letter of support
Council employees	<ul style="list-style-type: none"> ▪ Ensure all requests for changes to suburb boundaries are made in accordance with this Procedure
Corporate Governance Manager	<ul style="list-style-type: none"> ▪ Ensure all Council generated requests for changes to suburb boundaries are managed in accordance with this Procedure ▪ Ensure all third party requests for letters of support are managed in accordance with this Procedure

7 Definitions

Definitions for terms used within the Procedure can be found in the Suburb Boundary Change Policy (DM: 13357201).