



Queensland

Local Government Reform Implementation (Transferring Areas) Regulation 2007

Subordinate Legislation 2007 No. 293

made under the

Local Government Act 1993

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Local Government Reform Implementation (Transferring Areas) Regulation 2007*.

Note—

Under section 159ZZA of the Act, chapter 3, part 1B of the Act expires at the end of 31 December 2011 or at an earlier time fixed under a regulation. This regulation (other than part 3) will expire on the same day chapter 3, part 1B of the Act expires.

2 Main purpose of regulation

- (1) This regulation is a reform implementation regulation.
- (2) The main purpose of this regulation is to make provision for empowering and directing the commission to make decisions about the allocation of employees, assets, liabilities and property of any kind between local governments whose areas have a transferring area included in them or excluded from them.

3 Application of definitions for ch 3, pt 1B of the Act

Words defined for chapter 3, part 1B of the Act have the same meaning in this regulation.

4 Definitions

The dictionary in the schedule defines particular words used in this regulation.

Part 2 Transition matters for particular transferring areas

Division 1 Preliminary

5 Application of pt 2

This part applies in relation to transferring areas A, B, C, D, E, F, G and H.

Division 2 Making allocation methodology

6 Purpose of allocation methodology

The chief executive may make a methodology directed at ensuring the proper allocation of employees, assets, liabilities and property of any kind between the local governments of new and adjusted local government areas in relation to transferring areas (the *allocation methodology*).

7 When allocation methodology takes effect

- (1) The chief executive must notify the making of the allocation methodology by publishing the methodology on the department's website.
- (2) The allocation methodology takes effect—
 - (a) on the day the methodology is published on the department's website; or
 - (b) if a later day is stated in the allocation methodology—on the later day.

8 Notification of allocation methodology

The chief executive must, as soon as practicable after the allocation methodology or an amendment of the methodology takes effect, advise all responsible entities of the taking effect

of the allocation methodology or the amendment of the methodology.

Division 3 Process after making of allocation methodology

9 Complying with allocation methodology

Each responsible entity must take all reasonable steps to comply with the allocation methodology.

10 Role of commission

The commission must make decisions as provided for under the allocation methodology.

11 Public notification of decisions

When the commission makes a decision in relation to an employee, asset, liability or property of any kind, it must publish the decision in the gazette.

12 When decisions take effect

- (1) On the changeover day for a new or adjusted local government area, all decisions gazetted under this division, including, for example, transfers or vesting of assets or property of any kind, assumptions of liability and transfers of employees, provided for in the decisions in relation to the local government for the new or adjusted local government area, take effect.
- (2) The registrar of titles or other person responsible for keeping a register for dealings in assets or property of any kind must, if asked by a local government, record the transfer or the vesting of any asset or property under this section in the local government.

Division 4 Miscellaneous

13 Direction for the Act, s 159YQ

This regulation directs for section 159YQ(6) of the Act that chapter 3, part 3, divisions 3 to 5 of the Act do not apply to the commission for the purposes of making decisions under this regulation.

Part 3 Amendment of Local Government (Internal Boundaries) Regulation 2007

14 Regulation amended in pt 3

This part amends the *Local Government (Internal Boundaries) Regulation 2007*.

15 Amendment of sch 2 (Division boundaries for particular new, adjusted and continuing local government areas)

- (1) Schedule 2, part 1, entry for Scenic Rim—
omit.
- (2) Schedule 2, part 2, entry for Ipswich—
omit.

Schedule Dictionary

section 4

allocation methodology see section 6.

responsible entity means a person or other entity having responsibilities under the allocation methodology.

ENDNOTES

- 1 Made by the Governor in Council on 29 November 2007.
- 2 Notified in the gazette on 30 November 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Local Government, Sport and Recreation.