



Responsible Public Authority: Department of Local Government, Planning, Sport and Recreation

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Scope of disposal schedule

This schedule covers the records of the Local Government Reform Commission. The Commission was established under section 159C of the *Local Government and Other Legislation Amendment Act 2007*. The Commission was constituted to examine and make recommendations for:

- The reform of, on a whole of Queensland basis, local government area boundaries, and local government classes and names; and
- The composition of local governments and for the internal divisional arrangements of local government areas; and
- The implementation of the recommendations.

This Schedule is to be used in conjunction with the *General Retention and Disposal Schedule for Administrative Records*.

Authority

Authorisation for the disposal of public records is given under, and subject to, the provisions of s.13 of the *Public Records Act 2002* (the Act). Public records must not be disposed of if disposal would amount to a contravention of s.13.



Disposal

All of the retention periods outlined in this approved Schedule are the minimum periods for which the sentenced records must be maintained. Additionally, any record class may be required to be retained longer if subject to the following requirements:

- i) for any civil or criminal court action which involves or may involve the State of Queensland or an Agency of the State; or
- (ii) because the public records may be obtained by a party to litigation under the relevant Rules of Court, whether or not the State is a party to that litigation; or
- (iii) pursuant to the *Evidence Act 1977*; or
- (iv) for any other purpose required by law.

This list is not exhaustive.

Documents which deal with the financial, legal or proprietary rights of the State of Queensland or a State related Body or Agency viz-a-viz another legal entity and any document which relates to the financial, legal or proprietary rights of a party other than the State are potentially within the category of public records to which particular care should be given prior to disposal.

Records which are subject to a Freedom of Information application are to be retained for a period greater than the time specified to ensure that all avenues for appeals for review under the legislation are exhausted, even though the records may be due for destruction according to this Schedule at the time of the application (see the *General Retention and Disposal Schedule for Administrative Records*).

Access conditions

Sections 16 and 18 of the *Public Records Act 2002* require public authorities to provide Queensland State Archives with written notice of the restricted access periods that apply to records transferred to the Archives. Restricted access periods only applies to public access under the *Public Records Act 2002* and does not affect a person's right to access records under the *Freedom of Information Act 1992* or any other legislation or permission.



1. Reports and Decisions

Reference	Description of records	Status	Disposal Action
1.1	Reports		
1.1.1	Final Report published by the Local Government Reform Commission.	Permanent	Retain permanently One copy also to be deposited with the State Library of Queensland, one copy to be deposited with the Parliamentary Librarian in accordance with section 68 of the <i>Libraries Act 1988</i> ; and one copy to be deposited with the National Library of Australia in accordance with the <i>Copyright Act 1968</i> .
1.1.2	Records relating to decisions made at meetings or by written agreement as under section 159P of the <i>Local Government Act 1993</i> .	Permanent	Retain permanently
1.1.3	Records relating to recommendations made by the Commission relating to the structural review, changes in boundaries, and the consolidation of like areas for Local Councils, as under section 159S (1b, c) of the <i>Local Government Act 1993</i> .	Permanent	Retain permanently



2. Submissions

Reference	Description of records	Status	Disposal Action
2.1	Submissions		
2.1.1	Submissions/Suggestions made to the Commission by individuals and organisations which directly relate to the Commission's Terms of Reference. Includes written suggestions received by the Commission regarding local government boundaries or electoral arrangements for Queensland's new local government areas, and statistical and aggregated data relating to form letters and cards. <i>Does not include form letters/cards produced by Local Councils and related bodies and submitted by members of the public.</i>	Permanent	Retain permanently
2.1.2	Form letters and postcards produced by Local Councils and related bodies and submitted to the Commission by members of the public.	Permanent Temporary	Selectively retain examples from each Local Government area Retain for 2 years after last action
2.1.3	Copies of reports and documents developed and/or published by sources other than the Commission. <i>Includes reports published by the Queensland Audit Office, the Queensland Treasury Corporation, and PricewaterhouseCoopers.</i>	Temporary	Retain for 10 years after last action



3. General Administrative Records Specific to the Commission

See the *General Retention and Disposal Schedule for Administrative Records* for other administrative records created by the Commission.

Reference	Description of records	Status	Disposal Action
3.1	Administrative records and correspondence files		
3.1.1	Diary maintained by the Chair of the Commission.	Permanent	Retain permanently
3.1.2	Master copy of Terms of Reference as published by the Commission.	Permanent	Retain permanently
3.1.3	Correspondence files - strategic <i>Includes files maintained by the Commission on correspondence between the Premier, the Minister for Local Government and Planning, the Department of Local Government and Planning Sport and Recreation, LGAQ, LGMA (Qld), and other key stakeholders.</i>	Permanent	Retain permanently
3.1.4	Correspondence files - routine <i>Includes files maintained by the Commission on correspondence relating to internal administrative matters directly relating to the Commission, and letters from organisations and members of the general public which are not referred to by the Commission or which are not used in the final report, or which do not directly relate to the Commission's work or were deemed to be outside the Commission's Terms of Reference, or letters from the Commission requesting material as submissions.</i>	Temporary	Retain for 10 years after last action
3.1.5	Media Releases published by the Commission.	Permanent	Retain permanently



Reference	Description of records	Status	Disposal Action
3.1.6	Records relating to the disclosure of pecuniary interests of Commissioners, as under section 159N of the <i>Local Government Act 1993</i> .	Temporary	Retain for 10 years after last action
3.1.7	Reference documentation collected and maintained by the Commission.	Temporary	Retain until reference ceases.
3.1.8	Registers of correspondence and associated indexes maintained by the Commission.	Permanent	Retain permanently



4. Electronic Records

Reference	Description of records	Status	Disposal Action
4.1	Electronic records and website		
4.1.1	Copies of documents published on Commission's website in pdf format.	Temporary	Department of Local Government, Planning, Sport and Recreation to maintain for 10 years