

FREQUENTLY ASKED QUESTIONS

What is the role of the Boundaries Commission?

The Local Government Boundaries Commission (the Commission) is an independent statutory authority which examines and reports on any matter referred to it by the Minister in relation to the boundaries of local government areas. The Boundaries Commission is constituted under [section 260](#) of the Local Government Act.

Who are the members of the Boundaries Commission?

Four commissioners are appointed to the Boundaries Commission by the Governor for a five-year term.

They are Peter Duncan AM (Chairperson), Councillor Rick Firman OAM (Temora), Councillor Ruth Fagan (Cowra), and Grant Gleeson (Office of Local Government).

Of the four commissioners, one (Peter Duncan AM) is nominated by the Minister for Local Government, one (Grant Gleeson) is an officer of the Office of Local Government nominated by the agency's Deputy Secretary, and two (Councillors Rick Firman OAM and Ruth Fagan) are appointed from a panel comprising members nominated by Local Government NSW.

What will the Boundaries Commission take into consideration in their examination of the current proposals?

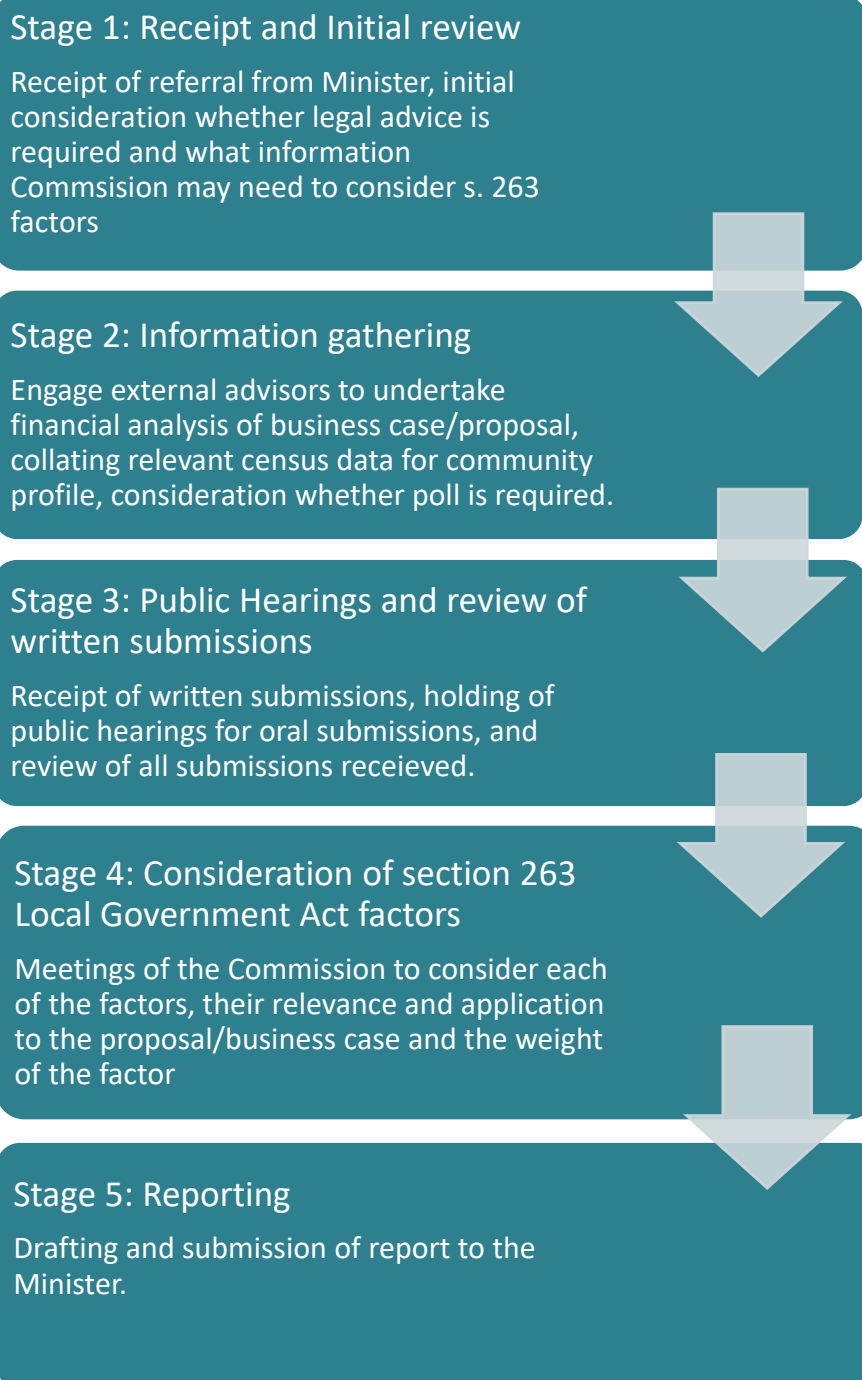
Section 263(3) of the Local Government Act sets out eleven factors that the Commission is required to have regard to in examining any proposal for changes to local government boundaries. Two of these factors relate only to proposals for merging council areas, so are not relevant to the Commission's current examinations. The remaining factors cover issues such as:

- financial advantages/disadvantages
- the community of interest and geographic cohesion
- attitude of residents and ratepayers
- requirements of the area concerned in relation to elected representation for residents and ratepayers at the local level
- any impact on council operations and staff, and
- any impact on rural communities in the areas concerned.

The Minister has also directed the Commission to hold public hearings for each proposal. See below for further information on these public hearings.

What is the process for examination of the proposals?

The process of the Commission's review involves several stages:



Can I make a written submission to the Boundaries Commission?

The Commission will publish a notification in relevant local and state print media calling for written submissions. Notification of the opening of written submissions will also be available on the Commission's website. If you wish to be added to the Boundaries Commission mailing list to receive email notification, you can request this by email to EO@lgbc.nsw.gov.au.

How can I make a written submission?

Once the Commission has called for written submissions, submissions should be forwarded to:

Local Government Boundaries Commission, Executive Officer, Locked Bag 3015, Nowra NSW 2541 or emailed to EO@lgbc.nsw.gov.au.

It would assist the Commission in its deliberations if parties could indicate in their submissions which of the proposals the submission relates to, which section 263(3) factors they are addressing, and whether they are a resident, ratepayer or other interested party.

Will written submissions be made public?

Submissions received by the Commission may be made publicly available at its discretion. If submissions are made public, contact details will be redacted. The name of the person making the submission may be released unless the person has requested to remain anonymous.

Any submissions received are also subject to the *Government Information (Public Access) Act 2009*.

Can I make an anonymous submission?

The Commission is required to have regard to the views of residents and ratepayers. While this does not preclude other parties from making a submission, any resident or ratepayer making a submission should identify themselves. In respect of anonymous submissions, the Commission may, at its discretion, take all or part of such a submission into account.

Those making a submission can request that their identity remains anonymous.

Will the Boundaries Commission hold public hearings?

Public hearings will be held for proposals where the Minister has directed the Commission to hold public hearings as part of the examination process.

Further information about times, location and procedures for any hearings will be published on the Commission's [website](#) at a later date.

How will the public hearings be conducted?

Public hearings are open to members of the public and media. The Commission will determine how much time each speaker will be allowed so that all who wish to speak are given the chance to do so. Depending on the number of people wishing to speak, the Commission may hold the hearings over a number of consecutive sessions.

Is there protection from defamation at hearings or in written submissions?

Persons making written or oral submissions to the inquiry are not protected from defamation in respect of anything contained in those submissions. They should therefore ensure that they do not make any statement that may give rise to legal action by an aggrieved party.

Can I be represented at hearings?

[Section 264](#) of the Local Government Act provides the circumstances in which a person can be represented in proceedings before the Commission. People who wish to be heard at the public hearings should make themselves aware of the restrictions set out in that section.

Will the hearings be recorded?

Audio recordings and written transcripts may be made of public hearings to assist in the Commission's consideration of the proposals. By making an oral submission to the Commission at a public hearing, the speaker consents to their submission being recorded. Audio recordings will not be made publicly available by the Commission, however recordings and transcripts are subject to the *Government Information (Public Access) Act 2009*.

What happens after the submissions and public hearings?

The Commission will prepare a report for the Minister on each proposal with recommendations as to whether the proposal should be implemented.

What happens to the Boundaries Commission's reports?

Once the Minister receives a report from the Commission, the Minister may recommend to the Governor that the proposal be implemented (with any modifications the Minister decides appropriate) or may decline to do so.

The report will only be published on the Commission's website with the Minister's consent.

How long will the examination by the Boundaries Commission take?

The Act does not provide a timeframe for the process to be undertaken. However the Commission is aware of the need for it to be completed in a reasonable timeframe to provide certainty to councils and residents.

Will COVID-19 impact on the process?

The Commission is monitoring all government requirements in respect of the coronavirus pandemic, particularly in relation to public gatherings. If the Commission subsequently needs to amend any arrangements due to the impact of COVID-19, details will be published on its website.