

Terms of Reference



Review into the Local Government Boundaries Commission

Context

The Boundaries Commission (the **Commission**) has a role under Chapter 9 of the *Local Government Act 1993* to examine and report on proposals for the constitution, amalgamation, de-amalgamation or alteration of boundaries of local government areas. Any amalgamation and de-amalgamation proposal is required to be referred to the Commission. The Commission is required to examine and report to the Minister for Local Government on proposals referred to it, to assist the Minister in considering whether or not to make a recommendation to the Governor regarding the proposal.

The Commission's recent examinations of Cootamundra-Gundagai Regional Council and Snowy Valleys Council demerger elector proposals resulted in conflicting outcomes and recommendations.

Recent amendments to the *Local Government Act 1993* have created a new role for the Commission in relation to proposals for de-amalgamation.

Role

The Reviewer is to review, examine and report to the Minister for Local Government on the composition, functions and processes of the Commission established under the *Local Government Act 1993* in relation to current and future proposals referred to the Commission under sections 218, 218F or 218CC of the *Local Government Act 1993*, including to:

- Review the efficacy of Chapter 9 Part 3 and Schedule 2 of the *Local Government Act 1993* to provide robust and cohesive advice to the Minister, including the statutory composition of the Commission
- Consider and report on mechanisms by which information and community and stakeholder views can be best provided to the Minister to guide and enhance the decision-making process, including whether the different approaches might be suitable for proposals considered by the Commission, and
- Advise on any improved, effective mechanisms for providing advice on and recommendations relating to proposals to the Minister, to ensure best practice and optimum outcomes.

Process

- Liaise with community, stakeholder groups and local councils
- Consult with the Department of Planning, Industry and Environment, Treasury, NSW Electoral Commission and other relevant Government agencies as necessary
- Make public a mechanism for providing submissions, and receive and assess submissions
- Review mechanisms similar to the Boundaries Commission in other jurisdictions
- Seek expert advice as required, and
- Consider the information, submissions, and material and formulate recommendations to the Minister.

Outcome

The report of the Review is to be provided to the Minister for Local Government.

Administration

Secretariat to be provided by DPIE – Office of Local Government.

Document tendered by

.....Michael Cassel.....

Received by

.....Emily Treeby.....

Date: 8/03/2022

Resolved to publish Yes / No