



LOCAL GOVERNMENT BOUNDARIES COMMISSION

FREQUENTLY ASKED QUESTIONS

What is the role of the Boundaries Commission?

The Local Government Boundaries 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 Bob Sendt (chairman), Councillor Rick Firman (Temora), Councillor Lesley Furneaux-Cook (Burwood), and Grant Gleeson (Office of Local Government).

Of the four commissioners, one (Bob Sendt) 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 and Lesley Furneaux-Cook) are appointed from a panel comprising members nominated by Local Government NSW.

What proposals are currently being examined by the Boundaries Commission?

On 3 August 2021 the former Minister for Local Government referred to the Commission a business case submitted by Cootamundra-Gundagai Regional Council seeking to de-amalgamate the local government area and reinstate the former Gundagai Shire Council and Cootamundra Shire Council.

The proposal and the Minister's letter referring it to the Commission can be viewed [here](#).

What will the Boundaries Commission take into consideration in its examination of the current proposal?

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 examination. 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 also directed the Commission to hold an inquiry into the proposal. See below for further information on these public hearings.

Can I make a written submission to the Boundaries Commission?

The Commission has published public notices in a number of newspapers calling for written submissions from parties affected by the proposal.

Written submissions on the business case 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 section 263(3) factors they are addressing.

Submissions must be received by COB on 2 May 2022.

What if I made a submission on the previous demerger proposal?

The Commission cannot automatically carry forward previous submissions in examining the current proposal. However if you want the Commission to take your earlier submission into account, please write to the Commission requesting this to occur.

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?

The Minister has directed the Commission to hold public hearings as part of the examination process. These will be held in Cootamundra and Gundagai.

Any person who wishes to make an oral submission at the public hearing or attend as an observer should register to do so via the [website](#).

Further information about times, location and procedures for hearings has been published on the Commission's [website](#).

How do I make an oral submission at the public hearings?

Persons wanting to make an oral submission at the public hearings should register to register to speak via the [website](#). If you have registered to speak you do not need to register separately to attend as an observer.

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.

The public hearings will be held over a number of sessions –

Venue 1: Cootamundra Ex-Services Club, 299 Parker Street, Cootamundra	Venue 2: Gundagai District Services Club, 254 Sheridan Street, Gundagai
Wednesday 27 April 2022	Thursday 28 April 2022
Session 1: 5:30pm – 7:00pm	Session 1: 4:30pm – 7:00pm
Thursday 28 April 2022	Friday 29 April 2022
Session 2: 9:30am – 12:00pm	Session 2: 9:30am – 12:00pm

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 will 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 if I can't attend the hearings?

The hearings will be live streamed on the Commission's website and the recording will be available for one week following completion of the hearings.

What happens after the submissions and public hearings?

The Commission will prepare a report for the Minister on the business case 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.

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.