

**ITEM MAYORAL MINUTE - EXPRESSIONS OF
COMMUNITY OPINION**

Department Executive Services

Author Initials: AT

REPORT

As Councillors would be aware there have been a number of reviews by the NSW Government into Local Government. These examinations are not just examining the *Local Government Act, 1993*, but also the structure and boundaries of councils.

Under the premise of “Strengthening Local Communities”, and using a number of discussions with the Local Government and Shires Association as a basis for decision-making, there appears to be a conclusion that councils are not financially sustainable, and that they also have infrastructure backlogs. This has resulted in proposed major changes in council boundaries which could see the amalgamation of many councils, particularly in the Sydney Metropolitan area. Many in the Local Government Industry envisaged at the commencement of these reviews that it was a forerunner to the amalgamation of councils.

The reality is that Government-inflicted rate pegging has caused councils to become financially unsustainable, which has also caused major infrastructure backlogs, however the City of Canada Bay’s most recent financial report card shows we are sound and financially stable. The grouping together of unsustainable councils will not fix the problem of financial instability.

The Government promised prior to the last election that they would not force amalgamation of councils. I am concerned that the Government may break this promise.

Many millions of dollars have been spent conducting these reviews, including money spent on the current Local Government Review Panel, which has been promoting bigger councils. Following our voluntary amalgamation in 2000, this Council has taken more than a decade to reach a point where we are working cohesively as a Council and organisation to represent our community. The size of our Council ensures each and every one of us can support and represent community members on local issues that impact on us.

The Local Government Review Panel has released its paper: “The Case for Sustainable Change” and has asserted, although subtly worded, that there is a need for fewer councils and, in effect, amalgamations should proceed.

One objective of bigger councils would be to transfer State Government functions to Local Government. These functions may include education, health services

and more infrastructure. All of these services will need to be financed from the same rate base or via a transfer of costs through increased rates.

It is disappointing that, after the expenditure of millions of dollars of public money reviewing the structures and boundaries of councils, suggesting that they are engaging in a full public consultative exercise, the Government has not conducted a local poll or plebiscite so our community can clearly express its opinion.

It was with wisdom and foresight that the former National Party Minister for Local Government the Hon Gerry Peacock when shepherding through the *Local Government Act, 1993* made provision in section 14 of the Act as follows:

14. "A council may take a poll of electors for its information and guidance on any matters"

The Act also makes provision in section 15 for "a constitutional referendum" which provides as follows:

15. "Constitutional referendum is a poll initiated by Council in order to give effect to a matter referred to in section 16"

I can see no better way for Council to obtain the expression of community opinion than to hold a poll of its electors as to whether or not they desire their Council to be amalgamated with any other Council. This is our community and they deserve to be heard and is a far more democratic method

The only justification for opposing the council having a poll is cost. However, as we are currently seeing, the NSW Government is spending millions in engaging in an exercise that purports to consult but does not give our local community a say. . This issue is fundamental to our community and they should be given their say. After all, that's what the Local Government Act provides for.

Both Victoria and Queensland have, over the past few years, forcibly amalgamated their local government areas. This has led to great community disruption, a strain on services and the sacking of all councils, and in Victoria, Councillors were replaced with unelected administrators who do not represent the community. I am fearful and most concerned that the State Government will follow Victoria and Queensland and break their election promise of no forced amalgamations.

It is my view that Council should conduct a poll. The General Manager should be authorised to arrange such a poll which should be held in February 2013. The poll would be undertaken in the most inclusive cost effective way that ensures our community has every opportunity to be involved and engaged so their voice can be heard.

RECOMMENDATION

1. THAT Council resolve to conduct a poll pursuant to the provisions of the *Local Government Act, 1993*, and that the General Manager engage a suitable person or organisation to manage this process and fix a date in February 2013 for the poll to be conducted.

2. THAT residents are asked the question:

“Do you think Canada Bay should be forced to change its boundaries and merge with other Councils by the State Government?” Yes or no.

3. THAT a poll of residents currently on the electoral roll be undertaken by direct mail with a reply paid envelope included, asking their view on the question of amalgamation.