Council Boundary Review
Submission on Local Government Amalgamations

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This submission includes three subject areas

A. Objection to Amalgamation Proposal

B. Amalgamations and State Review of Local Government

C. Options of Councils Working Together and with the State

Conclusions reached in this submission by the author are based on working in town planning within NSW since 1969 and on completing research on various aspects of local government and sustainable urban planning (SUP), a theme of this submission. The Council Boundary Review Committee (CBRC) is welcome to examine three reference books on this subject (2014 and 2015) by the author, available under World Catalogue web.

Executive Summary

This submission opposes the amalgamation as proposed as it has not allowed the community and the local councils as affected to adequately be engaged in the amalgamation process (as conducted by the State). At minimum, a referendum (overseen by the local council and the State) for each council area affected should have been conducted. Part A. Objection to Amalgamation Proposal contains a brief statement on this objection. Part B. Amalgamations and State Review of Local Government discussions and actions on the reform (including amalgamations) of local government in New South Wales (referred to as NSW herein) as commenced in 2009. This Part B provides a time line and progression of understanding this review. It notes the State having received a report from the Independent Pricing and Regulatory Tribunal (IPART) at the end of 2015. It also notes the State appointed the Council Boundary Review Committee (CBRC) to receive submissions on proposed IPART recommendations on council amalgamations. There is one clear message here from councils, among a number of issues, of 'no forced amalgamations of councils'. Thirdly, Options of Councils Working Together and with the State (C) outlines a need for the State, councils and the community to be engaged in examining options for councils working together and with the State, especially in the area
of 'urban planning and infrastructure provisions'. The submission concludes, "There is every possibility NSW councils and the State will be operating under different arrangements in the future, without forced amalgamations. The options of the State and councils working in partnership presents an array of options. The ideal would be to formulate the State and councils partnerships that would satisfy community engagement and apply sustainable urban planning (SUP) practices in municipal and district level planning.

A. Objection to Amalgamation Proposal

The amalgamation as proposed has not allowed the community and the local councils as affected to adequately be engaged in the amalgamation process (as conducted by the NSW State Government) (referred to as the ‘State’ herein). At minimum, a referendum (overseen by the local council and the State) for each council area affected should have been conducted. Without a proper sounding out of the community and the elected council in this way, the process is not democratic and does not meet best practice governance principles. I therefore cannot comment further on details on the amalgamation, given the absence of this referendum. I do, in the circumstances, object to the proposed amalgamation and would object to any forced amalgamation. I have done research on the position of the State in its review of local government, and commend the State for undertaking this review (commencing in 2009). I present my review of this process as it may assist the State in examining the amalgamations question in light of my objection above. The question of amalgamations and the State review of local government is looked at next.

B. Amalgamations and State Review of Local Government

Mergers and amalgamation can occur when there is perceived unbalanced growth or outward expansion of one municipal unit that prompts that unit of the State to suggest a merger. In some cases, a perception of the need for continuity in growth or redevelopment planning may be a factor in prompting such a process. Some cities (see below) that have gone through amalgamation (or a similar process) include for example:
Australian cities of City of Sydney (merging with South Sydney in early 2000’s), Greater Brisbane, and Melbourne; and, overseas cities of Toronto (1967 and 1998), Cambridge (1973), Ottawa (2001), Greater Sudbury (1973 and 2001), and Hamilton (2001). The NSW State Government (overseeing councils) reviews on an ongoing basis the operations and performance of councils. Commencing in 2009, the Minister for Local Government introduced the Local Government Amendment (Planning and Reporting) Bill to Parliament (NSW 2009) which requires all NSW councils to produce a long term Community Strategic Plan. This required all councils to produce four year delivery programs and annual operational plans linked to longer term planning outcomes for those councils. The new framework encouraged councils to integrate their various plans and prioritize their works and services based on community priorities identified through consultation and engagement. The State at the time noted:

The clear goal is to turn community aspirations into reality, to ensure Council’s priorities are set according: to residents’ needs; to guarantee transparency in the decision-making process; and, to promote cooperation between all government levels, community groups and business. (Source: NSW 2009)

By 2011, the State stepped up its rhetoric for changes in the way councils in the State operated. A review of steps and plans that emerged is useful in examining if councils can plan together, for example within metropolitan districts (containing a number of councils). Test case application suggestions within this submission of Sydney Inner West, Greater Parramatta and St George districts will be referred to. In 2011, the State called representatives from all 152 NSW councils to come together in Dubbo for the Destination 2036 workshop. Looking at some of the conclusions reached, representatives at the workshop agreed that:

a. existing communities of interest should be preserved
b. there is no particular structural reform model that fits all Local Government areas
c. resource and services should be shared where beneficial to local communities
d. long term financial sustainability must be assured (funding reforms are essential) (Source: NSW 2011)
<table>
<thead>
<tr>
<th>Date #</th>
<th>Document</th>
<th>Summary</th>
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<tbody>
<tr>
<td>2012 #1</td>
<td>Destination 2036 NSW 2012b</td>
<td>A State Government strategic plan and delivery program for local government</td>
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<td>2</td>
<td>Strengthening Your Community NSW 2012c</td>
<td>State Government suggestions on actions that could be taken by Local Government Councils to strengthen their performance.</td>
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<tr>
<td>3</td>
<td>Leichhardt Council’s Feedback to the Strengthening Your Community Leichhardt 2012a</td>
<td>Council feedback to the State and the community.</td>
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<td>4</td>
<td>The Case for Sustainable Change NSW 2012d</td>
<td>State Government suggestions on reforms for local councils.</td>
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<td>5</td>
<td>Leichhardt Council’s Feedback to the Case for Sustainable Change Paper Leichhardt 2012b</td>
<td>A paper by Leichhardt Council commenting on the State’s The Case for Sustainable Change</td>
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<td>6</td>
<td>Destination 2036 Outcomes Report NSW 2012e</td>
<td>State Independent Steering Committee (ISC) report on local government reform to 2036.</td>
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<td>7</td>
<td>Draft Vision for NSW Government NSW 2012f</td>
<td>State projections on its agenda to 2036.</td>
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<td>8</td>
<td>Leichhardt Council’s Outcomes Report Submission Leichhardt 2012c</td>
<td>Submission to the Destination 2036 Outcomes Report</td>
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<td>9</td>
<td>Destination 2036 Draft Action Plan NSW 2012g</td>
<td>Actions for local government reform to 2036.</td>
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<td>2014 10</td>
<td>Revitalizing Local Government NSW 2014b</td>
<td>Local Government Review Panel’s State Government suggestions on revitalizing local government</td>
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<td>12</td>
<td>Fit for the Future NSW 2014d</td>
<td>State asked all councils to undertake a self-assessment and prepare a road map on possible amalgamations (with incentive funding for those Councils that merge).</td>
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<tr>
<td>14</td>
<td>Future Directions for NSW Local Government NSW 2014f</td>
<td>State Report recommended Leichhardt, City of Sydney, Woollahra, Waverly, Randwick, Botany and Marrickville Councils be amalgamated. The Report also recommended Auburn, Holroyd, the western third of Ryde and the North Parramatta area of the Hills be amalgamated.</td>
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<td>15</td>
<td>Leichhardt Council’s Submission on the Future Directions Paper Leichhardt 2014a</td>
<td>Leichhardt Council’s submission objecting to the proposed amalgamation (above).</td>
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<tr>
<td>16</td>
<td>Revitalizing Local Government Final Report NSW 2014g</td>
<td>Local Government Review Panel's Report contained 65 recommendations around local government reform. One recommendation was that Leichhardt, Ashfield, Burwood, Canada Bay, Marrickville and Strathfield amalgamate.</td>
</tr>
<tr>
<td>17</td>
<td>Leichhardt Council’s Submission to the Revitalizing Local Government Final Report Leichhardt 2014b</td>
<td>Leichhardt Council’s stated position on the 65 recommendations in the above report, with Council opposing any merger with another council.</td>
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**Information Box 1** NSW Government and Council Reports on Local Government Reform.  *(Sources note report references here and end of chapter)*
On the planning side in 2012, the NSW State Government’s draft Metropolitan Strategy for Sydney (NSW 2012a) was released, a strategic plan and delivery program for councils. This plan mirrors key elements of the integrated planning and reporting frameworks noted above. The Plan provides a process and a forum for councils to explore the issues of changing population, technologies and economies. In addition, the Plan considers and develops structures and approaches to councils in NSW that will allow councils to better meet the needs and expectations of communities. The State wanted to build on the work of Destination 2036 (NSW 2012b) (#1) (Information Box 1) and to develop a specific Action Plan. Out of this Action Plan an Independent Review Commission was formed. In July 2012, under the Commission, an Independent Review Panel produced a paper (Strengthening Your Community) (NSW 2012c) (#2), asking for local government feedback. Leichhardt Council (selecting a sample council from Sydney Inner West district) responded in its paper Leichhardt Council’s Feedback to the Strengthening Your Community (Leichhardt 2012a) (#3). In November 2012, the Independent Review Panel produced a second paper The Case for Sustainable Change (NSW 2012c) (#4) about reforms for local councils. Leichhardt Council again responded with a paper Leichhardt Council’s Feedback to the Case for Sustainable Change Paper (Leichhardt 2012b) (#5).

Moving further, the Independent Steering Committee released the Destination 2036 Outcomes Report (NSW 2012e) (#6), including a Draft Vision for NSW Government (NSW 2012f) (#7) for comment. To continue to follow the trend of councils see, as an example, the Leichhardt Council submission to the Outcomes Report (Leichhardt Council’s Outcomes Report Submission (Leichhardt 2012c) (#8). Finally, the Independent Steering Committee then produced the Destination 2036 draft Action Plan (NSW 2012g) (#9) for comment and again councils made submissions (accessible at the NSW Division of Local Government).

Given these earlier documents on council reform, in 2014 there was considerable discussion in NSW (as generated by the State) about these reforms. Firstly, the Independent Local Government Review Panel’s report Revitalizing Local Government (NSW 2014b) (#10) was released. In addition the Taskforce Report on a New Local Government Act (NSW 2014c) (#11) was released. In September 2014 NSW Premier Mike Baird and Minister for Local Government Paul Toole announced funding of $153 million for Sydney councils to assist those who decide to merge. All NSW councils were
requested to undertake a self-assessment, prepare a road map under the State’s document *Fit for the Future* (NSW 2014d) (#12). Councils were asked to make submissions to the State by 30 June 2015. The Panel’s recommendations and the final report, *Local Government Act Taskforce Report* (NSW 2014e) (#13), were provided to the State Government for consideration at the end of 2014.

The Independent Review Panel’s paper (*Future Directions for NSW Local Government*) (NSW 2014f) (#14) recommended, for example, that Leichhardt Council be amalgamated with the City of Sydney, Woollahra, Waverly, Randwick, Botany and Marrickville Council. Leichhardt Council objected to this Panel’s recommendations (*Leichhardt Council’s Submission on the Future Directions Paper*) (Leichhardt 2014a) (#15). A subsequent proposal (Plate 1) recommended the City of Sydney be amalgamated with these councils, but without Leichhardt and Marrickville.

![Plate 1](image)

*Plate 1* Local Government Review Panel Suggested Citywide Council Mergers. (*Source NSW Government 2014*)

The City of Sydney commented in May 2015 (Mayor Clover Moore Newsletter):
The Government's preferred outcome — a mega-council the size of Tasmania, made up of the City, Randwick, Waverley, Woollahra and Botany — would be a shockingly wasteful and disruptive exercise. The City has a 10-year, $1.95 billion plan to invest in new infrastructure. This includes $220 million for light rail and $440 for Green Square. This work would be put at risk by an amalgamation. (Source: City of Sydney 2015)

The Revitalizing Local Government Final Report (NSW 2014g) (#16) made 65 recommendations around local government reform. The Review Panel recommended, for example, that Leichhardt amalgamate with Ashfield, Burwood, Canada Bay, Marrickville and Strathfield (Plate 1). The Panel requested evidenced based responses to this proposal. Leichhardt Council response was very clear, in that it supported structured and systematic local government reform centered on resource sharing/strategic alliances. Council, however, firmly rejected any proposals involving a merger with neighboring councils (a trend reflected in most council responses). A detailed response to both reports was considered by Leichhardt Council meeting (Leichhardt Council's Submission to the Revitalizing Local Government Report) (Leichhardt 2014b) (#17).

Looking at Other Councils
Looking beyond Leichhardt (taken above as a case example) Strathfield Council (within Sydney Inner West district) argued that any amalgamation of Council with other councils would directly impact Strathfield residents. Council noted, for example, the lower residential rates in comparison to all other Sydney Inner West councils, estimating resident rates would rise by 16% with amalgamation. Other financial arguments Strathfield raised, if amalgamation proceeded, included:

1. Business rates are projected to increase by 57%.
2. Strathfield Council has NO debt, but Inner West councils have total debts of $42.1 M.
3. Merger would transfer large debts and backlogs to Strathfield residents.
4. The Inner West council’s combined backlog is $243M compared to Strathfield $3.5M.
5. Council’s expenditure on administration is the lowest in the Inner West and lower than many ‘big’ councils. (Source Strathfield Council 2015)

Further, looking beyond Strathfield, Canada Bay City Council (in Sydney Inner West district) noted on the subject of amalgamations in 2014:

Five inner west Councils are united in their fight against forced amalgamations and have banded together to ensure their communities understand the full impact of the State Government’s proposed ‘Fit
for the Future’ program. The Mayors and General Managers of the City of Canada Bay, Ashfield, Burwood, Leichhardt and Marrickville councils have signed a Memorandum of Understanding (MOU) to work together to prepare responses for the State Government and to voice their concerns about the potential of forced amalgamations. The five councils have been grouped together, along with Strathfield Council, as part of the State Government’s plans to overhaul local government in NSW. Strathfield Council has not signed the MOU. “We are doing all that has been asked of us by the State Government in terms of talking to each other, assessing our credentials and talking to our community as best we can – with the limited information we have,” the Mayors said in a joint statement. “We are asking our local members in our council areas to also talk to their community and let them know what evidence-based facts the State Government has to indicate why amalgamation is the way to go. Our community deserves to be fully informed as this process unfolds. “Our communities deserve to know why this is considered the best option. What will the benefits be? Will their rates rise? Will they lose contact with local representation? Will they lose access to many of the current community facilities and services the Councils offer? We simply do not know as the State Government has not provided this information.

(Source Canada Bay Council Meeting 9 Feb 2014)

The Council continued:

All the Inner West councils are concerned about the lack of information provided to date and the lack of community involvement in the decision-making process. “We do not believe a super council will service the needs of our communities and there does not appear to be evidence that such a drastic change will bring cheaper rates and better services,” they said. The proposed amalgamation will see a council looking after residents, equating to an average increase of around 300 per cent in the current populations of the inner west council areas. It will also take in areas stretching from Sydney Airport to Bankstown and Glebe. The five inner west councils that are working together strongly oppose forced amalgamations but are undertaking joint research on the economic and social impacts on any move to bring the councils together. The five councils have also agreed to develop shared modeling, to answer the Government’s criteria, with additional analysis on advocacy, representation, good governance and social and environmental issues, as well as developing an education and community engagement program. (Source Canada Bay Council Meeting 9 Feb 2014)

By 30 Jun 2015 (deadline for submissions to the State) the Sydney Inner West councils of Burwood, Canada Bay and Auburn indicated a willingness to consider an amalgamation. Strathfield, in response, continued to argue for no amalgamation of that Council with any neighbouring council. Burwood Council has lodged a joint merger proposal with Auburn City and Canada Bay Councils to the Independent Pricing and Regulatory Tribunal (IPART) as part of the NSW Government’s Fit for the Future reforms. The decision to explore a merger comes following the State Government’s strong indication that ‘no-change’ is not an option for councils. The proposal focuses on a new entity to possibly
be known as Sydney Olympic Park City Council.

Reflecting back on 2014, the NSW Government announced one of the most significant reform proposals in our State’s history, named *Fit for the Future*, with the intention to reduce the number of Sydney Metropolitan councils from 41 to 18. The reform is based on the final recommendations of the Independent Local Government Review Panel and the Local Government Acts Taskforce which were commissioned to carry out reviews of the local government sector. The *Fit for the Future* package strongly indicates that Sydney Metropolitan councils, notably the inner and eastern councils, will need to meet the ‘scale and capacity’ (i.e. size) outlined in the Panel’s recommendations to ensure financial sustainability and more effective governance. In particular, *Fit for the Future* (NSW 2014e) supports the Panel’s recommendation to merge Burwood, Ashfield, Canada Bay, Leichhardt, Marrickville and Strathfield Councils to form one Inner West Council (Plate 2).

*Plate 2 Local Government Review Panel Suggested Inner West Council Mergers. (Source NSW Government 2014)*

Burwood Council explains the amalgamation process that it and other Sydney Inner West Councils engaged in as follows:
Despite Burwood Council's strong financial outlook (as identified by NSW Treasury), the option to stand alone does not meet the requirements of the Government's *Fit for the Future* program primarily due to its population size. In December 2014, Ashfield, Burwood, Canada Bay, Leichhardt and Marrickville Councils engaged an independent consultant, Morrison Low, to undertake a feasibility study on the potential impacts and benefits of the Panel's proposed inner west council. The study revealed that an inner west council comprising the above-mentioned councils would not create a council that is ‘fit for the future’. During this process, Burwood also investigated the option of a smaller scale merger between Auburn City, Burwood and City of Canada Bay. The three councils undertook an independent study on the potential benefits and impact of the merger which revealed that a smaller scale merger would provide a more superior model than a large inner west council. Following the study, the three councils undertook their own consultation, which included comprehensive telephone surveys, in order to gauge the level of support for this option in each community. *(Source Burwood Council web 2015)*

**The Council voted to adopt an alternative merger (Plate 3) and explains:**

Following extensive community consultation, independently commissioned research and discussions with neighbouring councils, Burwood Council voted to adopt an alternate merger proposal including Auburn City Council, Burwood Council and City of Canada Bay Council at its Council Meeting of 9 June 2015. Auburn City and City of Canada Bay Councils also voted in favour of this proposal at Council Meetings in May and June 2015. The decision to merge with Auburn City and City of Canada Bay Councils was based on communities of interests and financial long term benefits. In addition, the proposed entity will preserve local representation while still meeting the NSW Government's estimated minimum population size required to be ‘fit for the future’. In the event that the NSW Government does not proceed with its reform agenda, each Council has opted to stand-alone under their existing structures. *(Source Burwood Council web 2015)*
Council notes the benefits of the merger plan as follows:

The merger plan: Meets estimated minimum population size for Councils; Protects local town centres and villages; Same level of services provided; Combined financial strength which meets Fit for the Future benchmarks including low debt; Cultural synergies - cosmopolitan communities; Investment in community facilities and infrastructure; Strong connectivity between the Councils though Parramatta Road and extensive river frontage; Powerful local economies that build on existing industry and business, strengthened employment opportunities; Key strategic centres, including Burwood, Rhodes and a city based around Sydney Olympic Park; and, Equal footing of merged Councils.

In commenting what the community said the Council continues:

Council has undertaken extensive research and commissioned some independent studies to determine its position and prepare its Fit for the Future merger proposal. Community involvement has played an integral role. This included a series of telephone surveys to local residents from October 2014 to May 2015, each time involving an accurate sample size covering all suburbs and age groups across Burwood. When asked about the option to merge with Auburn and City of Canada Bay Councils, a majority of respondents stated that they were supportive of the proposal. This merger proposal aims to protect residents against unnecessary rate increases that may follow an ill-advised merger. The merger process, if approved by the NSW Government, could be initiated prior to the next Local Government elections in 2016. (Source: Burwood Council web 2015)

Looking beyond Sydney Inner West to the Greater Parramatta district, the Panel recommended merging Parramatta with Auburn, Holroyd, the western third of Ryde and the North Parramatta area of the Hills. At the end of the submission date (30 June 2015) Parramatta Council agreed to discuss a potential merger arrangement, partly reflecting the above Panel suggestion. However, neither Auburn nor Holroyd councils were interested in that merger arrangement. Both Auburn and Holroyd councils have subsequently been conducting strong campaigns opposing above amalgamation. A statement by Holroyd Council endorsed the State members’ opposition to any forced amalgamation of that council, noting:

At the first ‘Hands Off Holroyd’ Public Meeting last month, Mr. Rohan, the current Member for Smithfield, said he ‘will cross the floor’ to vote against his own Government if Holroyd is forced to merge with Parramatta, Auburn, and parts of Ryde and The Hills Councils. Mr. Rohan said: “Nobody wants forced amalgamations. I will stand up and support Holroyd and the community against amalgamations. Holroyd is a good Council. Holroyd is a great Council”. (Source Holroyd Council Meeting May 2015)
Looking beyond Greater Parramatta, the councils in the St George district offered no plans to the State to amalgamate. Rockdale Council did indicate (by deadline of submissions to the State) a willingness to discuss the prospects of amalgamation with Kogarah and Hurstville councils. Neither of these two councils, however, indicated a wish to entertain that prospect amalgamating with Rockdale.

Local Government Act Changes 2015
Moving to the Panel’s recommendations on the Local Government Act (NSW Government Taskforce Report) (NSW 2014b), these were with the State Government in early 2015 to consider. The State asked the Independent Pricing and Regulatory Tribunal (IPART) to make recommendations to the State by the end of 2015 on the 'capacity of each council to deal with a number of future challenges likely to face local government councils' (SMH 12 May 2015). In the article the State noted “that of the forty-one (41) councils there were twenty three (23) that had populations less than 100,000 people. Within the Sydney Inner West for example, Ashfield and Strathfield councils had populations less than 50,000 people.’ The SMH continued noting that ‘the State pushes ahead with Fit for the Future program to reduce councils from 42 to 15. The paper then notes ‘in an earlier report by the Office of Local Government it was recommended that 250,000 be the minimum size for a council.’ Writing further, the paper notes that ‘joint organisations' as strategic alliances could be considered by some councils. Shared services would include, for example, child care, road making and waste collection. The SMH editorial that day commented ‘councils need capacity to deal with multi-story developments, urban infill, transport needs, or else developers will go to the State’. The SMH was thus encouraging reform and amalgamations.

Under current NSW legislation any amalgamations and boundary changes (voluntary or otherwise) must be referred to the Boundaries Commission for examination via a public inquiry. While the Minister for Local Government could have sought amendments to the act to give the Minister power to approve amalgamation, the State decided in Dec 2015 to refer any amalgamation proposals to the Boundaries Commission. With council elections scheduled for September 2016, the State adopted a new date for elections, March 2017. This new date allows the Boundaries Commission to conduct inquiries into amalgamation proposals (including public consultation) and to report back to the State with recommendations. Overall, by the closing on submissions only a handful of Sydney’s
41 councils had put forward proposals for amalgamation, hence most indicating a want to continue as is. Finally, the SMH editorial (29 June 2015) encouraged Greater Sydney councils to consider the Auckland City model. The paper indicated with Auckland’s population of 1.4m, had one council (commenced in 2010 replacing seven city and district councils). The SMH continued noting ‘with the one city administration there were also created 21 local boards with 149 elected members. These members make local decisions and take them to Auckland Council for funding. The local boards also identify the views of their communities, develop their own local plans, co-ordinate with community organization and special interest groups and identify by-laws for their local government area.’ The SMH ‘that this Auckland model suggested amalgamation of councils did not mean that local governments become more detached from their communities. The SMH concluded ‘the amalgamation process is necessary, as 41 local governments for one metropolis is simply too many’. Many other writers argue that strong local government councils contribute in total to an effective metropolis.

Update 2016

In the interim, the Minister for Local Government had commenced the process of forcibly amalgamating Holroyd and Auburn councils. Council also noted the Minister said he expected the new council (with adjusted boundaries) to be ‘proclaimed’ on 1 July 2016. The results of the review of proposed boundary adjustments and merger (Holroyd and Auburn councils) would be referred to the Chief Executive of the Office of Local Government for examination and report under the Local Government Act (the Act). In turn, the Chief Executive had appointed a Delegate who would examine the proposals, conduct a public inquiry review, call for written submissions, and then report back to the Minister.

This review is recommending that submissions address nine factors, from finance to communities.

- Financial advantages or disadvantages of the proposal to the residents and ratepayers
- Communities of interest and geographic cohesion in the existing areas and in any proposed new area
- Existing historical and traditional values in the existing areas and the impact of change on them
- Attitudes of the residents and ratepayers of the areas concerned
Any effects the merge might have on elected representation

Any impacts the merger proposal could have on the ability of the council to provide adequate, equitable and appropriate services and facilities

Impacts on the employment of council staff

Desirability (or otherwise) of dividing the resulting area or areas into wards

Ensuring the opinions of diverse communities are effectively represented (Source: NSW Dept. of Local Govt. 2016)

It can be concluded from the examination of documents to date (Table 1) that there is a wide range of views on local government reform expressed by the State and councils. The overall voice of councils is that they welcome helpful reforms and improved partnerships with the State, but oppose forced amalgamations (vs voluntary amalgamations). The State report on amalgamations as released in Dec 2015, reflecting the State’s intent to see the number of Greater Sydney councils reduced from 41 to 23. It is opportune to look at the amalgamation questions by examining a range of options to improve the effectiveness of councils (i.e. in the area of urban planning and infrastructure provisions). The State created in early 2016 a web site on the amalgamation process expected to be followed by the Boundaries Commission. The documents that accommodated this announcement are summarized below.

Broader Local Government Reforms

In addition to the subject of amalgamations, the State is examining reforms of local government as noted above. The NSW Department of Planning and Environment’s (NSW 2014a) A Plan for Sydney Growth (referred to above) reflects aspects of local government reform the State already has in place in urban planning and infrastructure provisions. This plan contains an underlying structural basis of local councils working together to meet the achievements of the State’s urban planning agenda (including a Sydney population increase of 1.6m by 2036). Under this plan, there appears a range of administrative arrangements for councils to work together with the State (given also the State local government reform reports noted above). The area of ‘urban planning and infrastructure provision’ is one of the most significant areas of councils and the State interacting (i.e. planning policies and funding of infrastructure). While there are other issues related to ‘efficiency of local government’ (i.e. finances as argued by councils above in the
amalgamation debate) it can be concluded that the area of sustainable urban planning (SUP) practices is the key to councils showing they can either (under State options): a. stand alone; b. work in partnership; or, c. work within a voluntary amalgamated arrangement. These arrangements should be further examined by the State, and no amalgamations should occur until this is done, and the amalgamation process allows referendums to be held in council areas affected by amalgamation proposals. Any further amalgamation suggestions by the State two recent State planning documents as follows should be referred to (given implications for any amalgamations): *draft Metropolitan Strategy for Sydney* (NSW 2012a) and *A Plan for Growing Sydney* (NSW 2014a) as noted above. Options of councils working together and with the State are looked at next.

**C. Options of Councils Working Together and with the State**

There are many options (including council amalgamations where communities and councils agree via a referendum process) for the State and councils to address in adopting sustainable planning principles and planning decision making to create a sustainable Greater Sydney. A crucial aspect of these planning principles and planning decision making is their application to all levels of governance (e.g. municipal, district and Greater Sydney wide). A successful application at the municipal and district levels will normally have a flow on effect to the Greater Sydney level. Offering planning option models to achieve both these goals reflects: (1) complexity of planning sustainably; and, (2) achieving an inclusive decision making. These planning option models will need also to acknowledge the current State’s local government reform agenda. This reform ranges from: a. creating (at State level) the Greater Sydney Commission; b. to amalgamation of councils (B. Amalgamations and State Review of Local Government as above).

The overall voice of councils (above) is that they welcome helpful reforms and improved partnerships with the State. Councils have stated, however, that they oppose State planning that will impact on their areas or force amalgamations. These councils, to date, have stated many reasons that forced amalgamations don’t work (i.e. removes independence of elected local government councils and defeats democratic principles). There are six options (including no change) offered here for State, in partnership with councils, planning decision making at a district level. These options are:
#1. District Planning Groups
State bodies and councils often form 'planning groups' to cooperate on specific planning or public works projects within one or more local government areas. There is an opportunity here for the State and councils to expand their partnerships in district level projects (i.e. transport or protecting natural environments projects as outlined in earlier chapters). Where a District Planning Group was established it could participate in State decisions, such as nomination of ‘public infrastructure benefit levies’ (PIBL). A PIBL is a proposal to levy developer owned land that is set to benefit from a State public infrastructure project (i.e. new light rail station, transport interchange, or train station). Many district level projects would be the type of projects the State and local councils could work in partnership within a District Planning Group. Such a group, in being created, would be responsible for engaging the participating councils and the communities likely to be affected by planning decisions at district level. As noted above, the State’s adoption of *A Plan for Growing Sydney* (NSW 2014a) designates Greater Sydney sub-regions (in 2016 the State was calling these ‘districts’). Related to this, the newly created (late 2015) *Greater Sydney Commission* announced it will develop a district plan for each of the Greater Sydney six districts. A second option of *District Planning Boards* is examined next.

#2. District Planning Boards
District Planning Boards is another option for the State and councils to work in an ongoing partnership on specific planning and infrastructure works projects. These planning and infrastructure projects could include, for example: a. environmental projects; b. climate change planning and programs; c. alternative energy projects; d. waterways protection; and, e. sustainable transport initiatives. The planning of the Inner West Greenway and Inner West Light Rail Corridor are prime examples of council initiatives being endorsed and later partnered with the State. This option of a District Planning Board could be created (and the State is taking steps in that direction in early 2016) within the newly formed Greater Sydney Commission. The Board would be more formal that a District Planning Group (#1) and could also be incorporated within any legislation stemming from the State’s local government reform proposals (see B. Amalgamations and State Review of Local Government). The main objective of a District Planning Board would be to guide district level planning and infrastructure provision (including economic advice). The Board
would engage the participating councils and be responsible for public consultation processes on district level planning and developments. A Board could operate under a sun-set timed agreement (or renewable every four years) as written within any legislation. A municipality participating within a District Planning Board would still maintain its integrity at municipal level planning and infrastructure provisions under the State acts. Such councils would also continue their local planning and service responsibilities, for example: traffic management; environmental works; planning and delivery of local public works; and, parks and open spaces.

Finally, the functions of a District Planning Board could be defined in the current (2016) State local government reform program in cooperation with the NSW Local Government Association (representing councils). The Board could have final accountability to the State Minister for Planning and Environment. The composition of the Board could consist of: general manager and mayor (representatives of the municipal citizens) of each council; an appointee from each of Dept. of Planning and Environment and Department of Public Works; and, District Commissioner under Greater Sydney Commission. The meeting place of the District Planning Board would be within the district (likely a council administration building). The decision making meetings would be open to the public (unless declared commercial-in-confidence). The budget of the District Planning Board could be under the State via the Greater Sydney Commission. A rolling four year District Planning Board program (and budget) of planning and infrastructure works could be adopted by the Board (and approved by the State). This program could be updated annually to enable participating councils to note designated planning and infrastructure works (i.e. including in councils' annually updated Community Strategic Plans and reports to ratepayers). Of final note, the Premier's Office could arbitrate any disputes. Participating councils would have the right to ask that disputed items go to an Independent Disputes Arbitrator, assigned under the District Planning Boards legislation. Having examined the option of District Planning Boards, the third option for the State and councils to consider is District Planning Committees under partnerships with current Regional Organizations of Councils' (ROCs).

#3. District Planning Committees (under Regional Organizations of Councils)
Regional Organizations of Councils (ROCs) were established by the Whitlam
Government in 1973, with ROCs currently operating in all States of Australia. The Southern Sydney Regional Organisation of Councils (SSROC), for example, represents more than 1.4 million residents in the districts of Sydney Inner West and Sydney South. This ROC represents sixteen councils. The role of SSROC is defined as:

To provide a forum for the exchange of ideas between our member councils, and an interface between governments, other councils and key bodies on issues of common interest. The organization acts as a facilitator of joint activities between councils which provide benefits through economies of scale. Member councils can reduce the costs of procurement, share the costs of engaging external assistance if needed, and can expose their staff and councillors to a wide network of expertise and views. SSROC is also a means of resolving issues and challenges that cross our municipal boundaries, such as the environment and transport. SSROC's work is structured to respond to the priorities identified and agreed by the members in the annual work plan, and ultimately to contribute to the social, environmental and economic improvement of the southern Sydney region. (Source: SSROC 2015 Web)

The State could ask a Regional Organization of Council to assist in the creation of a District Planning Committee. Such a body would undertake planning in cooperation with the State. The councils of that district (within the larger ROC area) could participate in such a Committee. The budget of these committees could operate similar to the District Planning Boards, with a rolling four year planning program as agreed by the State (and endorsed by the Committee). The Committee would be responsible for engaging the public under any guidelines as negotiated at the initial setting up of a District Planning Committee. As with the Planning Boards, any dispute could be arbitrated by an Independent Disputes Arbitrator. Having examined three options, a fourth option, District Planning Advisory Bodies is considered next.

#4. District Planning Advisory Bodies

Under the State local government amalgamation process (B. Amalgamations and State Review of Local Government as above) it is expected that by mid-2016 the State will announce: a. an endorsement (and time schedule) for amalgamation of councils that nominated as such; and, b. a State decision on amalgamation of other councils that chose not to amalgamate. The State proposed amalgamation of nominated councils is indicated below (Plate 4).
Two or more amalgamated councils are likely to see all current planning and infrastructure provisions reviewed under the one new council. The subject of planning and infrastructure provisions is also likely to be reviewed with the State (potentially under new State legislation and to reflect the local government reform process (see B. Amalgamations and State Review of Local Government). The State would likely work directly with the newly amalgamated council (and other councils) within a Greater Sydney district (discussed earlier). The issue here remains that many councils have expressed their desire to stand alone as an ongoing municipal unit. The fifth option of the State expanding its district planning role is examined next.

#5. District Planning Units (under State)
Having outlined four options for State and councils partnerships in planning and infrastructure provisions, the option of the State expanding its role in this area is addressed next. Under this option District Planning Units (possibly under the NSW Department of Planning and Environment) (herein called the Department) could be created for district planning. This would be the instance, for example, in implementing A
Plan for Growing Sydney (NSW 2014a). Currently, under the Department, major urban center strategic plans have been completed within districts of Greater Sydney. This urban centre planning task has also been provided to regional councils outside Greater Sydney, such as Gosford City (on the Central Coast), Wollongong City (on the South Coast) and Newcastle City (in the Hunter Valley). The district (or regional) planning work of the Department (in conjunction with other State departments) could be expanded within designated districts of Greater Sydney (and regions). An expanded role in district plan making and infrastructure provisions could be initiated by the State within Department designated District Planning Units. The proposed changes to the EPA Act (1979) and the final recommendations of the State local government reform process (see  B. Amalgamations and State Review of Local Government) could include a program for District Planning Units). Within a District Planning Unit, councils could be given a more defined (and agreed to) partnership planning role than currently exists. Also, under this option (as in other options above) there could greater State commitment (including budgeting) to planning and infrastructure commitments within districts. Finally, these District Planning Units could also be a model to be taken up in regions outside Greater Sydney (as noted above). All these above points need examination and debate at council, community and State levels. The no change to councils’ ‘urban planning and infrastructure provisions’ option is examined next.

#6. No Change to Councils Planning

A range of options (1-5) have been addressed above for councils working in partnership with other councils and the State. Examples of how these options could be taken up, as case studies, by councils in the metropolitan districts of Sydney Inner West, Greater Parramatta and St George were reviewed. Finally, there is also the option of ‘no change’ to current local council and State working arrangements. Given the extent of issues canvassed and the options outlined above, the ‘no change’ option is unlikely to be attractive to most parties. These parties want expanded opportunities, for example, in better ‘urban planning and infrastructure provision’ at all levels of government. The aspects of the State and councils working in partnerships is further explored in reviewing other State planning and infrastructure bodies and the Greater Sydney Commission next.
State Planning Bodies and Greater Sydney Commission

Given the options of State and councils partnerships in planning and infrastructure provisions (as reviewed above), it is useful to review related State governance in planning. There are a range of other State bodies with responsibilities in planning and infrastructure provisions (in addition to the Department of Planning and Environment as discussed under District Planning Units above). The current work of State bodies engaged in planning and infrastructure provisions include for example Department of Roads and Maritime Services; Department of Public Works and Infrastructure; UrbanGrowth; and, State Development Corporations. These bodies are often criticized (and often justified) by councils and the communities within municipal areas for not adequately engaging councils and the community in State planning and infrastructure provisions. In the exercise of any of the options above (or other State district planning for Greater Sydney) the question of engaging councils and the community is a valid issue. In addition, the current work of NSW bodies such as State appointed ‘planning panels’ (created to make recommendations on developments beyond the decision making of a council) could be reviewed. The State's A Plan for Growing Sydney (NSW 2014a) contains within it many opportunities for a review of the way councils and the community can be more effectively engaged. The intent to complete district plans (noted above) within the work of the Greater Sydney Commission presents a new opportunity for the State to recognise the roles of citizens and local councils within the districts of Greater Sydney. The State (NSW 2014a) notes that the role of the Commission (Plate 5) also includes overseeing: action delivery; subregional planning (now called ‘districts’; infrastructure investment; and, local planning. Thus the Commission will need the full cooperation of local councils (representing their communities).
The question thus arises how councils will be engaged in the operations of the *Greater Sydney Commission*, especially in planning and infrastructure provisions within a district. What mechanisms, for instance, will be created by the State to enable councils to scrutinize proposals affecting a council area? Will the State look at a range of State-councils partnership options such as noted above? One scenario from the NSW Property Council (representing the property industry) on the implementation of *A Plan for Sydney's Growth* (NSW 2014a) was expressed in 2015. The Council (Chris Johnson, CEO) writing in the Sydney Morning Herald (SMH 19 May 2015) takes up implementation the Greater Sydney Commission (GSC) and district planning (summarizing) as follows: the GSC could run metropolitan planning and governance; district offices would contain local government planning staff and provide other planning services such as road planning; and, the above could take place with or without merged councils.

In examining the Greater Sydney Commission, it is also noted that the GSC: 1. is based on the Greater London Authority; 2. local councils within a district will select one representative; 3. GSC will have a Chair and CEO and commissioners representing economic, environment and social areas (these were appointed in early 2016); 4. the
Chair and CEO would sit on NSW Cabinet Infrastructure Committee; will create plans for each district, including housing targets; and review LEPs of councils and be the ultimate decision makers in rezoning proposals (currently under the Minister for Planning). In summary, there is every possibility the NSW councils and the State will be operating under different planning and infrastructure provisions by the end of 2016 and early 2017. The options of the State and councils working in partnership presents an array of options (as above and in B. Amalgamations and State Review of Local Government). The ideal would be to formulate the State and councils partnerships that would satisfy community engagement and apply sustainable urban planning (SUP) practices in municipal and district level planning.

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