



## Save Our Councils Coalition (SOCC)

12 November 2018

### **FIVE POINT PLAN**

#### **TO DEMERGE COUNCIL AREAS FORCED TO MERGE IN 2016**

##### **1. PETITION**

A community group or association formed to collect a petition from 10% of enrolled electors within the former local government area who want to demerge and get their former council back (Petition attached).

##### **2. REFERENDUM**

A referendum run by the NSW Electoral Commission then to be held on the demerger, the result to be decided by a majority of enrolled electors from the former area who vote.

##### **3. RESULT**

The result of the referendum is to be binding. Where the majority of enrolled electors who vote are in favour of a demerger, a new local council must be proclaimed for the former area within 6 months.

##### **4. FUNDING**

The NSW Government to meet the reasonable costs of the demerger, including the costs of the referendum.

##### **5. LEGISLATION**

The above to be contained in new legislation. The NSW Government's policy and process of forced council mergers was flawed. Communities forced to merge in 2016 against their will are entitled to get their councils back if that is their choice.

12 November 2018 Final v2



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### **NEW LEGISLATION REQUIRED TO DEMERGE COUNCIL AREAS FORCED TO MERGE IN 2016 AND FOR ANY FUTURE COUNCIL MERGER PROPOSAL**

#### **1. NO FORCED AMALGAMATIONS**

Local communities seek new legislation that guarantees their democratic right to a binding referendum on any proposed boundary change or merger of their local council area, together with fair and just provisions in the legislation supportive of local communities.

#### **2. NSW GOVERNMENTS FLAWED POLICY AND PROCESS**

The NSW Government policy that forced council mergers in 2016, was and remains deeply flawed and strongly opposed by communities. The process used, with no referendum and no transparency on financial information, has been admitted by the Government as defective and has been so found by the courts. Communities who have had their elected councils forcibly taken from them are entitled to get them back if they wish.

#### **3. FORCED COUNCIL MERGERS HAVE FAILED**

Those local communities whose councils were forcibly merged into larger bureaucratic entities in 2016 have suffered a significant loss in their representation and in their identity, local services have deteriorated, and financially the Government still refuses to release the full KPMG report that it said was the basis of its case.

#### **4. FIVE POINT PLAN RE 2016 FORCED MERGERS**

The Five Point Plan to allow local communities to get their council back requires a petition of 10% of enrolled voters in the former council area, a binding referendum, a majority of those voting to be in favour, funding by the Government and appropriate legislation (See attached Five Point Plan to Demerge and the Petition).

#### **5. FUTURE BOUNDARY CHANGES OR MERGERS**

Legislation for any proposed future boundary change or merger of a local council area requires an examination and an approval by a qualified body truly independent of government. This body to consider relevant matters for each affected area, including level of representation, identity and sense of belonging, community wishes and concerns, and financial and sustainability issues. In addition, for the proposal to succeed it must legally have majority support of the local community by way of a binding referendum for each affected area.

# Bring Back ..... Council

PETITION to NSW Government from electors within the former ..... council area, dated .....

We, as enrolled electors in the area that was the former ..... Petition the NSW Government that:

1. The boundaries of ..... be altered so that the area that was the former ..... prior to ..... be excised, and
2. The former ..... be reconstituted within the boundaries it held before its forced amalgamation on .....

We sign this Petition to the NSW Government because we believe that:

- A majority of electors within the former ..... council area want their local government area back, and wish to elect their own council and run their own local affairs
- This community values its local identity, sense of belonging and an effective level of representation
- The forced amalgamation with ..... was undemocratic and no poll of electors was held

Full Name – Residential Address – Email Address – Telephone – Signature