Confidential Item

CAMPBELLTOWN CITY COUNCIL

Confidential Item

For Council meeting to be held on

21 November 2023 at 7.00 pm

Refer Item 11.12

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11.12 Inquiry Plan Cost Estimate

General Manager Community Connections, Michelle Hammond's Report

Purpose of Report

To consider the Inquiry Plan Cost Estimate.

Strategic Plan Link

Focus Area 4.3.3 Plan for change in demographics, population needs and climatic conditions

Focus Area 5.1.2 Support Elected Members and Committee Members to undertake their legislative functions

Focus Area 5.3.3 Provide corporate and financial governance that meets the needs of our Community and legislative requirements

Previous Council/Committee Resolution

At its meeting on 16 August 2022, Council resolved:

> 'That the report be received and that Council endorse the feedback on the 'outline of matters to be investigated' be provided to the Commission.'

At its meeting on 6 April 2021, Council resolved:

> 'That Council receive the report and:
>
> 1. note the outcomes of the consultation undertaken by McGregor Tan and the associated report
>
> 2. note the outcomes of the consultation undertaken with the City of Campbelltown residents and ratepayers
>
> 3. request Staff to prepare a Stage 2 Submission to the Boundaries Commission with respect to the boundary realignment between Campbelltown Council and Adelaide Hills Council.'

Background

Council formally commenced investigating the proposal to realign the boundary between Campbelltown and Adelaide Hills Council in early 2019 when the legislation changed to allow Councils to instigate a boundary realignment proposal. There is a long history of discussion regarding a boundary realignment between the two Council areas which is outlined in a report to Council on 6 April 2021 (attached).

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At that meeting, Council resolved to provide a Stage 2 Submission to the Commission (Boundaries Commission) with respect to the boundary realignment between Campbelltown Council and Adelaide Hills Council. This proposal was provided to the Commission on 14 April 2022 and is available here. The Commission advised Council on 29 July 2022 that the proposal met the requirements and that an inquiry could proceed in accordance with Section 31 of the *Local Government Act 1999* and Guideline 4 (Local Government Boundaries Commission). The next step was for the Commission to provide Council with a quote for the cost for them to undertake the Inquiry.

Discussion

The quote from the Commission has now been received and is attached in confidence at the specific request of the Commission. Council now needs to decide if it wishes to continue with consideration of the boundary realignment and if it's prepared to fund the cost of the Commission undertaking the Inquiry.

If Council agrees to fund the inquiry the Commission will engage with Council regarding the appointment of the consultant to undertake the Inquiry. Once the consultant has been appointed they will undertake the Inquiry on behalf of the Commission as to the merits of the proposed realignment, which is likely to include consultation with Communities of both Councils. Once the Inquiry is complete, the Commission will make a recommendation in a report that is presented to the Minister for Local Government. The Minister for Local Government makes the final decision based on the recommendations made by the Commission. If the Minister determines the proposal should proceed, it will be forwarded to the Governor with a recommendation that a proclamation be made. If the Minister determines the proposal should not proceed, a report must be prepared for both Houses of Parliament.

Members need to be aware that there is no guarantee that the result of the inquiry will be that the Commission recommends that it should proceed and it is clear that this decision sits with the Minister for Local Government. Undertaking the Inquiry will however have the benefit of a decision being made which will provide certainty for both Councils and their Communities going forward.

Social Implications

Whilst the legislation remains untested, Staff assume that for the Commission to support a boundary realignment, there would need to be benefits for both Communities. AHC residents who are already associated strongly with Campbelltown City Council, spend much of their time in the area and have social, sports and other networks, may feel a sense of increased connection with the Campbelltown City Council Community. AHC Residents who strongly oppose the boundary realignment and are passionate about staying as part of AHC may feel a sense of loss, in moving to Campbelltown City Council.

Environmental / Climate Change Implications

There are no environmental / climate change implications in relation to this report.

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Asset Management Implications

There are no asset management implications in relation to this report. If the boundary did change in the future, there would be asset management implications for Council. Staff have not been able to obtain asset management data so are unable to determine the asset maintenance and replacement requirements, or depreciation expense which has a direct impact on the operating results.

Governance / Risk Management

The decision about whether to fund the Inquiry by the Commission is part of the legislated Boundary Reform process. The Inquiry will be independent of both Councils and will provide certainty to both Councils with respect to the proposed boundary realignment.

It is expected that the Inquiry will assess whether the boundary realignment is beneficial to both Councils, Communities and all Communities of Interest and that a recommendation to proceed with the alignment would not be made if this was found to not the case.

Community Engagement

Both Councils have undertaken Community Engagement with respect to the proposed boundary realignment. There is no role for either Council to undertake Community Engagement as part of this process. If the Inquiry proceeds it is anticipated that Community Engagement will form part of the Inquiry.

Regional Implications

There are no regional implications in relation to this report.

Economic Development Implications

There are no economic development implications in relation to this report.

Financial Implications

The cost provided by the Boundaries Commission to undertake the investigation is $131,300 (ex GST). The letter advises that this is a cost estimate not a fixed fee quote as unforeseen additional matters may be identified during the inquiry which require additional investigation and will incur further cost to Council.

No funds have been allocated in the 2023/2024 Annual Business Plan and Budget. If Council resolve to proceed with the investigation, funding will need to be recognised at the next Budget Review. Once the procurement process has been finalised the Commission is comfortable that the cost of the Inquiry is released from confidence.

Recommendation

For Council consideration.

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