

Mr Martin McCarthy  
Chief Executive Officer  
The Barossa Council  
PO Box 867  
NURIOOTPA SA 5355

## **Notification of stage 1 potential boundary proposal**

Dear Mr McCarthy

Thank you for your letter of 17 October 2019 outlining the potential proposal for a boundary change from The Barossa Council (the Council), as required by the Boundaries Commission's (the Commission's) Guideline 3 — Submitting a General Proposal to the Commission.

As you are aware, the intent of the two-stage requirement under Guideline 3 is to enable the Commission to provide comment it considers relevant to a potential general proposal before extensive work is done to fully-develop the proposal.

Such comments may be of assistance in the decision to proceed to the next stage and matters that should be considered in the development of the general proposal referred to the Commission.

At its meeting on 14 November 2019, the Commission considered the Council's Potential Proposal along with all correspondence received in relation to the potential proposal. Further, the Commission discussed and considered the potential proposal along with the additional information supplied by the Council at its meeting on 14 November 2019.

The Commission agreed that the Council may refer a general proposal for the Commission's consideration if it wishes to do so. Please note that advice from the Commission that a general proposal can be submitted does not guarantee that the proposal will be formally accepted.

When discussing potential proposals, the Commission gives close consideration to the principles contained under section 26 of the *Local Government Act 1999* (the Act). These principles are of fundamental importance to boundary change proposals and ultimately form the basis of any recommendation that the Commission makes to the Minister.

It is for this reason that the Commissions Guidelines require prospective initiators to consider these principles at the outset of a potential proposal.

The Commission understand that the intent of the Council is to align its boundaries with the Barossa Geographical Indication area and inform the Commission at an early stage of the connection between a potential proposal and the section 26 principles.

The Commission acknowledges that the information provided by the Council refers to the Sections 26 principles and we note that the Section 26 Principles include reform to the economic circumstances of a region. However, the potential proposal at this stage does not indicated how the Barossa Geographical Indication area links to a broader concept of a 'community of interest' as envisaged by the Section 26 principles.

It is the Commission's view that the potential proposal, as provided by the Council, does not easily fit within the expectation of the Section 26 principles.

As set out in stage 2 of Guideline 3, if the Council wishes to refer a general proposal to the Commission, the Commission strongly recommends that the link to the Section 26 principles is drawn more closely. More specifically, the Council may wish to identify the cultural, heritage, shopping, community services, sporting or any other component that the Council identifies that in the Council's view form the social fabric of the area.

The proposal should also include evidence of the consultation process undertaken by the Council with the community and key agencies in relation to the proposal. Although the Commission will undertake its own consultation if it decides to investigate a proposal, it is expected that the Council would undertake consultation with identified stakeholders groups and the community and provide a balanced representation of the advantages and disadvantages of the proposal and detail why a boundary change proposal is in the best interest of the community.

The Commission is aware that the Council has received correspondence from the Light Regional Council and a number of local businesses in opposition to the proposal. Details of this correspondence should be included in the Council's proposal along with any other correspondence in support or opposition of the proposal.

If the Council refers a general proposal to the Commission, the Commission will assess the proposal in accordance with the Act and guidelines and determine whether to inquire into the proposal or to refuse to. If the Commission determines to investigate a proposal, the Commission will inform the Council of its decision. Information will also be provided at this stage on the estimated costs of the investigations, so that the Council can make a final decision whether or not to proceed to the investigations stage, in accordance with Guideline 4.

As set out in Guideline 9, please be advised that I have notified the councils affected by the potential proposal that the Commission has agreed that the Council may refer a general proposal if the Council wishes to do so.

I also advise that, under the Commission's publication policy, the information about the potential proposal has been made available at—  
[www.dpti.sa.gov.au/local\\_govt/boundary\\_changes](http://www.dpti.sa.gov.au/local_govt/boundary_changes).



GPO Box 2329  
Adelaide SA 5001

Tel (08) 7109 7145  
DPTI.BoundariesCommission@sa.gov.au

I trust that this information is of assistance to you. If you have further questions, please contact Mr Thomas Rossini in the Office of Local Government on 7109 7443, or [thomas.rossini@sa.gov.au](mailto:thomas.rossini@sa.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read "Bruce Green".

**Bruce Green**  
Chair, SA Local Government Boundaries Commission

14 January 2020