

16 November 2021

Mayor Amanda Wilson
City of Holdfast Bay
PO Box 19
BRIGHTON SA 5048

Dear Mayor Wilson

City of Marion Boundary Change Potential Proposal (Stage 1)

I write to inform you that the Local Government Boundaries Commission (the Commission) received a Boundary Change Potential Proposal (Stage 1) from the City of Marion on 7 September 2021 for a boundary change in the area of Seacliff Park.

The Commission considered the Potential Proposal at its meeting of 20 October 2021.

In summary, the Potential Proposal seeks to move land encompassing the entirety of Certificate of Title 5774 Folio 145 and Certificate of Title 5755 Folio 334 (owned by The Seacliff Group) and Certificate of Title 5743 Folio 866 (owned by the City of Holdfast Bay) from the City of Holdfast Bay to the City of Marion.

The process by which the Commission deals with boundary proposals under the *Local Government Act 1999* (the Act) is set out in the nine Guidelines that the Commission has published that detail the process of considering a boundary change submission.

When discussing proposals, the Commission gives close consideration to the principles contained under section 26 of the Act. These principles are of fundamental importance to boundary change proposals and ultimately form the basis of any recommendation that the Commission may make to the Minister.

Under Stage 1 of Guideline 3, the Commission has advised the City of Marion that it may refer its Proposal (Stage 2) to the Commission.

The Commission's approval that a proponent may submit a General Proposal (Stage 2) means that the Commission has formed the view that the proposal is generally aligned with the section 26 principles, and that the proponent may therefore undertake the more detailed work that is necessary to develop a General Proposal (Stage 2), if they so choose.

I emphasise that the advice that a General Proposal (Stage 2) can be referred to the Commission does not imply that the Commission will inquire into the Proposal. This decision will only be made if the Commission receives a General Proposal (Stage 2) from the City of Marion.

If the Commission determines that a proposal should be inquired into, both affected councils will be notified of this decision. If a General Proposal (Stage 2) is referred to the Commission,

the Commission will determine whether or not it will inquire into the proposal. Any inquiry will be undertaken in accordance with the Commission's Guideline 4. This will include a thorough investigation of all relevant matters, and include close consultation with both affected Councils and communities.

The Commission understands that the affected Councils and communities may wish to keep their communities informed about potential proposals and investigations.

As I have previously outlined, if your council does choose to provide this information to your community, the Commission requests that you clarify that the Commission is an independent statutory authority that will undertake its own consultation to ensure that it fully understands the views of all affected communities on any proposed boundary change before it makes a recommendation to the Minister.

If this Proposal does proceed to an investigation, your community will be engaged in this process so that it has ample opportunity to put its views to the Commission.

The Commission's Guideline 9 also outlines the engagement and consultation that the Commission will undertake when inquiring into proposals. The Commission must undertake thorough community engagement on proposals before making any recommendations to the Minister. This would include close engagement with councils that may be affected by the proposal.

The Commission also encourages any councils or members of the public who are concerned about a proposed boundary change to make contact with the Commission's staff in the first instance to discuss the Commission's processes.

Further information about the Commission, its nine guidelines and current boundary change proposals are available at— <https://www.agd.sa.gov.au/lgbc>.

Should you have any further queries about the information required please contact the Commission on 7109 7164 or by email at boundaries.commission@sa.gov.au.

Yours sincerely



Bruce Green

CHAIR

SOUTH AUSTRALIAN LOCAL GOVERNMENT BOUNDARIES COMMISSION