

16 November 2021

Mayor Kris Hanna
City of Marion
PO Box 21
OAKLANDS PARK SA 5046

Dear Mayor Hanna

City of Marion Boundary Change Potential Proposal (Stage 1)

I refer to the Boundary Change Potential Proposal (Stage 1) (the Proposal) from the City of Marion (the Council), received by the Local Government Boundaries Commission (the Commission) on 7 September 2021. The Proposal outlines a boundary change in the area of Seacliff Park (the affected area).

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

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

The Commission's advice may assist councils in determining whether to proceed to refer a Boundary Change General Proposal (Stage 2) to the Commission, and ensure that matters considered by the Commission as important to a General Proposal are fully covered in this Stage.

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 may make to the Minister.

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

The Commission appreciates the work undertaken by the Council to develop its potential proposal, including the initial consideration of a number of the section 26 principles and how these relate to the affected area.

As set out in stage 2 of Guideline 3, if the Council wishes to refer a general proposal to the Commission, the Commission recommends that the Council strongly identify how the Proposal aligns with to the Section 26 principles.

Whilst I note that the affected area is currently vacant land, the Commission would expect the Council to consider the future community of interest for the affected area, and 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.

Although the Commission will undertake its own consultation if it agrees to investigate a general proposal, it is expected that the Council will undertake consultation with relevant stakeholders, including Seacliff Developments as the landowner, the City of Holdfast Bay, and any other group or person that the Council may consider to have an interest in a proposal being submitted to the Commission.

This consultation will assist the Council to provide the information regarding the details and results of consultation as Guideline 3 requires, should the Council proceed to a Stage Two 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 inquire into the Proposal, the Commission will inform the Council of its decision. In accordance with Guideline 4, information will also be provided on the estimated costs of an investigation, so that the Council can make a final decision whether or not to proceed to the investigations stage.

As set out in Guideline 9, the Commission has also notified the City of Holdfast Bay of the Potential Proposal and 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 published on the Commission's web page — www.agd.sa.gov.au/lqbc

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

Yours sincerely



Bruce Green

CHAIR

SOUTH AUSTRALIAN LOCAL GOVERNMENT BOUNDARIES COMMISSION