

Mr Joel Byrth
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Notification of stage 1 potential boundary proposal

Dear Mr Byrth

Thank you for your letter of 18 June 2020 on behalf of Mr Dale Morphett, providing further information in support of his potential boundary proposal of 26 December 2019 to the Local Government Boundaries Commission (the Commission).

As you are aware, at its 13 February 2020 meeting the Commission initially considered Mr Morphett's potential proposal which seeks to align a number of properties (the subject area) that are currently within the Copper Coast Council with the Township of Tickera, which is within the Barunga West Council area.

The Commission determined that further information was required before the Commission could advise whether or not a general proposal can be referred to the Commission. The Commission wrote to Mr Morphett on 10 March 2020 requesting further information.

Subsequently, the Commission discussed Mr Morphett's proposal, along with the additional information you have provided at its 21 July 2020 meeting.

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 Commission's Guidelines require prospective initiators to consider these principles at the outset of a potential proposal.

The Commission acknowledges that the additional information that you have provided on Mr Morphett's behalf on 18 June 2020 provides some detail of how this potential proposal aligns with the section 26 principles of the Act.

The Commission determined that Mr Morphett may refer a general proposal for the Commission's consideration. Please note that advice from the Commission that a general proposal can be submitted does not guarantee that the proposal will be formally accepted.

The Commission notes that Mr Morphett has provided letters from both the Chief Executive Officers (CEOs) of both affected Council in his potential proposal, however, neither letter satisfies the requirements outlined in Guideline 6. This Guideline requires the CEO of the relevant council to verify each eligible elector making the proposal and also to verify that the proposal is being made by at least 10% of eligible electors in either the affected area in the Copper Coast Council or 10% of eligible electors in the entire Barunga West Council.

Before the Commission will consider a general proposal from Mr Morphett, the Commission requires written certification from either;

1. The CEO of the Copper Coast Council verifying the eligibility of each elector and that the proposal is being made by at least 10% of eligible electors in the affected area in the Copper Coast Council, or,
2. The CEO of the Barunga West Council verifying the eligibility of each elector and that the proposal is being made by at least 10% of eligible electors in the entire Barunga West Council.

As set out in Stage 2 of Guideline 6, if Mr Morphett wishes to refer a general proposal to the Commission, the Commission strongly recommends that the link to the section 26 principles be clearly defined. More specifically, Mr Morphett may wish to identify the cultural, heritage, shopping, community services, sporting or any other component that the Barunga West Council currently provides the subject area.

Furthermore, if he chooses to refer a general proposal to the Commission, the Commission will assess the proposal in accordance with the Act and guidelines and determine whether or not to inquire into the proposal.

If the Commission determines to inquire into a proposal, the Commission will undertake consultation in line with Guideline 9. As this is a publicly initiated proposal, the cost of any investigations will be covered by the State Government.

Please note, that if the Commission makes a recommendation to the Minister for a boundary change, the recommendation may include any variation to the proposal submitted to the Commission as the Commission thinks fit, possibly resulting in outcomes that were not considered by the proponent in the general proposal referred to the Commission.

This information may be of assistance in Mr Morphett's decision to proceed to the next stage and matters that should be considered in the development of the general proposal referred to the Commission.

As set out in Guideline 9, please be advised that I have notified the councils affected by the potential proposal.

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.

Yours sincerely



Bruce Green
Chair, SA Local Government Boundaries Commission

17 August 2020