

Attachment 1

General Comments Raised			
Council(s)	Inquiry Area	Comment made (Summarised)	Commission's Response
Light Regional Council The Barossa Council City of Playford	Objection to proposal	Raised general concerns and objections to the proposal and the Commission determination that an inquiry may proceed	Noted – All affected councils will be closely engaged with an inquiry into the Proposal, if it proceeds
Light Regional Council The Barossa Council City of Playford	Inquiry Timing	<ul style="list-style-type: none"> Concerns relating to the timing of a potential inquiry in close proximity to the periodic local government elections scheduled for November 2022 and State Government Election in March 2022. Recommended that if an inquiry does proceed, it should not proceed until after the election periods and commence after January 2023. 	<ul style="list-style-type: none"> The Commission acknowledges these concerns and, based on its assessment of the complexity of an inquiry for this Proposal, has formed the view that the Commission will not be able to complete an inquiry into the Proposal to allow for the implementation of any changes prior to the 2022 local government periodic elections. The Commission is therefore of the view that if an inquiry is to proceed into the Proposal, it will not commence until January 2023. The Commission has sought direction from the ToG as to whether it wishes to receive a cost estimate for the inquiry in early 2022 or whether the ToG wishes the Commission to postpone any further action to progress the Proposal until the 2022 periodic local government elections are complete.
Light Regional Council The Barossa Council City of Playford	Reimbursement of costs	The costs to affected Council for assisting the Commission with an inquiry be reimbursed in full by the Town of Gawler (ToG).	<ul style="list-style-type: none"> As outlined in section 32B of the <i>Local Government Act 1999</i> (the Act), the Commission may recover reasonable costs of an inquiry into a General Proposal, from the initiating council. If an inquiry into this Proposal proceeds, the Commission will therefore recover costs from the ToG associated with the inquiry. However, while the Commission may recover reasonable costs incurred in respect of an inquiry, there is no similar legislative mechanism that allows affected councils to recover costs from an initiating council.
Light Regional Council The Barossa Council	Commission material/determinations	Requested a copy of the agendas, reports and minutes of the meetings relating to the Commission's consideration of the ToG Proposal.	The Commission has placed all documents relevant to its determination that the Proposal may proceed to an inquiry on its website - www.agd.sa.gov.au/lgbc .
Light Regional Council The Barossa Council City of Playford	Appointment of investigators	<ul style="list-style-type: none"> Request that individual investigators are engaged for each specialisation (rather than one consultancy to cover all specialisations) due to the complexity of the potential impacts and that no investigators that have been engaged by the ToG in the previous three years should be appointed. That all Councils are involved in the engagement of consultants and their management through a consultative group. 	<ul style="list-style-type: none"> As section 31(2) of the Act makes clear, the Commission must seek to ensure, as far as is reasonably practicable that the qualifications, knowledge, expertise and experience of a particular investigator are relevant to the inquiry for which the investigator is being appointed. The Commission has a specific obligation to consult with affected councils on the proposed appointments of investigators, and will do so if the Proposal proceeds to this step. The Commission will also engage closely with all affected councils throughout the inquiry process, if it proceeds. However, as the independent body for considering boundary change proposals under the Act, the Commission will be primarily responsible for overseeing the inquiry and the activities of any investigators appointed.
The Barossa Council City of Playford	Land Use and Planning matters	<ul style="list-style-type: none"> The ToG's statement in the Proposal that it is a regional centre is incorrect, as in the Council's view, Elizabeth is the Regional Centre for the Northern Metropolitan area. Determination as to whether the ToG is a regional centre, or whether the regional centre for the Northern areas is Elizabeth 	<ul style="list-style-type: none"> Noted – An appropriately qualified investigator will be appointed to investigate land use and planning matters An investigator will also analyse the provision of services and infrastructure by affected councils, and how these are used by local and regional residents.

Suggested Inclusions into Inquiry			
Council(s)	Inquiry Area	Comment made (Summarised)	Commission's Response
Light Regional Council	Financial matters	Analysis of impacts to the resourcing and capacity of affected councils to deliver strategic regional (and State) initiatives.	Noted – this matter will be included as a matter to inquire into
	Financial / Land use and Planning matters	Modelling the impact of boundary reform on infrastructure and asset management planning.	Noted – this matter will be included as a matter to inquire into
	Financial matters	An inquiry include an analysis of economic impacts with a particular focus on any reduced capacity to maintain freight routes for the agriculture, viticulture and tourism industries.	Noted – this matter will be included as a matter to inquire into
	Financial matters	An evaluation of all assets identified as affected by this proposal on their commercial valuation.	This matter was broadly included in the outline of matters to be investigated but a specific requirement regarding commercial valuations can be included.
The Barossa Council	Engagement matters	All residents of each affected Council area must be consulted, through a mail out providing a proposed summary of the proposed boundary changes and seeking their feedback and indication of support or otherwise.	Noted – an Engagement Plan will be developed by an appropriately qualified investigator
	Financial matters / Community and Services	Investigate the economic impact on the gross regional products of the Barossa Region and on the Brand Barossa.	Noted – as outlined in the matters to be investigated into, the inquiry will seek to identify any economic communities of interest that may be affected if a boundary change was implemented and what impact this might have
	Financial matters	Undertake financial impact modelling over 50 years to consider average life of assets and the projected growth for areas transferred to ToG.	Noted – an appropriately qualified investigator will be appointed to investigate the financial impacts that may occur if a boundary change is implemented
	Land use and Planning matters	Urban and regional planning matters need extensive exploration including the management of the Character Preservation (Barossa Valley) District.	Noted – An appropriately qualified investigator will be appointed to investigate land use and planning matters that may be affected if a boundary change is implemented.
City of Playford	Financial matters	Assess impact on Long Term Financial Plan of timing of Asset Management funding requirements due to asset condition and assess impact of upgrading assets to meet the City of Playford maintenance policies and procedures.	Noted – an appropriately qualified investigator will be appointed to investigate the financial impacts and asset management issues that may occur if a boundary change is implemented
	Financial matters	Assess impact on the long term financial sustainability of each Council including debt and financing arrangements.	Noted – an appropriately qualified investigator will be appointed to investigate the financial impacts that may occur if a boundary change is implemented
	Financial matters	Assess impact on impacted ratepayers and what the transition path will look like for ratepayers to Council's existing rating structure and any rating impacts on the broader rate paying community.	Noted – an appropriately qualified investigator will be appointed to investigate the financial impacts that may occur if a boundary change is implemented. An investigation will identify any need for a transition period for Councils/ratepayers to minimise the effects of rating impacts that may arise from any change
	Financial/ Land use and Planning matters	Assess the broad economic impact to the State and the community of diluted economic centres.	Noted – as outlined in the matters to be investigated into, the inquiry will seek to identify any economic communities of interest that may be affected if a boundary change was implemented and what impact this might have.
	Land use and Planning matters	Assess the impact on long term state planning and any impact on State growth strategies that have already commenced if ToG is introduced as a Regional Centre	Noted - an investigator will analyse the provision of services and infrastructure by affected councils, and how these are used by local and regional residents.
	Community and Services	Investigate the perception from affected members of the community that emergency services – such as fire, ambulance etc will not be able to find them if the address changes and assess the impact of managing the dissatisfaction of residents who are bearing the costs and effort of having to change address details.	Noted – however, a council boundary change should have no impact on individual property addresses