

SA LOCAL GOVERNMENT BOUNDARIES COMMISSION

15 September 2021 Meeting

AGENDA ITEM 7.4: TOWN OF GAWLER – GENERAL PROPOSAL (STAGE 2) ASSESSMENT

PURPOSE

To provide the Boundaries Commission (the Commission) with an analysis of the Town of Gawler's (the Council's) General Proposal and a recommendation on whether the Commission should inquire into the proposal.

BACKGROUND

Consideration of Stage 1 (Potential Proposal)

The Council referred a potential proposal (Stage 1) to the Commission in December 2019. In February 2020 the Commission provided advice to the Council that it may refer a general proposal (Stage 2) if it wished to do so.

Initial consideration of Stage 2 (General Proposal)

The Commission received a general proposal from the Council on 23 December 2020.

The Commission initially considered the general proposal at its meeting on 3 March 2021 (**see BC10-21 from meeting of 3 March 2021**) and determined that further information was required before the Commission could make a determination as to whether it would inquire into the proposal.

In summary, the further information requested the Council provide consideration into the following matters;

1. Section 26 principles, 26(c)(iii) – councils' resource base
2. Section 26 principles, 26(c)(ix) – community participation
3. Advantages and disadvantages of the proposed boundary changes

The additional information was provided to the Commission on 16 August 2021 (**See BC66-21**). A summary of correspondence and decisions relating to the Council's proposal is provided for information (**See Attachment 1 – BC75-21**).

Commission staff have reviewed the additional information and provided a summary and assessment of the additional information in the updated Assessment Matrix (**See Attachment 2 – BC76-21**).

PROPOSAL

The proposal seeks both the inclusion of areas currently within The Barossa Council, Light Regional Council and the City of Playford, as well as the transfer of land within the current Council boundary to the City of Playford, as follows:

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Areas to be included in the Town of Gawler:

- Area 1 – Concordia Growth Area - (The Barossa Council)
- Area 2 – Hewett - (Light Regional Council)
- Area 3 – Portion of Kalbeeba (including portion of Springwood) - (The Barossa Council)
- Area 4 – Portion of Gawler Belt - (Light Regional Council)
- Area 5 – Evanston Park – (City of Playford)
- Area 6 – Reid - (Light Regional Council)
- Area 7 – Hillier - (City of Playford)

Areas to be removed from the Town of Gawler:

- Area 8 – Portion of Bibaringa – (City of Playford)
- Area 9 – Portion of Uleybury – (City of Playford)

DISCUSSION

Assessment of requirements

A full assessment and analysis of the proposal, including a short summary of each matter required by Guideline 3, the Council's response to it, and comments from Commission staff are provided in the Assessment Matrix – Stage 2 (**see Attachment 2**). The Assessment Matrix contains a full assessment of the Proposal and includes highlighted areas where the additional information provided on 16 August 2021 has been considered.

Commission staff are of the view that the Council's proposal now meets the requirements listed for Stage 2 proposals within *Guideline 3—Submitting a General Proposal to the Commission*. It is therefore recommended that the Commission consider inquiring into the proposal.

Relevant Guidelines

Guideline 3—Submitting a General Proposal to the Commission is the relevant Guideline for the Commission to consider, along with the Section 26 Principles in the Act. This Guideline sets out the matters which must be included in a submission, noting that the Commission assesses the proposal in accordance with the Act and the Guidelines and determines whether to inquire into the proposal or refuse to inquire into the proposal.

The Guideline outlines that the Commission expects a proposal to cover these matters as far as the initiating council can be reasonably aware of them.

Whilst not set out (or excluded) in Guideline 3, the Commission may also consider the need to seek additional information or clarification on a Proposal. As previously stated, the Commission chose to seek additional information after its initial assessment of the general proposal. However, this does not stop the Commission requesting further information if it wishes to.

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Next steps

Noting the complexity and significance of the proposal, the Commission resolved in its meeting of 28 January 2021 to take a progressive and staged approach to consider whether or not to inquire into the proposal; how an inquiry would proceed; estimating the costs of an inquiry; and undertaking the inquiry (if one proceeds).

The key question for the Commission at this point is to determine whether the proposal now meets the requirements of the Act and the Commission's Guidelines and whether the Commission should agree to inquire into the proposal.

Should the Commission agree to inquire into the proposal, the next step is for Commission staff to provide a proposed investigation structure and content in line with Guideline 4, before determining an estimate of costs.

RECOMMENDATIONS

It is recommended that the Commission:

1. Agree to inquire into the proposal submitted by the Town of Gawler
2. Direct Commission staff to prepare correspondence to the Town of Gawler and affected councils to advise the councils of its decision.
3. Direct Commission staff to provide a report on the proposed structure and content of the inquiry in line with Guideline 4.

ATTACHMENTS

1. Town of Gawler - Summary of Decisions and Correspondence **(BC75-21)**
2. Updated Assessment Matrix – Stage 2 **(BC76-21)**