



REPRESENTATION OPTIONS PAPER

Elector Representation Review

October 2020

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City of Charles Sturt

This paper has been prepared for the City of Charles Sturt (**Council**) for the purposes of section 12(5) of the *Local Government Act 1999 (Act)* by Kelley Jones Lawyers.

Disclaimer

This Representations Options Paper has been prepared by Kelley Jones Lawyers for the City of Charles Sturt's Representation Review for use by the Council and its constituents. The opinions, estimates and other information contained in this Paper have been made in good faith and, as far as reasonably possible, are based on data or sources believed to be reliable. The contents of this Paper are not to be taken as constituting formal legal advice.

1 INTRODUCTION

Councils in South Australia are required to undertake regular reviews of their elector representation arrangements (**Representation Review**). The City of Charles Sturt (**Council**) undertook its last Representation Review during the period April 2012 to April 2013.

In accordance with section 12(4) of the Act:

[a] review may relate to specific aspects of the composition of the council, or of the wards of the council, or may relate to those matters generally, - but a council must ensure that all aspects of the composition of the council, and the issue of division or potential division, or the area of the Council into wards, are comprehensively reviewed under this section at least once in each relevant period.

Pursuant to regulation 4 of the *Local Government (General Regulations) 2013*, the relevant period for the Council to undertake its Representation Review was determined by the Minister, by notice in the Government Gazette (**Gazette**) on 9 July 2020.

A copy of the Gazette notice is contained in **Appendix A** of this Paper.

In accordance with the Gazette notice, the relevant period for the Council to undertake its Representation Review is June 2020 to October 2021.

1.1 Review Process

The process for the Representation Review requires the Council to undertake the following steps:

- 1.1.1 initiate the preparation of this, the Representation Options Paper (**Paper**), by a person who, in the opinion of the Council, is qualified to address the representation and governance issues that may arise with respect to the matters under review;
- 1.1.2 conduct the first round of public consultation on the Paper pursuant to section 12(7) of the Act. Consultation must be open for a minimum period of six (6) weeks;
- 1.1.3 consider the submissions made during the first public consultation and prepare a Representation Review Report that details the representation arrangements it favours, the reasons why and respond to issues raised during the first consultation;
- 1.1.4 conduct the second round of public consultation, providing an opportunity for people making submissions to be heard personally or through a representative on the Representation Review Report, by either the Council or a Committee of the Council. Consultation must be open for a minimum period of three (3) weeks with opportunities for verbal submissions to follow;

- 1.1.5 adopt a representation structure;
- 1.1.6 prepare the final Representation Review Report;
- 1.1.7 submit the final Representation Review Report to the Electoral Commissioner of South Australia (**ECSA**) to obtain a certificate of compliance. If the certificate of compliance is not provided, the Council will be required to undertake further actions to meet the ECSA's requirements; and
- 1.1.8 place a notice in the Gazette providing for the operation of any proposal in the final Review Report for which the ECSA has provided a certificate of compliance.

If the Council wishes to adopt a representation structure that changes the composition of the Council, or to appoint a Chairperson instead of an Elected Mayor, a poll must be held on that aspect of the Representation Review.

A timeline for the Representation Review is contained in **Appendix B** of this Paper.

Any changes as a result of the Representation Review take effect for the next general elections to be held in November 2022 unless:

- 1.1.9 notice in the Gazette of the operation of any proposal occurs after 1 January 2022, in which case the changes will take effect for the periodic election subsequent to November 2022; or
- 1.1.10 if the general election is held after the expiration of seven (7) months from the day of publication of the notice (and before polling day for the next periodic election after publication) then the proposal will take effect from polling day for that general election.

This Paper has been prepared by Kelley Jones Lawyers and follows the framework included in the publication *Undertaking an Elector Representation Review: Guidelines for Councils* dated May 2016, prepared by the Electoral Commission of South Australia (**ECSA**).

1.2 Legislative Requirements

Section 12 of the Act sets out the statutory requirements that the Council must follow in conducting its Representation Review.

The Representation Review Report must also take into account the principles set out in section 26 of the Act, namely:

- that any changes to the Council's representation should benefit ratepayers;
- arrangements should reflect communities of interest, values and aspirations and avoid significant dislocation within the community;

- encourage local community participation in decisions about local matters; and
- provide effective local governance and foster co-operation with other councils.

The Representation Review Report must also have regard to section 33 of the Act, which lists the matters that must be taken into account, as far as practicable, if the Council proposes to change the ward representation of the Council. These include:

- the desirability of reflecting communities of interest of an economic, social, regional or other kind;
- the population of the area, and of each ward affected or envisaged by the proposal;
- the topography of the area, and of each ward affected or envisaged by the proposal;
- the feasibility of communication between electors affected by the proposal and their elected representatives;
- the nature of substantial demographic changes that may occur in the foreseeable future;
- the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term).

A proposal that relates to the formation or alteration of wards of a council must also observe the principle that the number of electors represented by a Councillor must not, as at the relevant date (assuming the proposal was in operation), vary from the ward quota by more than 10 per cent.

A copy of the relevant sections of the Act are contained in **Appendix C** of this Paper. This Paper contains information relevant to the consideration of these factors.

1.3 Review Considerations

In accordance with section 12 of the Act, this Representation Review is required to consider the composition of the Council and the advantages and disadvantages of the options that are available for elector representation under the Act.

The key areas for consideration are:

- election or appointment of the Principal Member (Mayor/Chairperson);
- the number of Councillors;
- how Councillors are elected – from wards, across the whole of the Council area or a combination of both;

- whether the Council should have wards or no wards; and
- the name of the Council and the wards (if any).

2 COUNCIL BACKGROUND AND PROFILE

The Council was formed by the amalgamation of the City of Hindmarsh Woodville and the City of Henley and Grange of 1 January 1997.

It covers an area of approximately 54.8km² and has a population of approximately 111,759 (ABS 2016 *Census of Population and Housing Charles Sturt (C)* (LGA1060)), of which, 86,139 are electors (ECSA - current as at last collection of elector figures statistics for House of Assembly and Council Supplementary Roll 28/2/2020).

Its area contains a mix of residential, industrial and commercial activities, with three (3) significant, ongoing residential developments in Woodville West, Bowden and West Lakes, which continue to drive infill development and population growth.

3 EXISTING COMPOSITION OF COUNCIL

3.1 Background and Profile

The *'City of Charles Sturt'* was proclaimed on 1 January 1997 as a result of the amalgamation of the former City of Hindmarsh Woodville and the City of Henley and Grange.

The Council has a population of approximately 111,759 people in an area of 54.8 km² (ABS 2016 *Census of Population and Housing*, as above).

The Council is a mix of residential, industrial and commercial land, with contemporary and highly valued heritage areas. It is also a culturally diverse community.

The *'City of Charles Sturt'* has been the name of the Council since it was formed, and is named after Charles Sturt, a prominent explorer of early Australia, who was also a resident of the Grange area in the mid-19th century.

Whilst sections 12(1) and (2) of the Act provide that the Council may consider the alteration of its name as part of the Review process, the current name of the Council is an important part of its history. For this reason, supported by the absence of any submissions from Councillors regarding the same, the name of the Council is not proposed to be reviewed as part of this Representation Review.

3.2 Principal Member

The Council's Principal Member is a Mayor, elected from the Council area as a whole.

3.3 Current Representation Structure

The Council undertook its previous Representation Review during the period April 2012 to April 2013 at which time it determined to retain its eight (8) ward structure, each with two (2) ward Councillors and a Mayor, elected from the whole of the Council area.

The current names of the eight (8) wards are:

- Beverley
- Findon
- Grange
- Henley
- Hindmarsh
- Semaphore Park
- West Woodville
- Woodville.

A copy of the Ward Map is **Appendix D** of this Paper.

4 COMPOSITION OF COUNCIL

The role of the Mayor and Councillors of the Council are set out in sections 58 and 59 of the Act.

58 Specific roles of principal member

(1) The role of the principal member of a council is -

(a) to preside at meetings of the council;

(b) if requested, to provide advice to the chief executive officer between council meetings on the implementation of a decision of the council;

(c) to act as the principal spokesperson of the council;

(d) to exercise other functions of the council as the council determines;

(e) to carry out the civic and ceremonial duties of the office of principal member.

(2) Subsection (1)(c) does not apply in circumstances where a council has appointed another member to act as its principal spokesperson.

59 Roles of members of councils

(1) *The role of a member of a council is -*

(a) as a member of the governing body of the council -

- (i) to participate in the deliberations and civic activities of the council;*
- (ii) to keep the council's objectives and policies under review to ensure that they are appropriate and effective;*
- (iii) to keep the council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review;*
- (iv) to ensure, as far as is practicable, that the principles set out in section 8 are observed;*

(b) as a person elected to the council—to represent the interests of residents and ratepayers, to provide community leadership and guidance, and to facilitate communication between the community and the council.

(2) *A member of a council may, with the principal member's authorisation, act in place of, or represent, the principal member.*

(3) *A member of a council has no direct authority over an employee of the council with respect to the way in which the employee performs his or her duties.*

4.1 Mayor or Chairperson

In this Representation Review, consideration must be given to the two (2) options for the office of the Principal Member. The Principal Member may be:

- elected by electors from the whole of the Council area as the Mayor; or
- appointed by and from within the Councillors for a period of no more than four (4) years, and given the title of either Chairperson (the title under the Act) or another title as determined by the Council (refer section 51(1)(b) of the Act).

The roles and responsibilities of the Mayor and Chairperson are identical in all respects. The difference between the positions are the manner in which they are elected or appointed, as well as the terms of office and voting rights, including:

- a Mayor is elected for a term of four (4) years, whereas a Chairperson has a term decided by the Council which cannot exceed four (4) years (in other words appointment could be for a shorter period);

- if a candidate running for the position of the Mayor is unsuccessful, they cannot also be considered as a Councillor, in which instance, their expertise will be lost;
- a Mayor does not have a deliberative vote in a matter being considered by the Council, but where a vote is tied, has a casting vote; and
- a Chairperson has a deliberative vote but not a casting vote.

There are advantages and disadvantages to both positions.

In the case of an elected Mayor, the predominant advantage is that it can both reasonably and appropriately be considered that they represent a broader cross section of the community as they are elected from the community as a whole.

One disadvantage is that electing a Mayor requires an election across the whole of the Council area if more than one nomination for the office is received, which is an additional cost to the Council above what is required for the election of Councillors. Further, candidates for the office of Mayor cannot also stand for election as a Councillor, and, accordingly, the experience and expertise of any unsuccessful Mayoral candidates is potentially a loss to the Council.

The advantages to appointing a Chairperson include that the person appointed represents the majority views of the Councillors, which can assist in the decision-making process. Appointing a Chairperson may also result in cost saving to the Council at election time, depending on the number of Councillors.

However, a disadvantage includes that electors may prefer a representative of the community, and not one of the elected Councillors. There is also a perception that the position of Chairperson lacks the status of a Mayor, which may have a detrimental impact on the perception of the Council as a whole.

Which option is most appropriate will be a matter for consideration, and determination, by the Council.

If the final Representation Review Report proposes that the composition of the Council be altered so that the Council will have a Chairperson rather than a Mayor, then the proposal cannot proceed unless it has been passed by a poll of the electors.

4.2 Area and Ward Councillors

The number of Councillors, and their method of appointment, are to be considered as part of this Representation Review.

The Council has three (3) options in determining how Councillors are elected:

- from within wards ('ward Councillors');

- from across the whole of the Council area ('area Councillors'); or
- a combination of wards and Council area.

Currently, the Council elects its Councillors through the ward structure set out at 3.3 above.

There are benefits and disadvantages to both election methods, which are set out here. As part of this Representation Review, the Council is required to consider whether (or not, as the case may be) it should elect ward Councillors or area Councillors.

For the Council's consideration, the benefits of electing Councillors from wards have been described to include:

- electors within local communities are likely to know the candidates within their ward;
- electors consider that Councillors from a ward will be more aware of local issues and feel they are better represented;
- it can be more accessible for members of the community to approach and talk to ward Councillors;
- if the Council has a large geographic area, or a diverse community, the role of an area Councillor could be unreasonably time consuming;
- less opportunity for special interest groups to 'gain control' of the Council;
- the cost (in both time and resources) for candidates conducting an election campaign for a ward, rather than the whole Council area, is more economical and can encourage greater levels of candidacy; and
- lower cost to the Council in conducting elections.

The benefits of electing Councillors from the whole Council area have been described to include:

- an election across the whole Council area provides electors with greater choice in relation to ideas and skills of individual candidates, rather than where a candidate resides;
- voters are able to vote for the best, or preferred, candidates, rather than being restricted to candidates within their ward;
- smaller communities can still have local candidates elected by running a strong campaign;
- Councillors are likely to take a whole of Council approach to matters rather

than, arguably, a narrower 'ward' view. That is, a perception that the area Councillor is free from localised ward attitudes and responsibilities;

- postal voting and use of technology in elections makes it easier for people to serve as Councillors to the whole Council area; and
- there is no requirement to maintain a quota of electors to Councillors, as is required with wards.

4.3 Number of Councillors

As the Council is constituted of more than twelve (12) members, as well as being divided into wards, section 12(6)(a) of the Act **requires** that this Paper examine the question of whether the number of members should be reduced, and the question of whether the division of the area into wards should be abolished.

Section 12(6)(a) specifically provides that:

[t]he representation options paper must examine the advantages and disadvantages of the various options that are available to the council under subsection (1) (insofar as the various features of the composition and structure of the council are under review) and, in particular (to the extent that may be relevant) -

- (a) if the council is constituted of more than 12 members - examine the question of whether the number of members should be reduced; and*
- (b) if the area of the council is divided into wards - examine the question of whether the division of the area into wards should be abolished,*

(and may examine such other relevant issues as the council or the person preparing the paper thinks fit)

It is also to be noted that proposed section 11A of the *Statute Amendment (Local Government Review) Bill 2020*, would prevent a council from having more than twelve (12) members, inclusive of the Mayor. However, the reforms have yet to be debated in the House of Assembly, and even if subsequently passed in the current form, this provision will have no effect for the Council until the periodic election in 2026.

However, this proposed reform, combined with the wording of the existing section 12(6)(a) of the Act, does indicate the legislative intent that the Council will be required, at the very least, to consider the question of whether the number of members should be reduced as part of its Review.

In doing so, it is important to take into consideration that fewer Councillors will likely

have a direct impact on representation for electors, as well as timeliness of responses.

That is, less Councillors to 'share' the workload across the Council area, in circumstances where issues and matters of concern for the community are unlikely to correspondingly be reduced, will have an impact on the ability of those Councillors to provide the existing levels of service that electors currently enjoy.

It is also to be noted that the 'cost' to the community, and any suggestion that fewer Councillors may result in reduced costs for the Council, is a 'blunt' instrument within which to assess the impact of a reduced number of Councillors. This is particularly so for the Council which has a culturally diverse community and a number of communities of interest. Accordingly, any potential for financial savings needs to be considered in light of the corresponding potential for reduced representation and delays in timely responses.

Other considerations which are relevant to determining the appropriate number of Councillors include:

- whether the current number of Councillors (sixteen (16), not including the Mayor) has an impact on decision-making by the Council; and
- the ratio of Councillors to electors as compared to similar councils, to ensure adequate and fair representation and avoid any suggestion of over representation.

While a comparison of councils is not a precise measure, as no two (2) councils are the same in terms of population, size and composition, a comparison of similar councils, both in size as well as geographically, can assist in providing guidance on comparable levels of representation for the Council in determining this issue.

The following Table represents information regarding composition, size and elector ratio of other similar sized, and demographically adjacent, councils.

Council	Electors 2018	Members	Quota 2018	Ward Quota 2018
Charles Sturt	86,139	17	5,067	5,247
City of Adelaide	26,538	12	2,212	3,791
Marion	64,049	13	4,927	5,337
Onkaparinga	123,876	13	9,529	10,323
Playford	60,373	13	4,644	5,031
Port Adelaide Enfield	82,814	18	4,601	4,871
Salisbury	93,937	15	6,262	6,710
Tea Tree Gully	72,865	13	5,605	6,072
West Torrens	40,905	15	2,727	2,922

Of the larger councils in the above comparison, the Council compares favourably, being within 10%, of the three (3) councils with lower elector ratios, and significantly better than the other three (3) larger councils.

City of West Torrens and City of Adelaide have much lower elector ratios as a result of their lower elector base, but have been included in the comparison as they geographically adjoin the Council.

Section 33(2) of the Act requires that the Council '*must observe the principle that the number of electors represented by a councillor must not...vary from the ward quota by 10 per cent*'.

On balance, the Council's ward quota is also in line with councils of a similar size and, taking into account the projected population growth in the Council area, retaining the existing number of councillors would result in a ward quota of 6,147 in 2036.

If a change in Councillor numbers were to be implemented as part of this Representation Review, this would require a reconsideration of the existing ward structure, including whether to change the number of wards or the number of Councillors per ward.

The Council currently has equal representation for each ward, and adding, or subtracting, one (1) Councillor from any particular ward would result in that ward being in breach of the ward quota principles set out in section 33(2) of the Act.

Further, if the Council were, for example, to add a single area councillor to increase overall representation, this would result in six (6) out of the eight (8) wards being in breach of the ward quota principles.

5 LEGISLATIVE PRINCIPLES AND MATTERS WHICH MUST BE CONSIDERED

The Council is legislatively required to take a number of matters into account under section 33 of the Act, in conducting the Representation Review. We now turn to address these below.

5.1 Demographic Trends

Development trends are a relevant consideration for the Council as part of this Representation Review, being indicative of the potential for an increase in the population of the Council area, and/or of electors to the Council area. This is relevant in considering the issue of wards, and ward boundaries, as section 33(2) of the Act requires that number of electors represented by a Councillor must not, at the relevant date of the Representation Review, vary from the ward quota by 10%.

Council records demonstrate that there were 275 land division approvals granted in the 2019/2020 financial year, resulting in 381 new allotments being created.

In addition to this existing development, significant ongoing infill development is occurring at the following sites, and as part of the following projects:

- Bowden – ‘Life More Interesting’;
- ‘West’ at West Lakes; and
- ‘The Square’ at Woodville West.

According to the Council’s demographic data, in the five (5) years to 2016 (noting that there may, equally, have been significant changes since that time), the Council’s population became older on the whole, with a growing migrant population, including a significant increase in residents born in Vietnam, India, China and the Philippines.

The ABS *2016 Census of Population and Housing* data confirms that of the 111,759 residents of the Council area, 74,780 identified their birthplace as Australia, while 30,790 (including those who have been determined as ‘*inadequately described*’) identified their birthplace as outside of Australia.

The largest rise in population by birthplace remained those born in Australia, which contributed a rise of more than two and a half times the aggregate of the other four (4) identified countries.

5.2 Population Data and Projections

The former Department for Planning, Transport and Infrastructure (**DPTI**) (now Department for Infrastructure and Transport) prepared population projections for South Australia.

The estimated population projections for the Council area are as follows:

- 2021 121,110;
- 2026 126,777 (+5,337);
- 2031 131,947 (+5,500); and
- 2036 138,292 (+6,435).

Local Government Area Projections 2011 – 2036 prepared by DPTI, released December 2019.

Although this projects a significant increase in population for the Council, which will result in an increase in ward quotas and elector ratios overall, the increase in population is not projected to be uniform across the Council area. This is likely to result in discrepancies in ward quotas, across wards, that will need to be taken into account in future Representation Reviews.

However, population projections must always be cautiously considered, based on the date when the data was collected, and applying assumptions about future fertility, mortality and migration.

The data should be interpreted having regard to the Council's own knowledge about its area, as well as anticipated population changes (for example large housing developments as described in the preceding section).

5.3 Communities of Interest

Communities of interest are factors relevant to the physical, economic and social environment, and include consideration and analysis of:

- neighbourhood communities;
- history/heritage of the Council area and communities;
- sporting facilities;
- community support services;
- recreation and leisure services and centres;
- retail and shopping centres;
- industrial and economic development; and
- environmental and geographic areas of interest.

Local knowledge is always the best tool to identify and determine communities of interest, along with development characteristics of the Council area.

5.4 Elector Representation and Ward Quotas

The elector ratio is the average number of electors represented by a Councillor. The Mayor is not included in the calculations.

The total number of electors used for the calculations in this Paper is 86,139, based on the projections and information provided to the Local Government Association of SA, derived from information provided by ECSA. This was current as at the last elector figures statistics for the House of Assembly and Council Supplementary roll 28/2/2020.

It is, of course, also to be noted there is, to a degree, a number of 'hidden' electors in the Council area at any given time. This arises on the basis that electors entitled to vote in the Council area, may not be on the State electoral roll and have not registered with the Council as an occupier or owner of rateable property in the Council area.

Not all persons who are eligible to register, do so. For example, owners of businesses, owners of holiday houses and landlords of rateable property may not, at any given time, be registered as electors in the Council area.

In calculating ward quotas, we have used the adjusted actual total elector numbers from 2018 (*ECSA Local Government Election Report 2018*) by the proportional change in overall elector numbers in the Council area.

The below **Table** indicates the number of electors per ward under the current ward structure, and the difference in the elector ratios between the existing wards.

The current composition of the Council results in elector ratios ranging from 1:5,773 (in Woodville) to 1:5,002 (in Semaphore Park).

The elector ratio within the Council as at 2020 was 1:5,383 (excluding the Mayor), i.e. 86,139 divided by 16 Councillors.

Ward	Ward Councillors	Electors 2014	Ward Quota 2014	Electors 2020	Ward Quota 2020	Underlying change	Variation 2020
Beverley Ward	2	9,149	4,575	10,232	5,116	9.01%	- 4.96%
Findon Ward	2	9,832	4,916	11,139	5,569	10.43%	3.46%
Grange Ward	2	9,705	4,853	10,661	5,330	7.07%	- 0.98%
Henley Ward	2	9,368	4,684	10,856	5,428	12.95%	0.84%
Hindmarsh Ward	2	9,073	4,537	10,972	5,486	17.87%	1.91%
Semaphore Park Ward	2	9,515	4,758	10,005	5,002	2.49%	- 7.08%
West Woodville Ward	2	9,207	4,604	10,727	5,363	13.55%	- 0.37%
Woodville Ward	2	8,974	4,487	11,547	5,773	25.42%	7.25%
			Ward Quota 2014		Ward Quota 2018		
Council total	16	74,823	4,676	86,139	5,383	12.21%	

Significant differences in population growth in the Council's wards has resulted in changes in the ward quotas between the last two (2) periodic elections.

However, there has been a relatively small change in the proportional difference between the highest and lowest ward quotas over the past two (2) general election processes, from 9.6% in 2014 (between Woodville Ward with the lowest and Findon Ward with the highest) to 15.4% in 2018 (between Semaphore Park Ward with the lowest and Woodville Ward with the highest).

While current ABS statistics forecast the population in most areas of the Council to continue to grow at over 0.8% per annum until 2036, less growth is forecast in the

whole of the Henley Ward, the portion of the Woodville West Ward comprising Royal Park, Hendon and Albert Park, and the portion of Findon Ward in Fulham Gardens.

Based on the information above, all wards currently comply with the ward quota principles, although Woodville Ward and Semaphore Park Ward each currently sit at over 7% variance from the ward quota. With projected population changes, if the Council is to retain its existing structure, these wards may need to be further examined at the Council's next Representation Review.

Based on projected population growth, existing ward quotas and the comparisons with other councils, it is, currently, difficult to justify the consideration of additional Councillors into the current 16-member structure.

6 WARD STRUCTURE OPTIONS

As part of its review process, the Council is also required to consider alternative ward structure options, with the view to identifying a ward structure that may:

- exhibit a reduction in Councillors;
- provide a more even balance of electors; and/or
- allow for further fluctuations in elector numbers as a consequence of anticipated future residential development.

If, on the basis of the other considerations taken into account by the Council in its Representation Review, the Council considers that a change to the ward structure is desirable, then the matters in section 33(1) of the Act, set out above, are relevant considerations.

The purpose of this Paper is to identify options in relation to which the Council can consult with its community. To this end, the Council is required to consider, and consult with the community, in relation to the following options:

6.1 Principal Member

- That the Council continue with a directly elected Mayor; or
- that the Council change to a Chairperson elected by and from the Councillors.

6.2 Ward structure

Section 12(1)(b) of the Act provides for Council areas to be divided into wards, or for existing ward structures to be abolished.

In addition, section 12(6) of the Act requires that the Council examine the question of whether the division of the area into wards should be abolished.

Given the area of the Council is divided into wards, it is required to consider whether to retain the use of wards in its representative structure:

- (a) in the same structure as exists, currently being compliant; or
- (b) with a change to the structure, whether in the number of wards, the number of ward Councillors, or the establishment of area Councillors.

6.2.1 No Wards

Arguments supporting a **no ward** structure include:

- Councillors can be challenged to find the right balance between corporate governance duties and their representative role, with the desire to make decisions in the best interests of their ward sometimes outweighing the requirements to make decisions in the interests of the community as a whole;
- potential reduction in electoral accountability – periodic elections are required for all wards of a Council area, with the result that sitting members in some wards are returned unopposed;
- electors have the opportunity to vote for any candidate in the election and judge the performance of all candidates (not just the candidates in their ward);
- less likely that a candidate will get elected standing on a single local issue;
- the lines of communication between the Council and the community may be enhanced, given that members of the community can consult with all members of the Council, rather than feel obliged to consult with specific ward Councillors;
- automatically absorbs any fluctuations in elector numbers and adjusts the elector ratio accordingly. That is, specified quota tolerance limits do not apply, and the Council will not be required to adjust ward boundaries as part of subsequent Reviews; and
- the Council can carry a single casual vacancy and avoid the cost of a supplementary election in certain circumstances.

The primary arguments to **retain wards** are:

- small, or often overlooked communities, and communities of interest in a localised area, may not be able to obtain direct representation under a no ward structure;
- concern that 'at large' elections do not guarantee that Councillors will have any empathy for, or affiliation with, all communities within the Council area, or be a representative of the same;

- the expense of contesting an election across the entire Council area could be prohibitive (in time and resources), and may deter candidates; and
- under a no ward structure more prominent or popular Councillors, or those perceived to have more 'power' or 'control', may be called upon more frequently by community members, leading to an inequity in demands on time and resources.

6.2.2 Ward Representation and Numbers

As part of this Review, the Council is also required to consider whether it:

- retains the existing number of 16 Councillors;
- decreases the number of Councillors; or
- increases the number of Councillors.

Having an odd or even number of Councillors is also a consideration, as an even number of Councillors could increase the probability that the Mayor may be required to use a casting vote on a decision (assuming all Councillors are present at meetings).

There are also a number of different options to consider regarding how many ward Councillors are elected.

Single Councillor

Wards represented by one (1) Councillor are generally smaller in size and Councillors can focus more on specific local matters. Smaller wards make the ward quotas more challenging to achieve, particularly in sustaining any growth or change within the ward.

Absenteeism by a single ward Councillor, or a casual vacancy, also has the potential to leave the ward without representation. Additionally, if there is a specific ward matter that becomes complex or involved, the workload of one Councillor could become unbalanced, as compared to his or her counterparts.

Two (2) Councillors

Two (2) Councillors representing a ward is the current framework in place, and is the most common representation structure observed across metropolitan councils. It allows workload to be shared and there is representative cover in the event of absenteeism or a vacancy of a Councillor.

Multiple Councillors

Multiple Councillors can often be beneficial for larger wards. Larger wards can sustain growth/change, whilst still remaining within the ward quotas. Larger wards can also retain communities of interests within the ward and absenteeism can also be managed with the workload being shared.

However, workloads may not be shared equally, with a number of members available to assist across the ward in such a structure.

Varying the number of Councillors

Varying ward representation, whilst still subject to the quota tolerances, can have the benefit of keeping communities of interests together. However, it may also create inequality and/or imbalance with the perception that a larger ward would have more influence on decision-making in the Chamber than smaller, perhaps single member wards.

7 OPTIONS

In this section, we consider a number of representation options which give effect to the Council's statutory obligations as part of its Representation Review.

In doing so, we note that all responses received from Councillors have been in favour of a directly elected Mayor, rather than a Chairperson elected from within. T

he office of Mayor has served the Council well for many years and there appears to be few advantages to be gained at this time, by adopting the position of Chairperson for the Council. For this reason, an option with a Chairperson has not been included for consideration.

Responses, likewise, have not supported the concept of a mix of ward Councillors and area Councillors, so these options have not been included.

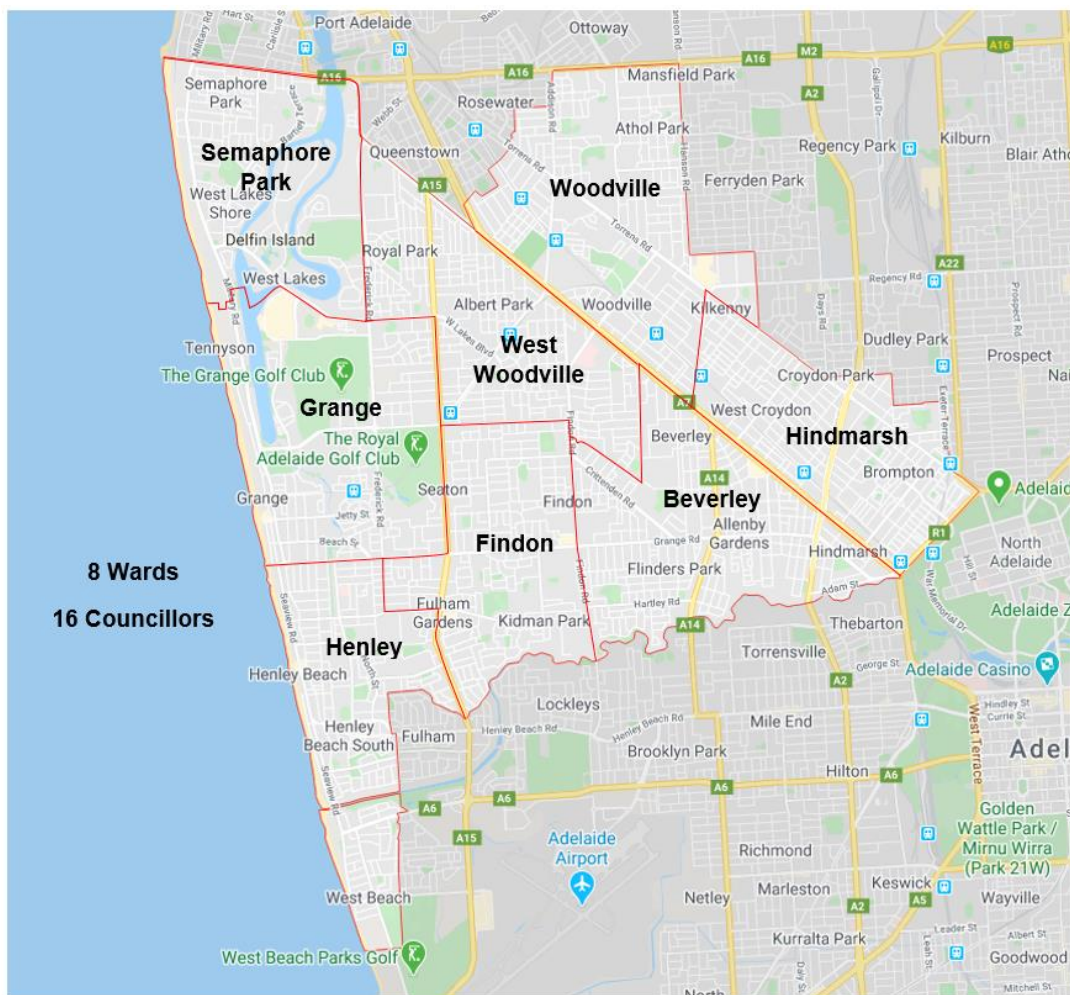
In calculating ward quotas, the actual total elector numbers from 2018, and the projected population of the Council in 2021 from the DPTI data set (modified by a representation factor which estimates the number of electors as a proportion of population) have been used.

Based on these variables we set out the below options for consideration.

OPTION 1

Existing Structure - 8 Wards, with 2 Councillors each Ward

Ward	Ward Councillors	Electors	Ward Quota	Variation
Beverley Ward	2	10,232	5,116	-4.96%
Findon Ward	2	11,139	5,569	3.46%
Grange Ward	2	10,661	5,330	-0.98%
Henley Ward	2	10,856	5,428	0.84%
Hindmarsh Ward	2	10,972	5,486	1.91%
Semaphore Park Ward	2	10,005	5,002	-7.08%
West Woodville Ward	2	10,727	5,363	-0.37%
Woodville Ward	2	11,547	5,773	7.25%
			Ward Quota	
Council total	16	86,139	5,383	



Option 1 is the existing structure, which results in a ward quota of 5,247, with ward representation ranging from 1:4,876 to 1:5,628.

Based on the projections available, the existing structure would result in a ward quota of 5,383.

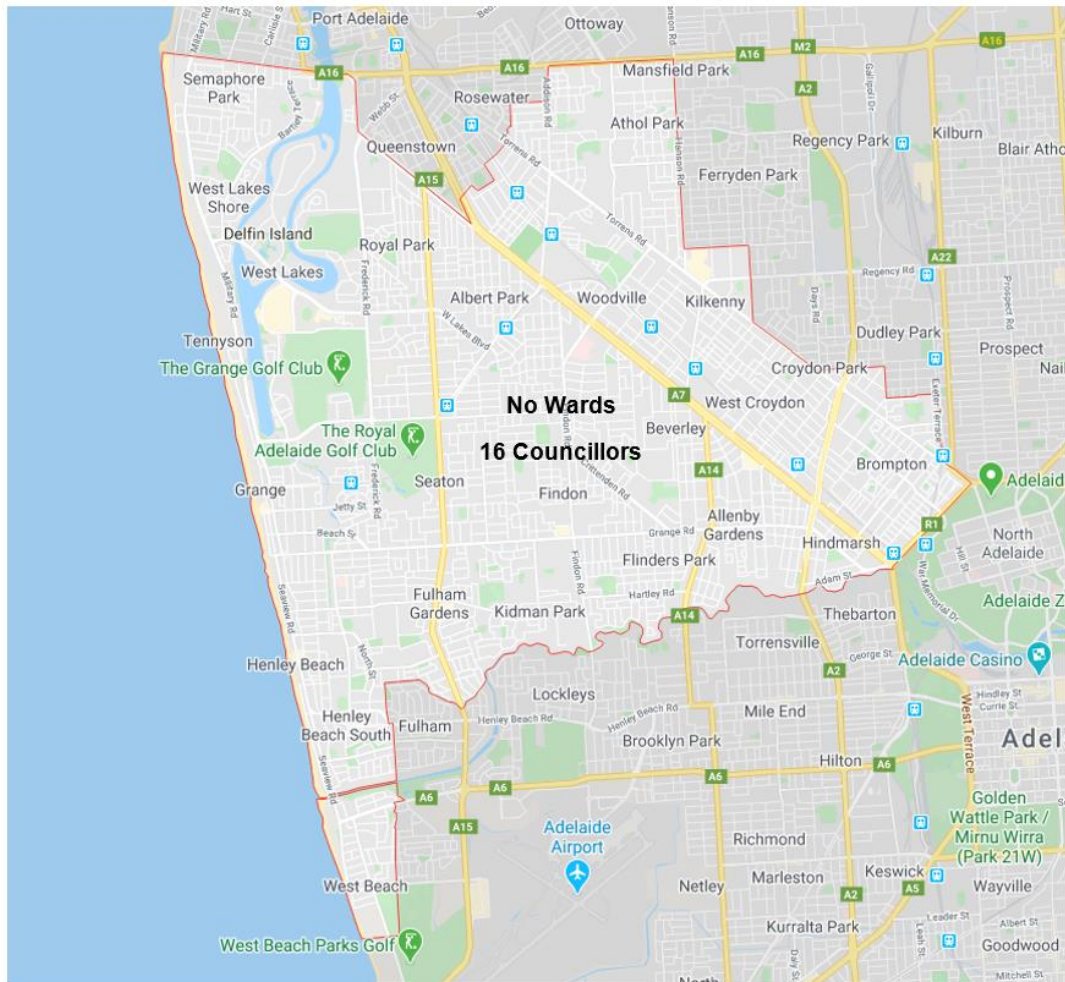
Whilst at its next review, if this structure is to be retained, the ward boundaries will need to be reviewed, the retention of the existing ward structure now may be perceived by the community as a sign of stability within the Council.

Past Representation Reviews have demonstrated the preference of communities for no change to an existing ward structure. However, if change is necessary or desirable, a structure which has a logical basis and exhibits ward boundaries which are easily identifiable have been preferred options.

For this reason, it is recommended that if a proposed realigned of boundaries is to be considered, that proposed future ward boundaries are created with existing, long established' suburb boundaries, main roads or prominent geographical and/or man-made features.

OPTION 2

No Wards – 16 Councillors



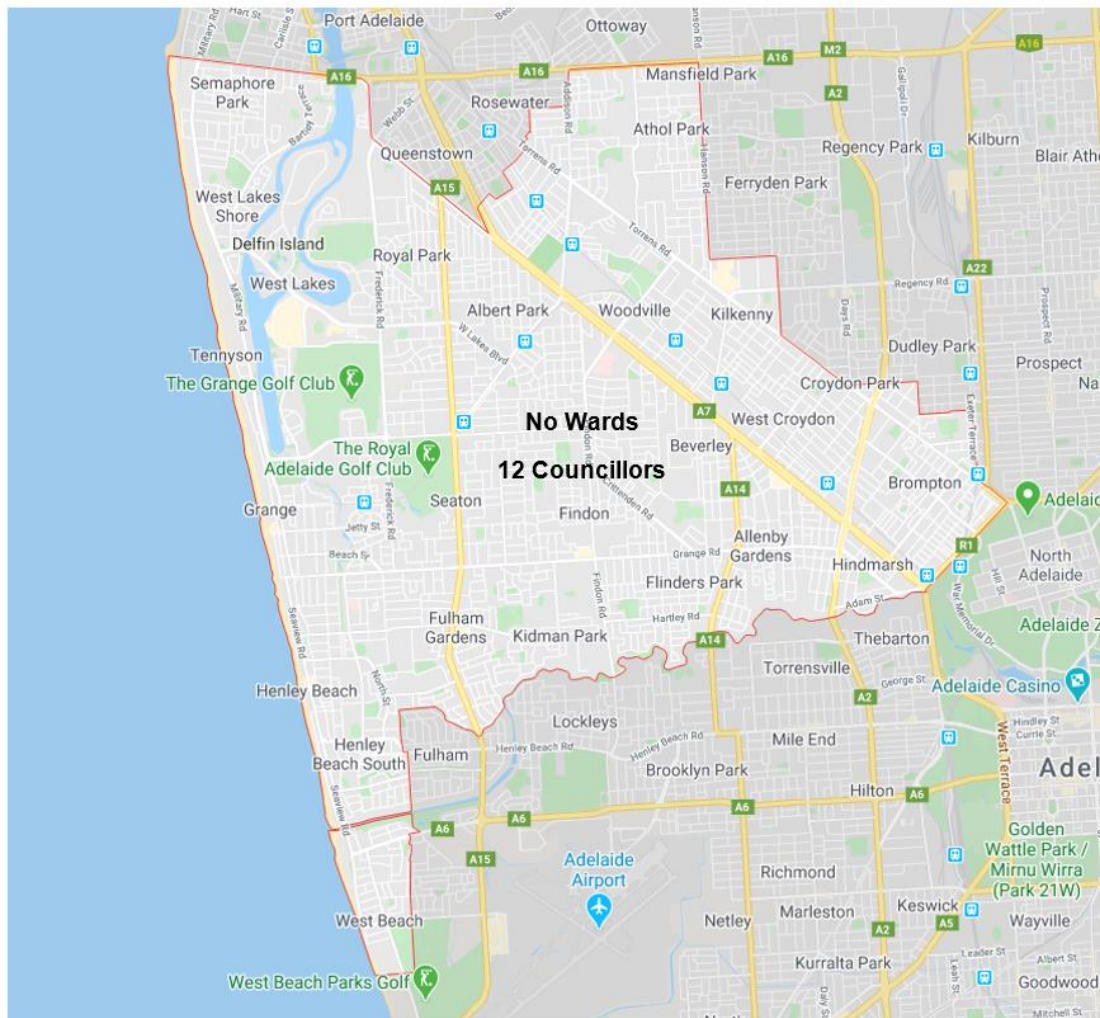
The structure in **Option 2** represents a change for the Council, as it has been divided into the existing ward structure for many years. Feedback received from Councillors is conceptually in favour of the ward structure, on the basis that it provides the best opportunity to represent electors. Retaining the same number of Councillors maintains the representation quota, with each Councillor notionally representing 5,383 electors.

A no ward option would mean that all Councillors would be elected from the Council area as a whole. One potential benefit being the opportunity for more diversity in representation, given that a lower percentage of the vote would be required by candidates to be elected, as compared to the current two (2) Councillor ward system.

To satisfy local needs in a 'no ward' structure, Councillors could be allocated responsibilities for geographic areas, portfolios and/or other communities of interest under such an arrangement.

OPTION 3

No Wards – 12 Councillors



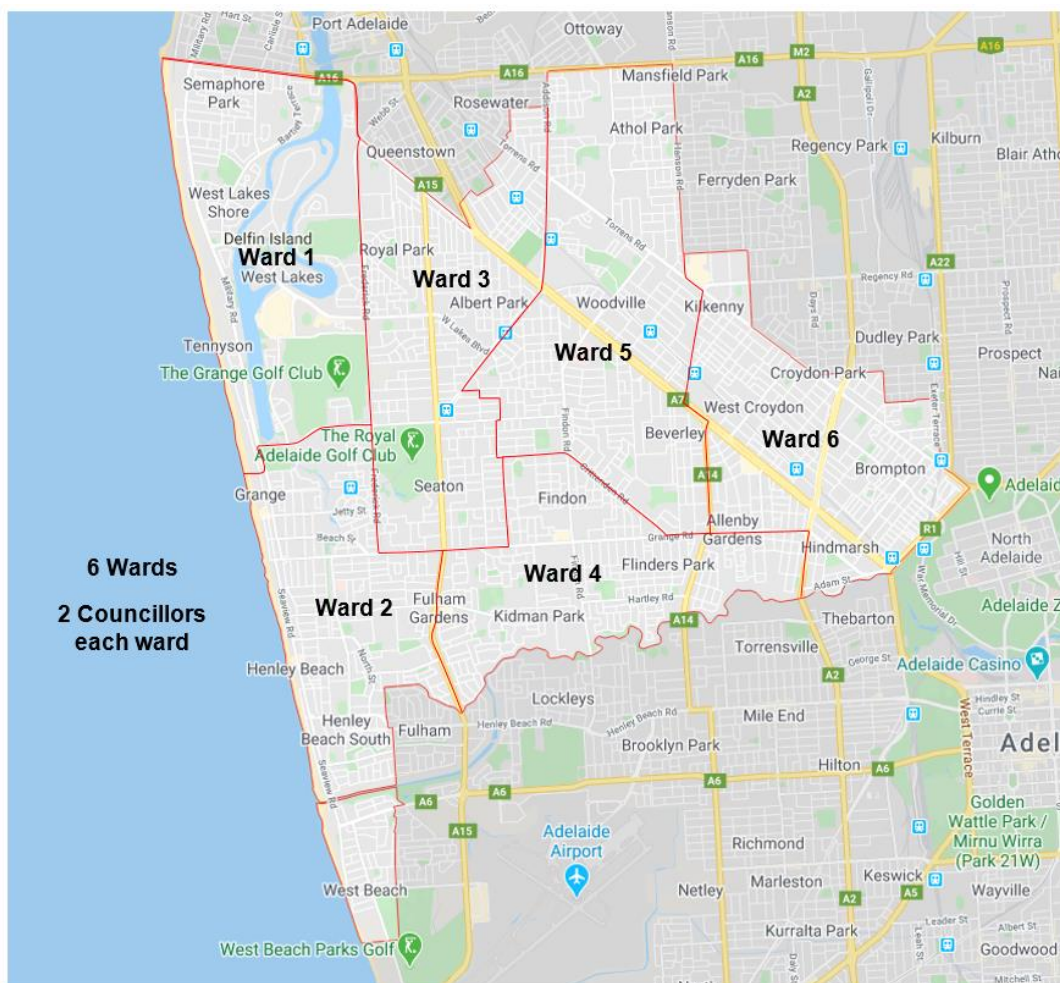
While the structure in **Option 3** represents a similar change as the 'no wards' option with 16 Councillor structure, under this option the change in representation quota would be relatively high, with each Councillor responsible for representing 7,178 electors each (being a 33% increase). Under this option, each Councillor would have a proportionally higher number of electors to represent than they currently do, which may, of course, lead to a loss of representation for electors, or delays in receiving timely responses.

Based on the feedback received, changing to a structure with no wards and, at the same time, reducing the number of Councillors, is likely to cause challenges for both Councillors, as well as for the Council's community, which would expect a continuation of the level of representation it currently receives.

OPTION 4

6 Wards with 2 Councillors each Ward

Ward	Ward Councillors	Electors	Ward Quota	Variation
Ward 1	2	13,483	6,741	-6.09%
Ward 2	2	14,228	7,114	-0.89%
Ward 3	2	14,762	7,318	2.83%
Ward 4	2	14,795	7,397	3.05%
Ward 5	2	14,567	7,283	1.46%
Ward 6	2	14,304	7,152	-0.36%



The **Option 4** structure would provide the community with a level of continuity, in so far as the representation in each ward remains at two (2) ward Councillors.

However, the ward quota would increase from 5,247 electors, to an average of 7,178. By comparison, if this were to have been the Council's ward quota at the prior general election, it would have been higher than all other comparison councils, save for the City

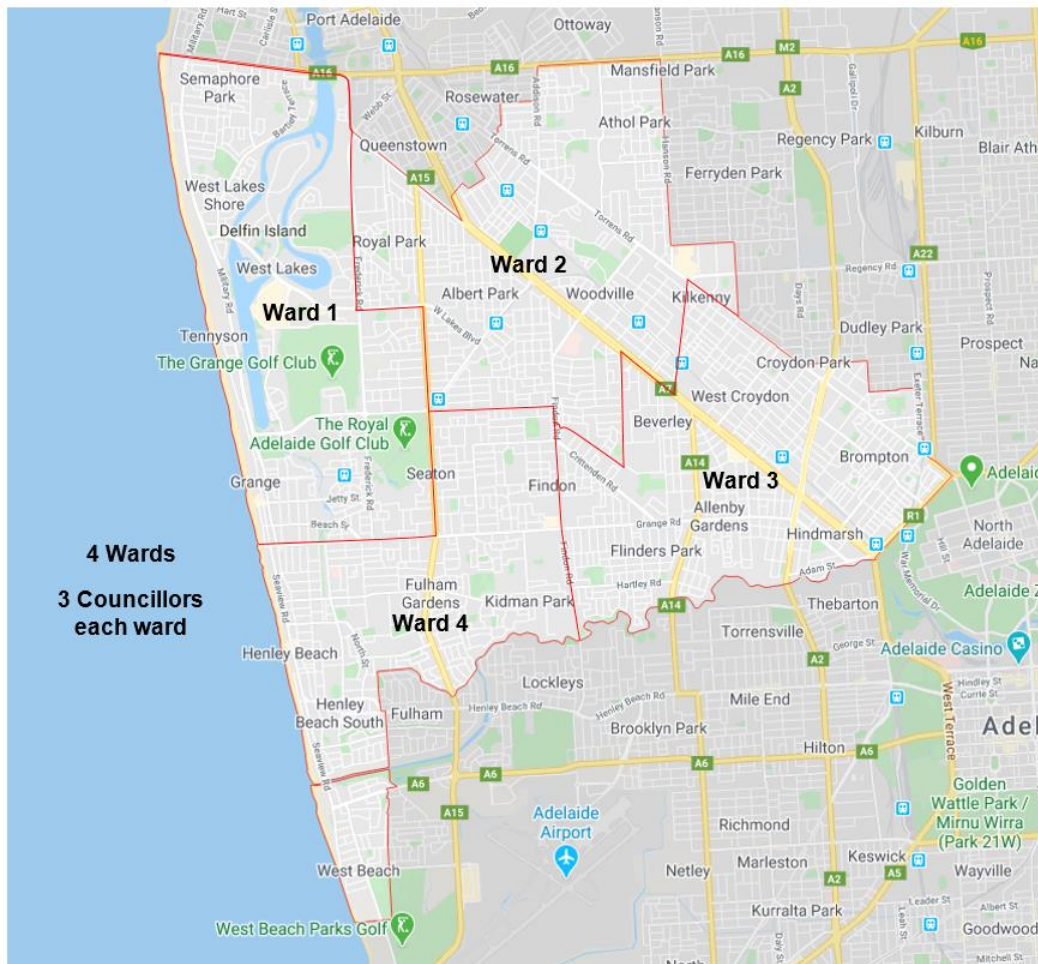
of Onkaparinga. Again, under this option, each Councillor would have a proportionally higher number of electors to represent than they currently do, which may, of course, lead to a loss of representation for electors, or delays in receiving timely responses.

Notwithstanding this, if a ward boundary review were undertaken to implement a structure such as this, it would also present the Council with an opportunity to recast the ward boundaries to reduce the existing and projected variances between the ward quotas of the wards.

OPTION 5

4 Wards with 3 Councillors each Ward

Ward	Ward Councillors	Electors	Ward Quota	Variation
Ward 1	3	22,255	7,418	3.43%
Ward 2	3	21,212	7070	-1.53%
Ward 3	3	20,688	6,896	-4.03%
Ward 4	3	21,984	7,328	2.14%



Under the structure in **Option 5**, it is proposed to amalgamate four (4) of the existing wards into two (2), creating a four (4) ward structure, with a representation of three (3) Councillors in each ward, within the quota tolerance limits.

The proposed boundaries align with the suburb boundaries or main roads and most suburbs have been retained in their entirety, to assist with retaining community diversity. This structure will sustain growth in the Council area in the longer term and will manage tolerances in future residential development.

However, again, as in Options 3 and 4, the ward quota would increase from 5,247 electors, to an average of 7,178. Each Councillor would have a proportionally higher number of electors to represent than they currently do, which may lead to a loss of representation for electors, or delays in receiving timely responses.

8 SUMMARY

These options are presented for the consideration of the Council and the community.

The evidence received as part of this review has demonstrated that wards in the Council area, work well with regards to the representation of electors, particularly with the significant diversity of communities, and communities of interest, in the Council area.

There does not appear to be any significant change in the demographics of the Council area since its last review, which would otherwise suggest that the ward structure should be abolished at this time. However, a review of the ward structure will be required if the Council forms a view that the number of Councillors should be changed.

The Act specifies that the Council must avoid over-representation in comparison to other councils of a similar size and locale, and, where constituted of twelve (12) or more Councillors, examine the question of whether the number of elected members should be reduced. However, by reference to the matters set out above, there is no evidence of any issues of concern in this regard, particularly as compared to other councils by comparison.

Further, the office of Mayor has served the Council well for many years and there appears to be few advantages to adopting the position of Chairperson for the Council at this time. For this reason, it has not been proposed to amend the position that the Mayor is elected from the community as a whole.

Taking the above into account, the purpose of this stage of the review process is to disseminate information regarding the Representation Review process, setting out the key issues for Councillors and the community to consider by way of proposed structure.

Accordingly, following endorsement of this Paper submissions will be invited in respect of the options, being:

- Option 1 – Existing Structure – 8 Wards, with 2 Councillors each (and a Mayor)
- Option 2 – No Wards – 16 Councillors (and a Mayor)
- Option 3 – No Wards – 12 Councillors (and a Mayor)
- Option 4 – Six (6) Wards with 2 Councillors each (and a Mayor)
- Option 5 – Four (4) Wards with 3 Councillors each (and a Mayor)

Public consultation is proposed to run from approximately Tuesday 13 October 2020, for a period of six (6) weeks. Notice of the consultation will be published in the Gazette, as well as the Advertiser.

A copy of this Paper will be available for inspection at the principal office of the Council and on the Council's website.

Submissions may propose other options in relation to Council representation, including

the number of wards (if these are to be retained), ward boundaries and the number of Councillors.

Feedback from the public consultation will be considered by the Council, which will determine its preferred representation structure to include in preparation of the draft Representation Report.

The preferred structure will then be subject to a second round of public consultation before the Council makes its final decision and submissions to ECSA for certification.