



ELECTOR REPRESENTATION REVIEW

REPRESENTATION OPTIONS PAPER

(SECTION 12(4) OF THE LOCAL GOVERNMENT ACT 1999)



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TABLE OF CONTENTS

1. INTRODUCTION	1
2. BACKGROUND.....	2
3. REVIEW PROCESS.....	5
3.1 Representation Options Paper	5
3.2 First Public Consultation.....	5
3.3 Representation Review Report	5
3.4 Second Public Consultation.....	5
3.5 Final Decision	6
3.6 Certification.....	6
4. COMPOSITION OF COUNCIL	7
4.1 Mayor/Chairperson.....	7
4.2 Area Councillors	8
4.3 Ward Councillors	9
5. ELECTOR REPRESENTATION	10
6. WARD STRUCTURE	13
6.1 Wards/No Wards.....	13
6.2 Ward Representation	15
6.3 Ward Boundaries	15
6.4 Ward Identification	16
7. WARD STRUCTURE ASSESSMENT CRITERIA.....	17
7.1 Communities of Interest	17
7.2 Population and Demographic Trends	18
7.3 Quota	19
8. WARD STRUCTURE OPTIONS.....	20
8.1 Option 1(Two wards, eight councillors).....	21
8.2 Option 2 (No wards).....	24
9. SUMMARY	25

1. INTRODUCTION

Section 12(3) of the *Local Government Act 1999* (the Act) indicates that the purpose of an “elector representation review” is to determine whether its community would benefit from an alteration to Council’s composition or ward structure.

Section 12(4) of the Act states: *“A review may relate to a specific aspect 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 the division, or potential division, of the area of the council into wards, are comprehensively reviewed under this section at least once in each relevant period that is prescribed by the regulations”.*

The Minister for Local Government has specified (by way of a notice published in the Government Gazette on the 9th July 2020) that Council is required to undertake and complete a review during the period October 2020 – October 2021.

This paper has been prepared in accordance with the requirements of Section 12(5) and (6) of the Act and examines the advantages and disadvantages of the various options that are available to Council in respect to its future composition and structure. It contains information pertaining to the review process; elector distribution and ratios; comparisons with other councils; demographic trends; population projections; residential development opportunities which may impact upon future elector numbers; and alternative ward structure options.

The key issues that need to be addressed during the review include:

- the principal member of Council, more specifically whether it should be a mayor elected by the community or a chairperson selected by (and from amongst) the elected members;
- the composition of Council, including the number of elected members required to provide fair and adequate representation to the community and the need for area councillors in addition to ward councillors (where the council area is to be divided into wards);
- the division of the council area into wards or the abolition of wards; and
- the level of ward representation within, and the name of, any future proposed wards.

The review also needs to be mindful of the potential ramifications of The Statutes Amendment (Local Government Review) Bill 2020 (the Bill) which was introduced to state parliament in June 2020. This Bill seeks to amend the provisions of the Act, including matters relating to the composition of councils and the elector representation review process.

At the end of the review process, any proposed changes to Council’s composition and/or the ward structure (and/or the abolition thereof) should serve to uphold the democratic principle of “one person, one vote, one value”.

2. BACKGROUND

The District Council of Streaky Bay was established in 1887.

The council area covers approximately 6,232km² and had an estimated resident population of 2,074 as at the 30th June 2019.

The council area is currently divided into two wards (refer 8.1 Option 1 (Two wards, eight councillors), page 21), with both the Flinders and Eyre Wards being represented by four councillors (i.e. a total of eight ward councillors). The principal member of Council is a chairperson (with the title of mayor) who is selected by (and from amongst) the councillors.

The current structure, which was adopted by Council at the previous elector representation review in 2012/2013, came into effect at the periodic Local Government elections in November 2014.

Table 1 provides current data pertaining to the number of electors within each of the current wards, and demonstrates the variance between the elector ratios in the wards.

Table 1: Current ward structure - elector numbers and elector ratios

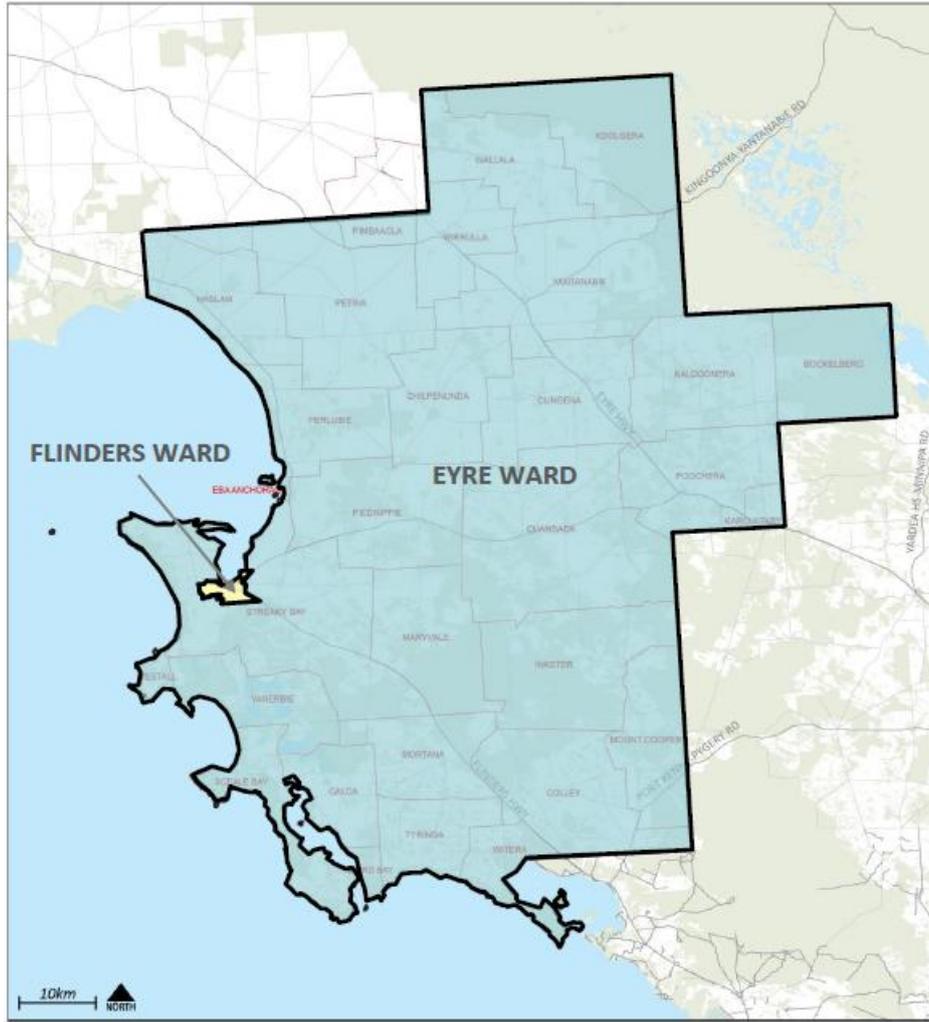
	Crs	H of A Roll	Council Roll	Electors	Elector Ratio	% Variance
Flinders	4	746	12	758	1:190	- 1.88
Eyre	4	766	21	787	1:197	+1.88
Total	8	1,512	33	1,545		
Average					1:193	

Source: Electoral Commission SA (2 July 2020)
Council Voters Roll (17 July 2020)

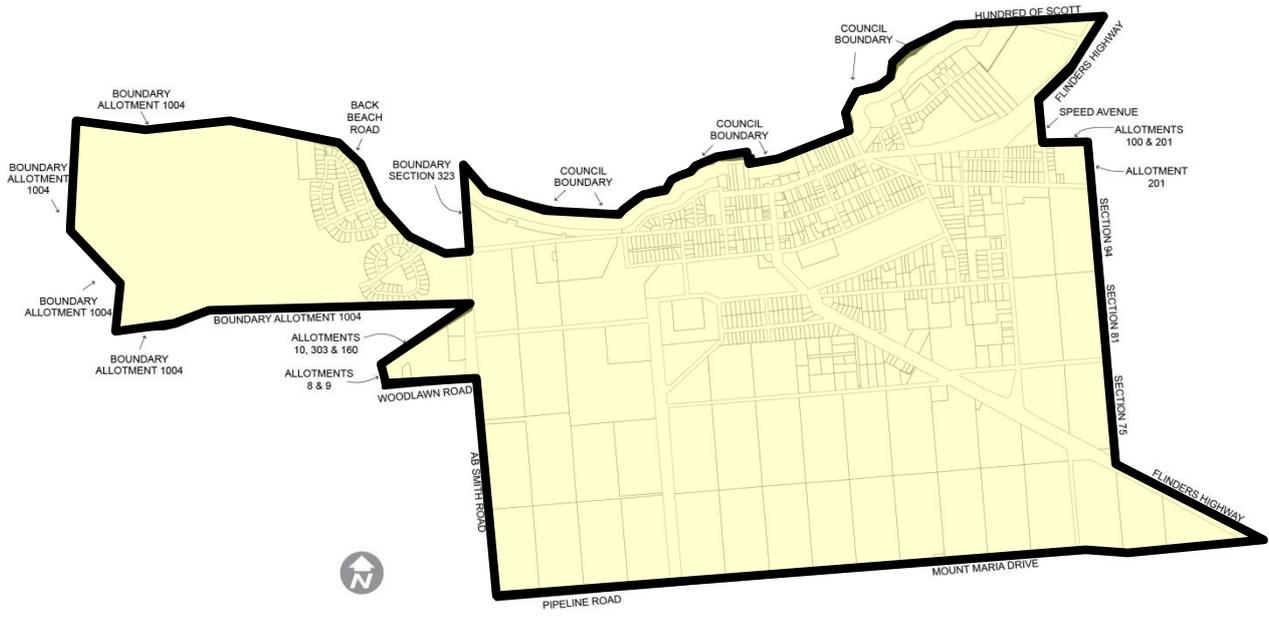
The current ward structure can be retained because the elector ratios in both wards lay comfortably within the specified 10% quota tolerance limit prescribed under Section 33(2) of the Act (refer 7.3 Quota). However, the aforementioned Statutes Amendment (Local Government Review) Bill 2020 seeks to abolish the appointment of a principal member of Council by the elected members. This proposed change to the Act should be taken into consideration at this time, if only to understand the potential ramifications upon Council's future composition and structure, if and when the Bill is passed by parliament.

Regardless, alternative ward structure options should be considered with the view to identifying a structure that:

- provides adequate and fair representation under circumstances whereby the number of elected members is reduced or increased;
- exhibits an elector ratio that is similar, by comparison, to that exhibited by other councils of a similar size and type (i.e. avoids over-representation); and
- allows for any anticipated future fluctuations in elector numbers.



Map 2: Flinders Ward



3. REVIEW PROCESS

Sections 12(5) - 12(12a) of the Act outline the process that Council must adhere to when undertaking its review. A brief summary of this process is as follows.

3.1 Representation Options Paper

The review is commenced with the preparation of a "Representation Options Paper" by a person who, in the opinion of Council, is qualified to address the representation and governance issues that may arise during the course of the review.

The "Representation Options Paper" must examine the advantages and disadvantages of the options available in respect to a range of issues relating to the composition and structure of Council. The provisions of the Act specifically require Council to examine issues such as the need for more than twelve elected members and whether the division of the council area into wards should be retained or abolished.

3.2 First Public Consultation

Council is currently advising the community that the review is being undertaken and the "Representation Options Paper" is available for consideration. An invitation is being extended to any interested person to make a submission to Council by close of business on Monday 14th December 2020.

Section 12(7)(a)(ii) of the Act specifies that the consultation period shall be at least six (6) weeks in duration.

3.3 Representation Review Report

At the completion of the first of the prescribed public consultation stages Council will consider the available options in respect to its future composition and structure, as well as the submissions received from the community. Council will make "in principle" decisions regarding the elector representation arrangements it favours and desires to bring into effect at the next Local Government elections. Council will then prepare a "Representation Review Report" which will outline its proposal and the reasons for such, as well as provide details of the submissions that were received during the first public consultation period and its responses thereto.

3.4 Second Public Consultation

Council will initiate a second public consultation (by means of public notices) seeking written comments on the "Representation Review Report" and the preferred proposal.

Section 12(9)(b)(ii) of the Act specifies that the second consultation period shall be at least three (3) weeks in duration.

3.5 Final Decision

Council will consider the submissions received in response to the second public consultation; hear from the individual community members who may wish to address Council in support of their submission; finalise its decision; and prepare a report for presentation to the Electoral Commissioner.

3.6 Certification

The final stage of the review involves certification of the Council proposal by the Electoral Commissioner and gazettal of any amendments to Council's composition and/or ward structure.

Any changes to Council's composition and/or ward structure as a consequence of the review will come into effect at the next Local Government election (scheduled for November 2022).

4. COMPOSITION OF COUNCIL

Section 51 of the Act indicates that a council may constitute a mayor or chairperson, with all other elected members being known as councillors, whether they represent the council area as a whole or a ward. The key issues relating to the future composition of Council are as follows.

4.1 Mayor/Chairperson

The principal member of Council has long been a “chairperson” (with the title of mayor) who is selected by, and from amongst, the elected members of Council for a term of 1 - 4 years. This arrangement provides flexibility in the leadership of Council, as it affords the opportunity for a number of elected members to gain experience as the principal member over the term of a council.

The only current alternative is a Mayor who is elected by the community (for a term of four years) at council-wide elections. The election of a mayor affords all eligible members of the community the opportunity to express faith in a candidate, should they choose to do so. The result of the vote provides the elected Council with an identifiable principal member who is directly accountable to the community that elected him/her.

The roles and responsibilities of a mayor and a chairperson are identical in all respects; however, there are differences in respect to the voting rights in chamber. An elected mayor does not have a deliberative vote on a matter before council but has a casting vote, whereas a chairperson has a deliberative vote at a council meeting but, in the event of a tied vote, does not have a casting vote.

Further, as an election (or supplementary election) for an elected mayor must be conducted across the whole of the council area, a significant cost can be incurred by council on every occasion the position is contested (whether it be at scheduled periodic elections or supplementary elections). The selection of a chairperson is not reliant upon an election and, as such, costs will only be incurred by council where the incumbent’s position as a councillor is contested.

It should also be noted that:

- the Statutes Amendment (Local Government Review) Bill 2020 seeks to abolish the position of selected chairperson;
- at present all of the metropolitan councils have an elected mayor and only fifteen regional councils have a chairperson, although all bear the title of mayor (as currently allowed under Section 51(1)(b) of the Act);
- candidates for the office of mayor cannot also stand for election as a councillor and as such, the experience and expertise of unsuccessful candidates will be lost to council; and
- any proposal to change the principal member from an elected mayor to a selected chairperson (or vice versa) at this time cannot proceed unless a poll of the community has been conducted in accordance with the requirements of Section 12 (11a-d) of the Act and the result of the poll favours the proposed change.

4.2 Area Councillors (in addition to ward councillors)

Section 52 of the Act indicates that councillors can be elected as a representative of a ward, or alternatively, to represent the council area as a whole (whether or not the council area is divided into wards).

Where the council area is divided into wards, an area councillor adopts a similar role to that of the former office of alderman and focuses on the council area as a whole rather than a ward.

Arguments in favour of "area councillors" (in addition to ward councillors) include:

- the area councillor should be free of parochial ward attitudes and responsibilities;
- the area councillor may be an experienced elected member who can share his/her knowledge and experience with the ward councillors;
- the area councillor is free to assist the principal member and ward councillors, if required; and
- the lines of communication between Council and the community are enhanced through the greater number of elected members.

The opposing view is that an area councillor holds no greater status than a ward councillor; has no greater responsibilities than a ward councillor; and need not comply with any extraordinary or additional eligibility requirements. In addition, it should be noted that:

- additional elected members ("area councillors") will create additional expense;
- any contested election for area councillors must be conducted across the whole of the council area at considerable cost;
- area councillors are considered to be an unnecessary tier of representation and therefore are not a popular option amongst councils (i.e. only the City of Adelaide has "area councillors" in addition to councillors);
- ward councillors do not have to reside in the ward which they represent and, as such, the traditional role and/or basis for the ward councillor has changed to a council-wide perspective;
- ward councillors generally consider themselves to represent not only their ward, but the council area as a whole (like an area councillor), and it is suggested that their role and actions within the council chamber, and the functions they perform on behalf of council, generally reflect this attitude and circumstance; and
- the task and expense of contesting council-wide elections for an area councillor can be prohibitive, and may deter appropriate/quality candidates.

4.3 Ward Councillors

Section 52(2)(b) of the Act indicates a councillor will, if the council area is divided into wards, be elected by the electors of a particular ward, as a representative of that ward.

As a person elected to the council, a ward councillor is required to represent the interests of residents and ratepayers; to provide community leadership and guidance; and to facilitate communication between the community and Council.

5. ELECTOR REPRESENTATION

Council must provide adequate and fair representation and generally adhere to the democratic principle of “one person, one vote, one value”.

Section 12(6) of the Act requires that, where a Council is constituted of more than twelve members, the elector representation review must examine the question of whether the number of elected members should be reduced.

In addition, Sections 26(1) and 33(1) of the Act express 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).

The comparison of councils is not a straightforward exercise, given that no two councils are identical in terms of their size (elector numbers and/or area), population, topography, communities of interest and/or predominant land uses. However, it can provide some guidance in regards to an appropriate elector ratio or level of representation (number of councillors).

Table 2 provides (for comparison purposes) the elector data; elector ratios (i.e. the average number of electors represented by a councillor); and the size/area of the regional councils which are considered to be of a similar type and size (elector numbers) as the District Council of Streaky Bay. The data indicates that the District Council of Streaky Bay covers a significant area; has the second highest number of elected members; and exhibits a relatively low elector ratio (by comparison).

Table 2: Elector data and representation (regional councils of a similar size in elector numbers)

Council	Councillors	Electors	Elector Ratio
Southern Mallee (6,000 km ²)	9	1,457	1:162
Streaky Bay (6,232 km ²)	8	1,545	1:193
Barunga West (1,582 km ²)	9	1,986	1:221
Ceduna (5,427 km ²)	8	2,096	1:262
Kingston (3,338 km ²)	7	1,841	1:263
Tumby Bay (2,616 km ²)	6	1,987	1:331

Source: Electoral Commission SA (13 May and 2 July 2020)

As for the regional councils which are larger in elector numbers (i.e. 2,000 – 4,000 electors), it is noted that, in comparison to the District Council of Streaky Bay, these cover varying areas; have similar numbers of elected members; and exhibit considerably higher elector ratios (refer Table 3).

Table 3: Elector data and representation (regional councils with slightly greater elector numbers)

Council	Councillors	Electors	Elector Ratio
Streaky Bay (6,232 km ²)	8	1,545	1:193
Ceduna (5,427 km ²)	8	2,096	1:262
Mount Remarkable (3,424 km ²)	7	2,145	1:306
Goyder (6,719km ²)	7	3,029	1:433
Northern Areas (3070 km ²)	9	3,399	1:378
Kangaroo Island (4,400 km ²)	9	3,510	1:390
Yankalilla (750.6 km ²)	9	3,731	1:415
Lower Eyre Peninsula (4,771 km ²)	7	3,779	1:540
Coorong (8,830 km ²)	9	3,784	1:420

Source: Electoral Commission SA (13 May 2020 and 11 June 2020))

When determining the appropriate future composition of Council, some consideration needs to be given to the role of the elected members, as the commitment and workloads of the elected members need to be taken into account. Section 59 of the Act specifies that the role of a member of Council is:

- to participate in the deliberation and activities of Council;
- to keep Council's objectives and policies under review to ensure that they are appropriate and effective; and
- to keep Council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review.

Section 59 also requires 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.

If considering a reduction in the number of councillors, care must be taken to ensure that:

- sufficient elected members are available to manage the affairs of Council;
- the elected member's workloads do not become excessive;
- there is an appropriate level of elector representation;
- a diversity in member's skill sets, experience and backgrounds is maintained; and
- adequate lines of communication will exist between a growing community and Council.

A reduction in the number of elected members will serve to increase the elector ratio from the current 1:193 to 1:221 (seven councillors) or 1:258 (six councillors). These elector ratios are slightly more consistent with the existing elector ratios exhibited by the cited regional councils in Tables 2.

As for increasing the number of elected members, an increase to nine councillors would serve to reduce the elector ratio to 1:172. Such a proposal would likely be difficult to justify, given the aforementioned provisions of Sections 26 and 33 of the Act which speak against over-representation when compared to other councils of a similar size and type.

Notwithstanding the above, arguments in favour of an increase in elected members include:

- enhancing the lines of communication between Council and the community;
- the greater the number of elected members, the greater the likelihood that the elected members will be more familiar with the experiences of, and issues confronting, the local community;
- the greater the number of elected members, the more diverse the skill sets, expertise, experience and opinions; and
- an increase in the number of elected members may provide greater opportunity for community scrutiny and can make the elected members more accountable to their immediate constituents.

Finally, there are no inherent disadvantages in having an even or odd number of councillors. An odd number of councillors may serve to reduce the incidence of a tied vote in the Council chamber; however, it may also require the development/implementation of a ward structure which exhibits a varying level of representation between wards. The latter can be perceived as an imbalance by the community.

6. WARD STRUCTURE

Section 12(1)(b) of the Act indicates that Council can "divide, or redivide, the area of the council into wards, alter the division of the area of the council into wards, or abolish the division of the area of a council into wards".

6.1 Wards/No Wards

6.1.1 Wards

The advantages of a ward structure include:

- wards guarantee some form and level of direct representation to all parts of the council area and existing communities of interest;
- ward councillors can focus on local issues as well as council-wide issues;
- ward councillors may be known to their ward constituents (and vice versa);
- ward councillors can have an affiliation with the local community and an understanding of the local issues and/or concerns;
- the task and expense of contesting a ward election may be less daunting to prospective candidates;
- Council only has to conduct elections and supplementary elections within the contested wards (potential cost saving); and
- ward based elections have the potential to deliver councillors from different parts of the Council area, potentially resulting in a greater diversity of skill sets, experience, expertise and opinions amongst the elected members.

The disadvantages of a ward structure include:

- ward councillors do not have to reside within the ward that they represent and, as such, may have no affiliation with the local community and/or empathy for the local issues and/or concerns;
- electors can only vote for councillors/candidates within their ward;
- candidates can be favoured by the peculiarities of the ward based electoral system (e.g. candidates elected unopposed or having attracted less votes than defeated candidates in other wards);
- ward councillors may develop ward-centric attitudes and be less focused on the bigger council-wide issues;
- ward boundaries are lines which are based solely on elector distribution and may serve to divide the community rather than foster civic unity;

- despite comparable ward elector ratios, inequitable levels of representation between wards and/or the physical sizes of wards can create a perception of imbalance in voting power within Council; and
- ward councillors generally consider themselves to represent not only their ward but the council area as a whole and, as such, the need for wards is questionable.

6.1.2 No Wards

The advantages of a "no wards" structure (i.e. the abolition of wards) include:-

- "no wards" is the optimum democratic structure as the electors vote for all of the vacant positions on Council;
- the most supported candidates from across the Council area will likely be elected;
- the elected members should be free of ward-centric attitudes;
- the lines of communication between Council and the community should be enhanced, given that members of the community will be able to consult with any and/or all members of Council, rather than feel obliged to consult with their specific ward councillors;
- the structure still affords opportunities for the small communities within the council area to be directly represented on Council, if they are able to muster sufficient support for a candidate;
- the structure automatically absorbs fluctuations and there is no requirement for compliance with specified quota tolerance;
- the introduction of postal voting has facilitated the dissemination of campaign literature throughout the council area, thereby reducing the difficulty and cost of contesting a council-wide election campaign; and
- successful candidates generally have to attract no more votes than they would have received/required under a ward based election.

The disadvantages of a "no wards" structure include:-

- the elected members could come from the more heavily populated parts of the council area rather than from across the whole of the council area;
- a single interest group could gain considerable representation on Council;
- concern council-wide elections will not guarantee that elected members will have any empathy for, or affiliation with, all communities across the whole council area;
- Council has to conduct elections and supplementary elections across the whole of the council area (at a significant expense);
- the more popular or known councillors may receive more enquiries from the public (i.e. inequitable workloads); and

- potential candidates for election to Council may be deterred by the perceived difficulties and expense associated with contesting council-wide elections.

6.2 Ward Representation

6.2.1 Single Councillor Ward

Wards represented by a single councillor are generally small in area and therefore afford the ward councillors the opportunity to be more accessible to their constituents and able to concentrate on issues of local importance. Due to the small size of the wards it can be difficult to identify suitable ward boundaries; maintain entire communities of interest within a ward; and sustain significant fluctuations in elector numbers (and therefore comply with the specified quota tolerance limits for any length of time). The work load of the ward councillor can also be demanding, and absenteeism by the elected member (for whatever reason and/or period) will leave the ward without direct representation.

6.2.2 Two Councillors per Ward

Two councillors representing a ward is traditional and/or common; allows for the sharing of duties and responsibilities between the ward councillors; can lessens the likelihood of ward-centric attitudes given that the ward is represented by two individuals; and affords continuous ward representation should one ward councillor be absent.

6.2.3 Multi-Councillor Ward

Multi-councillor wards are generally larger in area and therefore the overall ward structure can be relatively simple. Councillor absenteeism can be easily covered; the work load of the ward councillors can be shared; there are greater perceived lines of communication between ward councillors and their constituents; and there is more flexibility in regards to ward quota (i.e. the larger wards can accommodate greater fluctuations in elector numbers); and there is a greater likelihood that communities of interest can be incorporate (in their entirety) in a ward.

6.2.4 Varying Ward Representation

There are no inherent disadvantages associated with varying levels of representation between wards. However, such structures can be seen to lack balance and/or equity, with the larger wards (in elector and ward councillor numbers) being perceived as having a greater, more influential voice on Council, even if the elector ratios within the wards are consistent.

6.3 Ward Boundaries

A ward structure should have a logical basis and, where possible, exhibits ward boundaries which are easily identified and readily accepted by the community. Accordingly, every effort has been made to align proposed possible future ward boundaries with existing, long established suburb/district boundaries; main roads; or prominent geographical and/or man-made features.

6.4 Ward Identification

The means of ward identification are limited.

The allocation of letters, numbers and/or compass points (e.g. north, south, central etc) are all considered to be acceptable, but lack imagination and fail to reflect the character and/or history of the council area. The same cannot be said for the allocation of place names or names of local heritage/cultural significance (as per the current ward structure).



7. WARD STRUCTURE ASSESSMENT CRITERIA

Section 33(1) of the Act requires that the following matters be taken into account, as far as practicable, in the formulation of a proposal that relates to the boundaries of a ward or wards:

- a) the desirability of reflecting communities of interest of an economic, social, regional or other kind;
- b) the population of the area, and of each ward affected or envisaged by the proposal;
- c) the topography of the area, and of each ward affected or envisaged by the proposal;
- d) the feasibility of communication between electors affected by the proposal and their elected representatives;
- e) the nature of substantial demographic changes that may occur in the foreseeable future; and
- f) 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).

Relevant information pertaining to the above matters is as follows.

7.1 Communities of Interest

The issue of “communities of interest” can be very complex and, as such, local knowledge will be particularly valuable.

In the past the then Local Government Boundary Reform Board indicated that:

- “communities of interest”, for the purpose of structural reform proposals, are defined as aspects of the physical, economic and social systems which are central to the interactions of communities in their living environment;
- “communities of interest” are identified by considering factors relevant to the physical, economic and social environment, including neighbourhood communities; history and heritage communities; sporting facilities; community support services; recreation and leisure communities; retail and shopping centres; work communities; industrial and economic development clusters; and environmental and geographic interests; and
- the analysis of the demographic data and profile will provide socio-economic indicators relevant to “communities of interest”.

In addition, Sections 26 and 33 of the Act make reference to “communities of interest” of an economic, social, regional or other kind.

The obvious existing communities of interest within the council area include (but are not limited to) the town of Streaky Bay; the smaller towns of Baird Bay, Haslam, Perlubie Landing, Poochera, Sceale Bay and Wirrulla; and the sparsely populated rural district.

The retention of entire townships, districts and/or localities within a proposed ward should serve (in part) to maintain and protect a perceived existing "community of interest".

7.2 Population and Demographic Trends

When developing potential future ward structures, consideration was given to demographic trends, as allowances have to be made to accommodate any identified or likely future fluctuations in elector numbers.

The following information should be of assistance in respect to this matter.

7.2.1 Elector Numbers

According to data provided by Electoral Commission SA, the number of eligible electors within the District Council of Streaky Bay decreased by 51 (3.2%) since the last elector representation review was completed in May 2013, with decreases being recorded in both wards (refer Table 4).

Table 3: Eligible electors per ward, September 2013 - July 2020

Ward	Electors May 2013	Electors July 2020	Variation	% Variance
Flinders	798	758	- 40	- 5.02
Eyre	798	787	- 11	- 1.38
Total	1,596	1,545	- 51	- 3.20

7.2.2 Residential Development

Whilst dwelling approvals have been declining in recent years (i.e. 24, 13, 11, 17 and 10 in the period 2014/15 to 2018/19), there is the opportunity for further development in and about the township of Streaky Bay (e.g. Blancheport Heights Estate, Woodlawn Heights Estate and Clearwater Cove Estate) and/or land division opportunities) which will have the potential to increase the population/elector numbers over the next eight (8) years.

7.2.3 Population Projections

Population projections prepared by the Department of Planning, Transport and Infrastructure (2020) indicate that the population of District Council of Streaky Bay is anticipated to decrease by 23 (-1.0%) during the period 2016 – 2036 (i.e. 2,191 to 2,168).

Whilst these projections are useful because they provide an indication of the magnitude of the estimated future population increase within the council area, DPTI warns that the projections represent a possible future population outcome based on assumption of continued population growth and a spatial distribution that is a reflection of current and likely government policies. Further, the population projections are not forecasts for the future but are estimates of future population based on particular assumptions about future fertility, mortality and migration.

7.2.4 Census Data

Data provided by the Australian Bureau of Statistics (refer 3218.0 Regional Population Growth, Australia) indicates that the estimated population of the District Council of Streaky Bay increased every year during the period 2005 – 2014 (total of 245 or 12.2%) but then fluctuated thereafter (to June 2019). Overall, during the period 2005 – 2019 the population increased by a total increase of 187 or 9.32%.

Further, the Australian Bureau of Statistics “Quick Stats” indicate that the estimated population of the council area has fluctuated slightly over the years, being 1,986 in 2001; 2,024 in 2006; 2,102 in 2011; and 2,074 in 2016. These figures equate to an increase of 88 people or 4.43% during the period 2001 - 2016.

7.3 Quota

Section 33(2) of the Act indicates that a proposal which 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 that the proposal were in operation), vary from the ward quota by more than 10%.

According to Section 33(2a)(b) of the Act, ward quota is determined to be: *“the number of electors for the area (as at the relevant date) divided by the number of councillors for the area who represent wards (assuming that the proposal were in operation and ignoring any fractions resulting from the division).”*

Given the above, any proposed future ward structure must incorporate wards wherein the distribution of electors is equitable, either in terms of numbers (if the wards have equal representation) or elector ratio. Under the latter circumstance, the elector ratio within each ward must be within 10% of the average elector ratio for the council area.

Notwithstanding the above, Section 33(3) of the Act allows for the 10% quota tolerance limit to be exceeded in the short term, if demographic changes predicted by a Federal or State government agency indicate that the ward quota will not be exceeded at the time of the next periodic election.

8. WARD STRUCTURE OPTIONS

As indicated earlier, the existing ward structure can be retained because the elector ratios exhibited in both of the existing wards lay comfortably within the specified quota tolerance limits.

The division of the council area into alternative ward structures is a difficult exercise, given the size of the council area (6,232 km²); the concentration of population/elector numbers in and about the township of Streaky Bay; and the relatively sparsely populated but expansive rural area. Council is inviting suggestions from the community regarding potential alternative ward structures.

The "no wards" structure has been presented for consideration, given the provisions of Section 12(1)(b) of the Act which allow for the abolition of wards; and the fact that thirty-five regional and/or outer-metropolitan councils have already abolished wards.

8.1 Option 1 (Two wards, eight councillors)

8.1.1 Description

The current ward structure which divides the council area into two wards, with both wards being represented by four councillors.

8.1.2 Ward Representation

WARD	COUNCILLORS	ELECTORS	RATIO	% VARIANCE
Ward 1	4	758	1:190	- 1.88
Ward 2	4	787	1:197	+ 1.88

8.1.3 Comments

This ward structure has been in existence since the periodic elections in November 2014 and, as such, should be known and accepted by the community.

The ward structure has an equitable balance of elected members and electors between the wards; exhibits ward elector ratios which are similar and lay well within the specified quota tolerance limits; and is capable of sustaining considerable fluctuations in elector numbers.

On the downside, the community of Streaky Bay is divided between the two wards; and there is an obvious disparity in the size of the proposed wards (due to the concentration of electors within the township of Streaky Bay).

8.2 Option 2 (No wards)

8.2.1 Description

The abolition of wards resulting in council-wide or "at large" elections.

8.2.2 Comments

The "no wards" structure can accommodate any number of "area" councillors (i.e. councillors elected to represent the whole council area), as determined appropriate by Council. Further, the "no wards" structure automatically absorbs any fluctuations in elector numbers and there is no requirement for compliance with the specified quota tolerance limits which are applicable to wards.

The arguments for and against the "no ward" option have been previously presented (refer 6.1 Wards/No Wards).

Primarily, the abolition of wards will:

- overcome the division of the local community into wards based solely on the distribution of elector numbers (which can be perceived as being inequitable given the concentration of electors in and about the township of Streaky Bay);
- prevent ward-centric attitudes; and
- enable the electors within the community to vote for all members of Council, with the most favoured candidates being elected to represent (and act in the best interests of) the whole of the council area, despite the geographical location of their place of residence.

At present, thirty-five councils within the state have abolished wards. All but one of these are outer-metropolitan or regional councils.

9. SUMMARY

The representation review being undertaken by the District Council of Streaky Bay must be comprehensive; open to scrutiny by, and input from, the local community; and, where possible, seek to improve elector representation. Further, Council must examine and, where necessary, identify amendments to its current composition and ward structure, with the view to achieving fair and adequate representation of all of the electors across the council area.

This early stage of the review process entails the dissemination of relevant information pertaining to the review process and the key issues; and affords the community the opportunity to participate over a six week public consultation period. At the next stage of the review process Council will have to make some “in principle” decisions in respect to its future composition, and the future division of the council area into wards (if required), taking into account the practical knowledge and experience of the individual elected members and the submissions made by the community.

The principal member of Council has long been a **chairperson** (with the title of mayor) who is selected by and from amongst the ward councillors for a determined period of time. The only alternative is a **mayor** who is elected by the community to lead the Council for a term of four years. Fundamentally the roles and responsibilities of the mayor and chairperson are the same, with the only difference being in respect to the voting rights in chamber. At present only fifteen regional councils have a chairperson as the principal member, and all of these bear the title of mayor.

The provisions of the Statutes Amendment (Local Government Review) Bill 2020 seek to abolish the position of selected chairperson.

All elected members other than the principal member bear the title of councillor.

Area councillors represent the whole of the council area and are generally associated with those Councils which have abolished wards. The alternative is a **ward councillor** who is specifically elected to represent a particular ward area. The legislation allows for area councillors, in addition to ward councillors, where the council area is divided into wards.

Whilst there is no formula that can be utilised to determine the appropriate **number of elected members**, the provisions of the Local Government Act 1999 give some guidance as they specifically require Council to avoid over-representation in comparison to other councils of a similar size and type (at least in the longer term); and, where a Council is constituted of more than twelve members, examine the question of whether the number of elected members should be reduced. In addition, consideration should be given to the Statutes Amendment (Local Government Review) Bill 2020 which seeks to restrict the maximum number of elected members in a council to twelve (including the principal member).

The District Council of Streaky Bay currently comprises eight elected members (ward councillors); and has an elector ratio of 1:193. This level of elector representation is relatively consistent with other regional councils which are considered to be of a similar size and type, but the elector ratio is somewhat low because of the lower number of eligible electors in the council area. This being the case, a reduction in the number of elected members warrants some consideration.

When considering a reduction in the number of elected members, care must also be taken to ensure that any future Council will comprise sufficient elected members to adequately represent the community; meet its obligations in respect to its roles and responsibilities; afford sufficient lines of communication with the community; provide for a diverse range of skill sets, expertise, experience and opinions; and manage the workloads of the elected members.

The council area is currently divided into two wards.

The **division of the council area into wards** guarantees the direct representation of all parts of the council area; enables ward councillors to focus on local as well as council-wide issues; prevents a single interest group from gaining considerable representation on Council; enables and attracts candidates to contest ward elections; reduces the cost and effort required to campaign at an election; and potentially provides cost savings to Council in regards the conduct of elections and supplementary elections.

On the other hand the abolition of wards enables an elector to vote for all of the vacant positions on Council; ensures that the most supported candidates from across the council area will be elected; and overcomes parochial ward attitudes. Wards can also be seen as an unnecessary division of the community, an assertion that has some basis given that ward councillors do not have to reside within the ward that they represent.

Should it be determined that the council area continue to be divided into wards, the **current ward boundaries can be retained** because the elector ratios in both wards lay within the specified quota tolerance limits. Notwithstanding this, the community may wish to consider and/or propose alternative ward structure options which are based on fewer or more elected members; are relatively well balanced (in regards to elector numbers); comply with the quota tolerance limits; allow for some potential future fluctuations in elector numbers; and exhibit proposed boundaries which generally align with district/locality boundaries. Council welcomes suggestions in regards to this matter.

As for the issue of **ward identification**, further consideration will have to be given to this matter later in the review process. The allocation of local geographical names and/or names of local heritage or cultural significance (as per the current ward structure) may be the most appropriate means of ward identification.

Interested members of the community are invited to make a **written submission** expressing their views on the future composition and structure of Council.

Submissions can be made as follows; and will be accepted until 5.00pm on Monday 14th December 2020.

- Via Council's website (www.streakybay.sa.gov.au).
- Written submission addressed to the Chief Executive Officer,
PO Box179, Streaky Bay 5680
- Emailed to dcstreakybay@streakybay.sa.gov.au

Further information regarding the elector representation review can be obtained on Council's website or by contacting the Chief Executive Officer on telephone 8626 1001 or email dcstreaky@streakybay.sa.gov.au

