



Elector Representation Review

Representation Review Paper

May 2017

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District Council of Ceduna

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1. Introduction

In accordance with Section 12(4) of the Local Government Act 1999 (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 District Council of Ceduna last completed a Representation Review in 2009 and is scheduled to undertake another review during the period July 2016 – June 2017.

Additionally, this document has been prepared in accordance with Section 12(8a)

- provides information on the public consultation and the council's response to the issues arising from the submissions received
- sets out the proposal that the council considers should be carried into effect under this section; and
- presents an analysis of how the proposal relates to the principles under section 26(1)(c) of the Act

The key issues which are required to be addressed within this report include:

- whether Council's principal member should be mayor elected by the community or a chairperson selected by the elected members
- the composition of Council including the number of elected members. Additionally whether councillors shall continue to be area councillors or whether wards be reintroduced and ward councillors be introduced.

2. Background

The Council area is currently not divided into wards and Council comprises an elected mayor and eight area councillors. This structure came into effect 1987 and has been retained by Council since then.

At the time of preparing this paper, the total number of persons eligible to vote in Local Government elections in the Council area was determined to be 2,114, this comprising 2,096 enrolments on the House of Assembly Roll (as maintained by Electoral Commission South Australia) and 18 enrolments on the Supplementary Voters Roll (out of a possible 510 properties), as maintained by Council pursuant to the provisions of Section 15 of the Local Government (Elections) Act 1999.

Council commenced its elector representation review in December 2016 and completed the initial public consultation period on Friday 10 February 2017. Council did not receive any submission during the public consultation period.

At its meeting on the 15 February 2016, Council considered all matters relevant to the review and resolved to agree, in principle, to make no changes to its composition and/or structure to Council's current representation structure

3. Public Consultation

Council's initial public consultation commenced on Thursday 15 December 2016 with issuing of the Options Paper on Council's website. The publishing of public notices in the West Coast Sentinel newspaper occurred on 22 December 2016 and 25 January 2017 and the public notice was published in the Government Gazette on 22 December 2016.

In addition, the public consultation process included the display of a notice and the relevant review documents on Council's website and Social Media (Facebook) site in addition the provision of the Representation Options Paper and associated documents at the Council offices.

At the expiration of the public consultation period close of business on Friday 10 February 2016) disappointingly, Council had not received any submissions.

Whilst disappointed with the lack of responses, Council considers the lack of any submissions to the Options Paper as that the Community are satisfied with the current representation structure.

Council's secondary public consultation commenced on Thursday 16 March 2017 with issuing of the Council's Representation Review Report on Council's website. The publishing of public notices in the West Coast Sentinel newspaper and the public notice was published in the Government Gazette on 21 March 2017.

In addition, the public consultation process included the display of a notice and the relevant review documents on Council's website and Social Media (Facebook) site in addition the provision of the Representation Review Report and associated documents at the Council offices.

At the expiration of the public consultation period close of business on Friday 12 April 2017 Council had not received any submissions.

4. Proposal

Having duly considered all relevant provisions of the Act, the information and alternatives contained within the Representation Options Paper and the matters raised in the written submissions, Council proposes the following in respect to its future composition and structure.

- The Principal Member of Council continue to be a Mayor, elected by the community.
- The Council area not be divided into wards (i.e. the existing "no ward" structure be retained).
- The future elected body of Council comprise a total of eight (8) area councillors (excluding the Mayor).

The reasons for Council's decision are provided hereinafter under key issue headings. Analysis of further relevant provisions and requirements of the Act also follow.

5. Proposal Rationale

5.1 Principal Member

Council's principal member has always been a mayor elected by the community. Council during its public consultation failed to receive any comments opposing the continuation of this practice.

Given that Council received no public comments opposing the continuation of a mayor elect and that no extraordinary events have occurred in recent times that warrant a change in the way Council's principal member is determined, Council considers that there is no need to for change at this time.

5.2 Wards

Council is currently not divided into wards for representation purposes and has been this way since 1987. Council during its public consultation failed to receive any comments opposing the continuation of this practice.

Council acknowledges that the continuation of no wards provides the community with elected members that have a council wide perspective as opposed to ward councillors whom are representative of smaller areas of Council.

The District Council of Ceduna is a rural based Council which covers approximately 5,400 km² and incorporates the township of Ceduna, Thevenard, Smoky Bay and Denial Bay as well as several other settlements. The distribution of a relatively small number of electors across the Council area at varying densities makes representation thereof a difficult task for the elected members, and the development of a ward structure (with an equitable distribution of electors and a rational basis) a challenging exercise.

Council is supportive of the continuation of the existing "no wards" structure as opposed to the reintroduction of Council wards.

5.3 Number of Councillors

Council's current elector representation comprise eight area councillors.

Table 1 below highlights the elector representation data for the eleven south Australian councils all classified as Rural Agricultural Medium Council (RAM) in accordance with the Australian Classification of Local Government. It indicates that whilst in terms of total size Ceduna is one of the larger RAM councils in South Australia, it also has one of the lower representation ratios of these councils.

Council is aware that the provisions of Sections 26 and 33 of the Act stipulate 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).

Council	Councillors	Electors	Ratio
Peterborough (3006 km ²)	9	1253	1 : 139
Southern Mallee (5702 km ²)	9	1372	1 : 152
Barunga West (1581 km ²)	9	1966	1 : 218
Kingston (3351 km ²)	8	1783	1 : 223
Ceduna (5433 km²)	8	2114	1 : 264
Tumby Bay (2670 km ²)	7	2042	1 : 292
Mount Remarkable (3441 km ²)	7	2167	1 : 310
Kangaroo Island (4434 km ²)	10	3357	1 : 336
Goyder (6688 km ²)	7	2979	1 : 426
Yankalilla (757 km ²)	9	3867	1 : 430
Lower Eyre Peninsula (4755 km ²)	7	3580	1 : 511

Elector Representation Ratios of SA RAM Council (Electors number as of 1 March 2017)

Council is aware that there are Councils within South Australia that are of similar size (in term of electors) that function with a fewer elected members, however Council is satisfied to continue with eight area councillors as opposed to a reduction of councillors (say seven area councillors) for the following reasons.

- the current elected body of members) has adequately managed the roles and responsibilities of Council for some time with as a consequence of a longstanding vacancy;
- sufficient elected members must be available to manage the affairs of Council;
- the elected member's workloads should not become excessive and a reduction in councillors may increase this risk.

6. Legislative Requirements

The provisions of Sections 26(1)(c) and 33(1) of the Act require Council take into account, as far as practicable, the following when developing a proposal that relates to its composition and structure.

6.1 Quotas

Given that Council proposes to retain the existing "no wards" structure, the provisions of Section 33(2) of the Act which relate to ward quota tolerance limits do not apply.

6.2 Communities of Interest

In considering any reform of Councils representation structure, Council should consider whether the council reflects communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations.

The Council area covers approximately 5,400km² in area and comprises a number of long established towns and settlements. The current distribution pattern of electors throughout the Council area, and in particular the concentration of elector numbers within the two major townships of Ceduna & Thevenard, makes it particularly difficult to divide the Council area into wards on a rational and equitable basis without some impact upon of the existing "communities of interest".

The retaining of the no wards structure avoids potential impacts upon, and the division of, existing communities of interest, and should serve to further foster a sense of community given that the Council area will not be divided into arbitrary wards.

6.3 Topography

The Council area is approximately 5,400km² in area; contains four townships and a number of smaller settlements; is dissected by a number of major roads (e.g. the Eyre Flinders Highways; and generally exhibits farming land uses such as cereal cropping and the grazing of sheep.

Council acknowledges that the local topography and travel distances can at times have some effect upon the elected member's ability to attend to the requirements and/or demands of the community, and has consequently given due consideration to the impacts of the topography during the review process.

It should be noted that the issue of topography was not a primary factor in the decision to retain a "no-wards" structure.

6.4 Communication

Council believes that the proposed level of representation will provide adequate and proven lines of communication between the elected members of Council and the community, taking into account the ever improving communication and information technology and the fact that Council has operated effectively over recent times with eight councillors.

6.5 Demographic Trends

Whilst future population projections indicate minor increases within the Council area, historically Census data has reflected a decline in the population within the Council area.

During the process of considering Council's future structure, Council took into account the following information.

- According to data provided by the Australian Bureau of Statistics, the estimated total population for the Council region from the 2001 Census to the 2011 Census has decreased by 217 (3697 to 3480) or 5.87%
- According to population projections provided by the Department of Planning, Transport and Infrastructure (DPTI), as at February 2016 based on 2011 Census data, projections of the population of the District Council of Ceduna are expected to increase from 3636 to 3665 (0.8%), during the period 2016-2021; and increase further from 3665 to 3720 (1.5%), during the period 2021-2026
- According to the Electoral Commission SA the number of electors within the Council area who are enrolled on the House of Assembly Roll decreased from 2662 in February 2001 to 2116 in February 2016. This represents a decrease in elector numbers of 20%. Whilst this reduction is opposite to the projected population increases based on historically data, it may be indicative of a more transient population who fail to update House of Assembly Roll details when they move.

6.6 Adequate and Fair Representation

Council is confident that its proposed future composition will continue to provide an adequate number of elected members to manage the affairs of Council; provide an appropriate level of elector representation; maintain an appropriate diversity in the skill set, experience and expertise of the elected members; and present adequate lines of communication between the community and Council.

6.7 Section 26, Local Government Act 1999

Section 26(1) of the Act requires Council to consider specific principles in regards to any reforms. The principles referred to in Section 26(1) of the Act include but are not limited to:

- the resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within a community;
- proposed changes should, wherever practicable, benefit ratepayers;
- a council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations;
- the importance within the scheme of local government to ensure that local communities within large council areas can participate effectively in decisions about local matters;
- residents should receive adequate and fair representation within the local government system, while over-representation in comparison with councils of a similar size and type should be avoided (at least in the longer term)

The structure being proposed by Council is considered to comply with the cited legislative provisions, in that it will:

- include adequate elected members to carry out the various roles and responsibilities of Council;
- have minor if any negative impact upon the ratepayers and/or existing communities of interest;
- continue to provide adequate and fair representation to all electors; and
- compare favourably with the composition and elector ratios of other regional Councils that are of a similar size (in terms of elector numbers) and type.