



City of
Mount Gambier

Representation Options Paper

ELECTOR REPRESENTATION REVIEW

July 2016

Prepared for the City of Mount Gambier by C L Rowe and Associates Pty Ltd, June 2016

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1. Introduction

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 City of Mount Gambier last completed an "elector representation review" in September 2009 and is scheduled to undertake another review during the period April 2016 – April 2017.

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 retention of the existing "no wards" structure; and
- if wards are to be introduced, the level of ward representation within, and the name of, any future proposed wards.

At the end of the review process, any proposed changes to Council's composition and/or structure must serve to uphold the democratic principle of "one person, one vote, one value". Bearing this in mind, it is highly likely that any potential future ward structure of Council will, in the main, be determined by the requirement for an equitable distribution of elector numbers between wards, rather than be based specifically on any socio-economic, regional or topographic factors.

2. 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.

2.1 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 over-representation in comparison to other councils of a similar size and/or whether the existing "no wards" structure should be retained in favour of introducing wards.

2.2 First Public Consultation

Council is currently advising the community that the review is being undertaken and that the "Representation Options Paper" is available for consideration. An invitation is being extended to any interested member of the community to make a written submission to Council by close of business on Friday 2nd September 2016.

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

2.3 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, and will make "in principle" decisions regarding the elector representation arrangements it favours and desires to be effected 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.

2.4 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.

2.5 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.

2.6 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 2018).

3. Current Structure

Council currently comprises an elected mayor and ten area councillors; and the Council area is not divided into wards. The current elector representation arrangement, which was adopted by Council during the elector representation review undertaken in 2008/2009, came into effect at the 2010 Local Government elections. Prior to the previous review the Council area was divided into two wards and Council comprised an elected mayor and ten ward councillors.

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 18,997, this comprising 18,885 enrolments on the House of Assembly Roll (as maintained by Electoral Commission South Australia) and 112 enrolments on the Supplementary Voters Roll, as maintained by Council pursuant to the provisions of Section 15 of the Local Government (Elections) Act 1999.

As elector numbers can change as a consequence of on-going (daily) amendments to the voter's rolls, elector data will be re-examined throughout the course of the review so as to ensure the accuracy of the elector numbers within any final ward structure proposal.

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 roles and responsibilities of a mayor and a chairperson are identical in all respects, however, there are differences in their election/selection and their voting rights in chamber.

A mayor is elected by all of the electors for a period of four years and, as such, provides stable community leadership. By contrast, a chairperson is chosen by (and from amongst) the elected members of council for a term of one to four years (as determined by Council). The latter provides flexibility and the opportunity for a number of elected members to gain experience as the principal member over the term of a Council.

In addition, a mayor does not have a deliberative vote on a matter before council, but in the event of a tied vote, has a casting vote. On the other hand, the chairperson has a deliberative vote at a council meeting but 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. The selection of a chairperson is not reliant upon an election and, as such, costs will only be incurred by council where a chairperson leaves Council before the completion of his/her term in office and the resultant vacancy for the position of councillor is contested.

It should also be noted that:-

- at present all of the metropolitan councils have an elected mayor and only sixteen relatively small regional councils (i.e. elector numbers in the range 732 - 3,944) have a chairperson;
- 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;
- there is a perception that the position of chairperson lacks the status of an elected mayor, and this in turn may reflect detrimentally on the status of a council;
- where the principal member of council is chosen by the elected members rather than elected by the community (i.e. a chairperson), council can decide on the title of the office (e.g. mayor) pursuant to Section 51(1)(b) of the Act; and
- any proposal to change the principal member from an elected mayor to a selected chairperson (and vice versa) cannot proceed unless a poll of the community has been conducted in accordance with the requirements of Section 12 (11a-d) of the Act (either during the course of the review or at the time of the Local Government election in November 2018), and the result of the poll favours the proposed change.

4.2 Councillors

Section 52(2) of the Act indicates that:

- a councillor can be elected to represent the council area as a whole, whether or not the area is divided into wards (i.e. an area councillor); and/or
- if the council area is divided into wards, a councillor will be elected by the electors of a particular ward, as a representative of that ward (i.e. a ward councillor).

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

4.3 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, Council can comprise both area councillors and ward councillors, with the area councillors adopting a similar role to that of the former office of alderman whereby they focus on council-wide issues rather than local/ward matters.

The arguments in favour of the area councillor (in addition to ward councillors) are that:-

- the area councillor is free of parochial ward attitudes and responsibilities;
- the area councillor is generally an experienced elected member who can share his/her knowledge and experience with the ward councillors;
- the area councillor is free to assist the mayor and ward councillors, if required; and
- the lines of communication between council and the community are improved, as the community have the area councillors and their ward councillors to approach for assistance.

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;
- additional elected members ("area councillors") will create additional expense (e.g. elected member's allowances and administration costs);
- any contested election for area councillors must be conducted across the whole of the Council area at considerable cost;
- area councillors (in addition to ward 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), as is the general expectations espoused under Section 8 of the Act; and
- the task and expense of contesting council-wide elections for an area councillor can be prohibitive, and may deter appropriate/quality candidates.

5. Elector Representation (number of councillors)

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

Section 33(1)(f) of the Act indicates *"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)."* Similarly, Section 26(1)(xi) of the Act states *"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 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 1 provides (for comparison purposes) the elector data pertaining to five councils which are similar in size (elector numbers) to the City of Mount Gambier. The data indicates that Council has the least number of elected members; covers a small area; has a reasonable number of electors (by comparison); and exhibits an acceptable elector ratio.

Table 1: Elector data, representation and areas (Councils with similar elector numbers)

| Council | Councillors | Electors | Ratio |
|--|-------------|---------------|----------------|
| The Barossa Council (912 km ²) | 11 | 16,665 | 1:1,515 |
| Town of Gawler (41.1 km ²) | 10 | 16,297 | 1:1,630 |
| Alexandrina Council (1827 km ²) | 11 | 18,945 | 1:1,722 |
| City of Mt Gambier (34 km²) | 10 | 18,997 | 1:1,900 |
| Norwood Payneham St Peters (15.1 km ²) | 13 | 25,096 | 1:1,930 |
| DC Mt Barker (595 km ²) | 10 | 21,951 | 1:2,195 |

Source: Electoral Commission SA , House of Assembly Roll (December, 2015)
Council Voters Roll (February 2016)

The difference in the composition and elector ratios of councils becomes evident when the City of Mount Gambier is compared to the larger of the metropolitan councils. These councils comprise 12 - 20 elected members; have elector numbers ranging from 62,486 - 117,715; and exhibit elector ratios of 1:4,653 - 1:6,017.

Whilst the elector ratio of Council is reasonable in comparison to the ratios exhibited by many of the cited councils in Table 1, there are councils throughout the state and the nation which are functioning with fewer elected members and/or higher elector ratios. This being the case, the review affords the opportunity to at least consider alternative arrangements including a smaller number of elected members.

When determining the appropriate 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.

Essentially, the elected members of Council assume the role of a Board, the roles of which typically include:

- developing/approving the vision, purpose and values of the organisation;
- approving/developing a strategic, service and risk management plans;
- approving organisational policies;
- approving budgets and monitoring expenditure;
- ensuring legal requirements are met;
- ensuring quality of service;
- ensuring there are adequate funds and resources for the organisation; and
- ensuring the Board is functioning well.

The function of a Council (and/or Board) can be affected by:

- a temptation to micro-manage;
- the lack of a functioning committee structure;
- a lack of elected members, given the need to lead and form the core of the committees and share in the other works of the Council;
- the need for sufficient members to reflect the desired diversity in Council as well as assure the range of viewpoints that spurs innovation and creativity in Council planning and decision making; and
- the lack of a strategic plan and/or vision to provide clear direction.

In addition to attending Council meetings, briefings and workshops, the elected members have commitments to a number of other Council committees, including the following.

- Operational Services Standing Committee.
- Corporate and Community Services Standing Committees.
- Community Engagement and Social Inclusion Sub-Committee.
- Lifelong Learning Sub-Committee.
- Environmental Sustainability Sub-Committee.
- Audit Committee.
- Junior Sports Assistance Fund Committee.
- Mount Gambier cemetery Committee.
- Railway Lands Development and Management Committee.
- Building Fire Safety Committee.
- Council Development Assessment Panel.

All of the above is in addition to the commitments that the individual elected members have to community organisations, committees and/or consultative/management groups.

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 1:1,900 to the following.

| | | | |
|--------------------|---------|--------------------|---------|
| Nine councillors: | 1:2,111 | Seven councillors: | 1:2,714 |
| Eight councillors: | 1:2,375 | Six councillors: | 1:3,166 |

All of the above elector ratios are consistent with the elector representation arrangements of many of the small - medium sized metropolitan Adelaide councils, as well as the interstate councils cited in Table 2.

On the other hand, any move to increase the number of councillors will have to be justified in terms of benefits to the community and electors. Arguments in favour of an increase in elector 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.

Given the requirements of the Act which seek to avoid over-representation, it may be difficult to mount a sustainable argument to increase the number of elector members.

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 the Mayor casting a deciding vote, however, it may also may 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.

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

Arguments supporting the retention of the existing "no wards" structure include:-

- "no wards" is the optimum form of democracy 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, rather than candidates who may 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);
- the elected members should be free of parochial ward 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;
- as ward councillors do not have to reside within the ward that they represent, a ward structure does not guarantee that a ward councillor will have empathy for, or an affiliation with, the ward;
- 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;
- existing ward councillors generally already consider themselves to represent not only their ward but the Council area as a whole;
- 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;
- successful candidates generally have to attract no more votes than what they would have received/required under a ward election; and
- candidates for election to Council will require the genuine desire, ability and means to succeed and serve on Council, given the perceived difficulties and expense associated with contesting council-wide elections.

Arguments in favour of a ward structure include:

- wards guarantee some form and level of direct representation to all existing communities of interest;
- ward councillors can focus on local issues;
- under the "no wards" structure a single interest group could gain considerable representation on Council;
- concern council-wide elections under a "no wards" structure will not guarantee that elected members will have any empathy for, or affiliation with, all communities across the whole Council area;
- the task and expense of contesting council-wide elections may deter appropriate/quality candidates;

- under the “no wards” structure Council has to conduct elections and supplementary elections across the whole of the Council area (at a significant expense); and
- under the “no wards” structure the more popular or known councillors may receive more enquiries from the public (i.e. inequitable workloads).

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 is generally 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 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; lessens the likelihood of ward parochialism; 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 reduced; there are greater perceived lines of communication between ward councillors and their constituents; and there is more flexibility in regards to ward quota, allowances for fluctuations in elector numbers, and the preservation of communities of interest.

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

The community is more likely to accept a ward structure which has some logical basis and exhibits ward boundaries which are easily identifiable. Accordingly, it is suggested that every effort be made to align proposed possible future ward boundaries with existing, long established suburb 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 (as per the current arrangement) 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 geographical/place names or names of European and/or Aboriginal heritage/cultural significance, however, reaching consensus over the selection of appropriate names may prove to be a difficult exercise.

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 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,

7.2 Population and Demographic Trends

When developing potential future ward structures for the City of Mount Gambier, consideration will need to be given to demographic trends, as allowances will 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 the House of Assembly Rolls maintained by Electoral Commission SA, the number of enrolled electors within the Council area:

- increased by 1,132 or 8.8% (i.e. 15,777 to 16,909) during the seven year period February 2001 - February 2008; and
- increased by a further 1,623 or 9.4% (i.e. 17,262 to 18,885) during the period February 2010 to February 2016.

7.2.2 Residential Development

The residential development opportunities detailed hereinafter have the potential to increase population (and therefore elector numbers) in the foreseeable future and, as such, need to be taken into account when developing potential future ward structure options which have to comply with the specified quota tolerance variation limits. However, the extent and timing of any of this future development (and resultant increase in elector numbers) is difficult to quantify at this time.

- The creation (in stages) of approximately 200 allotments in the north-western part of the city (O'Leary Road, Wireless Road West and Spring View Drive).
- The future extension of Matthew Flinders Way (approximately 50 allotments).
- A further 50 or more allotments adjacent the golf course (Attamurra Road).
- An additional 70 allotments within "The Meadows" estate (corner of Wireless Road East and Kennedy Avenue).
- Perhaps 20 allotments south of "The Meadows" estate (i.e. south of Wireless Road East).
- A community-titled development containing 45 allotments (O'Leary Road).
- The creation of approximately 50 allotments in the southern part of the city (McCormick Road and Lakes Park Drive)

The aforementioned indicates that the majority of the anticipated future residential development is to occur in the northern parts of the city.

7.2.3 Population Projections

Population projections provided by the Department of Planning, Transport and Infrastructure (DPTI), as at February 2016, are based on the 2011 Census population data. They indicate that the population of the City of Mount Gambier is expected to:

- increase by 1,790 (i.e. 25,773 to 27,563) or 6.95% during the ten year period 2011 - 2021 (which will likely be several years before the next scheduled elector representation review); and
- increase by a further 1,294 (i.e. 26,614 to 28,857) or 8.43% during the period 2021 – 2031.

Whilst these projections are useful in that they provide an indication of the magnitude of the estimated future population growth 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

According to data provided by the Australian Bureau of Statistics (2001, 2006 and 2011 Census Community Profiles – Mount Gambier (C) Local Government Area), the estimated total population of the Council area increased by 838 (3.7%) over the period 2001 – 2006, and then increased by a further 1,753 (or 7.46%) during the period 2006 – 2011.

Overall, the population in the Council area increased by 2,591 or 11.44% over the period 2001 – 2011 period. In addition, over the same period the total number of dwellings (all forms) within the Council area increased by 1,915 or 19.73%. By comparison, during the period 2001 - 2011 the population of South Australia increased by 9.44%, whilst dwelling numbers increased by 12.65%.

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 per cent.

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 aforementioned, 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 (at the time of the review) 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

Three ward structure options have been provided to demonstrate how the City of Mount Gambier can be divided into wards, should the introduction of wards be preferred over the retention of the existing "no wards" structure. These options are only examples of how the Council area could be divided into wards under various composition scenarios, ranging from eight to ten ward councillors. The presented ward structures have been developed to reflect some logical basis and an equitable distribution of elector numbers; to accommodate anticipated future residential development (and the resultant increase in elector numbers); and to maintain existing communities of interest, where possible.

It should also be noted that, as elector growth occurs across the council area, the elector ratios within all of the proposed wards will adjust accordingly and, as a consequence, these proposed wards will likely be capable of sustaining greater fluctuations in elector numbers.

The "no wards" structure has also been presented, given that it has been the preferred structure of Council for the past six years and is an identified option under the provisions of Section 12(1)(b) of the Act.

8.1 OPTION 1

8.1.1 Description

No wards (i.e. the retention of the existing "no wards" structure which requires area councillors to represent the whole of the Council area and be elected at council-wide elections).

8.5.2 Comments

The City of Mount Gambier has not been divided into wards since the 2010 Local Government election..

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 (e.g. 6 - 10 councillors), given that the structure automatically absorbs any elector fluctuations 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 current "no wards" structure:

- overcomes the division of the local community into wards based solely on the distribution of elector numbers;
- prevents parochial ward attitudes; and
- enables 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.

8.2 OPTION 2

8.2.1 Description

The division of the council area into two wards, with one ward being represented by six councillors and the remaining ward being represented by four councillors (total of ten ward councillors).

Ward 1: Princes (Jubilee) Highway.

Ward 2: Princes (Jubilee) Highway

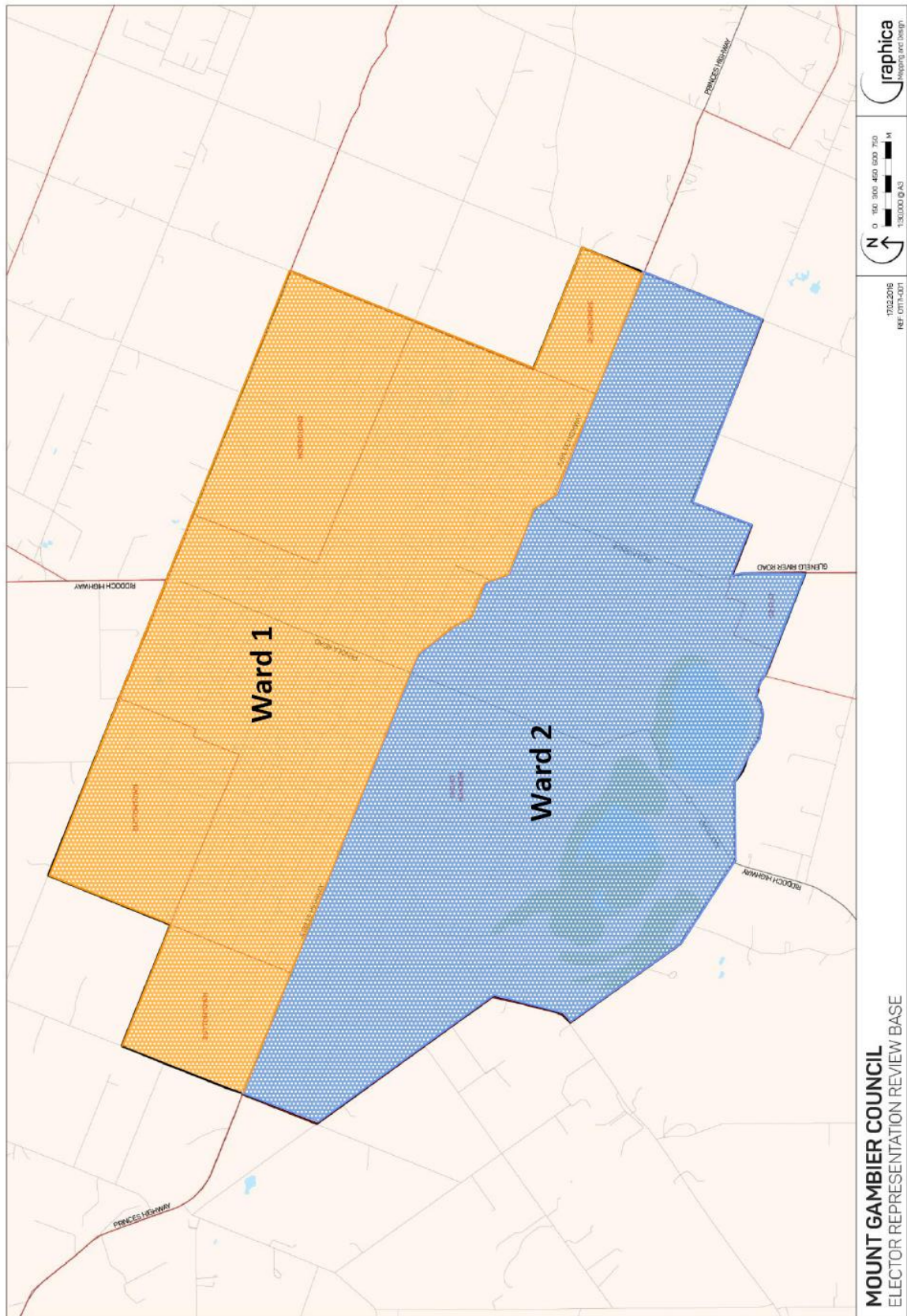
8.2.2 Ward Representation

| Ward | Councillors | Electors | Ratio | % Variance |
|----------------|-------------|----------|---------|------------|
| Ward 1 | 6 | 11,367 | 1:1,895 | + 1.3 |
| Ward 2 | 4 | 7,330 | 1:1,833 | - 2.0 |
| | | | | |
| Total | 10 | 18,997 | | |
| Average | | | 1:1,870 | |

8.2.3 Comments

The simple division of the council area into two wards aligning the proposed ward boundary with the prominent Princes (Jubilee) Highway.

Whilst the levels of representation vary between the two proposed wards, the elector ratios within each ward are comparable and lay well within the specified quota tolerance limits.



8.3 OPTION 3

8.3.1 Description

The division of the council area into three wards, with each ward being represented by three councillors (total of nine ward councillors)

Ward 1: Penola Road (Riddoch Highway); Wireless Road West; Wehl Street North; Commercial Street West; and White Avenue.

Ward 2: Penola Road (Riddoch Highway); Wireless Road West; Wehl Street North; Commercial Street West; Commercial Street East; Kennedy Avenue; and North Terrace.

Ward 3: White Avenue; Commercial Street West; Commercial Street East; Kennedy Avenue; and North Terrace.

8.3.2 Ward Representation

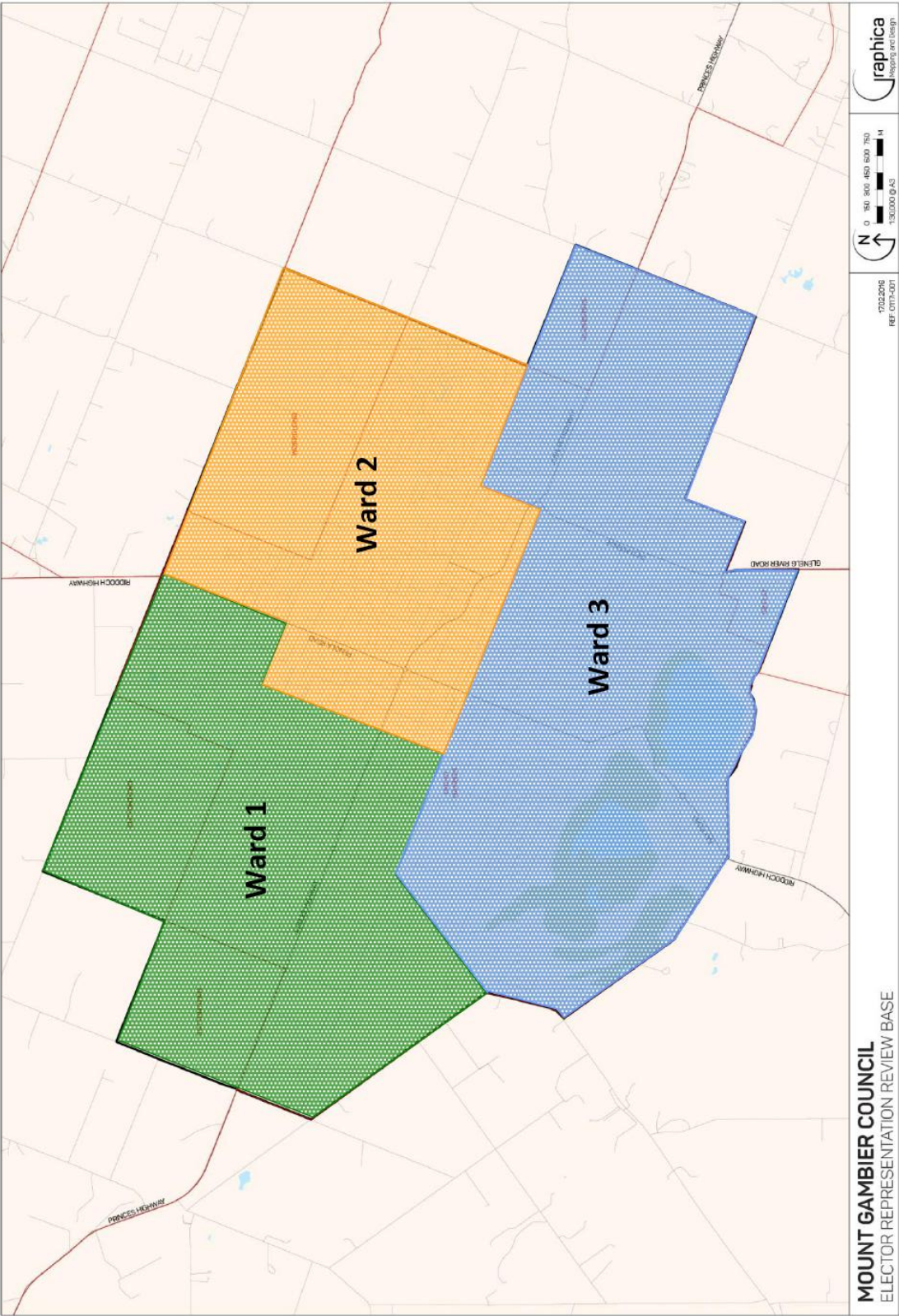
| Ward | Councillors | Electors | Ratio | % Variance |
|----------------|-------------|----------|---------|------------|
| Ward 1 | 3 | 6,172 | 1:2,057 | - 2.5 |
| Ward 2 | 3 | 6,583 | 1:2,194 | +4.0 |
| Ward 3 | 3 | 6,242 | 1:2,081 | - 1.4 |
| | | | | |
| Total | 9 | 18,997 | | |
| Average | | | 1:2,111 | |

8.3.3 Comments

This ward structure option exhibits a consistent level of representation in all three wards.

Whilst awkward in configuration, the distribution of electors between wards is equitable and the proposed ward boundaries primarily align with main roads, although the partial division of the Commercial Road traders between three wards may be seen as undesirable (and a division of a "community of interest").

As the elector ratios within all of the proposed wards lay comfortably within the specified quota tolerance limits, all of the proposed wards are capable of sustaining reasonable fluctuations in elector numbers.



8.4 OPTION 4

8.4.1 Description

The division of the council area into three wards, with two wards each being represented by three councillors and the remaining ward being represented by two councillors (total of eight ward councillors)

Ward 1: Penola Road (Riddoch Highway); Wireless Road West; Wehl Street North; and Princes (Jubilee) Highway.

Ward 2: Penola Road (Riddoch Highway); Wireless Road West; Wehl Street North; Wehl Street South; Commercial Street West; Commercial Street East; and Princes (Jubilee) Highway.

Ward 3: Princes (Jubilee) Highway; Wehl Street South; Commercial Street West; Commercial Street East; and Princes (Jubilee) Highway.

8.4.2 Ward Representation

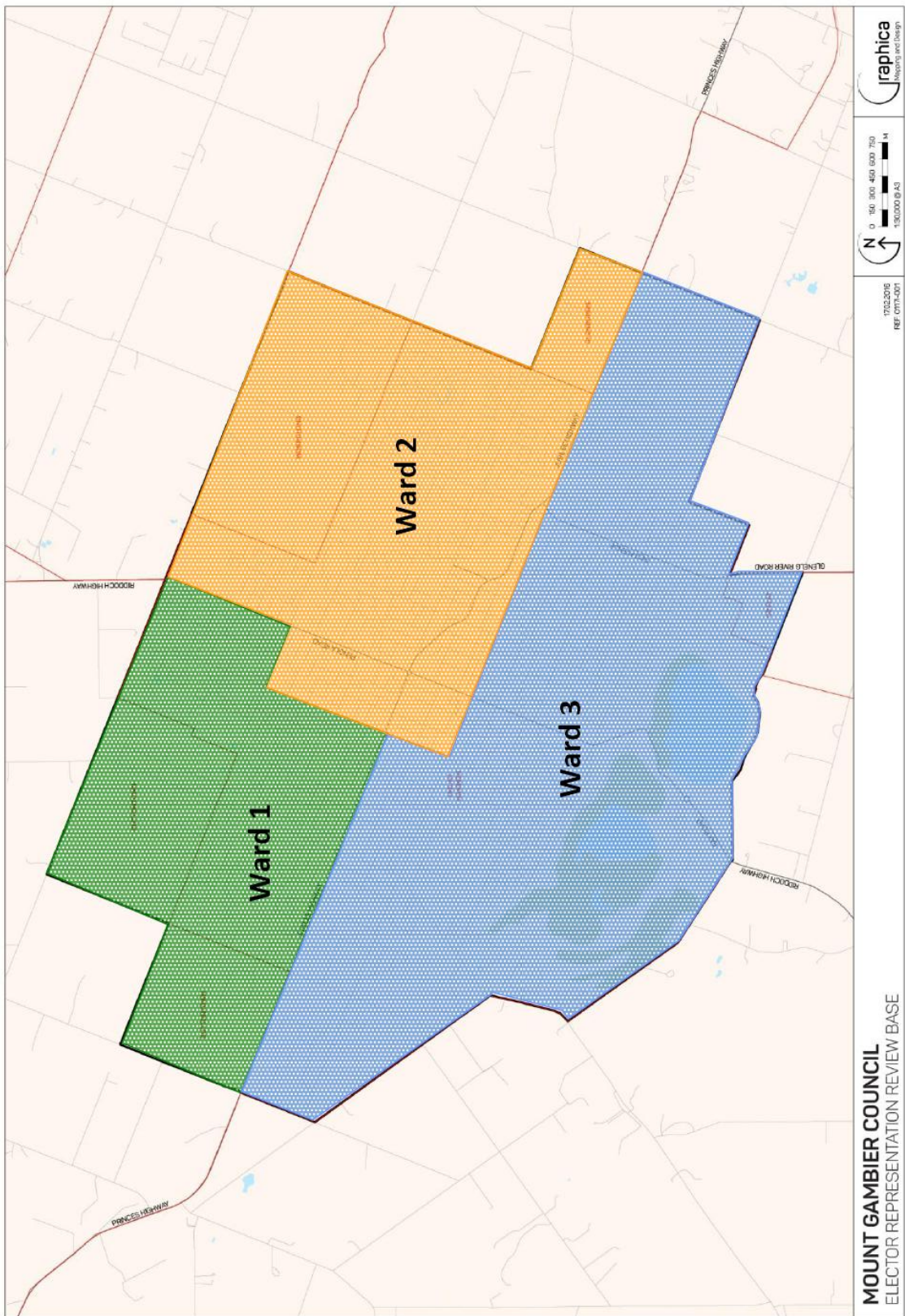
| Ward | Councillors | Electors | Ratio | % Variance |
|----------------|-------------|----------|---------|------------|
| Ward 1 | 2 | 4,661 | 1:2,331 | - 1.9 |
| Ward 2 | 3 | 7,291 | 1:2,430 | +2.4 |
| Ward 3 | 3 | 7,045 | 1:2,348 | - 1.1 |
| | | | | |
| Total | 8 | 18,997 | | |
| Average | | | 1:2,375 | |

8.4.3 Comments

This three ward structure exhibits varying levels of representation between wards, however, the elector ratios in each of the proposed wards are relatively consistent and lay well within the specified quota tolerance limits. As such, each of the proposed wards can sustain considerable fluctuations in elector numbers.

The proposed ward boundaries primarily align with main roads, however, as stated earlier, the partial division of the Commercial Road traders between two wards may been seen as undesirable (and a division of a "community of interest").

As the elector ratios within all of the proposed wards lay comfortably within the specified quota tolerance limits, all of the proposed wards are capable of sustaining reasonable fluctuations in elector numbers.



9. Summary

The representation review being undertaken by the City of Mount Gambier 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 present 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 (minimum) public consultation period. At the next stage of the review process Council will 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 always been a **mayor** who is elected by the community to lead the Council for a term of four years. The only alternative is a chairperson who is selected by the elected members for a term of between one and four years. The term of office and title of the chairperson are determined by the elected members of Council. 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 sixteen relatively small regional councils have a chairperson as the principal member.

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 who have abolished wards. The alternative is a **ward councillor** who is specifically elected to represent a particular ward area. However, ward structures can also include area councillors (in addition to ward councillors) and this arrangement is unique to one council in South Australia (i.e. the City of Adelaide). It is considered that this office/form of elected member provides an unnecessary second tier of representation; affords few advantages; and comes at a financial cost. Further, ward councillors are generally quick to point out that they represent the Council area as a whole, and participate equally in determining matters of council-wide importance that are presented before council. It should also be noted that any contested elections (and/or supplementary elections) for the position(s) of area councillor have to be conducted across the Council area at a considerable cost to the council.

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).

The City of Mount Gambier has a similar number of elected members and an acceptable elector ratio when compared to other councils in South Australia which are of a like size (in terms of elector numbers). Notwithstanding this, there are councils within the state that are of a similar size but function with less elected members and/or at higher elector ratios. This being the case, a reduction in the number of elected members warrants some consideration.

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 **not presently divided into wards**, and this structure was introduced by Council following previous elector representation reviews undertaken in 2008/2009.

The "no wards" structure 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.

On the other hand, 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.

Three ward structure options have been presented as examples to demonstrate how the Council area can be divided into wards under circumstances whereby Council comprises eight to ten councillors. These ward structures are all relatively well balanced (in regards to elector numbers) and exhibit ward elector ratios which lay comfortably within the specified quota tolerance limits.

As for the issue of **ward identification**, further consideration will have to be given to this matter later in the review process (if required). There are several conventional options in respect to ward identification, however, the allocation of names of local geographical and/or heritage significance may be the most appropriate.

Interested members of the community are invited to make a **written submission** expressing their views on the future composition and structure of Council. Submissions will be accepted until 5.00pm on Friday 2nd September 2016 and should be addressed to the Chief Executive Officer, PO Box 56, Mount Gambier 5290.

Further information regarding the elector representation review can be obtained by contacting Michael McCarthy, Manager - Governance and Property, on telephone 8721 2555 or emailing city@mountgambier.sa.gov.au.