



ELECTOR REPRESENTATION REVIEW

REPRESENTATION OPTIONS PAPER

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



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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

Yorke Peninsula, which was named by Captain Matthew Flinders after the Right Honourable Charles Philip Yorke, was originally settled around 1840.

The District Council of Yorke Peninsula was proclaimed on the 10th February 1997, having been formed by way of the amalgamation of the former District Councils of Central Yorke Peninsula, Minlaton, Yorketown and Warooka. The change to the Council name to Yorke Peninsula Council occurred in September 2013.

The Council area covers approximately 5,834 km² and had an estimated resident population of 11,324 as at the 30th June 2019 (refer profile.id.com.au/rda.yorke-mid-north).

The Council area is currently divided into three wards (refer Map 1), with the Kalkabury and Innes/Penton Vale wards each being represented by four ward councillors; and the Gum Flat ward being represented by three ward councillors (i.e. a total of eleven councillors). The Mayor is the twelfth and principal member of Council. 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
Kalkabury	4	3,142	12	3,154	1:789	- 1.83
Gum Flat	3	2,497	34	2,531	1:844	+5.04
Innes/Penton Vale	4	3,125	25	3,150	1:788	- 1.96
Total	11	8,764	71	8,835		
Average					1:803	

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

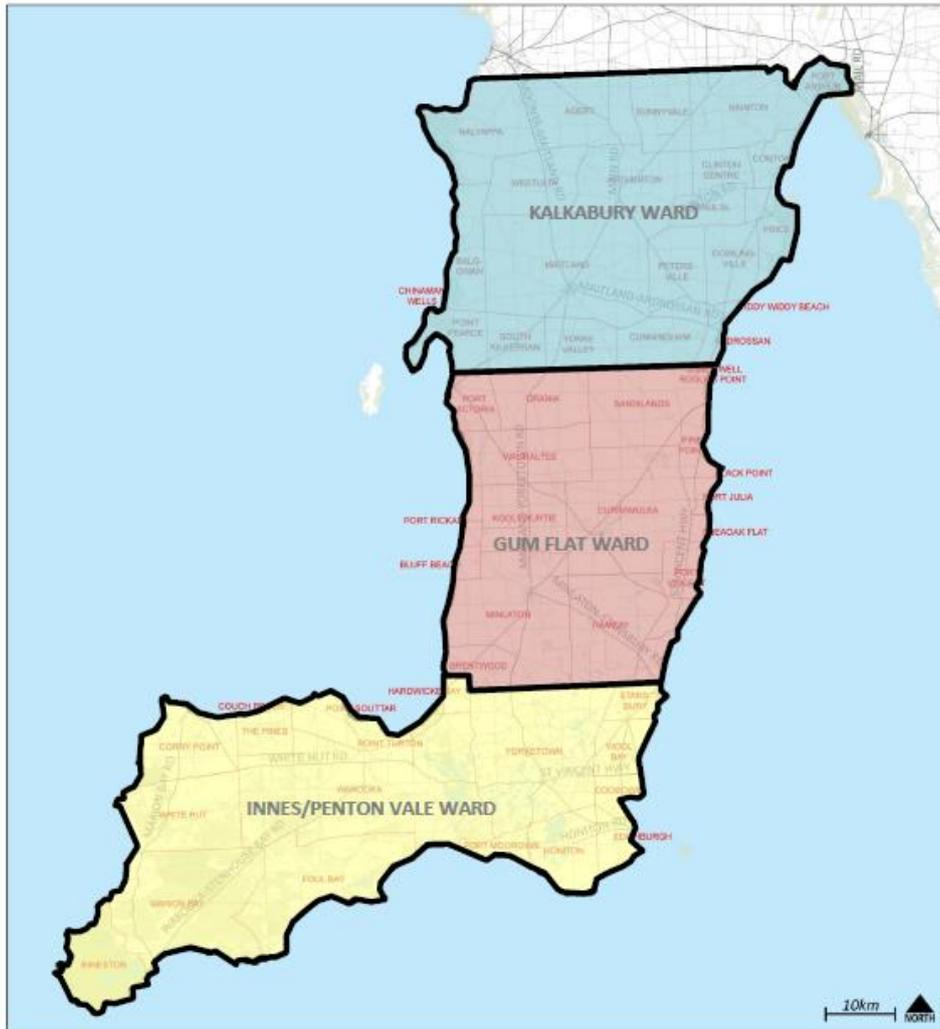
The current ward structure can be retained because the elector ratios in all of the wards lay within the specified 10% quota tolerance limit prescribed under Section 33(2) of the Act (refer 7.3 Quota). Notwithstanding this, alternative ward structure options must be considered with the view to identifying a structure that:

- provides a more equitable balance of electors (which can be maintained, within tolerance, over the extended period between reviews);
- allows for likely fluctuations in elector numbers, primarily as a consequence of future population growth and residential development; and

- 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).

Alternative ward structure options have been presented later in this paper (refer 8. Ward Structure Options, page 20).

Map 1: Current Ward Structure



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 (insert day and date).

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 (November 2022). 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 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 always been a Mayor who is elected by the community as a representative of the Council area as a whole.

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 the Council 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, 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. 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 the 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 Yorke Peninsula Council. The data indicates that the Yorke Peninsula Council covers the largest area; has the equal highest number of elected members; and exhibits a low elector ratio.

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

Council	Councillors	Electors	Elector Ratio
Wattle Range (3,923.5 km ²)	11	8,471	1: 770
Yorke Peninsula (5,834 km ²)	11	8,835	1: 803
Loxton Waikerie (7,957 km ²)	10	8,171	1: 817
Berri Barmera (508 km ²)	8	7,330	1: 916
Port Augusta (1,153.1 km ²)	9	9,452	1:1,050
Light (1,278km ²)	10	10,536	1:1,054
Port Lincoln (30.4 km ²)	9	10,472	1:1,164

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

As for comparisons with the regional councils which have even greater elector numbers (i.e. in the range 11,000 – 16,000 electors), it is noted that all of these councils cover considerably smaller areas; comprise nine councillors; and exhibit considerably higher elector ratios (refer Table 3).

Table 3: Elector data and representation (Regional councils comprising larger elector numbers)

Council	Councillors	Electors	Elector Ratio
Yorke Peninsula (5,834 km ²)	11	8,835	1: 803
Copper Coast (773 km ²)	9	11,405	1:1,267
Victor Harbor (386.5 km ²)	9	12,463	1:1,385
Port Pirie (1,761 km ²)	9	12,881	1:1,431
Murray Bridge (1,832 km ²)	9	14,625	1:1,625
Whyalla (1,032.5 km ²)	9	15,369	1:1,708

Source: Electoral Commission SA (13 May 2020 and 2 July 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;
- the potential for diversity in the skill sets, experience and backgrounds of the elected members 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 1:803 (11 councillors) to 1:884 (ten councillors); 1:982 (nine councillors); 1:1,104 (eight councillors); and/or 1:1,162 (seven councillors). These elector ratios are more consistent with the existing elector ratios exhibited by the cited regional councils in Tables 2 and 3).

On the other hand, it may be difficult to mount a sustainable argument to increase the number of elected members, despite the size of the Council area. Sections 26 and 33 of the Act speak against over-representation when compared to other councils of a similar size and type, whilst Section 12(6) of the Act essentially requires councils to examine and justify twelve or more elected members. Further, it is the intent of the Statutes Amendment (Local Government Review) Bill 2020 to set the maximum number of elected members in a council at twelve (12). Should this provision come into effect, the current composition of Council would be the maximum for any council in the state, including the large metropolitan councils.

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".

Yorke Peninsula Council has always been divided into wards. When established in 1997 Council had a four ward structure, and this was subsequently reviewed in 1999 and amended to three wards. The three ward structure has been retained (with some amendments to the ward boundaries) since that time.

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 lessen 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 district and/or locality 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.

Council welcomes suggestions from the community in respect to the issue of the identification or naming of any future wards.

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 main townships of Ardrossan, Maitland, Minlaton, Warooka and Yorketown, in addition to Edithburgh, Port Vincent and Stansbury; the many smaller towns and localities; and the large but sparsely population rural areas.

The retention of whole townships, districts and/or localities within a proposed ward will 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 total number of eligible electors within the Yorke Peninsula Council has decreased by 645 (6.81%) since the last elector representation review was completed in October 2013 (refer Table 4). All of the existing wards have experienced a decrease in elector numbers since 2013, albeit at varying rates. A key factor may be the significant decline in the number of enrolments on Council’s Supplementary Voter’s Roll (i.e. down from a total of 568 in September 2013 to 71 in July 2020).

Table 4: Eligible electors (September 2013 - July 2020)

Ward	Electors September 2013	Electors July 2020	Variation	% Variance
Kalkabury	3,257	3,154	-103	-3.17
Gum Flat	2,736	2,531	-205	-7.50
Innes/Penton Vale	3,487	3,150	-337	-9.67
Total	9,480	8,835	-645	-6.81

7.2.2 Residential Development

The following development opportunities (land division projects) were identified in the previous elector representation review (2012/2013) as having the potential to generate increased population (elector numbers) in the Yorke Peninsula Council area. These residential development opportunities have progressed slowly and, as such, there is still a considerable number of allotments available.

- Port Vincent: Approximately 90 additional residential allotments (“Vincent Rise”).
- Stansbury: Three (3) approved and/or partly constructed projects that collectively will realise an additional 85 allotments with the potential for an additional 200 allotments (approximately) to the south of the golf course.
- Edithburgh: Approximately 90 additional allotments already approved, constructed or under construction.
- Marion Bay: Two (2) approved developments that will create approximately 200 additional allotments (includes “Marion Rise”).
- Point Turton: Approximately 100 additional allotments under construction.

In addition, the population of Ardrossan is anticipated to increase marginally in the foreseeable future due mainly to infill residential development.

7.2.3 Population Projections

Population projections prepared by the Department of Planning, Transport and Infrastructure (2020) indicate that the population of Yorke Peninsula Council is anticipated to increase by 587 (5.2%) during the period 2016 – 2036 (i.e. 11,291 to 11,878).

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

According to data provided by the Australian Bureau of Statistics (refer 3218.0 Regional Population Growth, Australia), the estimated population of Yorke Peninsula Council decreased every year during the period 2005 – 2015 (total of 572 or 4.45%) but then increased every year thereafter to June 2019 (total of 306 or +2.77%). Overall, during the period 2005 – 2019 the population decreased by 206 or 1.79% (i.e. from 11,530 to 11,324).

Notwithstanding the aforementioned, the Australian Bureau of Statistics “Quick Stats” indicates that the estimated population of the Council area has fluctuated slightly over the years, being 11,041 in 2001; 11,190 in 2006; 11,024 in 2011; and 11,056 in 2016. These figures equate to an increase of 15 people or 0.13% 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 under the current provisions of the Act because the elector ratios exhibited in all of the existing wards lay within the specified quota tolerance limits. This being the case, the existing ward structure has been presented as an option for consideration at this time (refer 8.1 Option 1), although it may be difficult to justify in regards to its level of representation and the pending changes to the Act.

Four additional ward structure options have been provided to **demonstrate** how Yorke Peninsula Council can be divided into wards, should the retention of wards be preferred over the alternative "no wards" arrangement. These options are only **examples** of how the Council area could be divided into wards under various composition scenarios, ranging from nine to eleven 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 fluctuations in elector numbers; and to maintain existing communities of interest, where possible.

In addition, the presented ward structures incorporate proposed ward boundaries which, where possible, align with district/locality boundaries.

The "no wards" structure has been presented as an option, given the provisions of Section 12(1)(b) of the Act which allow for the abolition of wards.

8.1 OPTION 1 (Current ward structure – 3 wards, 11 councillors)

8.1.1 Description

The division of the Council area into three wards, with two wards each being represented by four councillors; and the remaining ward being represented by three councillors

Ward 1 (Kalkabury Ward) incorporates the districts/localities of Agery, Ardrossan, Arthurton, Balgowan, Chinaman Wells, Clinton, Clinton Centre, Cunningham, Dowlingville,, Kainton, Maitland, Nalyappa, Petersville, Point Pearce, Port Arthur, Price, South Kilkerran, Sunnyvale, Tiddy Widdy Beach, Weetulta, Winulta and Yorke Valley,

Ward 2 (Gum Flat Ward) incorporates the districts/localities of Black Point, Bluff Beach, Brentwood, Curramulka, James Well, Koolywurtie, Minlaton, Parsons Beach, Pine Point, Port Julia, Port Rickaby, Port Victoria, Port Vincent, Ramsay, Rogues Point, Sandilands, Sheoak Flat, Stansbury (part), Urania and Wauraltee.

Ward 3 (Innes/Pentonvale Ward) incorporates the districts/localities of Coobowie, Corny Point, Couch Beach, Edithburgh, Foul Bay, Hardwicke Bay, Honiton, Inneston, Marion Bay, Point Souttar, Point Turton, Port Moorowie, Stansbury (part), Sultana Point, The Pines, Warooka, White Hut, Wool Bay and Yorketown.

8.1.2 Ward Representation

WARD	COUNCILLORS	ELECTORS	RATIO	% VARIANCE
Kalkabury	4	3,154	1:789	- 1.83
Gum Flat	3	2,531	1:844	+ 5.04
Innes/Penton Vale	4	3.150	1:788	- 1.95

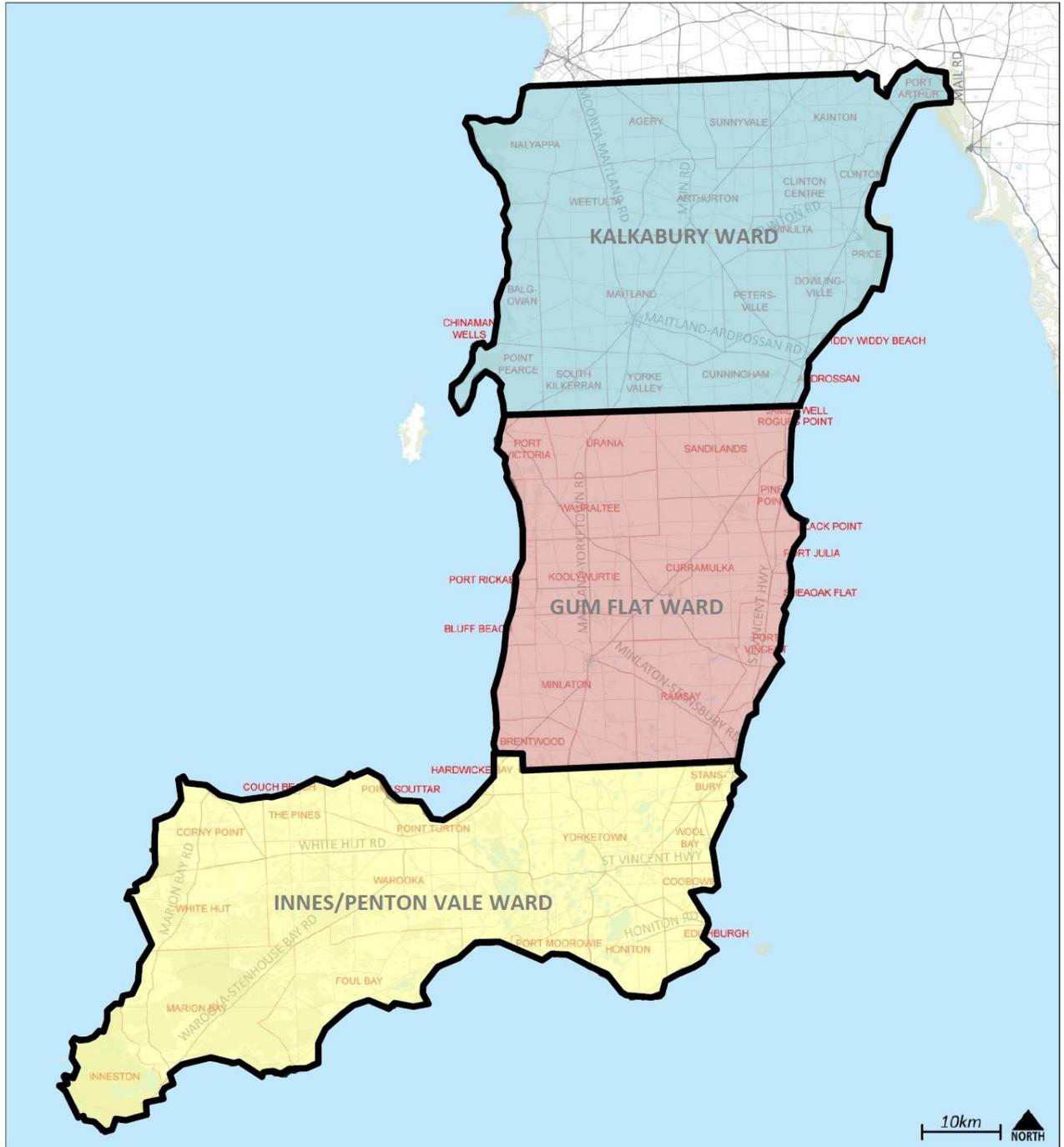
8.1.3 Comments

Option 1 is the existing ward structure. It can be retained because the elector ratios in all three wards lay within the specified quota tolerance limits (refer 7.3 Quota).

This ward structure was introduced at the Local Government periodic election in November 2014; and was based on the previous three ward structure. As such, the existing ward structure should be known to the local community; and provides a level of ward representation which has long been accepted by the local community.

Apart from the district/community of Stansbury, all of the long existing districts/localities are maintained in their entirety within one ward.

However, should the existing ward structure and level of representation be maintained, Council could become one of the largest councils (in terms of elected members) within the state, as the provisions of the Statutes Amendment (Local Government Review) Bill 2020, which is currently before parliament, seeks to cap the number of elected members, including the principal member, at twelve.



8.2 OPTION 2 (3 wards, 11 councillors)

8.2.1 Description

The division of the Council area into three wards, with two wards each being represented by four councillors; and the remaining ward being represented by three councillors.

Ward 1 incorporates the districts/localities of Agery, Ardrossan, Arthurton, Balgowan, Chinaman Wells, Clinton, Clinton Centre, Cunningham, Dowlingville, James Well, Kainton, Maitland, Nalyappa, Petersville, Point Pearce, Port Arthur, Price, South Kilkerran, Sunnyvale, Tiddy Widdy Beach, Weetulta, Winulta and Yorke Valley.

Ward 2 incorporates the districts/localities of Black Point, Bluff Beach, Brentwood, Curramulka, Koolywurtie, Minlaton, Parsons Beach, Pine Point, Port Julia, Port Rickaby, Port Victoria, Port Vincent, Ramsay, Rogues Point, Sandilands, Sheoak Flat, Urania and Wauraltee.

Ward 3 incorporates the districts/localities of Coobowie, Corny Point, Couch Beach, Edithburgh, Foul Bay, Hardwicke Bay, Honiton, Inneston, Marion Bay, Point Souttar, Point Turton, Port Moorowie, Stansbury, Sultana Point, The Pines, Warooka, White Hut, Wool Bay and Yorketown.

8.2.2 Ward Representation

WARD	COUNCILLORS	ELECTORS	RATIO	% VARIANCE
Ward 1	4	3,197	1:799	- 0.49
Ward 2	3	2,469	1:823	+ 2.47
Ward 3	4	3,169	1:792	- 1.36

8.2.3 Comments

This is a variation of the existing ward structure (Option 1), with several minor adjustments to the ward boundaries to achieve a slightly better distribution of electors between the proposed wards. The district/locality moves from proposed ward 1; and the whole of Stansbury is incorporated in proposed ward 2.

The elector ratios in each of the proposed wards lay comfortably within the specified quota tolerance limits; all of the proposed boundaries align with existing district boundaries; and each of the proposed wards is capable of sustaining reasonable future growth in elector numbers. For example, depending on the rate of any future population/elector growth across the Council area, proposed ward 2 could accommodate another 250 electors (under the worst case scenario whereby all growth occurs within that ward), whilst proposed wards 1 and 3 can each accommodate an additional 500+ electors (under the worst case scenario).

As indicated in respect to Option 1, the retention of a total of twelve elected members (i.e. the Mayor and eleven councillors) could result in Council becoming one of the largest councils (in terms of elected members) within the state, should the Statutes Amendment (Local Government Review) Bill 2020 pass through parliament.



8.3 OPTION 3 (3 wards, 10 councillors)

8.3.1 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 four councillors.

Ward 1 incorporates the districts/localities of Agery, Ardrossan, Arthurton, Balgowan, Chinaman Wells, Clinton, Clinton Centre, Cunningham, Dowlingville, James Well, Kainton, Maitland, Nalyappa, Petersville, Point Pearce, Port Arthur, Port Victoria, Price, Rogues Point, Sandilands, South Kilkerran, Sunnyvale, Tiddy Widdy Beach, Urania, Weetulta, Winulta and Yorke Valley,

Ward 2 incorporates the districts/localities of Black Point, Bluff Beach, Brentwood, Curramulka, Koolywurtie, Minlaton, Parsons Beach, Pine Point, Port Julia, Port Rickaby, Port Vincent, Ramsay, Sheoak Flat, Stansbury, and Wauraltee.

Ward 3 incorporates the districts/localities of Coobowie, Corny Point, Couch Beach, Edithburgh, Foul Bay, Hardwicke Bay, Honiton, Inneston, Marion Bay, Point Souttar, Point Turton, Port Moorowie, Sultana Point, The Pines, Warooka, White Hut, Wool Bay and Yorketown.

8.3.2 Ward Representation

WARD	COUNCILLORS	ELECTORS	RATIO	% VARIANCE
Ward 1	4	3,604	1:901	+ 1.98
Ward 2	3	2,571	1:857	- 3.00
Ward 3	3	2,660	1:887	+ 0.36

8.3.3 Comments

As this ward structure is based on ten councillors, Council (and the community) could benefit from some cost savings.

The levels of ward representation are similar to the existing ward structure; and the elector ratios in each of the proposed wards are relatively consistent and lay comfortably within the specified quota tolerance limits. In addition, all of the proposed ward boundaries align with long existing district boundaries and, as such, no existing community is divided between the wards.

Furthermore, each of the proposed wards can accommodate significant fluctuations in elector numbers (e.g. potentially + or - 500 electors in each ward) depending on the rate and location of any future population/elector movements.

8.4 OPTION 4 (3 wards, 9 councillors)

8.4.1 Description

The division of the Council area into three wards, with the proposed wards being represented by four, three and two councillors.

Ward 1 incorporates the districts/localities of Agery, Ardrossan, Arthurton, Balgowan, Black Point, Chinaman Wells, Clinton, Clinton Centre, Cunningham, Curramulka (part), Dowlingville, James Well, Kainton, Maitland, Nalyappa, Petersville, Pine Point, Point Pearce, Port Arthur, Port Victoria, Price, Rogues Point, Sandilands, South Kilkerran, Sunnyvale, Tiddy Widdy Beach, Urania, Wauraltee, Weetulta, Winulta and Yorke Valley.

Ward 2 incorporates the districts/localities of Bluff Beach, Brentwood, Curramulka (part), Hardwicke Bay, Koolywurtie, Minlaton, Parsons Beach, Port Julia, Port Rickaby, Port Vincent, Ramsay, Sheoak Flat and Stansbury (part).

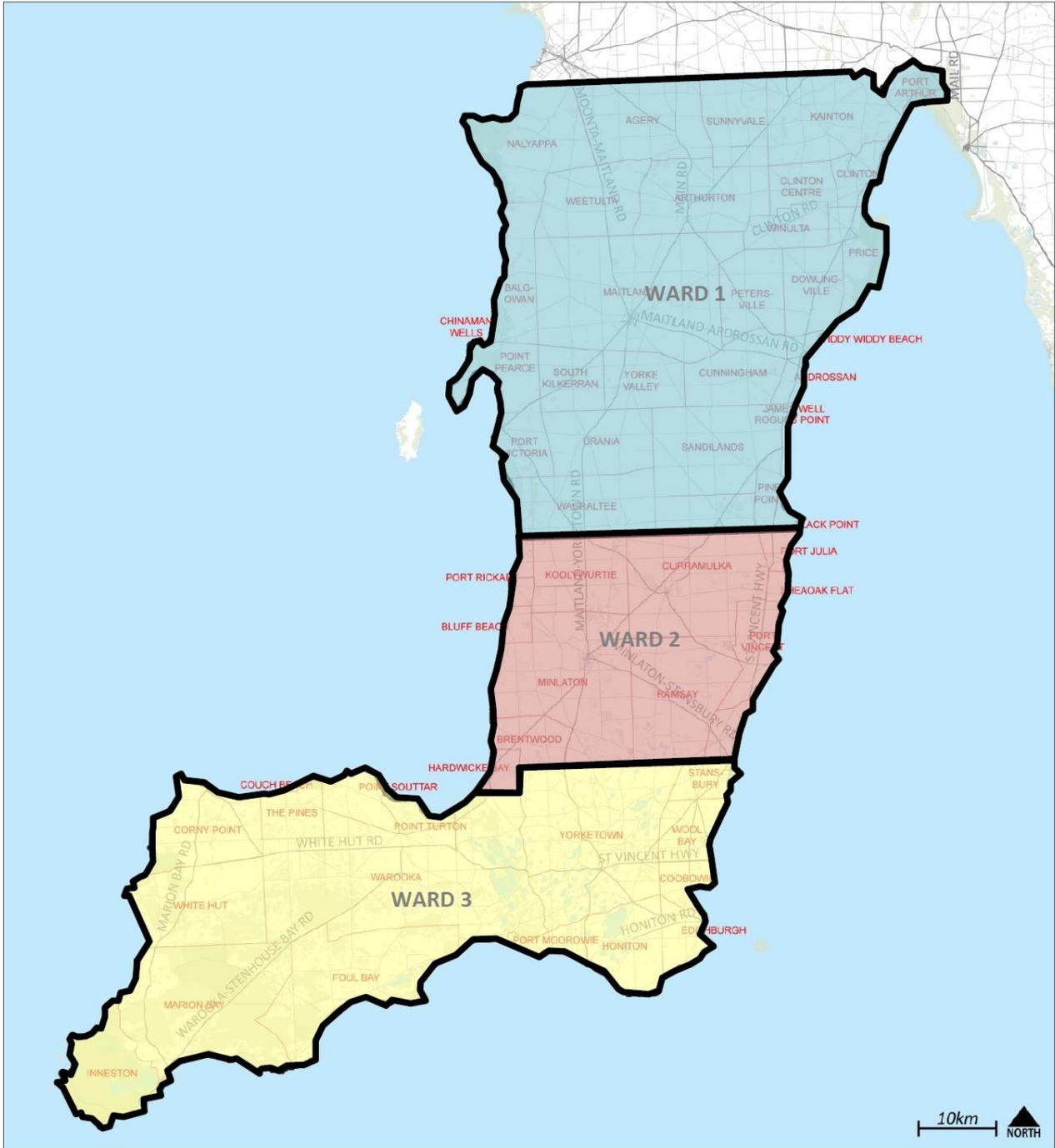
Ward 3 incorporates the districts/localities of Coobowie, Corny Point, Couch Beach, Edithburgh, Foul Bay, Honiton, Inneston, Marion Bay, Point Souttar, Point Turton, Port Moorowie, Stansbury (part), Sultana Point, The Pines, Warooka, White Hut, Wool Bay and Yorketown.

8.4.2 Ward Representation

WARD	COUNCILLORS	ELECTORS	RATIO	% VARIANCE
Ward 1	4	3,776	1:944	- 3.84
Ward 2	2	2,012	1:1,006	+ 2.48
Ward 3	3	3,047	1:1,016	+ 3.46

8.4.3 Comments

This ward structure option exhibits a relatively simple ward configuration; is based on nine councillors (which will result in financial savings); has varying levels of representation in each of the proposed wards; has an equitable distribution of electors between wards (on a proportionate basis); will likely sustain significant future fluctuations in elector numbers; and exhibits elector ratios in each of the proposed wards which lay within the specified quota tolerance limits.



8.5 OPTION 5 (3 wards, 9 councillors)

8.5.1 Description

The division of the Council area into three wards, with each of the proposed wards being represented by three councillors.

Ward 1 incorporates the districts/localities of Agery, Ardrossan, Arthurton, Balgowan, Chinaman Wells, Clinton, Clinton Centre, Dowlingville, Kainton, Maitland, Nalyappa, Petersville, Port Arthur, Price, Sunnyvale, Tiddy Widdy Beach, Weetulta and Winulta.

Ward 2 incorporates the districts/localities of Black Point, Bluff Beach, Brentwood, Cunningham, Curramulka, Hardwicke Bay, James Well, Koolywurtie, Minlaton, Parsons Beach, Pine Point, Point Pearce, Port Julia, Port Rickaby, Port Victoria, Port Vincent, Ramsay, Rogues Point, Sandilands, Sheaoak Flat, South Kilkerran, Urania, Wauraltee and Yorke Valley.

Ward 3 incorporates the districts/localities of Coobowie, Corny Point, Couch Beach, Edithburgh, Foul Bay, Honiton, Inneston, Marion Bay, Point Souttar, Point Turton, Port Moorowie, Stansbury, Sultana Point, The Pines, Warooka, White Hut, Wool Bay and Yorketown.

8.5.2 Ward Representation

WARD	COUNCILLORS	ELECTORS	RATIO	% VARIANCE
Ward 1	3	3,000	1:1,000	+ 1.87
Ward 2	3	2,769	1:923	- 5.98
Ward 3	3	3,066	1:1,022	+ 4.11

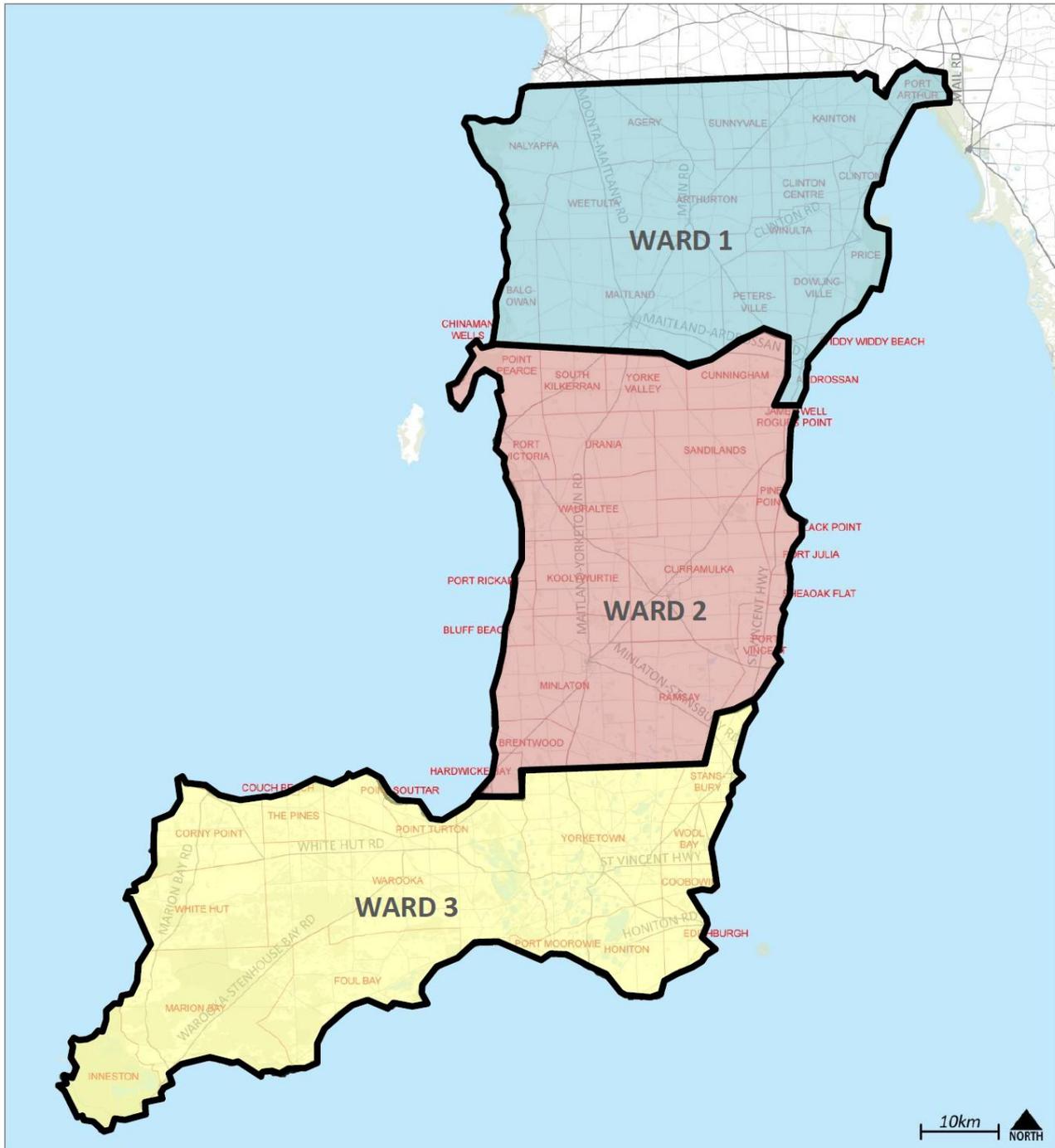
8.5.3 Comments

Whilst this ward structure option is slightly awkward in appearance, it does provide a consistent level of representation in all wards and exhibits elector ratios in each of the proposed wards which lie well within the specified quota tolerance limits. In addition, no existing districts/localities are divided between the wards, thereby ensuring that all perceived “communities of interest” are maintained (in their entirety) within a ward.

The elector numbers in proposed ward 2 are a little low. The proposed boundaries could be adjusted to improve the distribution of elector numbers, but it is likely that the new boundaries would have to align with less prominent features (e.g. property boundaries or minor roads).

Whilst the state government population projections suggest the likelihood of some future population growth, recent trends indicate that elector numbers within the Council area have been on a decline for some years. Regardless, it is considered that any future fluctuations in elector numbers will not be significant or concentrated in any particular locality/township.

Should this prove to be the case, the proposed ward structure should be capable of sustaining any future fluctuations in elector numbers without breaching the specified quota tolerance limits.



8.6 OPTION 6 (No wards)

8.6.1 Description

No wards (i.e. the abolition of wards resulting in Council-wide or “at large” elections).

8.6.2 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;
- 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.

9. SUMMARY

The representation review being undertaken by Yorke Peninsula Council 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 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 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 and from amongst the councillors. The term of office and title of the Chairperson are determined by 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 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 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).

Yorke Peninsula Council currently comprises the Mayor and eleven ward councillors; and has an elector ratio of 1:803. This level of elector representation is considered to be low when compared to the elector ratios exhibited by other regional councils which are of a similar size and type. 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 three 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 to 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 structure can be retained** because the elector ratios in all of the existing wards lay within the specified quota tolerance limits. Despite this, a number of ward structure options have been presented to demonstrate how the Council area can be divided into wards under circumstances whereby the Council comprises nine to eleven councillors. These ward structures are all 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 existing district boundaries.

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 12 February, 2021.

- Written submissions can be emailed to the Chief Executive Officer
via admin@yorke.sa.gov.au
or via mail to PO Box 57, Maitland 5573.
- A feedback form is also available to download via Council's website
(www.yorke.sa.gov.au)

Further information regarding the elector representation review can be obtained on Council's website or by contacting the Governance Officer on telephone 8832 0000 or email admin@yorke.sa.gov.au

