



# COUNCIL AGENDA & REPORTS

for the Special meeting

Tuesday 6 July 2021  
at 5.00 pm

in the Colonel Light Room,  
Adelaide Town Hall

Members - The Right Honourable the Lord Mayor, Sandy Verschoor (Presiding)  
Deputy Lord Mayor, Councillor Couros  
Councillors Abrahamzadeh, Donovan, Hou, Hyde, Khera, Knoll,  
Mackie, Martin and Moran.

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1. Acknowledgement of Country

At the opening of the Council Meeting, the Lord Mayor will state:

'Council acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.'

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.'

2. Acknowledgement of Colonel William Light

Upon completion of the Kaurna Acknowledgment, the Lord Mayor will state:

'The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia's planning heritage.'

3. Apologies and Leave of Absence

Leave:

Councillor Martin

Apologies:

Councillors Abrahamzadeh and Khera

4. Reports for Council (Chief Executive Officer's Reports)

Strategic Alignment – Enabling Priorities

4.1. Representation Review Process Considerations [2018/04004] [Page 2]

5. Closure

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# Representation Review Process Considerations

**ITEM 4.1** 06/07/2021  
**Council**

Strategic Alignment - Enabling Priorities

**Program Contact:**

Mick Petrovski  
Manager Governance

2018/04004

Public

**Approving Officer:**

Amanda McIlroy, Chief Operating Officer

## EXECUTIVE SUMMARY

Section 12 (4) of the *Local Government Act 1999 (SA)* (the Act) requires each council to undertake a representation review approximately every eight years, with the precise timing of each review determined by the Minister for Local Government.

At its meeting on 13 October 2020, Council appointed Helen Dyer of Holmes Dyer Pty Ltd (the Consultant) as the suitably qualified person pursuant to section 12(5) of the Act to undertake the review, and officially initiated the Representation Review process.

A six-week public consultation was undertaken, and the results were presented to Members at The Committee meeting on 15 June 2021. A CEO Briefing was also held with Council Members on 29 June 2021 to discuss alternate modelling proposals submitted by Council Members.

This report provides a summary of the 2 processes available to Council for progressing the Review and advises on risks and opportunities for both so as to assist Members to make an informed decision on the most appropriate process for finalising the Review. Administration's view is that Process 1 option is preferred for the reasons outlined in this report and Process 2 is poses some risk. A decision is now sought from Council to determine its preferred process for progressing the Representation Review.

The Representation Review Report is required to be submitted to the Electoral Commission of South Australia (ECSA) by 31 October 2021. The outcome of the representation review will be applied at the November 2022 Local Government Election.

## RECOMMENDATION

### THAT COUNCIL

1. Approves Process 1 as outlined in Item 4.1 on the Agenda for the Special meeting of the Council held on 6 July 2021 noting Administration will continue the Representation Review process as approved and a draft Representation Review Report will be presented to Council at its meeting on 13 July 2021 seeking endorsement for the second round of public consultation activities.

### **OR**

1. Approves Process 2, as outlined in in Item 4.1 on the Agenda for the Special meeting of the Council held on 6 July 2021 noting that Administration will, with the consultant, develop a new Options Paper, taking into consideration further modelling proposals presented by Members, for presentation to Council on 13 July 2021.
2. Approves an additional \$20,000 be allocated to resource the preparation of the new Options Paper and the additional public consultation requirements.
3. Notes that, subject to Council approval of the revised Options Paper on 13 July 2021, a six-week public consultation period and associated activities will be undertakes.

## IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities
Policy	Not as a result of this report
Consultation	The Representation Review process requires two rounds of public consultation as per section 12(7) and (9) of the <i>Local Government Act 1999 (SA)</i> (the Act).
Resource	The Team Leader Corporate Governance will continue to assist the Consultant during the multi-staged process. Resources from the Public Consultation and Media Team are required to assist during the public consultation sections of the Review.
Risk / Legal / Legislative	This review is required to be conducted in accordance with Section 12 of the Act. An independent consultant has been procured to deliver the options paper on behalf of Council. Risks for Process 1 and 2 are outlined within the report.
Opportunities	Changes to the City of Adelaide Council composition and or wards may provide for updated representation.
21/22 Budget Allocation	\$60,000 reserved for the two statutory public consultations, legal services and contingency relating to the representation review process.
Proposed 22/23 Budget Allocation	Not as a result of this report.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report.
21/22 Budget Reconsideration (if applicable)	If Process 2 is chosen an additional \$20,000 is required to resource additional reports, meeting attendance and public consultation requirements
Ongoing Costs (eg maintenance cost)	Not as a result of this report.
Other Funding Sources	Not as a result of this report.

## DISCUSSION

1. Section 12 (4) of the *Local Government Act 1999 (SA)* (the Act) requires Council to undertake a review of all aspects of its composition and the division (or potential division) of the Council area into wards (the Representation Review).
2. The City of Adelaide last completed a Representation Review in 2013. The most recent Notice of Determination of Relevant Period for section 12 (4) of the Act was published by the Minister in the SA Government Gazette on 1 August 2019. The Notice indicates that the City of Adelaide (CoA) is required to undertake a review during the period of June 2020 - October 2021.
3. A Representation Review is a mechanism for examining the existing composition and electoral structure, assessing the advantages and disadvantages of various options available for the composition and structure of the elected Council and ensuring that structures will be in place to ensure effective and efficient governance to meet future community requirements.
4. A Representation Review also gives the community an opportunity, on a regular basis, to have input into the optimum number of elected representatives on Council and the structure of the Council that best meets the needs of the community.
5. At its meeting on 13 October 2020, Council appointed Helen Dyer of Holmes Dyer Pty Ltd (the Consultant) as the suitably qualified person pursuant to section 12(5) of the Act to prepare the Representation Review Options Paper for the CoA.
6. Council at its meeting 9 March 2021 endorsed the draft Options Paper ready for public consultation activities. The six-week consultation period started on 11 March 2021.
7. Results of the public consultation were presented to The Committee on 15 June 2021. The community consultation feedback indicated support for a reduction in the number of Members of Council while maintaining a three Ward structure; this was demonstrated in Option 2 within the Options Paper.
8. During the presentation Council Members queried the age demographic and location of those who participated in the consultation process. Further information is provided below:
  - 8.1. The consultation process included a targeted email to 7203 CoA ratepayers through Qualtrics (an online survey tool). Forty-two percent (42%) of the CoA ratepayer database is commercial.
  - 8.2. The consultation was circulated to all Precinct Groups via the Adelaide Economic Development Agency.
  - 8.3. Approximately 9000 registrants on YourSay were contacted to participate.
  - 8.4. Marketing material was provided in all CoA libraries, community centres and U Parks.
  - 8.5. Many respondents did not provide their age when completing their feedback however, of those that did, the largest response was from people over 65 years of age, followed by the 55-64 age bracket. Based on the people who provided their age, there were no responses from people under the age of 25.
  - 8.6. The table below provides a summary of which ward respondents reside in based on feedback submitted through YourSay and Qualtrics:

	<b>North Ward</b>	<b>Central Ward</b>	<b>South Ward</b>	<b>Outside of ward areas</b>	<b>No address listed</b>
<b>Your Say Adelaide</b>	12	3	9		4
<b>Qualtrics</b>	18	11	11	19	1
	<b>30</b>	<b>14</b>	<b>20</b>	<b>19</b>	<b>5</b>

- 8.7. The questions asked within the consultation package did not identify if they were completing the feedback on behalf of a business or resident.
9. Following feedback received at The Committee meeting on 15 June, a CEO Briefing was held with Members on 29 June 2021, to discuss alternate modelling proposals submitted by Members.
10. The briefing provided an opportunity for Members to further discuss in detail the consultant's Option 2 (from the Options Paper), along with an 'All Area' model and an 'adapted' three Ward model.

11. Following the briefing, there are now two courses available to Council to progress the Representation Review process and achieve the desired outcome within the legislated timelines. Each option presents risks and opportunities. These are presented below.

### **Process 1 – Continue with Representation Review Report**

12. As originally planned in the previous Council approved process, Council on the 13 July 2021 will be presented with, and asked to approve, the draft Representation Review Report which proposes Option 2 as the preferred option, for the second round of public consultation (a period of three weeks).
13. Option 2 is a three ward option with boundaries as close as is practicable to the existing. This option would see the North Ward boundary spatially unchanged and the boundary between Central Ward and South Ward aligned slightly northward to follow the alignment of Gouger and Angas Streets between Morphett Street and Pulteney Street respectively and then traversing north to travel west and east along Grote Street and Angas Street respectively ([view Link 1 here](#)).
14. The Representation Review Report will be subject to a further three-week public engagement period, where at the conclusion, members of the community will be invited to speak to the Council directly on Council's in-principle preferred option.
15. The consultation period is planned to run between mid-July to mid-August (3 weeks).
16. Members of the public will be invited to be heard at a public hearing in late August.
17. Subject to any changes that may be contemplated as a result of the consultation, Council will be required to endorse the Representation Review Report ready for submission to ECSA in September 2021.
18. Risk and opportunities to consider:
  - 18.1. The timeline above is dependent on no further significant changes to the project plan delaying the final Report.
  - 18.2. With the timeline stated above the final Report will be submitted following the September meeting of Council.
  - 18.3. Option 2 has received positive feedback from the community and therefore will indicate to the Commissioner that Council has listened to the community's feedback during the process.

### **Process 2 – Draft a new Options Paper ready for Public Consultation**

19. Council will be presented with a new Options Paper on 13 July 2021 to approve a six-week public engagement period; effectively taking the Representation Review process back to the first step of consultation which commenced on 11 March 2021.
20. The Representation Review Options Paper will provide information on possible representation structures for consultation purposes, offering Option 2 as discussed above, and a further 'Adapted Option' as discussed during the CEO Briefing on 29 June, including:
  - 20.1. Composition of the Council
  - 20.2. Elector Representation – with regard to elector ratios and number of councillors
  - 20.3. Demographic trends – considering current elector numbers and population projections.
  - 20.4. Ward Structure – which considers no wards, variations of ward representation and the number of wards.
21. The options that will be included within the Options Paper ([view Link 2 here](#)) include:
  - 21.1. An area option, reflecting indicated support for a reduction in the number of Members of Council.
  - 21.2. Three ward Option (as near as practicable to current) Option 2 (updated to reflect most recent roll) with a base option of the Lord Mayor and eight ward Councillors and then options adding two and three Area Councillors.
  - 21.3. Three Wards (Adapted) Option with a base option of the Lord Mayor and five Councillors, a secondary option of the Lord Mayor and 10 Councillors and then options of the Lord Mayor, five ward Councillors and various options for Area Councillors including two, four and six.
22. During the consultation period, further Community Workshops will have to be scheduled to provide another platform for members of the community to participate.
23. The consultation will run from mid-July to the end of August (6 weeks).

24. Council will need to consider feedback from the consultation process and approve the Representation Review Report for a further three-week period in September (the same time at which Process 1 above is to conclude).
25. The second round of consultation would then run from late September to early October (3 weeks).
26. Members of the public will be invited to be heard at a public hearing in early October.
27. A special Council meeting will be required in late October to endorse the final Representation Review Report ready for submission to ECSA.
28. Risk and opportunities to consider:
  - 28.1. The timeline is very tight and does not allow any room for further alternations to the process.
  - 28.2. The timeline ensures CoA submits the Representation Review Report on the final week of October. The submission is required by 31 October 2021.
  - 28.3. If CoA does not meet the timeline there is a risk that the Electoral Commissioner will enact his powers and manage the Review on our behalf.
  - 28.4. The timeline above does not provide CoA and ECSA the capacity to work together if further questions or evidence is required in a final submission.
  - 28.5. This process also risks sending a confusing message to the community about what the consultation is trying to achieve, given that several options have already been the subject of consultation. This in turn may create feedback that is not easily discernible as to how Council derived its preferred position, and therefore its recommendation to the Electoral Commissioner.
  - 28.6. An additional budget of \$17,000 to \$20,000 will be required as a variation to the consultant's original contract works to prepare a new options paper and attend additional meetings. Included in the above indication of costs will be resources and funding to advertise the six week consultation process again.
  - 28.7. In choosing process 2 further opportunity is provided to the community to comment and participate in the Representation of Council.
29. ECSA have been kept informed of the Representation Review process and are aware of the anticipated timing of the Review Report, in both process options above. The Administration is of the view that Process 1 presents the best opportunity to achieve the desired outcomes of the Review process and meet the critical deadlines.
30. Any decision regarding the representation structure of Council will take effect from the next General Election, scheduled to occur in November 2022.

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## DATA AND SUPPORTING INFORMATION

**Link 1** - Extract from the DRAFT Representation review report detailing Option 2 (if Process 1 is approved, this report will be completed and presented to Council at its meeting 13 July 2021)

**Link 2** - Extract from the DRAFT revised Options Paper report detailing the three options to undergo a six-week public consultation period (if Process 2 is approved, this report will be finalised and presented to Council at its meeting on 13 July 2021)

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## ATTACHMENTS

Nil

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- END OF REPORT -