

HOLMES DYER

REPRESENTATION REVIEW
OPTIONS PAPER CITY OF ADELAIDE

Prepared for:
City of Adelaide

Date:
19.02.2021

HOLMES DYER

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EXECUTIVE SUMMARY

Executive Summary

“The 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 structures will be in place to ensure effective and efficient governance to meet future community requirements.”

– LGA (SA).

This Representation Options Paper has been prepared in accordance with section 12(5) of the Local Government Act 1999, by a person who, in the opinion of the Council, is qualified to address the representation and governance issues that may arise with respect to the matters under review.

The purpose of this Representation Review is to determine whether the City of Adelaide communities are adequately represented in local government. The Review looks at whether Council’s structure gives residents an effective pathway to have a voice to its local government and if those communities would benefit from changes to the composition, size or Ward structure of the Council.

The *Local Government Act 1999* provides the statutory framework for undertaking a Representation Review. The review must be conducted in accordance with sections 12, 26(1)(c) and 33 of the Act. The City of Adelaide is also subject to the *City of Adelaide Act 1998*. This Act is to be read in conjunction with the *Local Government Act 1999* and the *Local Government (Elections Act) 1999* such that the three Acts are construed as if there was one Act.

The City of Adelaide is required to conduct a comprehensive review of its representation structure by June 2021.

This paper sets out a range of options designed to address the following:

- Whether the City of Adelaide community would benefit from an alteration to its composition or Ward structure;
- The advantages and disadvantages of the various options that are available to the Council, and because the City of Adelaide has Wards, whether the division of the area into Wards should be abolished; and
- How each option relates to the Principles under section 26(1)(c) and the matters referred to in section 33 of the *Local Government Act 1999*.
- The method of election of the Lord Mayor.

The review does not address a change from a municipal council to a district council or the alteration of the name of the Council or the area of the Council.

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1 - INTRODUCTION

1. Introduction

1.1. Authorship

This Representations Options paper has been prepared by Ms Helen Dyer of Holmes Dyer, with assistance from Ms Sarah Gilmour, Mr Stephen Holmes of Holmes Dyer and Mr Matthew Pistor of Graphica, in accord with the requirements of the *Local Government Act 1999* section 12(5). The paper addresses the representation and governance issues that may arise with respect to the matters under review.

The opinions expressed in this paper are those of the author and do not reflect an Adelaide City Council position.

1.2. Representation Review

The purpose of a Representation Review is to determine whether the City of Adelaide communities are adequately represented in local government. The review looks at whether Council's structure gives residents an effective pathway to have a voice to its local government and if those communities would benefit from changes to the composition, size or Ward structure of the Council.

The *Local Government Act 1999* provides the statutory framework for undertaking a Representation Review. The Review must be conducted in accordance with sections 12, 26(1)(c) and 33 of the Act. The City of Adelaide is also subject to the *City of Adelaide Act 1998*. This Act is to be read in conjunction with the *Local Government Act 1999* and the *Local Government (Elections Act) 1999* such that the three Acts are construed as if there was one Act.

The City of Adelaide is required to conduct a comprehensive review of its representation structure by June 2021.

The Review process involves the following broad steps:

1. Initiate Representation Review
2. **Representation Options Paper (Options Paper)**
3. **Community Consultation on the Options Paper**
4. Respond to Public Consultation Outcomes
5. Representation Review Report (Review Report)
6. Community Consultation on the Review Report
7. Public Hearing of Submissions
8. Final Representation Review Report
9. Boundary Documentation (if required).

The Adelaide City Council resolved to initiate its Representation Review and appoint Helen Dyer of Holmes Dyer to undertake this review at its meeting held on 13 October 2020.

1.2.1. Consultation

The process for a Representation Review includes two periods of public consultation.

The first is in relation to this Options Paper and occurs for a period of at least six weeks. The second is in relation to the Representation Report and is for a period of at least three weeks, following which there is an opportunity for interested persons to be heard by the Council.

Notification of public consultation on this Options Paper will be provided in accord with the *Local Government Act 1999* and will include notification in the Government Gazette, public notices in print media and on Council's website.

The public consultation period is Thursday 9 March 2021 to Friday 30 April 2021

Interested persons may obtain a copy of the Representation Options Paper:

- The Adelaide City Council, Customer Centre, 25 Pirie Street, Adelaide (9am-5pm Mon-Fri)
- Adelaide City Council Libraries (during opening hours)
 - » City Library, level 3, Rundle Place, enter via Rundle Mall, Francis Street, Lindes Lane or the Grenfell Street Car Park
 - » Hutt Street Library 235 Hutt Street, Adelaide
 - » North Adelaide Library, 176 Tynte Street, North Adelaide
- Council's website <https://www.cityofadelaide.com.au>

Comments should be received no later than Friday 30 April 2021 and can be submitted via <https://yoursay.cityofadelaide.com.au/> or in writing addressed to:

Chief Executive Officer
City of Adelaide
25 Pirie Street
Adelaide, SA, 5000

Or

Chief Executive Officer
City of Adelaide
GPO Box 2252
Adelaide, SA, 5001

Following this initial round of public consultation, the Council will prepare a report that addresses the community response to the Representations Option Paper and set out the Council's proposal for the future composition of the Council. This second report will be titled Representation Review Report.

A second Round of consultation will occur once the Council has prepared its Representation Review Report and will be advertised in the SA Government Gazette, and on Council's website.

1.3. Scope

Under section 12(4) of the *Local Government Act 1999*, the Representation Review requires a full review of all aspects of the composition of the Council, and the issue of the division, or potential division, of the Council area into Wards.

This Representation Options Paper examines broadly the matters required under section 12(6) of the Act, and specifically:

- Whether the City of Adelaide community would benefit from an alteration to its composition or Ward structure;
- The advantages and disadvantages of the various options that are available to the Council, and because the City of Adelaide has Wards, whether the division of the area into Wards should be abolished; and
- How each option relates to the Principles under section 26(1)(c) and the matters referred to in section 33 of the *Local Government Act 1999*.

The City of Adelaide is different to other Councils in South Australia by virtue of the breadth of stakeholders and its roles as a Capital City Council. Adelaide City not only is the Government body representing ratepayers, businesses, institutions and residents of the city, but represents the whole of Adelaide on a national and international stage. The Lord Mayor, in particular, has a key role in the national arena but also has a special

relationship with the State Parliament. This role is recognised in *section 20 of the City of Adelaide Act 1998* which provides that the Council will be constituted of the Lord Mayor and other members. The following additional matter is therefore identified for review:

- The method of election of the Lord Mayor

The review does not address a change from a municipal council to a district council or the alteration of the name of the Council or the area of the Council.

1.4. Previous Review

The previous comprehensive review of Council's representation structure was completed in December 2013. At the time of that review the Council composition included:

- The Lord Mayor elected by the electors of the Council area as a whole
- Five Councillors elected by the electors of the council area
- Six Councillors elected by the electors in each of three Wards, with each Ward comprising two Ward Councillors.

As a result of the review process, the certified review resulted in slight boundary changes for the three Wards already in place, the removal of one Area Councillor position, and the creation of an additional Central Ward Councillor position. The changes were implemented at the November 2014 elections.

This remains the current composition of Council.

1.5. Current Composition

The City of Adelaide is comprised of twelve elected members that represent Adelaide and North Adelaide, as follows:

- The Lord Mayor who is elected by the electors of the council area as a whole;
- Four councillors elected by the electors of the council area; and
- Seven councillors elected by the electors of three Wards, as follows:
 - » Two councillors for North Ward
 - » Three councillors for Central Ward
 - » Two councillors for South Ward.

The existing Wards are shown below in Figure 1.

Figure 1. Current Ward Map



Due to uneven levels of growth across the City with more growth occurring in the South Ward, the Ward representation is now in excess of the allowable tolerances and as such in the event that the Council seeks to retain Wards, some readjustment of Ward representation will be required.

As at 21 December 2020 the total numbers of voters was 27,782. The Quota was 1:2315 and the Ward Quota was 1:3968.

Table 1 below shows the variances.

Table 1. Variances from Ward quota

Ward	Ward Councillors	Electors	Voters per Ward Councillor	Variance
North	2	6,931	3,465	-12.65%
Central	3	11,983	3,968	+0.66%
South	2	8,868	4,434	+11.74%

1.6. City of Adelaide

Adelaide is the Capital of South Australia and comprises two suburbs, Adelaide and North Adelaide separated by the River Torrens (Karrawirra Parri). It covers an area of some 15.5 km² and lies on the Traditional Lands of the Kurna people. It is home to around 25,500¹ people and (pre-COVID-19) is visited by about 300,000² people every day.

The City of Adelaide was identified by the Colony's Surveyor General, Colonel William Light in December 1836 and was surveyed and laid out by March 1837. Adelaide is a largely grid pattern with the southern square mile and North Adelaide both being surrounded by Park Lands and divided by the River Torrens (Karrawirra Parri). The southern square mile grid is a regular north/south – east/west layout with North Adelaide's grid being located slightly diagonally to accommodate the steeper topography.

As the CBD for South Australia, Adelaide is the highest order commercial and retail centre within the State.

Most of the institutional and commercial land uses are to the south of the River with the mainly residential North Adelaide to the North. Notably both sides of the River Torrens (Karrawirra Parri) comprise the Park Lands and area have been developed for recreational uses, such as playing fields and parks, the Adelaide Oval, the Botanic Gardens and the Zoo. Some cultural and institutional buildings are also partially located within the Park Lands, notably universities, schools, the hospital, Rail yards and Festival Centre. Adelaide's Parklands are Heritage listed.

The City of Adelaide is unique in South Australia having a role also as both a State and National City.

¹ .idprofile, 2019 ERP

² City of Adelaide website, about Adelaide

2 – VOTERS AND PROJECTIONS

2. Voters and Projections

2.1. Voters

Voters are recorded on the Voters Roll. The Adelaide City Council Voters Roll comprises electors derived from the House of Assembly Roll and both residential and non-residential electors identified from ratepayers which are recorded on the Council assessment record, (those registered to vote are included on the Supplementary Roll). Together the House of Assembly Roll and the Council's Supplementary Roll comprises the Voters Roll for each Council election.

An elector may be a natural persons, body corporate or group of persons. The qualification for enrolment on the Voters Roll are contained within Schedule 1 of the *City of Adelaide Act, 1998*. Those persons able to be enrolled include:

- A natural person over the age of 18 years who is resident in the City of Adelaide and who:
 - » Is enrolled as an elector for the house of Assembly; or
 - » Has lodged a resident enrolment form with the Council.
- A natural person over the age of 18 years and:
 - » Is a ratepayer and sole owner of a rateable property; or
 - » Is a ratepayer and sole occupier of a non-residential rateable property;
- A body corporate that:
 - » Is a ratepayer and sole owner in respect of rateable property; or
 - » Is a ratepayer and sole occupier of rateable property.
- A group of natural persons and/or bodies corporate that:
 - » Are all ratepayers and joint owners in respect of rateable property; or
 - » Are all ratepayers and joint occupiers of non-residential rateable property, and at least one Member is not enrolled as a natural person or body corporate as above and no natural person is enrolled, in respect of the rateable property, as an elector for the House of Assembly or by virtue of a resident enrolment form.

As at 21 December 2020 there were 27,782 voters registered for the City of Adelaide.

An elector is only entitled to one vote in any particular election, noting that for example a periodic election could comprise multiple elections each with their own Voters Roll viz a viz:

- An election in respect of the position of Lord Mayor; and/or
- An election for a councillor or Councillors to represent the Area; and/or
- An election for a councillor or Councillors to be representatives of a Ward (the voting for councillors for each Ward comprises a separate election).

2.1.1. Example of voter entitlements for the election of Councillors

The following demonstrates how an election for Councillors would work in the above context.

2.1.1.1. Election of Area Councillors – ie the whole Council area is the electoral division.

The Voters Roll for an election of Area Councillors comprises the electors included in the House of Assembly Roll and both residential and non-residential elector identified from the Council Assessment Record.

An elector must only appear on the Voters Roll once.

- For example, if “A” owns two properties one in Adelaide and one in North Adelaide, the name “A” will appear twice on the Council’s assessment record. However, the name “A” will only be included on the Voters Roll once.

2.1.1.2. Election of Councillors from Wards

When the Council area is divided into Wards, there is an impact on the composition of the council Voters Roll for the election of Councillors. Although the qualification for enrolment remain unchanged the division into Wards alters the total number of elector entitlements.

- For example if “A” owns two properties one in Adelaide and one in North Adelaide, and these properties are located within different Wards, the person will have an entitlement to vote for candidates in both Ward elections.

2.1.1.3. Election of a combination of Area Councillors and Ward Councillors

If the composition of the Council includes both Area and Ward Councillors (as per the current City of Adelaide composition), each are voted for separately and the voter would have an entitlement to vote in each election once.

- For example if “A” owns two properties one in Adelaide and one in North Adelaide, and these properties are located within different Wards, and the Council has Area Councillors then “A” will be entitled to vote once in each Ward and once in the election for Area Councillors.

It is also worth noting that in the event that the Lord Mayor is also elected at large this would be a separate election and thus in each of the above examples at 2.1.1.1, 2.1.1.2 and 2.1.1.3 voter “A” would also have a vote in that election.

2.2. Voter Projections Analysis

Holmes Dyer has reviewed the Voters Roll for the City of Adelaide, to establish the number of residents and the number of businesses by a range of geographic areas (whole of City, current Wards and possible future Wards) to provide a base population of residents and businesses from which to establish the current suitability of alternative Ward boundaries and to project forward those population bases to 2022, 2026 and 2030; these being the year of the next and subsequent local government elections, noting the next Representation Review will likely fall in 2028-29.

The rates of growth (or decline) in resident and business voters on the roll has been estimated based upon a range of data projections. Forecast.id has provided growth projections on an annual basis from 2020 to 2030 for seven geographic areas of the City of Adelaide. Economy.id has provided historical trends in GST registered business numbers in the CBD.

The .id population projections were prepared in April 2019 and, therefore, do not consider the implications of COVID-19. They have, however, issued substantial commentary on the expected impact of COVID-19 on population and employment growth in CBD areas generally and within the City of Adelaide. Holmes Dyer has utilised these predictions to modify the levels of population and business growth over the next few years to produce revised (downward) projections for 2022 to 2030. It must be emphasised, however, that the extent of impact of COVID-19 and the length of time taken to overcome the pandemic is highly uncertain and outside of the control of the consultants. Therefore whilst we have taken great care to research the impacts of COVID-19 and provide reasonable projections and options, the uncertainty surrounding the pandemic means there is less certainty that the tolerances will be maintained over time, potentially requiring an earlier review.

The base data comes from the City of Adelaide Voters Roll. The figure for current voters is 27,782 as of 21 December 2020. The break-down is shown in Table 2 below.

Table 2. Combined Voter Roll for City of Adelaide, 21.12.2020

Ward Code	Ward Name	House of Assembly Electors	Council Voters Roll	Total
1	North	4,547	2,384	6,931
2	Central	2,790	9,193	11,983
3	South	4,986	3,883	8,868
Total		12,323	15,459	27,782

Source: Electoral Commission SA

Forecast growth rates by .id (in 2019) were for c. 4.3% p.a. population growth from 2020 to 2022 and around 3.0% p.a. population growth from 2022 to 2030. Preliminary evidence of the impacts of COVID-19 suggest that these growth rates will need to be reviewed downwards for at least the next couple of years. The most recent advice from the Electoral Commission of South Australia suggests that House of Assembly registered voters have increased slightly during the December 2020 Quarter (125 votes or 1.0%) but Council's Supplementary Roll has declined by 307 or c. 2.0%, for a total change of negative 182 (-0.07%) over the period September to December 2020.

For the purpose of the projections for this project, the following growth rates have been assumed over the next 10 calendar years:

- 2021 – 2022: 0% p.a
- 2023: 1.5% p.a
- 2024 – 2030: 3.0% p.a

Historical growth rates tabulated by Economy.id for GST Registered Businesses in the City of Adelaide have increased by c. 3.2% p.a between March 2015 and March 2020. From March to September 2020, this rate has fallen to the equivalent of c. 1.6% p.a.

For the purpose of the projections for this project, we have assumed the following net business registration change over the next 10 calendar years:

- 2021 – 2022: 1.0% p.a
- 2023: 2.0% p.a
- 2024 – 2030: 3.0% p.a

Based upon the Voters Roll provided by Council, the projected change in voters at the key dates of 2020, 2022, 2026 and 2030, are as follows:

Table 3. Projections of Voters by Voter Type

Voter Type	Year			
	2020	2022	2026	2030
Residents	19,658	19,658	21,803	24,539
Businesses	8,124	8,287	9,236	10,395
Total	27,782	27,945	31,039	34,934

These totals are then distributed geographically in accord with the proportion of growth predicted by Forecast.id for each of its seven geographic areas. While the absolute numbers are now lower than predicted by .id in their 2019 forecast, it is reasonable to assume that their distribution of that growth will approximate the geographic distribution foreshadowed by .id.

The proportion of growth occurring in each geographic area and the number of voters generated by that growth is therefore as follows:

Table 4. *Geographic Distribution of Growth*

Locality	Proportion of ACC Growth
Upper North Adelaide	3.94%
Lower North Adelaide	1.51%
Central West	23.53%
Central East	27.48%
South West	9.86%
South Central	28.18%
South East	5.50%

These growth rates are then applied to the projection of each of these geographic areas included within each potential Ward identified in the attached Ward Representations Options, ensuring that in each case, the voter population in each geographic location, when allowance is made for the number of Elected Member Representatives, is within $\pm 10\%$ of the calculated Ward Quota.

3 – REPRESENTATIVE STRUCTURE - ASSESSMENT CRITERIA

3. Legislative Provisions/ Criteria

3.1. Head Powers

The *Local Government Act 1999* provides the statutory framework for undertaking a Representation Review. The review must be conducted in accordance with sections 12, 26(1)(c) and 33 of the Act. The City of Adelaide is also subject to the *City of Adelaide Act 1998*. This Act is to be read in conjunction with the *Local Government Act 1999* and the *Local Government (Elections Act) 1999* such that the three Acts are construed as if there was one Act.

3.1.1. Composition of Councils

Part 1 of Chapter 3 of the Act addresses the constitution of Councils. This part of the Act deals with matters such as the creation of Councils, structuring and restructuring, composition, and Wards.

The purpose of a Representation Review is to provide a mechanism to review and examine all aspects of the composition of the Council.

Section 12 specifically requires a Council to review its composition and electoral structure as previously adopted, and identify and contemplate alternative options, and consider, in consultation with the community, whether an alternative structure may be more beneficial.

A Representation Review will therefore consider issues such as:

1. *What is a reasonable, fair, and equitable representation quota, ie how many voters should each Councillor represent?* (This leads to the determination of the total number of Elected Members representing the community. In addition, if a Council has more than 12 Members, the number of Members must be specifically considered to determine if the number should be reduced.)
2. *Whether the Council will be led by a Mayor or a Chairperson?* (This acknowledges that each is elected by a different process.)
3. *Whether the area will be divided into Wards?* (If the area is currently divided into Wards, the question of whether these should be abolished must be specifically considered.)
4. *Whether there will be Area Councillors, Ward Councillors or a combination?*
5. *If the area is divided into Wards whether there will be one Councillor or multiple Councillors per Ward, or a combination?*
6. *If there are Wards the most appropriate boundaries?*
7. *If there are Wards the names of the Wards?*

A copy of section 12 is included in Appendix 1.

3.1.2. Principles to be observed

Section 26 establishes the Principles that must be observed by the Commissioner in considering the Constitution of Councils, this includes dividing or redividing a Council into Wards or abolishing Wards and determining the composition of the Council. These are quite broad ranging and focus on enabling Council to discharge its powers and duties for the benefit of the community, equitably, inclusively, cost effectively and efficiently. The provisions of section 26 are included in Appendix 1. In essence these Principles are:

1. *The resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within a community.*
2. *Proposed changes should, wherever practicable, benefit ratepayers.*

3. *A Council should have a sufficient resource base to fulfil its functions fairly, effectively and efficiently.*
4. *A Council should offer its community a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis.*
5. *A Council should facilitate effective planning and development within an area, and be constituted with respect to an area that can be promoted on a coherent basis.*
6. *A Council should be in a position to facilitate sustainable development, the protection of the environment and the integration of land use schemes.*
7. *A Council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations.*
8. *A Council area should incorporate or promote an accessible centre (or centres) for local administration and services.*
9. *The importance within the scheme of local government to ensure that local communities within large Council areas can participate effectively in decisions about local matters.*
10. *In considering boundary reform, it is advantageous (but not essential) to amalgamate whole areas of Councils (with associated boundary changes, if necessary), and to avoid significant dislocations within the community.*
11. *Residents should receive adequate and fair representation within the local government systems, whilst over-representation in comparison with Councils of a similar size and type should be avoided (at least in the longer term).*
12. *The importance within the scheme of local government that a Council be able to cooperate with other Councils and provide an effective form of government to the community.*
13. *A scheme that provides for the integration or sharing of staff and resources between two or more Councils may offer a community or communities a viable and appropriate alternative to structural change options.*

The Commission should also have regard to structural changes that “enhance the capacity of local government to play a significant role in the future of an area or region from a strategic perspective”.

These Principles therefore need to be observed as part of the Representation Review Process and the Options considered. Given the State and National role played by the City of Adelaide it is of paramount importance that its governance structure (composition) enhances its capacity in this regard.

3.1.3. Wards

If a Council elects to be divided into Wards, there are additional provisions in the Local Government Act to guide the establishment, redivision and composition of such.

These provisions are included in Section 33 of the *Local Government Act 1999* which is included in Appendix 1.

Section 33 addresses some of the specific matters that must be addressed in the formation of Wards and the tolerances around representation (quotas). Specifically Wards need to reflect:

- (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;*

- (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).*

Critically for the purposes of a Representation Review the number of electors represented by a Councillor must not as at the relevant date vary from the Ward Quota by more than 10%, unless demographic changes are predicted by a Commonwealth or State Agency indicate that the Ward quota will not exceed the tolerance as at the date of the next periodic election.

4 – COMPOSITION OF COUNCIL

4. Composition of Council

4.1. Composition

Section 51 of the *Local Government Act, 1999* provides that the Membership of a Council will be a Principal Member and Councillors.

Section 20 of the *Adelaide City Council Act, 1998* specifically provides, in respect of the City of Adelaide, that the Council will be constituted of:

- The Lord Mayor; and
- Other Members.

The ability for a person to stand for Council is governed by the *Local Government Elections Act, 1999*. This is beyond the scope of this paper but it is worth noting that a person does not necessarily need to be resident in a Council Area or Ward to nominate.

4.1.1. Lord Mayor

The Act also provides that the Lord Mayor may not serve more than two consecutive terms, and that Council may resolve to have a Deputy Lord Mayor in accordance with the provisions of the *Local Government Act, 1999*. Extracts from the *City of Adelaide Act, 1998* are provided in Appendix 2.

The role of the Principal Member is set out in section 58 of the *Local Government Act 1999* and section 21 of the *City of Adelaide Act, 1998*.

The specific roles of Principal Members as per section 58 of the *Local Government Act, 1999* is as follows:

Specific roles of principal member

(1) *The role of the principal member of a council is—*

- (a) *to preside at meetings of the council;*
- (b) *if requested, to provide advice to the chief executive officer between council meetings on the implementation of a decision of the council;*
- (c) *to act as the principal spokesperson of the council;*
- (d) *to exercise other functions of the council as the council determines;*
- (e) *to carry out the civic and ceremonial duties of the office of principal member.*

(2) *Subsection (1)(c) does not apply in circumstances where a council has appointed another member to act as its principal spokesperson.*

Section 21 of *The City of Adelaide Act, 1998* sets out the role of the Lord Mayor as follows:

The role of the Lord Mayor is—

- (a) *as the principal elected member of the Council representing the capital city of South Australia—*
 - (i) *to provide leadership and guidance to the City of Adelaide community;*
 - (ii) *to participate in the maintenance of inter-governmental relationships at regional, State and national levels;*
 - (iii) *to carry out civic and ceremonial duties associated with the office of Lord Mayor; and*

- (b) *as the principal member of the Council—*
- (i) *to provide leadership and guidance to the Council;*
 - (ii) *to preside at meetings of the Council;*
 - (iii) *to advise the chief executive officer on the implementation of decisions of the Council between council meetings (as necessary);*
 - (iv) *to act as the principal spokesperson of the Council;*
 - (v) *to exercise other functions of the Council as the Council determines.*

Whilst quite similar, section 21 of the *City of Adelaide Act, 1998* specifically reflects the duality of the role of the Lord Mayor being the Principal Member of the Adelaide City Council but also the Principal Member of the State's Capital City.

In accord with the provisions of the *Local Government Act, 1999* (section 51) the Principal Member of a Council may be either elected directly by voters or from amongst the Elected Members. The method of election changes the nomenclature of the position in all cases except the City of Adelaide and determines the Principal Member's vote as either a casting vote or a deliberative vote.

If the position is elected directly via voters then the position will be called Mayor (in respect of the City of Adelaide the title will be Lord Mayor - irrespective) and will have a casting vote. That is the Lord Mayor will only vote on a matter before the Chamber in the event of a tied vote between the Councillors.

If the Principal Member is chosen by the Elected Members from amongst them the Principal Member may be called Chairperson or have another title as decided by the Council. Again in respect of the City of Adelaide this position would carry the title of Lord Mayor. The vote of the position in this instance however, would be a deliberative vote, which means the Lord Mayor would vote on every matter in the same way other Councillors vote. The Lord Mayor in this instance does not have a casting vote.

In the event of a Presiding Member not having a casting vote and uneven number of Members could prove beneficial in reducing the opportunity for a tied vote.

If a Council proposes to alter the composition of the Council by virtue of the method of election for the Principal Member then section 12 (11a) of the *Local Government Act 1999* provides that it must conduct a poll of electors on the matter and satisfy the provisions of section 12 (11c), prior to any change coming into effect.

4.1.1.1. Lord Mayor elected directly by voters

The following provides an overview of the implications and/or potential implications of a directly elected Lord Mayor.

- Vacancy during term of office – in the event that the position of Lord Mayor becomes vacant this leaves a vacancy in the position that will need to be filled by a Supplementary Election comprising all voters, with the Deputy Mayor stepping in on an interim basis. A Council wide election is generally more costly for the Council to run than a Ward election.
- Costs and Candidacy – Campaigning for the role of the Lord Mayor is usually more expensive than campaigning for the role of Councillor due to the higher profile associated with the role. Campaigning across the whole of the Council as distinct from Wards is also more costly for Candidates as they need to communicate to more people which typically requires more resources and materials. This can skew candidature to only those who can afford the associated costs.
- Leadership - A Lord Mayor selected by the voters is seen to have the support of the Community (voters), and this may assist with the leadership role and gravitas of the position. The Lord Mayor will likely be seen as the leader of the Council, leading with neutrality and acting for the whole of Council in its best overall interests. Election via this approach ensures that the role is directly accountable to the community at large.

- Partnerships – High profile leaders can also be effective at partnering with other key persons, governments and agencies to achieve superior outcomes. This takes on a greater importance when considering the role of the City of Adelaide not only as the Local Council responsible for Adelaide and North Adelaide but also the Capital City of the State.
- Council Unity - A particularly popular and well supported Lord Mayor holds much power within the Council. This person may or may not have the support and confidence of the balance of the Council. In the event that there is not an underlying unity, disharmony and disfunction can result. Given the specific election process the Lord Mayor cannot be easily replaced for the greater good.
- Candidacy Pool – The South Australian system does not allow for any candidate to contest multiple elections, i.e. a Candidate cannot seek election both as a Ward Councillor and the Principal Member. This means that an unsuccessful candidate for the position of Lord Mayor, no matter how good, is lost to the Council for the term. The result is twofold, firstly it can act to dissuade Ward and Area Councillors from vacating their position to contest the position of Lord Mayor, and in the alternative, it can take good candidates out of contention for Councillor positions.
- Voter Participation – A high profile Mayoral election may increase voter turnout.

4.1.1.2. Lord Mayor elected from within

The following provides an overview of the implications and/or potential implications of a Lord Mayor elected from within.

- Campaigning - selected from within potentially avoids Council wide campaigns for the position of Mayor and thus should enable improved accessibility for candidature. In addition aspirational Lord Mayor candidates ultimately not successful would not be lost from the position of Councillor.
- Vacancy during term of office – in the event that the position of Lord Mayor becomes vacant the Council can elect a replacement Lord Mayor from the balance of the elected members.
- Cost of Supplementary Election – If the Council was divided into Wards any resultant Supplementary Election would be undertaken in respect of only the Ward thus keeping the cost to the Council and Candidates lower. If the Council area is not divided into the Wards then filling the vacancy would incur similar costs to filling the position of Mayor elected at large.
- Council Unity – typically selecting a Principal Member from within promotes unity as the Lord Mayor would require sufficient support amongst the other elected members to enable his/her election to the position. This process should promote a united Council with the Lord Mayor and Members working as a team. In this case if that support is lost there is a process for replacement. There may however, be a perception of equity – ie all Members including the Lord Mayor are firstly an Elected Member, this may diminish the office of Lord Mayor but may enhance Council unity.
- Groups – selection from within creates a situation where potential Candidates will need the support of the other Members to achieve nomination and election. This could potentially result in the Lord Mayor feeling obligated to supported selected Members and/or their priorities.
- Stability – A Lord Mayor selected from within does not necessarily hold the position for a full term. Changes in the position of Lord Mayor could undermine continuity and certainty. It may also change the Community's perception of the strength of leadership given the Community might have lower levels of association with the role and position of the Lord Mayor, especially if the Council is divided into Wards, as not everyone would have had the opportunity to vote for the person.
- Neutrality – Given the Lord Mayor under this scenario could also be a Ward Councillor the position may be viewed as less impartial by the balance of the community who might feel the ties to the Ward will prevail over whole of Council considerations. On the flip side members of the Ward may feel that the dual role will cause the Lord Mayor to have a lower focus on Ward issues.
- Being required to vote on every matter before the Council as distinct from only being required to vote in the event of a tie does mean the Lord Mayor is actively involved all decisions of the Council.

4.1.2. Councillors

The balance of the Elected Members are Councillors. Councillors may represent Wards or the whole of the Council area.

If the area is divided into Wards then the Councillors are elected by the electors in the particular Ward as the representative of that Ward.

If the area is not divided into Wards then Councillors will be elected by all voters to represent the whole Council area. Such Councillors are known as Area Councillors.

A Council may elect to have both Area and Ward Councillors. These may be in any proportion so long as the numbers meet the terms of the legislation and provide for appropriate levels of representation.

Councils may wish to consider whether they wish to comprise an odd or even number of Councillors. This consideration should be made in the context of the method of election of the Lord Mayor and as such whether the Lord Mayor has a deliberative or casting vote. An odd number of Members voting should reduce the chance of a tied vote.

For the purposes of undertaking this Review in considering the election of Councillors, it is worthwhile understanding their role. The role of Councillors pursuant section 59 of the *Local Government Act, 1999* and section 22 of the *City of Adelaide Act 1998* both make essentially the same provision for the role of Councillors with the *City of Adelaide Act, 1998* including more specificity to the City of Adelaide and serving the overall public interest of the City of Adelaide.

Section 22 of The *City of Adelaide Act 1998* provides:

(1) *The role of a member of the Council is—*

(a) *as a member of the governing body of the Council—*

- (i) *to participate in the deliberations and activities of the Council;*
- (ii) *to provide community leadership and guidance to the City of Adelaide community and to participate in achieving a vision for the desired future of the City through the formulation of strategic plans and policies;*
- (iii) *to keep the Council's goals and policies under review to ensure that they are appropriate and effective;*
- (iv) *to keep the Council's resource allocation, expenditure and corporate strategies, and the efficiency and effectiveness of its service delivery, under review;*
- (v) *to participate in setting and assessing performance standards to be met under the Council's contract with the chief executive officer;*
- (vi) *to serve the overall public interest of the City of Adelaide;*

(b) *as a person elected to the Council—to represent the interests of residents and ratepayers and to facilitate communication between the community and the Council.*

(2) *The Lord Mayor may authorise another member of the Council to act in place of, or to represent, the Lord Mayor in the performance of a particular function.*

(3) *An authorisation under subsection (2) cannot derogate from the role of a Deputy Lord Mayor under the Local Government Act 1999.*

(4) *A member of the Council has no direct authority over an employee of the Council with respect to the way in which the employee performs his or her duties.*

5 - ELECTORS

5. Elector Representation

Reviewing Elector Representation is fundamental to considering the number of Elected Members appropriate to a particular Council. Representation should be adequate and fair.

Retired Professor Dean Jaensch AO a renown political scientist has previously (2008) written on the topic of representation for the Local Government Association of South Australia.

At that time he suggested the adequate representation and determining the optimal number of Councillors requires a balance between having, firstly sufficient members to undertake the roles and function of the Council and meeting the reasonable expectations of the groups and sectors within the population of the Council area and secondly, providing a structure that is efficient and effective. The former leading to a higher number of Members and the latter to fewer.

Section 12 of the *Local Government Act, 1999* requires that where a Council has more than 12 Elected Members it should consider whether the number of Members should be reduced. The City of Adelaide comprises a total of 12 Members including the Lord Mayor and thus the current number of Members is consistent with this provision.

In this context, the Council is also required to consider the number of Elected Members and representation of similar Councils.

5.1. Elector Numbers

The number of electors is the number of persons eligible to vote in a Council election. This includes all persons enrolled on the House of Assembly Roll for the City. It also includes non-resident property owners (residential and commercial), and other eligible persons and body corporates registered on the Council's Supplementary Voters' Roll.

The *Local Government Act 1999* requires all non-resident rate payers who are eligible to vote to specifically register on the Council's Supplementary Roll.

Adelaide City Council is in quite a unique position with respect to its Supplementary Roll in that it has the largest number of businesses of any Council and also has other residents (ie students) who may not be eligible to be on the House of Assembly Roll but are eligible to vote in the Council's elections. The Council works hard to ensure the Register is maintained in a current state. It does this by cross activity management and checking, including contacting businesses to ensure Roll details are correct.

The need to actively be enrolled prior to an election can potentially skew the numbers of electors. This is particularly important within the Adelaide City Council where without this active management many eligible voters would potentially not be included in the Voters Roll. Nonetheless it is possible that the total number of eligible electors could be higher than the identified 27,782 on the Voters Roll.

5.2. Quota

The Quota is the amount ascertained by dividing the number of electors in the area by the number of Council Members who constitute the Council, ignoring any fractions.

An under representation of enrolment of non-resident ratepayers will cause the representation quota to be understated.

The Quota for the City of Adelaide as at 21 December 2020 is 2,315.

There is no stipulated right number in relation to representation and as such if undertaking a review, consideration must be given to ensuring it is fair and adequate and the overall actual number of Elected Members having regard to like Councils and the provision of the *Local Government Act 1999* that requires specific consideration of the absolute number if it is greater than 12.

5.3. Ward Quota

The Ward Quota is the number of electors for the Council divided by the number of Councillors who represent Wards.

The current Ward Quota for the City of Adelaide is 3,968.

5.4. Comparisons with Similar Councils

The notion of similar Councils is somewhat difficult to define. Councils may be similar in terms of:

- Scale (function)
- Scale (physical size)
- Scale (voters)
- Scale (budget)
- Spatial attributes (locational attributes, topography)
- Similarities of land uses
- Similarity of voter classes
- Similarity of socio-economic attributes and the like.

The City of Adelaide is slightly more difficult to compare than other Councils within South Australia due to its inherent complexities and elevated State and National prominence.

Comparing Adelaide to other South Australian Councils has shortcomings in that the Councils most like Adelaide in terms of budget size are the large suburban Councils such as the City of Onkaparinga, the City of Charles Sturt and the City of Salisbury and the City of Port Adelaide Enfield. These Councils typically cover much larger areas than the City of Adelaide and have far greater numbers of voters and have varying degrees of different land use compositions. In terms of their sphere of influence, these Councils have largely a local focus, whereas the City of Adelaide has both the local and National focus.

On the other hand, although comparing the City of Adelaide with other Capital Cities provides quite a good similarity of comparability of role and function, these Councils vary quite distinctly in terms of their size (being both smaller and larger in terms of area and population). Topography also varies which can have a bearing on communities of interest.

Furthermore different election and review cycles mean that data sets can vary in currency and published Quotas are not always calculated in the same manner.

The following table nonetheless provides a comparison to guide this Representation Review. To provide a better comparison all ratios have been calculated to ensure comparability.

Table 5. Comparison with Capital City Councils

Council	Electoral Structure	Number of Councillors	Electors	Ratio of Councillors to Electors	Method of electing Lord Mayor
Adelaide	3 Wards	11 plus Lord Mayor	27,782	2,315	All voters
Sydney	No Wards	9 plus Lord Mayor	141,369 ³	14,136	All voters
Melbourne	No Wards	9 plus Lord Mayor and Deputy Lord Mayor	137,165 ⁴	12,469	All voters ⁵
Brisbane	26 Wards	26 plus Lord Mayor	772,162 ⁶	28,598	All voters
Perth	No Wards	8 plus Lord Mayor	14,716	1,635 ⁷	All voters
Hobart	No Wards	9 plus Lord Mayor and Deputy	37,718 ⁸	3,428	All voters ⁹
Darwin	4 Wards ¹⁰	12 plus Lord Mayor	50,118	4,177	All voters

Comparing the City of Adelaide with Capital City counter parts it can be seen that the ratio of voters to Elected Members vary quite significantly. Whilst Brisbane could be considered to be somewhat anomalous as it is a Council effectively encompassing the majority of Greater Brisbane as distinct from the other Capitals, and its Act provides for a somewhat different governance structure, in the table above which are effectively the CBD Councils, the voter representation is nonetheless still the ratio of elected members to voters. It is expected that the higher the population the lower the representation generally and this is demonstrated above with both Sydney and Melbourne at 14,136 and 12,469 respectively, also exhibiting higher ratios of voters per Elected Member. There is a quantum change in the level of representation between these larger Councils/Cities and the remainder, with the next lowest level of representation being Darwin at 4,177. Comparing Adelaide with the smaller cities only Perth has a higher level of representation at one member per 1,635 voters. Considering that representation is likely to be generally slightly higher for lower populations, Adelaide could be expected to have a higher level of representation than Sydney or Melbourne, however it could be expected to have lower levels than Hobart and Darwin, which is not the case. On this basis a slight reduction in levels of representation could be sustained and would still likely leave Adelaide at one of the higher levels of representation.

For the purposes of number of Councillors we will exclude Brisbane in this instance as it is more anomalous in this respect. Brisbane City Council operates with full-time Councillors, a Civic Cabinet and the Lord Mayor and each of the 26 Ward Members of Council having an office (Ward Councillors' offices are in their respective Wards) with paid staff and thus is not considered to be particularly comparable. Turning to the other cities, Adelaide has the second highest number of members at 12 after Darwin which has 13. Beyond this most of the Councils have 10 or 11 Members. Perth has nine. On this basis if Adelaide was to drop one or even two members it would not be out of sync with other Councils, noting this would also cause representation levels to drop slightly. If an 11

³ Number of Registered Voters at 2016 Election.

⁴ Council's website 2020 Election

⁵ The Lord Mayor and Deputy Lord Mayor are both elected by all voters – run as a team

⁶ Representation Review 2019

⁷ 2020 election held for whole Council. Typical election sees only half the Council turnover. Number provided is for whole of Council from the 2020 election.

⁸ Roll as 2018 Poll

⁹ The Lord Mayor and Deputy are both separately elected. Each Candidate can run for only one position.

¹⁰ Currently under review, numbers taken from that review.

member model was considered the current ratio would increase to 1:2525 and a ten Member model would see this increase to 2,778. Under either scenario it would still have the second highest level of representation amongst Capital Cities nationally. It would be reasonable to consider this as part of this Options Paper.

Of interest all Capital Cities Councils vote for the Lord Mayor at large, most likely as a reflection of the gravitas of the position. On this indicator Adelaide is considered to be consistent with the other Capitals.

Only Brisbane, Darwin and Adelaide have Wards. The size and structure of Brisbane City is kind of akin to a State and as such Wards are considered somewhat of a necessity. Darwin's model is currently under review. The remainder of the Councils, Sydney, Perth, Melbourne, and Hobart comprise area wide representation. Wards are perhaps a somewhat more local consideration, based on numerous considerations including size and populations, communities of interest, topography and accessibility.

By having Area Councillors, each voter in the City of Adelaide has layers of Elected Members representing them. In the City of Adelaide each person therefore could see they are directly represented as is shown in table 6 below:

Table 6. Access to number of Councillors by Ward

Ward	Access to Ward Councillors	Access to Area Councillors	Access to Lord Mayor	Total Access to Members
North	2	4	1	7
Central	3	4	1	8
South	2	4	1	7

In the absence of Area Councillors, or even if these Area Councillors were redistributed as Ward Councillors each Ward voter would have direct access to fewer Members.

To this end, on this indicator whilst not out of step, it would appear that Adelaide could nonetheless sustain an area model. This could result in fewer numbers of Members overall, but still enable each voter to access a similar number of Members as they can currently. This should therefore be considered as an option.

Looking across Greater Adelaide as a whole, Adelaide has a higher level of representation than Councils with larger populations. Notwithstanding, it is generally reasonable in quantum. It also has fewer Elected Members than all comparison councils ranging between one fewer than Salisbury up to six less than Port Adelaide Enfield. See Table 7 below.

All Council's elect the Principal Member at large.

Table 7. Comparison with large (budgets, areas and population) Greater Adelaide Councils

Council	Electoral Structure	Number of Councillors	Electors	Ratio of Councillors to Electors	Method of electing Principal Member
Adelaide	3 Wards	11 plus Lord Mayor	27,782	2,315	All voters
Charles Sturt	8 Wards	16 plus Mayor	83,958	4,938	All voters
City of Port Adelaide Enfield	7 Wards	17 plus Mayor	82,814	4,600	All voters
City of Salisbury	7 Wards	14 plus Mayor	93,937	6,262	All voters
City of Onkaparinga	6 Wards	12 plus Mayor	123,876	9,528	All voters

Turning to the Greater Adelaide and South Australian averages, table 8 below sets out the extremes and averages for both these areas.

Table 8. Comparison across Greater Adelaide and South Australian Councils

Quota Range	Greater Adelaide	South Australia
Lowest	Yankalilla (471)	Elliston (91)
Highest	Onkaparinga (9,529)	Onkaparinga (9,529)
Average	2,810	1,435

Adelaide has a slightly higher level of representation than the average across Greater Adelaide, but is lower than the State average.

5.5. Number of Members

In terms of numbers of Members the Act provides guidance indicating that any Council with more than 12 Members should review this with a consideration to fewer Members.

Given the City of Adelaide comprises 12 Members this legislative provision is met.

The comparisons with other CBD Councils and Larger Metropolitan Councils above however, provides some further guidance in this regard.

At least some of these metropolitan councils considered as per table 7 are also undergoing a Representation Review. Given these have numbers of Members in excess of 12 this will require specific review and to this end the number of Members may be reduced as a consequence of that process. Notwithstanding, all of these Councils currently have more Members than the City of Adelaide. These Councils also typically have larger populations, larger geographic areas and significantly lower levels of representation overall.

Looking to the other CBD capitals, noting the exclusion of Brisbane as per the above analysis, only Darwin has more Members. Being CBD Councils these Councils typically have similar land use characteristics.

As discussed above it would be appropriate for this Options Paper to include the canvass of slightly fewer Members.

6 – WARDS OR NO WARDS

6. Wards or No Wards

Retired Professor Jaensch discussed the terms of 'fair' representation providing guidance and implying it is suggesting:

- Members will be elected via a democratic electoral approach;
- Various interest groups will have an opportunity to have a "voice" on the Council; and
- Elected members are able to balance twin roles representing a "local" interest along with the interest of the Council wide population.

The issue of 'fair' has a significant bearing on the structure of the Council.

For example a Ward based structure has the potential to emphasise local interests but may under-represent the interests of the Council as a whole. The Ward based structure only enables voters to select from Candidates in the Ward as opposed to all Candidates. In the event of a vacancy a Supplementary Election is only required in the relevant Ward which reduces the cost of an election for the Council. However carrying a vacancy in a Ward results in a direct lowering of the level of representation in that Ward for the duration of the vacancy, that under certain circumstances could be for a significant number of months.

An area wide structure on the other hand, enables recognition of the Council wide issues whilst still enabling a focus on the sector or interest which may have a local spatial aspect. Each voter has the right to choose from amongst the full range of Candidates in the election and it provides for multiple channels of communication for residents. However this option could result in the election of numerous Members from one or a few geographic regions within the Council. In the event of a vacancy no particular area is left unrepresented, however the resultant Supplementary Election will require all voters to be involved and thus it is a more costly exercise.

A combination of both Area Councillors and Ward Councillors allows for both a local and a specific Council wide focus. There is sometimes a view that Area Councillors are somehow superior and may lead to a division amongst Members. In addition voters can experience a degree of confusion as the role of each Councillor. Notwithstanding this structure leads to a high level of representation with each voter being able to approach their Ward Councillors along with all Area Councillors and the Lord Mayor.

Wards may be represented by one or more Councillors and may be represented by equal numbers of Members across each or may be unequal as is currently the case for the City of Adelaide.

The City is currently divided into three Wards. These Wards generally have a good logic of communities of interest and are also guided by the geography of River Torrens (Karrawirra Parri).

The Wards have unequal representation and currently both the North Ward and South Ward exceeding the +/- 10% tolerance indicator, with North Ward being over represented (-12.7% variance) and South Ward being under-represented by almost as much (+11.7%). Central is very close to the Ward quota being only slightly under at 3994 voters per Elected Member.

This dictates that should Council elect to retain Wards there will have to be some sort of modification to bring the representation back within the allowable tolerances.

As part of this Review the Council must consider whether or not it wishes to have Wards.

6.1. Wards

If a Council is to have Wards then the Wards must be established with regard to section 33 as per the following

- (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;*
- (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).*

6.1.1. The desirability of reflecting communities of interest of an economic, social, regional or other kind;

The City of Adelaide has a diversity of land uses and a strong spatial layout, both which start to dictate communities of interest.

Within the City generally North Adelaide can be seen as being more residential in nature than the balance of the City. However even within this there are pockets of North Adelaide, around O'Connell Street and Melbourne Street that have a stronger commercial and even institutional nature, with strong hubs including the Women's and Children's Hospital, student accommodation, the Calvary Hospital, Adelaide Oval and retail, offices, consulting rooms and restaurants.

The Central area of the City south of the Torrens (Karrawirra Parri) is generally more commercial with the retail heart generally in and around Rundle Mall. Government Offices typically dominate the area north of Victoria Square and east to Pulteney Street although office uses are also quite prominent to one block west of King William Street. Moving further west the uses remain somewhat mixed, but start to tend toward a predominance of residential and especially student accommodation and support uses. The Central Market is almost a sub precinct. However a residential character is also noticeable to the east of Pulteney Street. Other large institutions in the form of schools and hospitals and the like are scattered throughout this area.

The southern area of the city is again more residential but within this there are noticeable differences between the east and west especially in the form of the housing. There are also major institutions including Schools and hospitals.

Whilst the current Wards do form generally logical communities of interest there are some similarities across current Wards that could form the logic for alternative boundaries. These communities of interest will be considered in determining prospective Ward boundaries for the purposes of this Options Paper.

6.1.2. The population of the area, and of each Ward affected or envisaged by the proposal; and the nature of substantial demographic changes that may occur in the foreseeable future;

These two criteria are considered to be linked.

The population across the City encompasses both residential and commercial interests along with traditionally a strong semi-permanent population in the form of visiting workers and international students.

The residential population has been steadily growing in response to an active campaign some years ago by the Council to target an increased residential population. COVID-19 has had an impact on population in more recent times. The extent and duration of this impact is difficult to quantify at this early stage, as has been discussed in more detail in section 2 above.

Critically for this study is the differing methods of enrolment for resident ratepayers and long term residents versus business, non-resident ratepayers and semi-permanent residents. Persons and interests in these latter categories need to specifically enrol via the council's supplementary roll in order to be eligible to vote. This makes this group potentially less likely to be enrolled, although it is noted that the City of Adelaide goes to great pains to ensure members of these groups enrol.

The spatial distribution of the voter population will drive Ward boundaries in relation to the issue of tolerances.

6.1.3. the topography of the area, and of each Ward affected or envisaged by the proposal;

The key natural topographical feature that will impact the City of Adelaide is the River Torrens (Karrawirra Pari). This snakes through the City between the Adelaide and North Adelaide. It forms a very strong physical boundary with defined vehicle and pedestrian crossing points, notably, within the City Morphett Street, King William Street, and Frome Road and Port Road and Hackney Road along the Boundaries for vehicles and a number of dedicated pedestrian bridges.

In addition whilst the land to the south of the River is largely flat, land to the north has some undulation.

6.1.4. The feasibility of communication between electors affected by the proposal and their elected representatives;

The City has developed such that with a relatively small population and spatial area, communication between electors and Members is relatively feasible.

Indeed anecdotally voters will approach all three categories of Elected Members.

6.1.5. Wards

If the Council opts to retain Wards then it will also need to consider the composition of the Wards. This will need to be considered in concert with the requirements for Wards as discussed above. Specific options considered to be feasible are discussed with more particular below.

6.1.5.1. Single Ward Councillors

Single Councillor Wards will most likely comprise small areas as the Councillor will need to be able to effectively and efficiently manage the workload and represent the voters in his/her Ward. This model should provide for strong communities of interest.

However, in the event that a Ward Councillor is absent for an extended period of time or vacates the position, the Ward will have no direct representation for that duration.

In addition, the Ward quota tolerances could to be difficult to maintain given the likelihood of relatively higher number of smaller Wards.

6.1.5.2. Two or more Ward Councillors

Having multiple Members representing a Ward is the most common model of representation associated with Wards.

Multiple Councillors provides increased opportunity for voters to approach their Councillors.

The shared workload can lead to better representation and it is less likely that a Ward will be unrepresented although it could still be under-represented.

Multiple Councillor Wards can generally be larger in size than single Councillor Wards which may allow for greater fluctuation of voter population within the Ward quota tolerances.

6.1.5.3. Wards with varying representation

This model enables Wards to be constructed with varying numbers of representatives. This model is useful if there are strong communities of interest of varying sizes – enabling Ward boundaries to be drawn to reflect the community of interest and enable varying levels of Councillor representation per Ward to achieve the necessary quotas and balances.

There is a perception however, that some Wards have greater levels of representation under this model, due to the greater number of members in a particular Ward or Wards.

6.1.6. Characteristics of Wards

It is suggested that Councillors for Wards have a stronger affiliation with the Ward, its people and the key issues. This is despite the fact that a Ward Councillor may not necessarily reside in the Ward. It is nonetheless suggested that the Ward structure provides for better quality representation and that communities feel as though their voice is better heard.

Wards also typically have fewer barriers to entry in terms of campaign costs and thus provide the opportunity for a more diverse and larger range of candidates.

In the event of a vacancy it is also typically less costly for the Council to run a Supplementary Election as it is confined to the Ward.

On the flip side Wards may be seen to over-represent the local issues and under-represent the whole of Council matters.

6.2. No Wards

An Area Councillor approach is considered to maximise democracy by enable all electors to vote for all the candidates for vacant positions on the Council.

Area wide representation removes the need to monitor representation quotas across Wards.

The Candidates with the most votes across the Council will be elected as opposed to the Ward structure where a Candidate with fewer votes can still be elected to Council over Candidates who poll more overall votes.

Elected Members elected to represent the Council area as a whole should make decisions in the best interests of the Council as a whole, unconstrained by Ward parochialism.

Small communities or groups of interest can be well represented on the Council if they can generate sufficient support for a candidate, although there is no guarantee of geographically even representation across the Council.

Whole of Council elections are broader and therefore generally more costly, for both candidates and the Council. This could dissuade some potential candidates.

If there is a casual vacancy, although filling the vacancy may be more costly, it does not leave a Ward or area temporarily under represented.

Voters have perceived direct access to a greater number of Councillors.

6.3. Combination

A Council may take a combination approach to its governance with a structure comprising both Wards and Ward Councillors and Area Councillors.

This approach can lead to higher levels of representation in the sense that a voter would see a direct level of representation with the Ward Councillors(s), all of the area Councillors and the Lord Mayor.

This structure is considered by many to provide a good balance of local and Council wide representation that should lead to optimal decision making.

This option also overcomes the potential short-coming of an area only Councillor model in that it ensures some geographic representation. This model also enables representation of interests.

In the event of a vacancy, depending on whether this is created in the Ward or council wide it may need only a contained (Ward) Supplementary Election or it may need a whole of Council Supplementary Election.

7 – OPTIONS

7. Options

This paper has considered a range of options prior to arriving at the following six which are considered appropriate when considered against the terms of the legislation, the opportunity for good governance, generally logical boundaries and acceptable levels of representation.

- Option 1 – Area with Councillors plus the Lord Mayor.
- Option 2 – Three Wards (as close as practicable to the existing) plus the Lord Mayor
- Option 3 – Three Wards with material boundary changes plus the Lord Mayor
- Option 4 - Three Wards with material boundary changes plus the Lord Mayor
- Option 5 - Four Wards plus the Lord Mayor
- Option 6 - Six Wards plus the Lord Mayor.

These options are considered to provide for good communities of interest and logical boundaries generally. Options 2-5 can be supplemented with up to three Area Councillors. The addition of Area Councillors is discussed in respect of each of the options below. Collectively these options provide for between nine and 12 Elected Members overall.

As per the requirements of the Act, each Ward option has been considered with regard to communities of interest and logical boundaries, and the best fit for representation of every voter and the Council both for now and the 2022 election, and within the constricts of the uncertainties surrounding the longer terms impacts of COVID-19 on populations, over the remainder of the Representation Review cycle. The Wards therefore have been tested to seek to ensure they can remain within tolerances based on the projected population, at 2022, 2026 and 2030.

The results show that considering a best assessment as to the impacts of COVID-19 (which lowers the predicted growth early in the cycle as per section 2 of this paper), the growth rates of North Adelaide versus the growth in the south of Adelaide make it likely that most options will start exceeding the tolerances somewhere between the 2026 election and the 2030 election. Specifically North Adelaide starts to become over-represented. Only by adding an area of growth from the west to North Adelaide (Option 6) can this be addressed. Noting that in accord with the normal course of events, a Representation Review will be scheduled for 2028-29 it is considered that any option that can retain tolerances to 2026 could be considered reasonable. Options tested that could not retain tolerances to 2026 were rejected.

In addition in light of the uncertainty regarding population growth, for comparison purposes, these options were also tested with lower growth rates (assuming a longer tail to the impacts of COVID-19 than current advice is indicating see Appendix 3 for the revised growth assumptions tested). Even with these lower growth rates, North Adelaide experiences over-representation (albeit at a lesser rate) beyond 2026.

On this basis, it is considered the options presented would work in a similar vein should the growth be lower than projected.

7.1. Option 1- No Wards – Lord Mayor and Elected Members

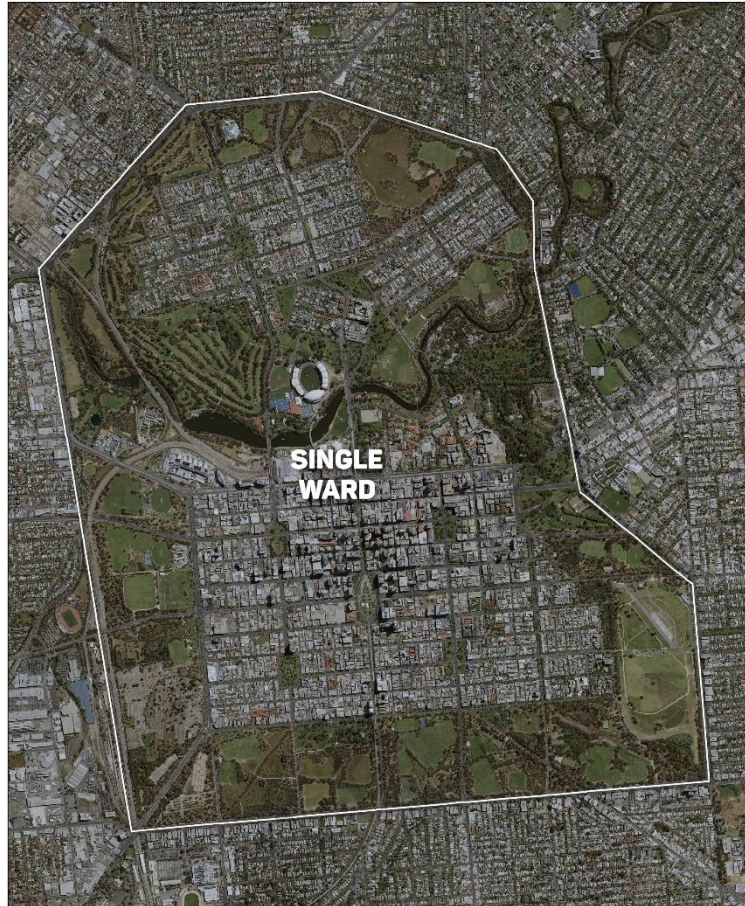
This Area model sees the whole of the Adelaide City Council local government area as a community of interest. As a Council it is wholly contained within a defined road network that borders the Park Lands, which in turn create a significant geographical separation between Adelaide and its neighbouring Councils.

Having no Wards means that representation is simple, each voter can vote for all Members and is directly represented by all Members. This option can be easily made to work with any number of Elected Members and the Lord Mayor. The rider would be that there would need to be sufficient Councillors to appropriately represent the community.

This model follows the majority of other State Capital Cities across Australia.

A map demonstrating this option is included in Figure ?? below:

Figure 2. Option 1 No Wards



To demonstrate how this model could work table 9 below shows various numbers of Elected Members and quotas.

Table 9. Example of quotas with varying numbers of Elected Members

Lord Mayor + Councillors (Area)	Voters				Quota			
	2020	2022	2026	2030	2020	2022	2026	2030
Lord Mayor + eleven	27,782	27,945	31,039	34,394	2,315	2,328	2,586	2,866
Lord Mayor + ten	27,782	27,945	31,039	34,394	2,525	2,540	2,821	3,126
Lord Mayor + nine	27,782	27,945	31,039	34,394	2,778	2,794	3,103	3,439
Lord Mayor + eight	27,782	27,945	31,039	34,394	3,086	3,105	3,448	3,821
Lord Mayor + seven	27,782	27,945	31,039	34,394	3,472	3,493	3,879	4,299

Considering the ranges of representation shown in table 9, at the upper level (12 Members) representation starts just above the metropolitan average and creeps over time to about the metropolitan average. It remains roughly unchanged when compared with other Capital Cities. This would allow for twelve members in total and thus is in keeping with the Act.

At the other end, a reduction of Members down to a total of eight would see a quota in-keeping with other Capitals and would be sitting akin to Darwin placing Adelaide central amongst all Capital Cities. This quota figure would also be in keeping with larger metropolitan Adelaide Councils, ie Charles Sturt, Port Adelaide Enfield and

Salisbury. It would be lower representation than the metropolitan average but would be relatively central between the minimum and maximum.

Under any number of Members, this model would provide relatively stable representation. If the number of voters declined or increased dramatically then the model may require review due to a fundamental over or under representation respectively.

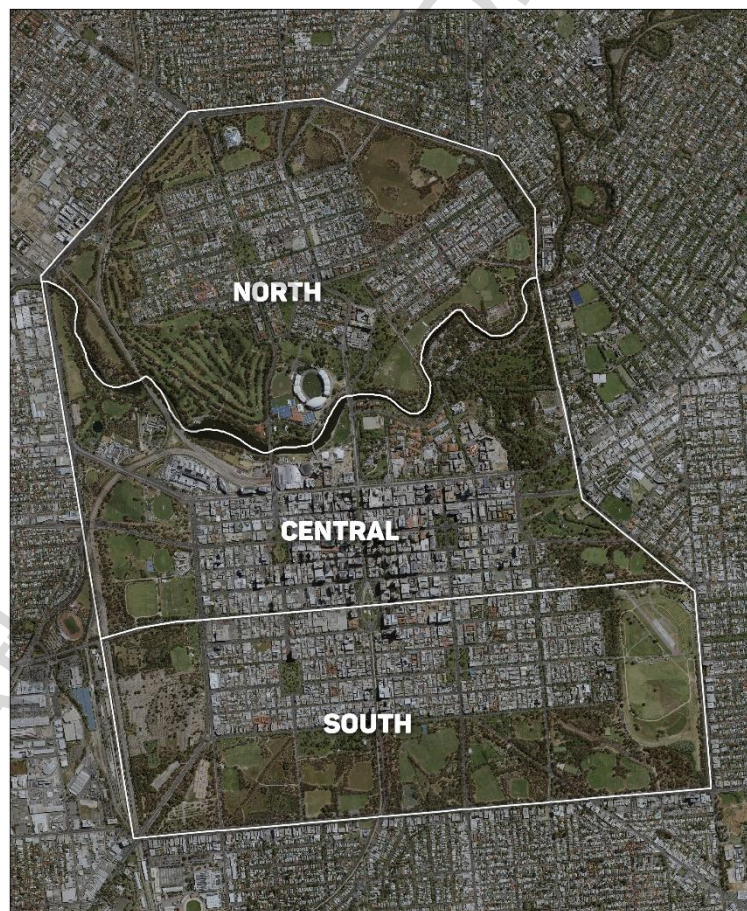
7.2. Option 2 - Three Wards – as close as practicable to existing

As at 2020 the current structure was outside tolerances and therefore requires modification. This option seeks to retain the current Ward structure as close as possible whilst addressing the issue of tolerances.

This option sees the creation of a North Ward, that coincides with North Adelaide the suburb and thus the current North Ward, a Central Ward coinciding with the primary commercial precinct and a South Ward that provides for a mixed residential/commercial precinct that is generally of lower scale than the Central Ward. This arrangement is considered to represent logical communities of interest within the ACC and respects the natural geographic boundary provided by the River Torrens (Karrawirra Pari). The key difference between this proposal and the current boundaries is the realignment of the boundary between Central Ward and South Ward.

Figure 3 below shows the proposed Ward boundaries

Figure 3. Option 2 – Three Wards – as close as practicable to existing



To make the quota tolerances work now and into the future this option has unequal representation with North Ward being represented by two Councillors and South and Central each by three Councillors. It is not possible to modify this representation and stay within the 12 Member cap and thus this option could be a Lord Mayor and eight Councillor option or a Lord Mayor and eight Ward Councillors and up to three Area Councillors. Adding just

one Area Councillor is considered to have limited benefit and as such should Council wish to add Area Councillors to this model, two or three is considered the most suitable and would result in quotas as shown in table 10 below:

Table 10. Example of Quotas with and without Area Councillors

Composition	Quota			
	2020	2022	2030	2036
Lord Mayor plus eight Ward Councillors	3,086	3,105	3,448	3,821
Lord Mayor plus eight ward Councillors plus 2 Area Councillors	2,525	2,540	2,821	3,126
Lord Mayor plus eight ward Councillors plus 3 Area Councillors	2,315	2,328	2,586	2,866

Table 11 below shows the representation and variance for the Wards over time.

Table 11. Representation and variance over time

Year	Total Voters	Ward Quota	Councillors	Voter/Councillor	Variance (%)
2020					
North	6,907	3,472	2	3,453	-0.55
South	10,172	3,472	3	3,390	-2.36
Central	10,702	3,472	3	3,567	+2.73
2022					
North	6,196	3,493	2	3,458	-1.00
South	10,255	3,493	3	3,418	-2.14
Central	10,773	3,493	3	3,591	+2.80
2026					
North	7,085	3,879	2	3,542	-8.70
South	11,834	3,879	3	3,945	+1.67
Central	12,120	3,879	3	4,040	+4.13
2030					
North	7,279	4,366	2	3,649	-16.44
South	13,821	4,366	3	4,607	+5.50
Central	13,816	4,366	3	4,605	+5.46

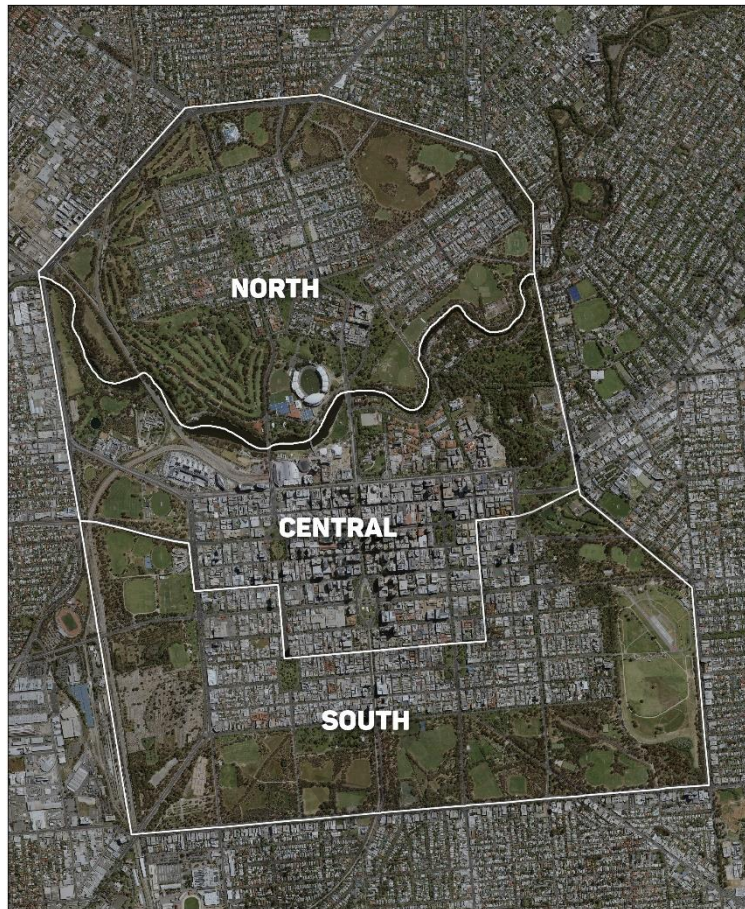
7.3. Option 3 - Three Wards with material boundary revisions (Equal Representation)

This option seeks to retain three Wards but provides for a slightly more modified boundary.

This option would see the retention of the North Ward north of the River Torrens (Karrawirra Parri). The Central and South Wards however, are divided to provide a more consolidated central precinct (Central Ward) and a South Ward that wraps around the Central Ward to encompass the low-mid rise mixed use areas to the east and west of the core commercial precinct. South Ward encompasses Hutt Street, while Central includes the Central Market.

Figure 4 below shows the proposed Ward boundaries

Figure 4. Option 3 – Three Wards – modified to improve logic of South and Central Wards



To make the quota tolerances work now and into the future this option has unequal representation with North Ward being represented by two Councillors and South and Central each by three Councillors. It is not possible to modify this representation and stay within the 12 Member cap and thus this option could be a Lord Mayor and eight Councillor option or a Lord Mayor and eight Ward Councillors and up to three Area Councillors. Adding just one Area Councillor is considered to have limited benefit and as such should Council wish to add Area Councillors to this model, two or three is considered the most suitable and would result in quotas as shown in table 12 below:

Table 12. Example of Quotas with and without Area Councillors

Composition	Quota			
	2020	2022	2030	2036
Lord Mayor plus eight Ward Councillors	3,086	3,105	3,448	3,821
Lord Mayor plus eight ward Councillors plus 2 Area Councillors	2,525	2,540	2,821	3,126
Lord Mayor plus eight ward Councillors plus 3 Area Councillors	2,315	2,328	2,586	2,866

Table 13 below shows Ward representation and variance over time.

Table 13. Representation and variance over time

Year	Total Voters	Ward Quota	Councillors	Voter/Councillor	Variance (%)
2020					
North	6,907	3,472	2	3,453	-0.55
South	10,466	3,472	3	3,488	+0.46
Central	10,427	3,472	3	3,475	+0.09
2022					
North	6,916	3,493	2	3,458	-1.00
South	10,530	3,493	3	3,510	+0.48
Central	10,498	3,493	3	3,499	+0.18
2026					
North	7,085	3,879	2	3,542	-8.70
South	12,108	3,879	3	4,036	+4.03
Central	11,846	3,879	3	3,948	+1.77
2030					
North	7,297	4,366	2	3,648	-16.44
South	14,095	4,366	3	4,698	+7.60
Central	13,541	4,366	3	4,513	+3.37

The variances of this option is less significant than for Option 2.

7.4. Option 4 - Three Wards – North, East and West

Like Options 2 and 3 above, this option would see the retention of the North Ward north of the River Torrens (Karrawirra Parri). The balance of the Council area is divided along King William Street, Carrington and Pulteney into an East Ward and a West Ward. This option provides areas of largely geographical interest with both Wards south of the Torrens (Karrawirra Parri) each containing a portion of CBD, mixed fringe uses and low rise residential precincts. Hutt Street is retained in a single Ward.

It is noted that the logic of dividing the City along the main North -South thoroughfare of King William Street (where the East -West running streets change name) is slightly lost due to the need to stagger the boundary to the east to ensure the tolerances can be managed to 2026.

Figure 5 below shows the proposed Ward boundaries

Figure 5. Option 4 – Three Wards – North, East and West



To make the quota tolerances work now and into the future this option has unequal representation with North Ward being represented by two Councillors and West and East each by three Councillors. It is not possible to modify this representation and stay within the 12 Member cap and thus this option could be a Lord Mayor and eight Councillor option or a Lord Mayor and eight Ward Councillors and up to three Area Councillors. Adding just one Area Councillor is considered to have limited benefit and as such should Council wish to add Area Councillors to this model, two or three is considered the most suitable and would result in quotas as shown in table 14 below:

Table 14. Example of Quotas with and without Area Councillors

Composition	Quota			
	2020	2022	2030	2036
Lord Mayor plus eight Ward Councillors	3,086	3,105	3,448	3,821
Lord Mayor plus eight ward Councillors plus 2 Area Councillors	2,525	2,540	2,821	3,126
Lord Mayor plus eight ward Councillors plus 3 Area Councillors	2,315	2,328	2,586	2,866

Table 15 below shows the Ward representation and variance over time.

Table 15. Representation and variance over time

Year	Total Voters	Ward Quota	Councillors	Voter/Councillor	Variance (%)
2020					
North	6,907	3,472	2	3,453	-0.55
West	10,064	3,472	3	3,354	+3.40
East	10,809	3,472	3	3,603	+3.75
2022					
North	6,916	3,493	2	3,458	-1.00
West	10,143	3,493	3	3,381	-3.21
East	10,885	3,493	3	3,628	+3.87
2026					
North	7,085	3,879	2	3,542	-8.69
West	11,638	3,879	3	3,879	-0.01
East	12,314	3,879	3	4,104	+5.80
2030					
North	7,297	4,366	2	3,648	-16.44
West	13,521	4,366	3	4,507	+3.21
East	14,115	4,366	3	4,705	+7.75

The variances of this three Ward option are generally greater than for both of the other three Ward options.

7.5. Option 5 - Four Wards

This option is similar to Option 4 with the variant of splitting the East and West Wards to create a third Central Ward. This option places Lot 14, Rundle Street East, and Hutt Street into East Ward, and the new RAH and University Research Precinct into West Ward with the balance of the institutional precinct and the primary commercial area into Central Ward. It retains North Ward as the area north of the River Torrens (Karrawirra Parri).

Figure 6 below shows the proposed Ward boundaries

Figure 6. Option 5 – Four Wards – North, East, West and Central



The quota tolerances work now and until beyond 2026 with equal representation, meaning each Ward can have the same number of Councillors as every other Ward. This is the only option that achieves equal representation.

The Quota under this scenario would be 3,086 in 2020, 3,105 in 2022, 3,448 in 2026 and 3,821 in 2030.

Table 16 below shows representation and variance over time for a two Councillor per Ward, four Ward model.

Table 16. Representation and variance over time

Year	Total Voters	Ward Quota	Councillors	Voter/Councillor	Variance (%)
2020					
North	6,907	3,472	2	3,453	-0.55
West	6,693	3,472	2	3,346	+3.63
Central	6,678	3,472	2	3,339	-3.85
East	7,502	3,472	2	3,751	+3.75
2022					
North	6,916	3,493	2	3,459	-1.00
West	6,747	3,493	2	3,373	-3.42
Central	6,733	3,493	2	3366	-3.62
East	7,548	3,493	2	3774	+8.04
2026					
North	7,085	3,879	2	3,542	-8.70
West	7,774	3,879	2	3,887	+0.19
Central	7,770	3879	2	3885	+0.13
East	8,409	3,879	2	4,204	+8.37
2030					
North	7,297	4,366	2	3,648	-16.44
West	9,067	4,366	2	4,533	+3.82
Central	9,075	4366	2	4,537	+3.91
East	9,494	4,366	2	4,747	+8.71

It is possible to modify this representation and stay within the 12 Member cap ie 1 Member Wards or 2 Member Wards. Noting that if one Member wards were selection the ward representation would be reduced by half.

Nonetheless this option could comprise the Lord Mayor and eight Ward Councillors or the Lord Mayor and four Ward Councillors. The first variation could allow for up to three area Councillors and the second up to seven Area Councillors.

With only one Member Wards, Council would need to supplement the number of Elected Members with Area Councillors to ensure appropriate levels of representation when compared within South Australia and ensure quorums could be readily achieved. Adding 7 Area Councillors would maintain the status quo of 12 Councillors overall, adding 6 would reduce overall numbers by one and provide an overall odd number of Members, whilst adding 5 Area Councillors would reduce overall numbers by 2 down to a total of 10.

Representation levels under all of these scenarios are considered to be appropriate.

Table 14 shows how single Member Wards with Area Councillors might work:

Table 17. Member number options – Single Member Wards

Ward	Lord Mayor	Ward Councillors	Area Councillors	Total Members
North	1	1	5, 6 or 7	10, 11 or 12
West	1	1		
East	1	1		
Central	1	1		

Adding Area Councillors in these amounts above would lead to quotas as showing in Table 18 below:

Table 18. Example of Quotas with Area Councillors

Composition	Quota			
	2020	2022	2030	2036
Lord Mayor plus four Ward Councillors plus 5 Area Councillors	2,778	2,794	3,103	3,439
Lord Mayor plus four ward Councillors plus 6 Area Councillors	2,525	2,540	2,821	3,126
Lord Mayor plus four ward Councillors plus 7 Area Councillors	2,315	2,328	2,586	2,866

If each Ward has two Members it would be reasonable to rely only upon Ward Councillors and the Lord Mayor. Whilst with a total of only 9 Members representation might be a bit lower than average (it would still be roughly central when compared to other Capital Cities), in this scenario the equality of numbers of Members between the Wards adds a sense of balance. Nine Members should be workable enabling Council to achieve a quorum, which would comprise five Members.

Adding just one Area Councillor is considered to have limited benefit and as such should Council wish to add Area Councillors to this model, two or three is considered the most suitable and would result in quotas as shown in table 19 below:

Table 19. *Example of Quotas with Area Councillors*

Composition	Quota			
	2020	2022	2030	2036
Lord Mayor plus eight ward Councillors plus 2 Area Councillors	2,525	2,540	2,821	3,126
Lord Mayor plus eight ward Councillors plus 3 Area Councillors	2,315	2,328	2,586	2,866

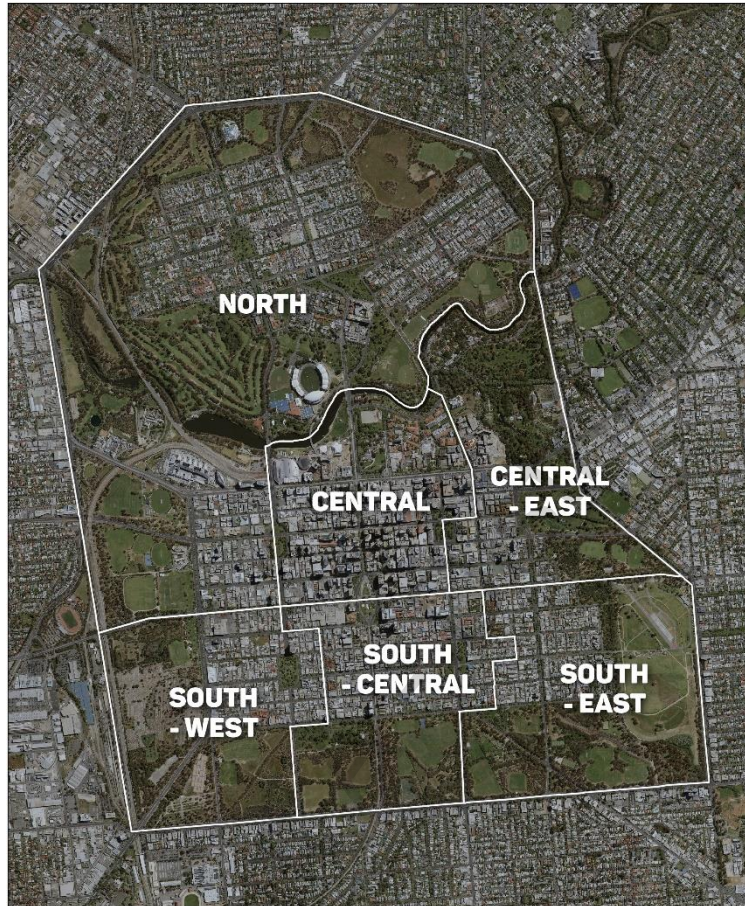
7.6. Option 6 - Six Wards

This option seeks to address the inherent imbalance of population growth in the area north of the River Torrens (Karrawirra Parri) as compared to the balance of the Council area, by adding an area of growth (south of the River Torrens (Karrawirra Parri) west of Morphett Street and north of Grote Street) to the former North Ward. A further five Wards then comprise, Central, Central-East, South-West, South-Central and South-East.

The Central Wards encompasses much of institutional lands both the existing universities and the new university precincts and most of the primary commercial area. The southern portion of the primary commercial area from the southern half of Victoria Square and the Central Market are included in South-Central Ward. The Central-East Ward covers the key entertainment and leisure areas within the eastern side of the City including the Botanic Gardens, the East End, and Lot 14. Hutt Street is divided between the Central-East Ward and the South-East Ward, the latter including the balance of the mainly residential and low scale mixed use land to the southern Council boundary. The South-West Ward includes the newer residential areas and low scale mixed use areas to the western boundary of the City.

Figure 7 below shows the proposed Ward boundaries

Figure 7. Option 6 – Six Wards – North, Central, Central-East, Central-West, South-Central, South-East and South-West.



This option remains within tolerances to 2030 and is the only option to do so. The numbers of Members in each Ward is unequal with the North Ward comprising three Members, the South-West, Central-East and South-East all being represented by one Member each and the remaining two Wards (Central and South-Central) being represented by two Members each. This totals ten Members and the Lord Mayor resulting realistically in a reduction of one Member and thus marginally lower representation.

Table 20 below shows representation and variance over time for a five Ward model.

HOLMES DYER

Table 20. Representation and variance over time

Year	Total Voters	Ward Quota	Councillors	Voter/Councillor	Variance (%)
2020					
North	8939	2,778	3	2,979	+7.25
South-West	2,790	2,778	1	2,790	+0.41
Central-East	2,511	2,778	1	2,511	-9.61
Central	5,630	2,778	2	2,815	+1.33
South-Central	5,128	2,778	2	2,564	-7.71
South-East	2,784	2,778	1	2,784	+0.21
2022					
North	8,966	2,794	3	2,988	+6.94
South-West	2,812	2,794	1	2,812	+0.61
Central-East	2,530	2,794	1	2,530	-9.47
Central	5,675	2,794	2	2,837	+1.53
South-Central	5,162	2,794	2	2,581	-7.64
South-East	2,802	2,794	1	2,802	+0.25
2026					
North	9,494	3,103	3	3,164	+1.95
South-West	3,209	3,103	1	3,209	+3.37
Central-East	2,896	3,103	1	2,896	-6.70
Central	6,526	3,103	2	3,263	+5.12
South-Central	5,789	3,103	2	2,894	-6.75
South-East	3,127	3,103	1	3,127	+0.73
2030					
North	10,158	3,493	3	3,386	-3.08
South-West	3,709	3,493	1	3,709	+6.16
Central-East	3,356	3,493	1	3,356	-3.93
Central	7,598	3,493	2	3,799	+8.75
South-Central	6,579	3,493	2	3,289	-5.84
South-East	3,535	3,493	1	3,535	+1.18

8 – CONCLUSION

8. Conclusion

In conclusion this report is designed to promote thought and discussion about the options available for the composition of the Council.

Representation should be provided on the basis of one vote one value and should be fair and adequate.

Matters for consideration as part of this process include:

- What is reasonable, fair and equitable representation in the context of the City of Adelaide and how many voters should one Elected Member represent?
- Should the Lord Mayor be elected by every voter, or should the Lord Mayor be elected from amongst the Elected Members?
- Should the Area be divided into wards? If so what are the most appropriate ward boundaries having consideration to matters of geographic, access, communication, communities of interest and Ward Quota tolerances?
- If there are wards should there be only Wards Councillors or should there be a combination of both ward and area Councillors?
- What should the wards be named?

At this time the Council has not made any decisions in respect to the direction its composition should take. It has commissioned this independent paper to provide options that meet the terms of the relevant legislation and that would provide for appropriate governance and appropriate community input and representation.

Each option carries with it a suite of benefits and some drawbacks when considered comparatively.

The Council is now seeking feedback from the Community to inform it in arriving at a preferred position.

Once Council has reached its preferred position that position will be released for a further period of consultation prior to the Council formally adopting its Representation Report and forwarding it to the Electoral Commissioner for ratification.

APPENDICES

Item 5.5 - Attachment A - Distributed Separately

Appendix 1. Extracts – *Local Government Act 1999*

-
- (7) If the Governor by proclamation under this Part provides for new or additional offices in the membership of a council, the Governor may, by the same or a subsequent proclamation or proclamations, appoint the first persons to fill those offices.
- (8) If the Governor by proclamation under this Part abolishes a council, the Governor may, by the same or a subsequent proclamation or proclamations—
- (a) declare that the property, assets, rights and liabilities of the council, as at the date of abolition, vest in, or attach to, another council or councils named in the proclamation;
 - (b) make, subject to the provisions of a relevant Act, award or enterprise agreement, provision to protect the various rights and interests of staff of the council being abolished.
- (9) If the Governor does not make a declaration under subsection (8)(a) on or before the day on which the council is abolished, the assets, rights and liabilities of the council vest in, or attach to, the Crown on the abolition of the council.

11—General provisions relating to proclamations

- (1) The Governor cannot make a proclamation under a preceding section of this Division except—
- (a) in pursuance of an address from both Houses of Parliament; or
 - (c) in pursuance of a proposal recommended by the Minister under Part 2.
- (2) The Governor may also, by proclamation—
- (a) make provision for related or ancillary matters necessary, desirable or expedient in view of the circumstances of a particular case;
 - (b) provide that during a transitional period specified in the proclamation (being a period not exceeding five years from the date of operation of the proclamation), a provision of this Act applies as varied or modified in a manner set out in the proclamation to or in respect of—
 - (i) a council affected (or to be affected) by a proclamation under this Part; or
 - (ii) a council constituted or formed by a proclamation under this Part;
 - (c) include other provisions of a transitional nature consequent on changes being made by proclamation under this Part (including for the construction of references in instruments or documents).
- (3) The provisions of a proclamation under this Part have effect according to their terms as from the day or days fixed in the proclamation or, if no day or days are so fixed, as from the day of the publication of the proclamation.

Division 2—Powers of councils and representation reviews

12—Composition and wards

- (1) A council may, by notice in the Gazette after complying with the requirements of this section—
- (a) alter the composition of the council;

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- (b) 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.
- (2) A notice under this section may also—
- (a) change the council from a municipal council to a district council, or change the council from a district council to a municipal council;
- (b) alter the name of—
- (i) the council;
- (ii) the area of the council;
- (c) give a name to, or alter the name of, a ward,
- (without the need to comply with section 13).
- (3) A council must, before it publishes a notice, conduct and complete a review under this section for the purpose of determining whether its community would benefit from an alteration to its composition or ward structure.
- (4) 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.
- (5) A council must, in order to commence a review, initiate the preparation of a paper (a **representation options paper**) by a person who, in the opinion of the council, is qualified to address the representation and governance issues that may arise with respect to the matters under review.
- (6) The representation options paper must examine the advantages and disadvantages of the various options that are available to the council under subsection (1) (insofar as the various features of the composition and structure of the council are under review) and, in particular (to the extent that may be relevant)—
- (a) if the council is constituted of more than 12 members—examine the question of whether the number of members should be reduced; and
- (b) if the area of the council is divided into wards—examine the question of whether the division of the area into wards should be abolished,
- (and may examine such other relevant issues as the council or the person preparing the paper thinks fit).
- (7) The council must—
- (a) by public notice—
- (i) inform the public of the preparation of the representation options paper; and
- (ii) invite interested persons to make written submissions to the council on the subject of the review within a period specified by the council (being a period of at least 6 weeks); and
- (b) publish a copy of the notice in a newspaper circulating within its area.

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- (8) The council must ensure that copies of the representation options paper are available for inspection (without charge) and purchase (on payment of a fee fixed by the council) at the principal office of the council during the period that applies under subsection (7)(a)(ii).
- (8a) The council must, at the conclusion of the public consultation undertaken under subsection (7)(a), prepare a report that—
- (a) provides information on the public consultation and the council's response to the issues arising from the submissions made as part of that process; and
 - (b) sets out—
 - (i) any proposal that the council considers should be carried into effect under this section; and
 - (ii) in respect of any such proposal—an analysis of how the proposal relates to the principles under section 26(1)(c) and the matters referred to in section 33 (to the extent that may be relevant); and
 - (c) insofar as a decision of the council is not to adopt any change under consideration as part of the representation options paper or the public consultation process—sets out the reasons for the council's decision.
- (9) The council must—
- (a) make copies of its report available for public inspection at the principal office of the council; and
 - (b) by public notice—
 - (i) inform the public of the preparation of the report and its availability; and
 - (ii) invite interested persons to make written submissions to the council on the report within a period specified by the council (being a period of at least 3 weeks); and
 - (c) publish a copy of the notice in a newspaper circulating within its area.
- (10) The council must give any person who makes written submissions in response to an invitation under subsection (9) an opportunity to appear personally or by representative before the council or a council committee and to be heard on those submissions.
- (11) The council must then finalise its report (including in its report recommendations with respect to such related or ancillary matters as it thinks fit).
- (11a) If the report proposes that the composition of the council be altered so that—
- (a) the council will have a chairperson rather than a mayor; or
 - (b) the council will have a mayor rather than a chairperson,
- then the proposal cannot proceed unless or until a poll has been conducted on the matter and the requirements of subsection (11c) have been satisfied.

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(11b) The council may, with respect to a proposal within the ambit of subsection (11a)—

- (a) insofar as may be relevant in the particular circumstances, separate the proposal (and any related proposal) from any other proposal contained in the report (and then it will be taken that the council is reporting separately on this proposal (and any related proposal));
- (b) determine to conduct the relevant poll—
 - (i) in conjunction with the next general election for the council (so that the proposal (and any related proposal) will then, if approved at the poll, take effect from polling day for the following general election); or
 - (ii) at some other time (so that the proposal (and any related proposal) will then, if approved at the poll, take effect in the manner contemplated by subsection (18)).

(11c) The following provisions apply to a poll required under subsection (11a):

- (a) the *Local Government (Elections) Act 1999* will apply to the poll subject to modifications, exclusions or additions prescribed by regulation;
- (b) the council must—
 - (i) prepare a summary of the issues surrounding the proposal to assist persons who may vote at the poll; and
 - (ii) obtain a certificate from the Electoral Commissioner that he or she is satisfied that the council has taken reasonable steps to ensure that the summary presents the arguments for and against the proposal in a fair and comprehensive manner; and
 - (iii) after obtaining the certificate of the Electoral Commissioner, ensure that copies of the summary are made available for public inspection at the principal office of the council, are available for inspection on a website determined by the chief executive officer, and are published or distributed in any other way that the Electoral Commissioner may direct;
- (c) the proposal cannot proceed unless—
 - (i) the number of persons who return ballot papers at the poll is at least equal to the prescribed level of voter participation; and
 - (ii) the majority of those persons who validly cast a vote at the poll vote in favour of the proposal.

- (11d) For the purposes of subsection (11c)(c), the *prescribed level of voter participation* is a number represented by multiplying the total number of persons entitled to cast a vote at the poll by half of the turnout percentage for the council, where the *turnout percentage* is—
- (a) the number of persons who returned ballot papers in the contested elections for the council held at the last periodic elections, expressed as a percentage of the total number of persons entitled to vote at those elections (viewing all elections for the council as being the one election for the purposes of this provision), as determined by the Electoral Commissioner and published in such manner as the Electoral Commissioner thinks fit; or
 - (b) if no contested elections for the council were held at the last periodic elections, a percentage determined by the Electoral Commissioner for the purposes of the application of this section to the relevant council, after taking into account the turnout percentages of other councils of a similar size and type, as published in such manner as the Electoral Commissioner thinks fit.
- (12) The council must then, taking into account the operation of the preceding subsection, refer the report to the Electoral Commissioner.
- (12a) The report must be accompanied by copies of any written submissions received under subsection (9) that relate to the subject-matter of the proposal.
- (13) On receipt of a report, the Electoral Commissioner must determine whether the requirements of this section have been satisfied and then—
- (a) if of the opinion that the requirements have been satisfied—give an appropriate certificate; or
 - (b) if of the opinion that the requirements have not been satisfied—refer the matter back to the council together with a written explanation of the reasons for not giving a certificate under this subsection.
- (14) The validity of a determination of the Electoral Commissioner under subsection (13) cannot be called into question.
- (15) If a certificate is given by the Electoral Commissioner under subsection (13)(a)—
- (a) the Electoral Commissioner must specify in the certificate a day by which an appropriate notice (or notices) for the purposes of this section must be published by the council in the Gazette; and
 - (b) the council may then, by notice (or notices) in the Gazette, provide for the operation of any proposal under this section that it has recommended in its report.
- (16) If the matter is referred back to the council under subsection (13)(b), the council—
- (a) must take such action as is appropriate in the circumstances (and may, as it thinks fit, alter its report); and
 - (b) may then refer the report back to the Electoral Commissioner.
- (17) However, a council must, if it makes an alteration to its report under subsection (16)(a), comply with the requirements of subsections (9) and (10) (as if the report (as altered) constituted a new report), unless the council determines that the alteration is of a minor nature only.

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- (18) A proposal under this section takes effect as follows:
- (a) if the day of publication of the relevant notice under subsection (15) occurs before 1 January of the year in which a periodic election is next due to be held then, unless paragraph (c) applies, the proposal will take effect as from polling day for that periodic election;
 - (b) if the day of publication of the relevant notice under subsection (15) occurs on or after 1 January of a year in which a periodic election is due to be held (and before polling day for that periodic election) then, unless paragraph (c) applies, the proposal will take effect as from polling day for the periodic election next following the periodic election held in the year of publication;
 - (c) if a general election (not being a periodic election) is held after the expiration of 7 months from the day of publication of the relevant notice under subsection (15) (and before polling day for the next periodic election after publication) then the proposal will take effect from polling day for that general election.

(18a) Subsection (18) has effect subject to the operation of subsection (11b)(b)(i).

(19) If a council—

- (a) subject to subsection (22), fails to undertake a review in accordance with the requirements of this section; or
- (b) fails to take appropriate action if a matter is referred back to the council by the Electoral Commissioner under subsection (13)(b); or
- (c) fails to publish an appropriate notice in the Gazette by the day specified by the Electoral Commissioner in a certificate under this section,

the chief executive officer must refer the matter to the Electoral Commissioner.

Maximum penalty: \$2 500.

- (20) On the referral of a matter under subsection (19), the Electoral Commissioner may take such action as, in the circumstances of the particular case, appears appropriate to the Electoral Commissioner and may then, by notice in the Gazette, give effect to a proposal that could have been carried into effect by the council under this section.
- (21) The Electoral Commissioner may recover from councils costs reasonably incurred by the Electoral Commissioner in performing his or her functions under this section.
- (22) The Minister may exempt a council from the requirement to hold a review under this section on the basis that relevant issues have already been addressed by a proposal under this Chapter.
- (23) An exemption under subsection (22) may be granted on conditions determined by the Minister, including a condition that the council carry out a review under this section by a date specified by the Minister.
- (24) If—
 - (a) the area of a council is divided into wards; and
 - (b) the Electoral Commissioner notifies the council in writing that the number of electors represented by a councillor for a ward varies from the ward quota by more than 20 per cent,

then the council must undertake a review under this section within a period specified by the Electoral Commissioner.

- (25) For the purposes of subsection (24)—
- (a) if two or more councillors represent a ward, the number of electors represented by each councillor will be taken to be the number of electors for the ward (as at a date determined by the Electoral Commissioner) divided by the number of councillors who represent the ward (ignoring any fractions resulting from the division); and
 - (b) the ward quota is the number of electors for the area (as at a date determined by the Electoral Commissioner) divided by the number of councillors for the area of the council who represent wards (ignoring any fractions resulting from the division).

13—Status of a council or change of various names

- (1) A council may, by notice in the Gazette, after complying with the requirements of this section—
 - (a) change the council from a municipal council to a district council, or change the council from a district council to a municipal council;
 - (b) alter the name of—
 - (i) the council;
 - (ii) the area of the council;
 - (c) alter the name of a ward.
- (2) A council must, before it publishes a notice, comply with the following requirements:
 - (a) the council must give public notice of the proposal;
 - (b) the notice must contain an invitation to interested persons to make written submissions to the council on the matter within a period specified by the council (being a period of at least 6 weeks);
 - (ba) publish a copy of the notice in a newspaper circulating within its area;
 - (c) the council must give any person who makes written submissions in response to an invitation under this section an opportunity to appear personally or by representative before the council or a council committee and to be heard on those submissions.
- (3) A notice published by a council under this section has effect from the date or dates fixed in the notice or, if no date or dates are so fixed, as from the date of the publication of the notice.

Part 2—Reform proposals

Division 3—Principles

26—Principles

- (1) The Commission should, in arriving at recommendations for the purposes of this Chapter (but taking into account the nature of the proposal under consideration), have regard to—
 - (a) the objects of this Act; and
 - (b) the roles, functions and objectives of councils under this Act; and
 - (c) the following principles:
 - (i) the resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within a community;
 - (ii) proposed changes should, wherever practicable, benefit ratepayers;
 - (iii) a council should have a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
 - (iv) a council should offer its community a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis;
 - (v) a council should facilitate effective planning and development within an area, and be constituted with respect to an area that can be promoted on a coherent basis;
 - (vi) a council should be in a position to facilitate sustainable development, the protection of the environment and the integration of land use schemes;
 - (vii) a council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations;
 - (viii) a council area should incorporate or promote an accessible centre (or centres) for local administration and services;
 - (ix) the importance within the scheme of local government to ensure that local communities within large council areas can participate effectively in decisions about local matters;
 - (xi) 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);
 - (xii) a scheme that provides for the performance of functions and delivery of services in relation to 2 or more councils (for example, a scheme for regional governance) may improve councils' capacity to deliver services on a regional basis and therefore offer a viable and appropriate alternative to structural change; and

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- (d) the extent and frequency of previous changes affecting the council or councils under this Chapter or the repealed Act.
- (2) The Commission should, so far as is relevant, give preference to structural changes that enhance the capacity of local government to play a significant role in the future of an area or region from a strategic perspective.

Division 4—Procedures for proposals

27—Preliminary

- (1) In this Division—

administrative proposal—see section 30(7);

eligible elector, in relation to a proposal, is—

- (a) in the case of a proposal to alter the boundaries of 2 or more councils to incorporate land within the area of a council into the area of another council (a *receiving council*)—an elector in respect of a place of residence or rateable property within the area of a receiving council, or within the area that would be so incorporated; or
- (b) in the case of a proposal that relates to the composition of a council or the issue of wards within the area of a council—an elector in respect of a place of residence or rateable property within the area of the council; or
- (c) in the case of a proposal to incorporate within the area of a council a part of the State that is not within the area of a council (the *outside area*)—a person, body corporate or group within the outside area who or which would, if the proposal were to proceed, be an elector in respect of a place of residence or rateable property within the area that would be so incorporated;

general proposal means a proposal for the making of a proclamation under this Chapter, other than an administrative proposal;

proposal includes an administrative proposal or a general proposal;

proposal guidelines—see subsection (2).

- (2) The Commission must prepare and publish on a website determined by the Commission guidelines (*proposal guidelines*) for the purposes of this Division.
- (3) Without limiting subsection (2), the proposal guidelines—
- (a) must set out procedures for inquiries under this Division; and
- (b) must specify requirements relating to consultation that must be undertaken for the purposes of inquiries under this Division, including consultation with the community, councils affected by proposals and entities that represent the interests of council employees affected by proposals; and
- (c) must set out procedures relating to the determination by the Commission of the reasonable costs of an inquiry for the purposes of section 32B; and
- (d) may provide for any other matter the Commission thinks appropriate.

32B—Costs

The Commission may recover reasonable costs incurred in respect of an inquiry in relation to a general proposal referred to the Commission by a council or councils under this Division as a debt due from the council or councils.

32C—Inquiries—independence of Commission etc

- (1) Except as provided by this Division, the Commission or an investigator appointed by the Commission is not subject to Ministerial direction in relation to an inquiry or a recommendation or report under this Division.
- (2) Sections 16 to 18 of the *South Australian Local Government Grants Commission Act 1992* do not apply to or in relation to an inquiry conducted or recommendation made under this Division.

Part 3—General provisions**33—Ward quotas**

- (1) In addition to the other requirements of this Chapter, the following matters must 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;
 - (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).
- (2) A proposal that 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.
- (2a) For the purposes of subsection (2)—
 - (a) if it is proposed that two or more councillors represent a particular ward, the number of electors represented by each councillor will be taken to be the number of electors for the ward (as at the relevant date) divided by the number of proposed councillors for the ward (ignoring any fractions resulting from the division); and

- (b) the ward quota will be taken 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); and
 - (c) the relevant date, in relation to a proposal that relates to the formation or alteration of wards of the council, will be taken to be the date on which the proposal is finalised for the purposes of this Chapter.
- (3) The 10 per cent tolerance referred to in subsection (2) may be exceeded if, on the basis of demographic changes predicted by a Commonwealth or State government agency, it appears that the ward quota will not, as at the next periodic elections, be exceeded by more than 10 per cent (the relevant date in this case being the date of the next periodic elections).
- (4) If under the repealed Act a proposal relating to the formation or alteration of wards did not comply with the corresponding provisions to subsections (2) and (3) and the relevant proposal proceeded (either in its original or an amended form) then, unless otherwise determined by proclamation, the relevant council (or each relevant council) must conduct (and complete) a review of its composition and wards under Part 1 so as to enable appropriate changes in the composition and wards of the council to take effect on or before the date of the second general election of the council after the proposal took effect or, if an earlier date has been fixed by proclamation, on or before that date.

34—Error or deficiency in address, recommendation, notice or proclamation

- (1) If, in the opinion of the Governor, there is an error or deficiency in an address from both Houses of Parliament, in a recommendation of the Minister, or in a report of the Commission, the Governor may, by proclamation, correct the error or supply the deficiency.
- (2) The power conferred by subsection (1) may be exercised notwithstanding that a proclamation has been made under this Chapter on the basis of the address or report.
- (3) If, in the opinion of the Governor, there is an error or deficiency in a proclamation under this Chapter, the Governor may, by subsequent proclamation, correct the error or supply the deficiency.
- (4) The Governor may, by proclamation, correct an error or deficiency in a notice of a council under this Chapter if requested to do so by the council.
- (5) A proclamation under this section will, if it so provides, be taken to have had effect as from the making of the address, report, proclamation or notice to which it relates.

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Chapter 5—Members of council

Part 2—Term of office and related issues

Division 2—Special provisions if majority of members resign on specified grounds

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- (ii) the terms of which entitle the council to receive a payment exceeding \$100 000, or payments exceeding \$100 000, on account of the disposal by the council of an asset of the council; or
 - (c) enters into a lease under which the rent payable by the lessee in any period exceeds \$100 000,
- without the approval of the Minister, the contract or lease is liable to be voided by the Minister.
- (4) However, subsection (3) does not apply to—
 - (a) a contract or lease entered into by the council to give effect to any expenditure or revenue measure contained in a budget adopted by the council before the commencement of the relevant period; or
 - (b) a contract or lease of a kind excluded from the operation of that subsection by the Minister (on conditions, if any, determined by the Minister).
 - (5) An approval granted by the Minister for the purposes of this section has no effect unless the council had, before submitting the relevant contract or lease to the Minister for approval, resolved that it would, subject to the approval of the Minister, enter into the contract or lease.
 - (6) If—
 - (a) the Minister voids a contract or lease under this section; and
 - (b) the Minister or the council incurs a liability by reason of or in relation to the contract or lease,

the Minister or the council (as the case may be) may recover the whole of the amount of the liability as a debt from the persons who were members of the council at the time that the contract was made or lease was entered into or made, or from any of them, or from any one of them.

Part 3—Role of members

58—Specific roles of principal member

- (1) The role of the principal member of a council is—
 - (a) to preside at meetings of the council;
 - (b) if requested, to provide advice to the chief executive officer between council meetings on the implementation of a decision of the council;
 - (c) to act as the principal spokesperson of the council;
 - (d) to exercise other functions of the council as the council determines;
 - (e) to carry out the civic and ceremonial duties of the office of principal member.
- (2) Subsection (1)(c) does not apply in circumstances where a council has appointed another member to act as its principal spokesperson.

59—Roles of members of councils

- (1) The role of a member of a council is—
 - (a) as a member of the governing body of the council—

Appendix 2. Extracts – *City of Adelaide Act 1998*

- (c) a document that is a copy of a part of, or contains an extract from, a document referred to in paragraph (a) or (b);
 - (d) an official record of the Committee;
 - (e) a document that contains matter the disclosure of which would disclose information concerning any deliberation or decision of the Committee.
- (2) A document is not an exempt document under subsection (1) if—
- (a) it merely consists of factual or statistical material that does not disclose information concerning any deliberation or decision of the Committee; or
 - (b) it is within a class of documents excluded from the operation of subsection (1) by the regulations.
- (3) The Crown and the Adelaide City Council are entitled to access to—
- (a) a document referred to in subsection (1); and
 - (b) any other document in the possession or control of the Committee under this Act.
- (4) However—
- (a) access to a document is not available under subsection (3) in breach of a duty of confidence; and
 - (b) access to a document under subsection (3) may be given on conditions determined by the Committee.
- (5) In this section, a reference to the Committee includes a reference to a subcommittee or delegate of the Committee acting under this Act.

19—Committee not to be subject to Parliamentary Committees Act

The functions and operations of the Capital City Committee may not be subject to inquiry under the *Parliamentary Committees Act 1991*.

Part 3—Special arrangements for the Adelaide City Council

Division 1—Constitution of Council

20—Constitution of Council

- (1) The Adelaide City Council will be constituted of—
 - (a) the Lord Mayor; and
 - (b) other members.
- (3) A person cannot hold office as Lord Mayor for more than two consecutive terms.
- (4) The Council may resolve to have a Deputy Lord Mayor in accordance with the provisions of the *Local Government Act 1999*.

Division 2—Role of members

21—Lord Mayor

The role of the Lord Mayor is—

- (a) as the principal elected member of the Council representing the capital city of South Australia—
 - (i) to provide leadership and guidance to the City of Adelaide community;
 - (ii) to participate in the maintenance of inter-governmental relationships at regional, State and national levels;
 - (iii) to carry out civic and ceremonial duties associated with the office of Lord Mayor; and
- (b) as the principal member of the Council—
 - (i) to provide leadership and guidance to the Council;
 - (ii) to preside at meetings of the Council;
 - (iii) to advise the chief executive officer on the implementation of decisions of the Council between council meetings (as necessary);
 - (iv) to act as the principal spokesperson of the Council;
 - (v) to exercise other functions of the Council as the Council determines.

22—Members

(1) The role of a member of the Council is—

- (a) as a member of the governing body of the Council—
 - (i) to participate in the deliberations and activities of the Council;
 - (ii) to provide community leadership and guidance to the City of Adelaide community and to participate in achieving a vision for the desired future of the City through the formulation of strategic plans and policies;
 - (iii) to keep the Council's goals and policies under review to ensure that they are appropriate and effective;
 - (iv) to keep the Council's resource allocation, expenditure and corporate strategies, and the efficiency and effectiveness of its service delivery, under review;
 - (v) to participate in setting and assessing performance standards to be met under the Council's contract with the chief executive officer;
 - (vi) to serve the overall public interest of the City of Adelaide;
- (b) as a person elected to the Council—to represent the interests of residents and ratepayers and to facilitate communication between the community and the Council.

- (2) The Lord Mayor may authorise another member of the Council to act in place of, or to represent, the Lord Mayor in the performance of a particular function.
- (3) An authorisation under subsection (2) cannot derogate from the role of a Deputy Lord Mayor under the *Local Government Act 1999*.
- (4) A member of the Council has no direct authority over an employee of the Council with respect to the way in which the employee performs his or her duties.

Division 4—Allowances and benefits

24—Allowances

- (1) Subject to this section, a member of the Council is entitled to the allowance determined by the Remuneration Tribunal in relation to the member's office and indexed in accordance with this section.
- (2) The Remuneration Tribunal must make determinations under this section on a 4 yearly basis before the designated day in relation to each periodic election for the City of Adelaide held under the *Local Government (Elections) Act 1999*.
- (3) The Remuneration Tribunal must, in making a determination under this section, have regard to the following:
 - (a) the role of members of the Council as members of the Council's governing body and as representatives of their area;
 - (b) the size, population and revenue of the Council, and any relevant economic and social factors in the council area;
 - (c) the fact that an allowance under this section is not intended to amount to a salary for a member;
 - (d) the fact that an allowance under this section should reflect the nature of a member's office;
 - (e) the provisions of this Act providing for the reimbursement of expenses of members.
- (4) For the purposes of the proceedings before the Remuneration Tribunal but without derogating from the operation of subsection (3), the allowances to be determined under this section will be taken to be in the nature of a fee under the definition of **remuneration** in the *Remuneration Act 1990*.
- (5) Without limiting section 10 of the *Remuneration Act 1990*, the Remuneration Tribunal must allow persons who are entitled to be enrolled on the voters roll for the City of Adelaide, and the LGA, a reasonable opportunity to make submissions orally or in writing to the Tribunal in relation to any determination under this section.
- (6) Nothing in subsection (5) requires the Remuneration Tribunal, for the purposes of making all determinations required under this section in any 4 year period, to hold more than 1 hearing to receive any oral submissions that persons may care to make (and the Tribunal is not required to hold any hearing if it appears to the Tribunal that no one is seeking to make oral submissions).
- (7) The rates of allowances may vary from office to office.

Appendix 3. Assumptions – Low Growth

Assumptions underpinning lower growth rate for comparison purposes

For the purpose of low growth projections, we have assumed the following change over the next 10 calendar years:

Residential

- 2021 – 2022: 0% p.a
- 2023: 1.0% p.a
- 2024 – 2030: 2.0% p.a

Business

- 2021 – 2022: 1.0% p.a
- 2023 - 2025: 1.5% p.a
- 2026 – 2030: 2.0% p.a

Based upon the Voters Roll provided by Council, the projected change in voters at the key dates of (December) 2020, 2022, 2026 and 2030 are as follows:

Table 21. Projections of Voters by Voter Type

Voter Type	Year			
	2020	2022	2026	2030
Residents	19,658	19,658	20,659	22,362
Businesses	8,124	8,287	8,839	9,568
Total	27,782	27,945	29,498	31,930