REPRESENTATION REVIEW REPORT

December 2024

Prepared in accordance with section 12 of the *Local Government Act 1999*

Prepared by

Kelledy Jones

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City of Charles Sturt

This paper has been prepared for the City of Charles Sturt (the **Council**) for the purposes of section 11A and 12 of the *Local Government Act 1999* (the **Act**) by Kelledy Jones Lawyers.

Disclaimer

This Representation Review Report has been prepared by Kelledy Jones Lawyers for the City of Charles Sturt's Representation Review for use by the Council and its constituents. The opinions, estimates and other information contained in this Report have been made in good faith and, as far as reasonably possible, are based on data or sources believed to be reliable. The contents of this Report are not to be taken as constituting formal legal advice.

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1 INTRODUCTION

Section 12(4) of the *Local Government Act 1999* (the **Act**) requires Councils undertake a review of all aspects of its composition and the division (or potential division) of a council area into wards, as prescribed by the Minister every eight (8) years (the **relevant period – refer Appendix 1**) by a notice published in the Government Gazette (the **Representation Review**).

1.1 Legislative Requirements

Recent changes to the Act have resulted in the requirement for all Councils to have a principal member, appointed or elected as a representative of the area as a whole, as well as imposing a limit to the number of Elected Members a council may be comprised of.

Councils that do not comply with these legislative requirements, and are not in the 2024-2025 scheduled review period, must undertake a 'Transitional Review', as set out in the *Representation Review Guidelines for Council* published by the Electoral Commission of South Australia (**ECSA**).

The outcome of such a Representation Review must be published before 1 January of the year of the next periodic elections, to take effect for polling day for the next periodic elections.

ECSA has advised Councils should aim to refer such a report by **October 2025**. This provides sufficient time for the Electoral Commissioner to consider the report and issue a certificate if the requirements have been met, and for the Council to publish a notice in the Gazette.

1.2 Member Cap

The issue now for consideration as part of the City of Charles Sturt's (the **Council's**) Transitional Review is the 'Member cap'.

The Council undertook its last Representation Review during the period June 2020 to June 2021.

Section 11A of the Act provides that Councils must not be comprised of more than 13 Members (the **Member cap**), unless the Electoral Commissioner grants an exemption certificate as part of a Representation Review under section 11A of the Act.

Whilst Councils in the 2024-2026 Representation Review cycle will examine this issue as part of their scheduled Review, Councils that completed a review prior to 1 January 2022 must also address this issue.

It is section 147(1) of the *Statutes Amendment (Local Government Review) Act 2021* that requires those Councils to complete a review in accordance with section 12 of the Act, to reduce the number of Members **or to** seek an exemption certificate.

These Councils must complete reviews under the transitional arrangements and publish the outcome prior to 1 January of the year of the next periodic election for any changes to take effect as at polling day of that election.

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Section 11A provides, in part, as follows:

> *(1) Despite any other provision of this Chapter, a council must not be comprised of more than 13 members, unless the council is granted an exemption certificate under section 12(11b) in connection with its most recent representation review.*

Reference to '13 Members' in this regard includes the Mayor (the Principal Member being defined as a 'member' for the purposes of section 4 of the Act).

The Council is constituted of a Mayor and 16 Ward Councillors (i.e. 17 Members).

The Council area is divided into eight (8) Wards, with two (2) Ward Councillors in each Ward.

Section 12 (11a) provides that:

> *If - …*
>
> *(b) the council is constituted of a number of members that exceeds the member cap and the report does not propose an alteration in the composition of the council so that it is constituted of a number of members equal to or less than the member cap,*

the report must be referred to the Electoral Commissioner.

The Electoral Commissioner, on receipt and assessment of the Representation Review Report, may grant a certificate authorising the referral of the Report under subsection (12) (an exemption certificate), unless he considers that exceptional circumstances exist that justify a refusal to give an exemption certificate to the council.

Exceptional circumstances justifying a refusal are defined under section 12(11b) of the Act, being where the report does not:

- examine the advantages and disadvantages of the various structure and composition options available, including whether the number of Members should be reduced, and whether Wards should be abolished; or
- set out the reasons for the Council being comprised of more Members than the Member Cap.

The Council wishes to make application for an exemption certificate as part of its Representation Review, in doing so, it understands it must undertake a 'full' Representation Review, addressing the matters set out at sections 12, 26(1)(c) and 33 of the Act.

This Report sets out the Council's proposed elector representation and the process it has undertaken to reach its proposed composition and structure.

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1.3 Matters to be Considered

As above, section 11A of the Act proposes to limit the number of Elected Members to 13, including the Mayor (the Member Cap).

Councils must not be comprised of more members than the Member cap, unless an exemption certificate is granted as part of a Transitional Review.

In accordance then with section 12 of the Act:

> *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 division or potential division, or 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.*

That is, the Representation Review is required to consider the composition of the Council and the advantages and disadvantages of the options that are available for elector representation under the Act.

The key areas for consideration are:

- the number of Councillors, noting the Member Cap introduced by section 11A of the Act;
- whether the Council should have Wards or no Wards (and if it has Wards, the name of the Wards);
- how Councillors are elected, from Wards, across the whole of the Council area; or a combination of both;
- the name of the Council; and
- for the Council, the Member Cap established under section 11A of the Act.

The Representation Review must also take into account the principles set out in section 26 of the Act, in particular:

- the resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within a community;
- a Council should have a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
- a Council should offer its community a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis;
- 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;

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- a Council should be in a position to facilitate sustainable development, the protection of the environment and the integration of land use schemes;
- 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;
- a Council area should incorporate or promote an accessible centre (or centres) for local administration and services;
- the importance within the scheme of local government to ensure that local communities within large Council areas can participate effectively in decisions about local matters;
- residents should receive adequate and fair representation within the local government system, while over-representation in comparison with councils of a similar size and type should be avoided.

The Council must also have regard on its Representation Review to section 33 of the Act, which lists the matters that must be taken into account, so far as is practicable, if the Council proposes to change the Ward representation of the Council.

These considerations include:

- the desirability of reflecting communities of interest of an economic, social, regional or other kind;
- the population of the area, and of each Ward affected or envisaged by the proposal;
- the topography of the area, and of each Ward affected or envisaged by the proposal;
- the feasibility of communication between electors affected by the proposal and their elected representatives;
- the nature of substantial demographic changes that may occur in the foreseeable future; and
- 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).

A proposal that relates to the formation, or alteration of, Wards must observe the principle that the number of electors represented by a Councillor must not, at the relevant date (assuming the proposal was in operation), vary from the Ward quota by more than 10% (+ or – across each Ward).

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1.4 Representation Review Process

In undertaking this review, and in accordance with section 12 of the Act, the Council is required to:

- prepare a Representation Review Report, representing the Council's preferred Representation option, to be adopted by the Council for public consultation purposes;
- undertake a minimum three-week public consultation on the Representation Review Report (the **public consultation**), included as supplemented by any additional requirements under the Council's *Public Consultation Policy*;
- review the submissions received following the conclusion of the public consultation process and, if submissions are received, include those submissions in the Representation Review Report;
- consider and adopt a representation structure, having regard to the submissions received during the public consultation processes;
- have prepared, and adopt, the Final Representation Review Report;
- submit the Final Representation Review Report to the Electoral Commissioner, with a request for an exemption certificate and .a certificate of compliance; and
- on receipt of a certificate of compliance, publish a notice in the Gazette, notifying of the future composition and structure of the Council, to take effect from polling day of the next periodic elections.

2 BACKGROUND

The Council undertook its last Representation Review during the period June 2020 to June 2021 at which time it determined to retain its eight (8) Ward structure, each with two (2) Ward Councillors, as well as a Mayor, elected as a representative of the area.

The existing names of the eight (8) Wards in the Council area are:

- Beverley;
- Findon;
- Grange;
- Henley;
- Hindmarsh;
- Semaphore Park;
- West Woodville; and
- Woodville.

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Based on its current composition, the Council commenced its Transitional Review Representation Review process in February 2024.

At Agenda Item 6.10 at its meeting of 26 February 2024 (**Appendix 2**), the Council resolved to appoint Kelledy Jones Lawyers, as a 'person' who, in the opinion of the Council was qualified to address the representation and governance issues that may arise with respect to the matters under review, and, in the first instance, to prepare this draft Representation Review Report for the Council's consideration.

Subsequently, a workshop, in the nature of an information and briefing session for the purposes of section 90A of the Act, was held with the Elected Member on 27 May 2024, at which time Members received information regarding the Transitional Review Process.

3 ADOPTION OF DRAFT REPRESENTATION REVIEW REPORT

Following feedback received from Members, including at a workshop, this Review Report has now been prepared for the Council's consideration.

Pursuant to sections 12(6) and (7) of the Act, at Agenda item 6.119 at its meeting of 9 December 2024, when the Council reached the item in question, following is consideration of the same, the Council resolved to adopt the proposal set out in this Review Report for the purposes of the public consultation process.

A copy of the Agenda report and relevant pages of the Minutes for item 6.119 are in **Appendix 3**.

In accordance with the Council's resolution and pursuant to section 12(7) of the Act, the public consultation on the Representation Review Report is now to be commenced on 10 February 2025, concluding on 3 March 2025.

As a result of recent amendments to the Representation Review process under section 12 of the Act, the Council is only required to undertake public consultation for the purposes of section 12(7) of the Act, in accordance with section 50 of the Act (in addition to any further discretionary matters set out under the Council's Public Consultation Policy).

The consultation process is set out in further detail below.

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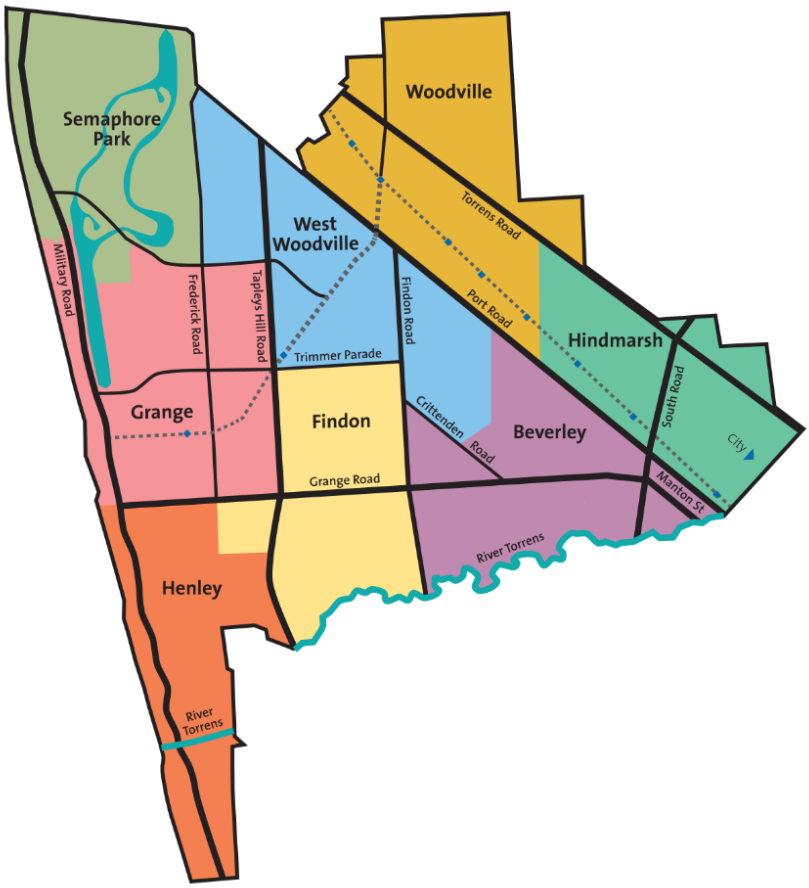
4 REASONS FOR REPRESENTATION AND COMPOSITION PROPOSAL

A Map of the existing Wards across the Council area are set out below:



As part of this Review, the Council proposes to retain its existing structure and composition being:

- a Mayor elected as a representative of the area;
- eight (8) Wards; and
- 16 Ward Councillors, two (2) elected from each Ward.

Based on the current number of electors in the Council area, being 90,887, the elector representation ratios under the Council's proposal will be 5,680 electors per Councillor.

The average Ward quota will be 1:5,680.

However, by reference to the table below, the Council will be required to 're-draw' its boundaries, to ensure its Wards remain within the tolerances provided for under section 33 of the Act.

Table 1: Statistics for Electoral Representation Review[1]

Statistics for Elector Representation Review

Electoral Commission SOUTH AUSTRALIA

024 City of Charles Sturt

Mayor/Chairperson: M

Area Councillors: 0

Ward Code	Ward Name	HA Electors	Council Voters Roll	Total	No. of Rep		Quota	% Difference
1	Semaphore Park	10196	6	10202	2		5101	-10.19%
2	Grange	10905	3	10908	2		5454	-3.98%
3	Henley	11151	4	11155	2		5577	-1.81%
4	Woodville	12441	6	12447	2		6223	9.56%
5	West Woodville	11896	3	11899	2		5949	4.74%
6	Findon	11908	8	11916	2		5958	4.89%
7	Hindmarsh	11734	10	11744	2		5872	3.38%
8	Beverley	10611	5	10616	2		5308	-6.55%
Total:		**90842**	**45**	**90887**	**16**	**Average:**	**5680**	

Last Review: 26-08-2021 **Next Review: 01-01-2024**

The Council is required to examine its Ward boundaries as part of this process to ensure Ward quotas remain within the statutory tolerance of 10% variance from the Ward Quota.

Each of the Wards remain within the 'tolerances' provided for under section 33 of the Act, save for Semaphore Park, as demonstrated in the table above. We will return to this shortly.

5 PROPOSAL RATIONALE

5.1 Council Name

The City of Charles Sturt was proclaimed on 1 January 1997, on the amalgamation of the former City of Hindmarsh Woodville and the City of Henley and Grange.

Whilst section 12(2) of the Act provides that the Council may consider the alteration of its name as part of the Review process, the name of the Council is an important part of its history.

The Elected Member body has indicated it is not contemplating a change to the name of Council at this time.

The name of Council has no impact upon the provision of fair and adequate representation.

5.2 Composition

5.2.1 Number of Area or Ward Councillors

There are two (2) key factors that the Council must consider in relation to the number of Councillors:

- whether the current number of Councillors (16) has an impact on decision making by the Council; and

[1] Statistic for Elector Representation Review, 4 November 2024, ECSA

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- ensuring adequate and fair representation, whilst avoiding over representation in comparison to other Councils of a similar size and characteristic.

These factors are to be considered in respect of sections 11A and 12(11a)-(11c) of the Act, which require the Council to justify its requirements to be exempt from the 13 member limit.

The Council's proposal is to continue with 16 Councillors, to be elected from within Wards as Ward Councillors.

The Council's view is that, although this is an even number of Councillors, coupled with the Mayor, who has a casting vote, this number is appropriate and does not hinder the ability of the Council in its decision-making functions.

In relation to the consideration of adequate and fair representation, a table demonstrating a comparison of the Council against those similarly classified as *Metropolitan Councils* for the purposes of, and in accordance with, the Australian Classification of Local Government framework, is contained in the below Table.

Table 2: Comparison of Elector Ratios with other similarly 'grouped' Councils

Council	Area	Councillors	Electors	Ward Quota
Walkerville	**1.34 *km²***	8	5,845	730
Prospect	**7.81 *km²***	8	15,204	1,900
Norwood, Payneham and St Peters	**15.1 *km²***	13	26,053	2,004
Gawler	**41.1 *km²***	10	20,480	2,048
Unley	**14.29 *km²***	12	28,038	2,336
Holdfast Bay	**13.72 *km²***	12	28,750	2,395
Burnside	**27.53 *km²***	12	32,362	2,696
West Torrens	**37.07 *km²***	14	43,277	3,091
Adelaide	**15.57 *km²***	9	30,559	3,395
Campbelltown	**24.35 *km²***	10	37,208	3,720
Mitcham	**75.55 *km²***	12	49,728	4,144
Port Adelaide Enfield	**97 *km²***	17	90,467	5,321
Charles Sturt	***52.14 km²***	***16***	***90,887***	***5,680***
Marion	**55.5 *km²***	12	68,508	5,709
Tea Tree Gully	**95.2 *km²***	12	74,776	6,231
Salisbury	**158.1 *km²***	14	98,584	7,041

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This table demonstrates the Council's Ward quotas **are not** disproportionally low, in fact, the Council sits in the 'higher range' with respect to Ward quotas, even with a proposed retention of 16 Members, particularly noting the total Council area being at the higher end of the comparison Councils.

In arriving at the decision to retain 16 Councillors plus a Mayor at its last Review, the Council took into consideration its own experiences as a representative governance body and these comparisons with similar Councils.

This included a consideration of the demographic make-up of the Council area and its communities of interest, as identified on its website[2], (to be addressed in further detail below):

> *At Charles Sturt, we champion unity in diversity.*
>
> *Our City is home to more than 120,000 people from over 105 cultures and backgrounds. Our residents all bring something special to our community - festivals, food, language, art, events, knowledge and skills.*
>
> *You'll find people from all corners of the globe around every corner. It is this richness which makes Charles Sturt such a vibrant place to live, work and play.*
>
> *This is why the City of Charles Sturt means the world. It highlights not only what makes our City unique, but the pride of everyone who calls it home.*

Since the preparation of this information for the Council's webpage, the Council's population is now approximately 127,500, and projected in the near future to increase to almost 130,000.

Importantly, it is also to be noted the Council's Ward quotas are **higher** than those of the City of West Torrens and the City or Port Adelaide Enfield, each of which has a composition that exceeds the Member Cap, and each of which are now making application for an exemption from the Member cap provisions as part of its 'Transitional Review'.

This is not surprising, given the high levels of migration and development **in each of** the three (3) Council areas, which will be addressed later in this Report, and which supports the retention of 16 Ward Councillors as part of the Council's composition and structure.

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[2] https://www.charlessturt.sa.gov.au/council/about-our-city

5.2.2 City of Onkaparinga

The Council's Ward Quotas have been assessed as against *Metropolitan Councils* in accordance with, the Australian Classification of Local Government Framework.

However, the Council does note the City of Onkaparinga has the highest Ward Quota in the State, currently at 1:11,170[3], and has taken this into consideration as part of its Review process.

The Ward quotas for the City of Onkaparinga were not included at **Table 2**, as it is classified as *Metropolitan Fringe*, together with:

- Adelaide Hills Council
- Alexandrina Council
- The Barossa Council
- City of Onkaparinga
- City of Playford

It is submitted that the experiences of the City of Onkaparinga as part of its last Representation Review, can be distinguished from the Council's process in a material manner.

The City of Onkaparinga's last review concluding in December 2017, at which time it determined to reduce its composition from 20 Ward Councillors and a Mayor, to 12 Ward Councillors and Mayor. This decision was made in an environment whereby there was very strong community sentiment and support for such a reduction.

At that time, the Member cap under the Act had been foreshadowed, and the Council had been through a period of media attention with respect to alleged expenditure excess. Whilst there was some anomalies in the consultation outcomes, the Council ultimately received and considered:

- 197 submissions at the conclusion of the first six week consultation period;
- 850 submission at the conclusion of a supplementary three week consultation period ; and
- 692 accepted submissions at the conclusion of the second consultation period.

These submissions indicated very strong support for a reduction in the number of Ward Councillors.

Conversely, on the Council's last Representation Review process, concluded in August 2021, the Council only received 22 submissions, on a proposal to maintain its existing composition and structure, save for a boundary realignment to ensure quota 'tolerances' were maintained.

[3] Statistics for Elector Representation Review, ECSA, Monday 4 November 2024

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Those submissions demonstrated a clear and strong preference to retain that existing composition and structure, comprising eight (8) Wards, 16 Councillors, with two (2) each elected from each Ward, and a Mayor, elected from the community as a whole.

It is also submitted that the fact that the Council did not receive the extraordinary number of consultation outcomes, as experienced by the City of Onkaparinga as part of its process, demonstrated broader community support for maintaining the '*status quo'*.

That is, there was, demonstrably, an expressed community desire to ensure that the Council retained local representation by the number of Ward Councillors who know their local area.

Of course, as part of this Review, the Council is to have regard to the obligations under section 11A of the Act to examine the advantages and disadvantages of the various structure and composition options available, including whether the number of Members should be reduced, and set out its reasons for the Council being comprised of more Members than the Member Cap.

Whilst these matters are addressed in further detail later in this Report, the Council's own experiences, and as supplemented by the consultation outcomes set out above from its last review, demonstrate that as an elected body:

- it has been able to make informed, transparent and accountable decisions effectively and in a timely manner for the community;
- it provides appropriate, proportionate, representation for various interest groups/areas in the Council, having particular regard to the physical size of the Council area; and
- each Councillor feels that their workload is appropriate and manageable.

The rationale for continuing with 16 Councillors:

- the Council has found 16 Councillors to be an appropriate number to provide:
    - appropriate elector representation for the different areas of the Council, taking into account the specific characteristics and demographics of the population of the Council area, including its business and industrial districts as well as seaside locations;
    - it provides for a diversity of skills, knowledge and life experiences amongst the Elected Member body that appropriately and fairly match its population; and
    - provides for different views points on matters to be raised and debated, to ensure all relevant considerations are taken into account in representing the interests of the community;
- this is a sufficient number to share the workload in giving effect to the Council's governance functions, as well as the individual roles and responsibilities of Councillors;

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- the number is more than favourable when compared against similar Councils in South Australia. That is, it could not be said that the electors in the Council area are under, or over, represented, when compared to other Councils of a similar size and composition (refer **Table 2**); and

- it is a composition and structure that has demonstrable support from the community.

The feedback from the Council and an analysis of the data, demonstrates that 16 Councillors, with a total Elected Member group of 17 (including the Mayor), is both a reasonable, suitable and appropriate number to ensure that each Member can carry out their role in accordance with section 59 of the Act, including that members:

> *represent the interests of residents and ratepayers, to provide community leadership and guidance and to facilitate communication between the community and the council.*

5.3 Ward Structure

5.3.1 Wards or No Wards

'Ward' is the name given to an electoral division within a Council area in South Australia. Wards exist solely for electoral purposes and are similar in concept to electorates in the Australian and South Australian Parliaments.

As part of this Review process, the Council is required to consider whether it retains its existing Ward Structure (and if so, how many Wards) or whether it abolished Wards. The issue of whether a Council is divided into Wards will impact on the number and manner in which Councillors are elected, including:

- whether elected from within Wards as Ward Councillors;

- across the whole Council area as Area Councillors; or

- a combination of Ward Councillors and Area Councillors.

Despite popular opinion to the contrary, there is no difference in the roles and responsibilities of Members elected as Ward Councillor *vis a vis* those elected as Area Councillors, save for, Ward Councillors are generally thought to have specific expertise and experience in their particular Ward and are considered to be representative of the electors, residents and ratepayers in that Ward.

However, there is no impediment to a member of the community approaching another Councillor, from outside of their Ward and a Member does not need to live in the Ward of which they may be Ward Councillor.

Having considered the issue of its existing Wards, and boundaries, as part of this process, the Council proposes **to continue with its current structure of eight (8) Wards**, with two (2) Ward Councillors to be elected from within each Ward.

In making this decision, the Council has considered the arguments regarding the options available to it, as set out below.

The Council acknowledges the factors that support abolishing a Ward structure, include:

- it affords electors the opportunity to elect more than two (2) nominal representatives from within a Ward, being the current number of candidates that can elected from each Ward;
- it gives electors the opportunity to vote for any candidate at an election, and judge the performance of all candidates (not just the candidates in their Ward);
- Councillors can be challenged to find the right balance between corporate governance duties and their representative role, with the desire to make decisions in the best interests of their Ward sometimes seen to outweigh the requirements to make decisions in the interests of the community as a whole;
- potential reduction in electoral accountability, where periodic elections are required for all Wards of a Council area, with the result that sometimes, incumbent members in some Wards are returned unopposed;
- the lines of communication between the Council and the community may be enhanced, given that members of the community can consult with all members of the Council, rather than feel obliged to consult with specific Ward Councillors;
- such a structure automatically 'absorbs' any fluctuations in elector numbers and adjusts the elector ratio accordingly. That is, specified quota tolerance limits do not apply, and the Council is not required to adjust its Ward boundaries as part of any subsequent Representation Review; and
- in some circumstances the Council can carry a casual vacancy and avoid the cost of a Supplementary Election.

However, the Council's is persuaded to continue with its current structure of eight (8) Wards for reasons including:

- Ward Councillors provide an enhanced representation for specific Council areas, particularly having regard to the size of the Council area and its demographics, which including smaller communities, communities of interest and those communities that may need additional assistance. Each of which in a localised area may have difficulty in obtaining direct representation under a 'no Ward' structure;
- Councillors have better local knowledge of their Ward area and understanding of local issues;
- reduces concerns that 'at large' elections do not guarantee that Councillors will have any empathy for, or affiliation with, all communities within the Council area, or be representative of the same;

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- more prominent or popular Councillors, or those perceived to have more 'power' or 'control', are not disproportionately called upon more frequently by community members, ensuring equity in demands on time and resources;
- Councillors having a smaller area to manage an appropriate workload;
- ensures more effective representation of all areas across the Council, reducing the risk of lack of representation in some areas, and over representation in others;
- ensures Councillors do not all come from one area and reduces the risk of dominance by factional groups or 'stacking' of the Council;
- keeps costs of campaigning for candidates lower, as they only need to campaign within the nominated Ward area. This is particularly relevant given the geographical and population size of the Council;
- face to face communication between Councillors and electors, residents and ratepayers can be facilitated more readily; and
- the cost of Supplementary elections is lower for a Ward than across the whole Council area.

For these reasons, continuing with the current structure of eight (8) Wards is the preferred option for the Council at this time.

5.3.2 Ward Representation and Quotas

The elector ratio is the average number of electors represented by each Councillor, who represent Wards. The Mayor is not included in these calculations.

In accordance with section 33(2) of the Act, where a Council is proposing to retain Wards as part of its representation structure, the number of electors represented by each Councillor must not vary from the Ward quota by more than 10%.

As part of its last Representation Review, concluded in August 2021, the Council was, likewise, required to consider a number of options in relation to redrawing the boundaries as part of its eight (8) Ward composition, to ensure the Ward quotas were not exceeded under section 33 of the Act.

By reference to **Table 1,** for most Wards in the Council Area, the number of electors represented by each Councillor does not vary from the Ward quota (+/- 10%) under section 33 of the Act, save for the **Semaphore Park Ward.** That Ward exhibits a variation of 10.19% below the Ward quota.

Accordingly, Ward quotas are required to be considered as part of this Review, having regard to population projections and anticipated demographic trends in the Council area.

The Council, as a governing body, supports retaining the Council's existing structure and composition.

In which case, the Council proposes to adopt the following Ward structure as part of this Review to ensure the Ward quotas are brought back within tolerances set out under section 33 of the Act.

The proposed changes to the Ward boundaries are as follows:

- Moving a small portion Tennyson along Military Road and around Lakeside Court.

The following Table depicts the amended Ward quotas under this proposal, based on the updated elector figures for August 2024.

This proposed amended Ward boundaries are depicted in the below Maps:

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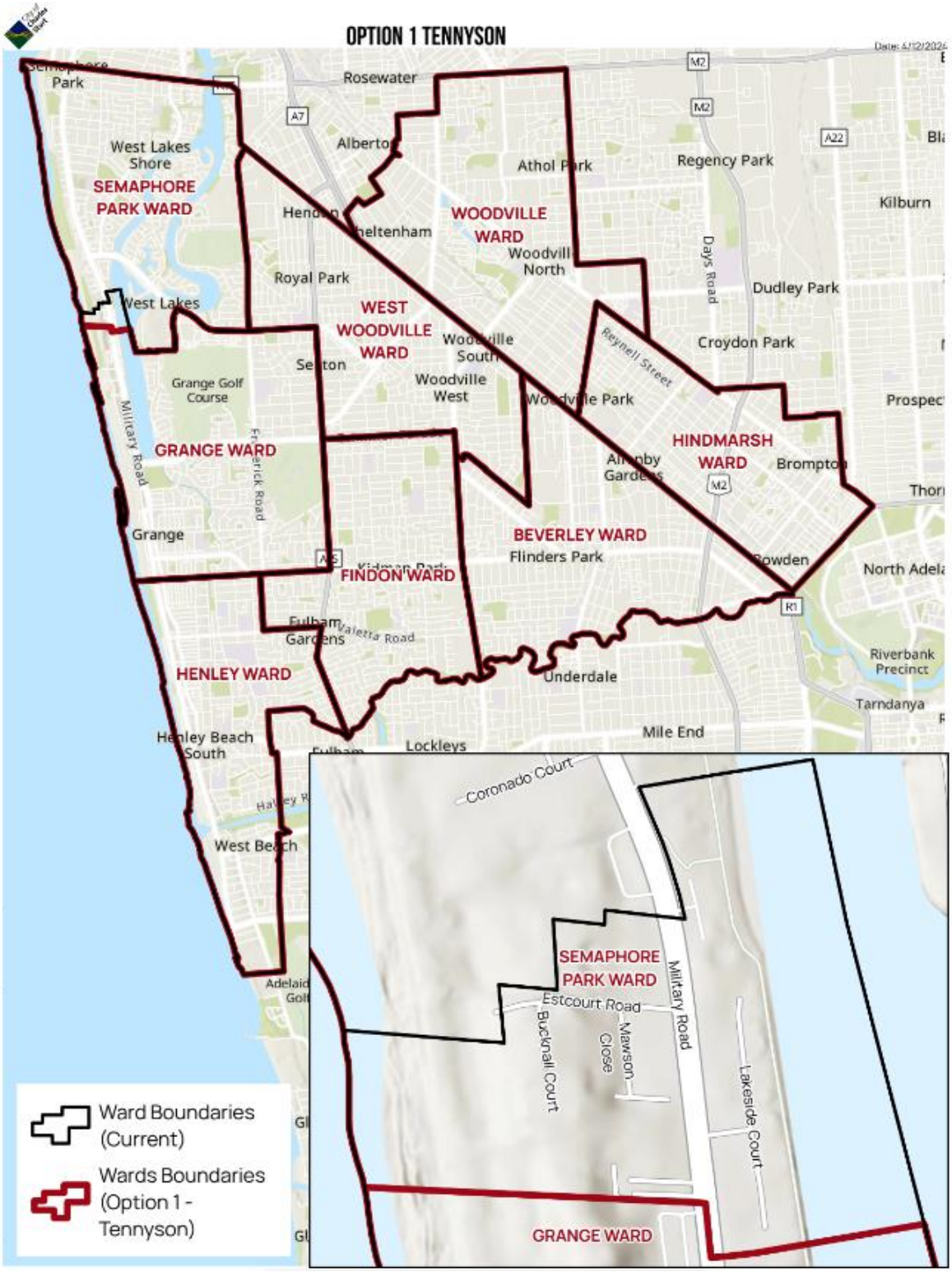
OPTION 1 TENNYSON
Date: 4/12/2024
Semaphore Park
West Lakes Shore
SEMAPHORE PARK WARD
West Lakes
Rosewater
Alberton
Athol Park
Regency Park
Kilburn
WOODVILLE WARD
Woodville North
Cheltenham
Royal Park
Days Road
Dudley Park
WEST WOODVILLE WARD
Woodville South
Croydon Park
Reynell Street
Seaton
Woodville West
Woodville Park
Grange Golf Course
Military Road
Frederick Road
GRANGE WARD
HINDMARSH WARD
Allenby Gardens
Brompton
Grange
BEVERLEY WARD
Flinders Park
Bowden
North Adelaide
FINDON WARD
Fulham Gardens
Valetta Road
HENLEY WARD
Underdale
Riverbank Precinct
Tarndanya
Mile End
Henley Beach South
Lockleys
West Beach
Coronado Court
SEMAPHORE PARK WARD
Estcourt Road
Bucknall Court
Mawson Close
Military Road
Lakeside Court
GRANGE WARD
Ward Boundaries (Current)
Wards Boundaries (Option 1 - Tennyson)

OPTION 1 TENNYSON - AREA PROPOSED TO CHANGE
Coronado Court
SEMAPHORE PARK WARD
Estcourt Road
Buckhall Court
Mawson Close
Military Road
Lakeside Court
Sunlake Place
GRANGE WARD
Ward Boundaries (Current)
Wards Boundaries (Option 1 - Tennyson)

Table 3: Ward quotas under the proposed Ward Boundary Amendment

Ward	Ward Councillors	Electors	Ward Quota	Variation from ward quota
Beverley	2	10616	5308	-6.55%
Findon	2	11916	5958	4.89%
Grange	2	10786	5393	-5.05%
Henley	2	11155	5577	-1.81%
Hindmarsh	2	11744	5872	3.38%
Semaphore Park	2	10324	5162	-9.12%
West Woodville	2	11899	5949	4.74%
Woodville	2	12447	6223	9.56%
			Ward Quota	
Total	16	90,887	5680	

If the proposed amendments to the Ward boundaries are adopted as part of this Review, and the composition of the Council remains at 16 Ward Councillors, all eight (8) Wards will fall within the tolerances prescribed under section 33 of the Act

6 LEGISLATIVE PRINCIPLES TO BE CONSIDERED

In arriving at the abovementioned position, there are a number of legislative requirements that are required to be taken into consideration by the Council, when determining its composition as part of its Review, including the Member Cap under section 11A of the Act, the objectives contained at section 26(1)(c) of the Act and the considerations provided under section 33 of the Act.

6.1 Section 11A of the Act

As addressed above, section 11A of the Act has introduced a 13 Member Cap for Councils.

In determining to retain its current structure of 16 Councillors and a Mayor, the Council's proposal exceeds the Member Cap by four (4) Members and must refer this Review Report to the ECSA for consideration to be granted an exemption.

6.1.1 Advantages and Disadvantages of Composition Structures

This Review Report is required to addressed the matters under section 12(6)(a) of the Act, namely, whether the number of Members should be reduced and whether the Council's area should continue to be divided into Wards or not.

The Council has determined its current structure, including both its Member composition and Ward structure is not only sufficient, **but necessary** in effectively meeting the demands of its diverse and growing community.

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In order to satisfy the Member Cap, the Council would need to be reduced by four (4) Councillors. The effect of this would result in the Ward quotas increasing from the current 5,667 electors per Councillor, to between **7,500 and 7,900** electors per Ward Councillor, placing it at the **highest with respect to elector representation** amongst the other 16 *Metropolitan Councils* in Table 2.

Together with the future population and demographic data outlined in the following sections, the Council considers that any reduction to its Member composition would have a significant, and detrimental, impact on its ability to meet its future community obligations, particularly with respect to adequate representation.

It is also important to consider the impact, including the potential for an increased level of stress and anxiety, that may be placed on Members if there was to be a reduction in Member numbers, as well as a concurrent increase in support required from administration in order to assist a reduced number of Members give effect to their roles and responsibilities across the Council area.

Members already recognise the Council's existing composition highlights competing demands on their ability to represent and advocate for their constituents whilst also maintaining full-time work and family commitments, particularly noting the diverse and multicultural nature of the Council's population

Given the projected increasing population, as well as residential development within the Council area, the Council considers it would be unreasonable to reduce the number of Members.

That is, if the number of Members in the Council area were to be reduced, there would be an associated reduction in representation of electors.

In addition, any reduction in Member numbers would have a substantial impact on the Council's Ward composition, requiring extensive work in determining boundary realignments. It is considered this would also be a complex and confusing process for members of the community.

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The Council is of the strong view the current Ward structure appropriately represents the diverse communities within the Council area. The Council's diversity is not only limited to its community members, but also extends throughout its topography, which ranges from the inner city to the coast.

It is important that these various communities and local areas are fairly represented and heard on issues and needs. Consequently, the Council considers it essential to retain its current composition of 16 Ward Councillors divided equally across its eight (8) Wards.

In this respect, the requirements of the Council and its community must not be considered solely at the present date, but also in respect of the future. Demographic and development data is examined in the following section of this Report.

6.2 Section 33 of the Act

As set out above, in determining to retain its current structure of eight (8) Wards, the Council has taken into account the considerations under section 33(2) of the Act, which provide that a proposal that relates to the formation or alteration of Wards must also observe the principle that the number of electors represented by a Councillor must not vary from the Ward quota by more than 10 per cent.

For the purposes of section 33(2), if two (2) or more Councillors represent a particular Ward, the number of electors represented by each will be taken to be the number of electors for the Ward, divided by the number of Councillors for the Ward.

The Ward quota will be taken to be the number of electors for the area, divided by the number of Councillors for the area who represent Wards.

The following factors have been taken into account in considering the number of electors in the Council area and Ward quotas.

6.3 Demographic Trends

Demographic trends have been considered on this Review, on the basis of communities of interest, together with the potential for migration trends to impact the population of the Council area.

Data from the Australian Bureau of Statistics (**ABS**) demonstrates the Council is experiencing, and expected to continue experiencing, significant increases in both the size and diversity of its population.

The below Table sets out the pattern of international migration within the Council population over the past five (5) years, demonstrating consistent annual net increase in overseas migrants settling into the Council area, with a more significant increase in the past 12 months.

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Table 4: Overseas Migration Figures[4]

Description	2018	2019	2020	2021	2022	2023
Overseas arrivals	1,867	2,069	2,138	445	1,801	3,015
Overseas departures	791	793	872	628	601	657
Net overseas migration	1,076	1,276	1,266	-183	1,200	2,358

ABS data from the 2021 Census also records that 34,379 of the Council's 127,440 residents were born overseas, representing 28.2% of the population of the area, an increase from the 2016 Census.

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[4] Data by region Australian Bureau of Statistics (abs.gov.au) Oct 2024

Overseas born population - Census

Description	2016	2021
Born in Oceania and Antarctica (excluding Australia) (%)	0.8	0.8
Born in North-West Europe (%)	6	5.7
Born in Southern and Eastern Europe (%)	8.4	7.5
Born in North Africa and the Middle East (%)	1.2	1.2
Born in South-East Asia (%)	4	4.4
Born in North-East Asia (%)	1.7	1.5
Born in Southern and Central Asia (%)	3.3	4.5
Born in Americas (%)	0.8	1.3
Born in Sub-Saharan Africa (%)	1.3	1.3
Total born overseas (no.)	30 711	34 379
Total born overseas (%)	27.5	28.2

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In light of the Council comprising a substantially diverse and multicultural population, it is important that the wide range of cultural considerations are able to be heard and dealt with by the Council, including through a diverse and multicultural Elected Member body that is not served by a reduction in four (4) Members.

Accordingly, the Council considers its current size and structure, although in excess of the Member Cap, is not only sufficient, but necessary to meet the demand of its community.

6.4 Population and the Greater Adelaide Regional Plan

Traditionally, data from the Department for Infrastructure and Transport (formally the Department for Planning, Transport and Infrastructure) prepared in December 2019[5] has been relied on with respect to population projections.

From this data, the estimated population projections for the Council area are as follows:

- 2031 - 131,947 (+4,507); and
- 2036 - 138,292 (+6,435).

However, more significant now are the population projections and proposed development opportunities that have been determined as part of the Plan for the Greater Adelaide Region, published in September 2024.

The Plan identifies key future demographic and development data relevant to the Council, that will have an impact on its and its proposed representation structure.

The Adelaide West region is identified as those LGAs comprised of City of West Torrens, the Council and the City of Port Adelaide Enfield (part).

At the 2021 census, the population of the region was 247,123. It is projected to grow by 43,355 to reach around 290,478 by 2041[6].

The Adelaide West Region population is projected to increase between approximately 1,468 - 2,902 persons (medium projection of 2,168) per annum over the next 20 years.

The Plan also identifies the need to support the significant projected population growth, and the consequent additional demand for housing, with a sufficient pipeline of appropriately zoned and developed land.

The Plan also establishes housing targets for each of the three (3) identified Councils.

[5] Local Government Area Projections 2011 – 2036

[6] https://plan.sa.gov.au/state_snapshot/population/population-projections#:~:text=Projected%20growth%202021%20to%202051,0.44%25%20in%202041%2D51.

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In light of this data, **it is not an insignificant fact** to recognise that each of the three (3) identified Councils in the Region **are constituted by a number of Members above the Member Cap.**

Over the next decade, being between 2021-31, the Council's housing target has been identified at 5,700 dwellings. This figure decreases slightly to 4,900 and 4,700 for the following two decades respectively (2031-2051). The decrease in projected housing targets can be attributed to the large residential developments identified below, which will be completed in the near future.

Key development assumptions for the region include:

- Bowden – development to continue to 2036, with a variety of townhouse and apartment options.
- AAMI Stadium, West Lakes – to be mostly completed by 2026.
- Port Adelaide – Dock 1 and Fletchers Slip to be completed by 2031. Other opportunities in the area to continue steadily.
- Thebarton – development opportunities along Port Road, beginning with the West End Brewery site by 2026.
- The strategic infill and urban renewal opportunities in Bowden, Woodville West, Port Adelaide, St Clair and West Lakes will continue to drive growth in the region along with new opportunities at Thebarton and abundant general infill potential.

Of course, Bowden, AAMI Stadium, Woodville West, St Clair and West Lakes are all located within the Council area (the only key development assumptions the list above not within the Council area being Port Adelaide – Dock 1).

Further, it is also said that the strategic infill and urban renewal opportunities in Bowden, Woodville West, St Clair and West Lakes (as well as Port Adelaide) will continue to drive growth in the region along with new opportunities at Thebarton and abundant general infill potential.

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The Table below sets out the proposed increases in this regard.

Table 5 - Land Supply Assumptions

SA2 Name	2021 ERP	2041 Projection	2021-41 Change	2021-41 Change (%)	Land Supply Assumptions
Beverley	8,959	10,584	1,595	17.7	Woodville West Redevelopment to be completed by 2026. New strategic infill opportunities assumed.
Flinders Park	16,513	20,524	4,012	24.3	Development at Kidman ark to be completed by 2031. New strategic infill opportunities assumed. General infill assumed.
Henley Beach	15,760	17,540	1,780	11.3	Several small strategic infill sites consumed by 2026. New strategic infill opportunities assumed.
Hindmarsh / Brompton	19,365	25,442	6,077	31.4	Bowden Renewal SA development to be completed by 2031. Bowden (MAB former Gasworks site) development commencing after 2026. New strategic infill opportunities assumed. Corridor potential on Port Road assumed.
Royal Park / Hendon / Albert Park	6,563	7,324	761	11.6	General infill opportunities.
Seaton / Grange	17,675	20,982	3,307	18.7	Seaton SAHA renewal project to continue over the period. Potential along Grange Road.
West Beach and Adelaide Airport[7]	5,210	5,434	224	4.3	Constrained by airport building heights. General infill opportunities.
West Lakes	15,334	18,274	2,940	19.2	AAMI stadium redevelopment at West Lakes mostly completed by 2026. SA Water site & new smaller strategic infill opportunities assumed.
Woodville / Cheltenham	19,536	22,876	3,340	17.1	St Clair and Woodville Road developments completed by 2031. General infill opportunities.
Total / Average Change	124,915	148,980	24,036	19	

[7] Mainly comprised within City of West Torrens, however a portion is contained within the Council area

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The Plan also investigated and identified local infill areas within the Council area, including 'regeneration areas'. These areas, currently, predominantly consist of ageing housing stock that provide opportunities for new, higher density housing developments, presenting favourable planning policies positions for uplift and renewal.

It is submitted that the Plan highlights the need for the Council to retain its existing composition, in not only decision making for such strategic developments, but also in ensuring appropriate and responsive representation for the increased population (and, hence, electors) in the Council area.

The significant development opportunities identified and projected for the Council demonstrates there will be a need for sufficient Elected Member representation to ensure responsible and attentive consideration is given to the needs of each community within the Council area, as well as the Council as a whole.

This necessitates the need for adequate representation, which the Council considers can be achieved through its existing composition of 16 Ward Councillors and a Mayor, to ensure the needs of its diverse and growing community are met.

6.5 Communities of Interest

Communities of interest are factors relevant to the physical, economic and social environment, and include consideration and analysis of:

- neighbourhood communities;
- history/heritage of the Council area and communities;
- sporting facilities;
- community support services;
- recreation and leisure services and centres;
- retail and shopping centres:
- industrial and economic development; and
- environmental and geographic areas of interest.

Local knowledge is always the best tool to identify and determine communities of interest, along with development characteristics of the Council area.

6.6 Topography

The Council area is approximately of 56km^2 and is bordered by the coast to the West, Torrens River to the South, City of Adelaide to the East and generally, Torrens Road, Hansen Road and Grand Junction Road to the East and North.

The Council consists of the following suburbs: Albert Park, Allenby Gardens, Athol Park, Beverley, Bowden, Brompton, Cheltenham, Croydon, Devon Park (part), Findon, Flinders Park, Fulham Gardens, Grange, Hendon, Henley Beach, Henley

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Beach South, Hindmarsh, Kidman Park, Kilkenny, Ovingham (part), Pennington, Renown Park, Ridleyton, Royal Park, Seaton, Semaphore Park, St Clair, Tennyson, Welland, West Beach (part), West Croydon, West Hindmarsh, West Lakes, West Lakes Shore, Woodville, Woodville North, Woodville Park, Woodville South and Woodville West.

The primary land uses in the Council area are Residential, Commercial and Industrial. Much of the Council area remains residential, with pockets of industrial and commercial land.

By comparison to other Councils of a similar size and demographic, such as the City of Port Adelaide Enfield and the City of Marion, the Council has a relatively high population density.[8]

This is likely due to recent development trends, particularly infill development, the Council's close proximity to the Adelaide CBD and other desirable features, such as being situated on the coastline.

Whilst the topography and size of the Council area is not considered to be prohibitive with respect to the ability of Councillors to meet the demands of the community, the size of the population, together with the density, is a relevant factor that has been taken into consideration when determining the future representative composition and structure for the Council and in determining to maintain the existing composition and structure of the Council.

6.7 Communication

The Council considers that the retention of the existing level of representation will continue to provide adequate and proven lines of communication between the elected member body of Council and the community.

6.8 Adequate and Fair Representation

For the reasons set out in this Report, the Council is confident that its proposed representation composition and structure will continue to:

- provide an adequate number of Councillors to manage the meet the demands of its community and give effect to its representative role under the Act;
- provide an appropriate level of elector representation for local areas;
- maintain desired diversity in the skill set, experience and expertise of the elected member body; and
- ensure adequate lines of communication between the community and the Council.

[8] Adelaide Primary Health Network Community Profile at https://profile.id.com.au/aphn/about?WebID=130

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6.9 Section 26 of the Act

Section 26(1)(c) of the Act requires that a number of broader principles are taken into account during the Review process, including:

- the desirability of avoiding significant divisions within the community;
- proposed changes should, wherever practicable, benefit ratepayers;
- a Council having a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
- a Council should offer its community a reasonable range of services delivered efficiently, flexibly, equitably and on a responsive basis;
- 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;
- ensure that local communities can participate effectively in decisions about local matters; and
- residents should receive adequate and fair representation within the local government system, while over-representation in comparison with Councils of a similar size and type should be avoided (at least in the longer term).

The proposed adopted composition and structure of the Council's elected representation is considered to comply with these legislative provisions, specifically in:

- ensuring there are a sufficient number of Councillors to undertake their representative roles fairly, effectively and efficiently;
- little to no detrimental impact upon ratepayers and/or existing communities of interest;
- continuing to provide adequate and fair representation to all electors;
- ensuring that communities, through its elected representation, can participate in decision making; and
- compares favourably with the composition and elector ratios of other Councils of a similar size (in terms of elector numbers) and characteristics.

7 CONCLUSION

This Representation Review Report has been prepared to:

- provide information on the process undertaken by the Council in conducting its 'Transitional' Representation Review;
- set out the rationale for selecting the proposed composition and structure;
- seek feedback from interested persons as part of the public consultation process.

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7.1 Preferred Composition Structure

The Council proposes as follows with respect to composition and structure on this Review:

- the name of the Council remains unchanged;
- the Principal Member of Council continue to be a Mayor, elected by the Council area as a whole;
- eight (8) Wards, subject to the required boundary re-alignment to ensure Semaphore Park Ward is brought within quota tolerances;
- each of the eight (8) Wards to retain their current names; and
- the elected body of the Council to continue to comprise a total of 16 Ward Councillors, with two (2) Councillors elected from each Ward.

7.2 Next Steps

The public consultation plan on this Representation Review Report will be conducted in accordance with section 12(7) of the Act and will comprise, at a minimum:

- a three (3) week public consultation period scheduled to commence on 10 February 2025;
- the consultation period will be notified by:
    - Publication of a notice in a newspaper/s (including online version) circulating within the area of Council such as the Advertiser Newspaper
    - Information to be made available on the City of Charles Sturt website
    - Copies of the proposal being made available for inspection and purchase at the Civic Centre, 72 Woodville Road, Woodville
    - A dedicated page on the Your Say Charles Sturt online consultation website
    - Information in the City of Charles Sturt monthly e-newsletter
    - The City of Charles Sturt social media platforms.

Written submissions are invited in relation to the Council's proposed representative composition and structure.

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Submissions may be made through the Council's Website, in writing or by email addressed to Mary DelGiglio – Team Leader Governance and Risk - mdelgiglio@charlessturt.sa.gov.au and will be accepted until 5pm on 3 March 2024.

A copy of the feedback form can also be collecting from Customer Service at 72 Woodville Road, Woodville SA.

Further information regarding the Representation Review may be obtained by contacting Kerrie Jackson – Manager Governance and Risk – 8408 1111 or emailing council@charlessturt.sa.gov.au.

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APPENDIX 1- GAZETTE

LOCAL GOVERNMENT ACT 1999

NOTICE OF DETERMINATION OF RELEVANT PERIOD

Review of Council Compositions and Wards

Pursuant to section 12(4) of the *Local Government Act 1999* and Regulation 4 of the *Local Government (General) Regulations 2013*, I, Stephan Karl Knoll, Minister for Transport, Infrastructure and Local Government in the state of South Australia, hereby revoke the Notice of Determination of Relevant Period published in the *Government Gazette* on 1 August 2019, pages 2883 to 2885 (inclusive) and determine the relevant period for the next review of council compositions and wards, to be the date as contained in the table listed hereunder.

Council	Last Review	Next Review Period
Adelaide	19/11/2013	June 2020–October 2021
Adelaide Plains	26/11/2013	June 2020–October 2021
Alexandrina	26/11/2013	June 2020–October 2021
Burnside	8/01/2013	June 2020–October 2021
Charles Sturt	5/09/2013	June 2020–October 2021
Coorong	18/09/2013	June 2020–October 2021
Flinders Ranges Council	14/05/2013	June 2020–October 2021
Goyder	16/08/2013	June 2020–October 2021
Light	14/11/2013	June 2020–October 2021
Marion	27/11/2013	June 2020–October 2021
Mid Murray	05/11/2013	June 2020–October 2021
Mitcham	12/11/2013	June 2020–October 2021
Mount Remarkable	29/11/2013	June 2020–October 2021
Murray Bridge	8/07/2013	June 2020–October 2021
Robe	18/09/2013	June 2020–October 2021
Unley	19/08/2013	June 2020–October 2021
Elliston	14/11/2013	October 2020–October 2021
Franklin Harbour	9/07/2013	October 2020–October 2021
Gawler	26/11/2013	October 2020–October 2021
Holdfast Bay	5/11/2013	October 2020–October 2021
Mount Barker	26/08/2013	October 2020–October 2021
Port Pirie	05/11/2013	October 2020–October 2021
Prospect	28/11/2013	October 2020–October 2021
Streaky Bay	28/11/2013	October 2020–October 2021
Tatiara	05/11/2013	October 2020–October 2021
Tumby Bay	12/11/2013	October 2020–October 2021
Wakefield Regional	26/11/2013	October 2020–October 2021
Wattle Range	26/08/2013	October 2020–October 2021
West Torrens	06/11/2013	October 2020–October 2021
Wudinna	26/08/2013	October 2020–October 2021
Yorke Peninsula	19/11/2013	October 2020–October 2021
Adelaide Hills	30/11/2017	April 2024–April 2025
Barossa	1/05/2017	April 2024–April 2025
Berri Barmera	29/06/2017	April 2024–April 2025
Campbelltown	1/05/2017	April 2024–April 2025
Clare & Gilbert Valleys	7/07/2017	April 2024–April 2025
Grant	8/05/2017	April 2024–April 2025
Kangaroo Island	14/02/2017	April 2024–April 2025
Kimba	5/06/2017	April 2024–April 2025
Mount Gambier	1/05/2017	April 2024–April 2025
Northern Areas	21/08/2017	April 2024–April 2025
Norwood, Payneham & St Peters	31/08/2017	April 2024–April 2025
Onkaparinga	7/12/2017	April 2024–April 2025
Playford	16/10/2017	April 2024–April 2025
Port Adelaide Enfield	3/07/2017	April 2024–April 2025
Port Lincoln	6/04/2017	April 2024–April 2025
Salisbury	21/11/2017	April 2024–April 2025
Southern Mallee	1/06/2017	April 2024–April 2025
Victor Harbor	27/07/2017	April 2024–April 2025
Yankalilla	27/07/2017	April 2024–April 2025
Barunga West	31/07/2017	October 2024–October 2025
Ceduna	5/10/2017	October 2024–October 2025
Cleve	26/10/2017	October 2024–October 2025
Coober Pedy	21/11/2017	October 2024–October 2025
Copper Coast	3/10/2017	October 2024–October 2025
Karoonda East Murray	6/11/2017	October 2024–October 2025
Kingston	4/09/2017	October 2024–October 2025
Lower Eyre Peninsula	26/10/2017	October 2024–October 2025
Loxton Waikerie	31/07/2017	October 2024–October 2025
Naracoorte Lucindale	4/09/2017	October 2024–October 2025
Orroroo Carrieton	6/11/2017	October 2024–October 2025
Peterborough	15/12/2017	October 2024–October 2025
Port Augusta	3/10/2017	October 2024–October 2025
Renmark Paringa	3/10/2017	October 2024–October 2025
Tea Tree Gully	28/11/2017	October 2024–October 2025
Walkerville	26/10/2017	October 2024–October 2025
Whyalla	21/11/2017	October 2024–October 2025

Dated: 7 July 2020

HON STEPHAN KNOLL MP
Minister for Transport, Infrastructure and Local Government
Minister for Planning

APPENDIX 2 - CONSULTANT APPOINTMENT

6. BUSINESS

6.10 REPRESENTATION REVIEW – APPOINTMENT OF CONSULTANT

Brief

This report is to inform Council of the legislated requirements on councils to conduct a Representation Review in accordance with *Division 2 - Powers of Councils and Representation Reviews* of the Local Government Act 1999 and to appoint a suitably qualified person to undertake the Representation Review on Council's behalf.

Moved **Councillor - Alice Campbell** **Seconded** **Councillor - Michael McEwen**

Motion

1. **That Council notes that a Representation Review is required and will be commence in the first quarter of the 2024/2025 Financial Year.**

2. **That Council has considered the capability of Kelledy Jones Lawyers and have determined that they are suitable to conduct the Representation Review on behalf of the City of Charles Sturt.**

3. **That Kelledy Jones Lawyers. be appointed to commence and undertake the Representation Review on behalf of the City of Charles Sturt.**

Carried

6.11 CAWRA'S REGIONAL WASTE MANAGEMENT STRATEGY

Brief

This report seeks endorsement for CAWRA to prepare a draft Regional Waste and Circular Economy Strategy.

Moved **Councillor - George Turelli** **Seconded** **Councillor - Edgar Agius**

Motion

1. **That the report is received and noted.**

2. **That Central Adelaide Waste and Recycling Authority is endorsed to develop a draft Regional Waste and Circular Economy Strategy.**

3. **That the draft Regional Waste and Circular Economy Strategy will be presented to a future Council meeting for endorsement.**

Carried Unanimously

APPENDIX 3 - REPORT AND MINUTES REPRESENTATION REVIEW REPORT

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6.119 REPRESENTATION REVIEW REPORT

TO Council

FROM: Manager Governance and Risk - Kerrie Jackson

DATE: 09 December 2024

Brief

To provide the Council with the Representation Review Report developed by Kelledy Jones Lawyers to be presented to the Community for consultation.

Recommendation

1. **That the Council notes and receives the Representation Review Report developed by Kelledy Jones Lawyers.**

2. **That the Council proposes to continue with its current composition and structure, being:**
   - **the Principal Member of Council continue to be a Mayor, elected by the Council areas as a whole; and**
   - **maintain an eight ward structure; and**
   - **the elected body of the Council to continue to comprise of a total of 16 Ward Councillors, with two elected to each Ward.**

3. **That the Council proposes to realign the boundaries of the Semaphore Park and Grange Wards to ensure that all Wards remain within the 10% tolerance for the next Local Government periodic elections and that the proposed change is as follows:**
   - **Option 1 - *to* move a small portion of Tennyson along Military Road and around Lakeside Court into the Semaphore Park Ward, resulting in 122 electors moving wards.**

   OR
   - **Option 2 - to move the boundary bordering Turner, Brebner and Basheer Reserve West Lakes into the Semaphore Park Ward, resulting in 273 electors moving wards.**

4. **That Council endorsed the draft Representation Review Report, as updated, for public consultation.**

5. **That Council endorse the Community Engagement Approach for the Draft Representation Review Report to commence on 10 February 2024.**

Status

This report relates to or impacts upon the following Community Vision 2040 Themes and Outcomes.

Responsible Governance

We will manage our city in a sustainable and affordable way with responsible governance

Excellence in Customer Experience and Service Provision

We will foster an organisational culture focused on continuous improvement and delivering excellence in customer experience and service provision

Relevant Council policies are:

- Nil

Relevant statutory provisions are:

- Local Government Act 1999

Background

The Local Government Act 1999 requires the Council to consider the structure of the Council regarding the number of Elected Members, the composition of Council and/or alter the name of the Council. The Local Government Act 1999 outlines the process that is required to be undertaken and an extract is contained in **Appendix 1**. In accordance with the Local Government Act 1999 requirements, Council undertook a Representation Review between June 2020 and June 2021. The final outcome of a Representation Review was considered and ultimately endorsed by the Electoral Commission of South Australia to maintain the current composition of 8 wards, 16 Council Members and a Mayor. There was also a minor amendment to the Semaphore Park and Grange ward boundaries to ensure there was equitable representation across all wards.

Since this process was completed there has been a change to the Local Government Act 1999 Division 2 - Powers of Councils and Representation Reviews - 11A - Numbers of Members. This section states that a Council must not comprise of more than 13 members, unless the Council is granted an exemption certificate by the Electoral Commission.

At the Council meeting of 26 February 2024 (refer CL 26/02/24, Item 6.10), Council endorsed the appointment of Kelledy Jones Lawyers to prepare a draft Representation Review Report for the Council's consideration.

A workshop was held with the Council Members on 27 May 2024 for the Members to receive information regarding the amendments to the Local Government Act 1999 on the member cap. Kelledy Jones Lawyers have now prepared a draft Representation Report for Council's consideration (refer **Appendix 2**).

Report

The Local Government Act 1999 outlines the Representation Review Process and Council is required to:

- prepare a Representation Review Report, identifying Council's preferred Representation option for Community consultation;
- undertake a minimum three-week public consultation on the Representation Review Report;
- review any submission received following the conclusion of the consultation process and if any submission are received these are to be included in the Representation Review Report;
- consider and adopt a representation structure, having regard to the submissions received;
- prepare and adopt a Final Representation Review Report;
- submit the Final Representation Review Report to the Electoral Commissioner for certification;
- on receipted of the certification, publish a notice in the Gazette of the future composition and structure of the Council, which will take effect from polling day of the next periodic election.

The draft Representation Review Report (refer **Appendix 2**) prepared by Kelledy Jones Lawyers has been developed in accordance with the Section 11 of the Local Government Act 1999 which requires Council to:

- examine the advantages and disadvantages of 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) -
  (i) examine the question of whether the number of members should be reduced; and
  (ii) 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

The draft Representation Review Report examines these plus the following:

<u>Council Name</u>
The Council are not contemplating a change of the Council name.

<u>Composition</u>
There are two key factors for the Council to consider in relation to the number of Councillors:

- whether the current number of Council Members of sixteen has an impact on decision making by Council: and
- ensuring adequate and fair representation, whilst avoiding over representation in comparison to other Councils of similar size and characteristic.

The proposal is to continue with sixteen Council Members (plus a Mayor).

<u>Ward Structure</u>
The proposal is to continue with an eight ward structure with two Ward Councillors to be elected to each Ward.

The draft Representation Review Report (**Appendix 2**) explains in detail the rationale of the proposal for Council's consideration.

Ward Representation and Quotas

In accordance with Section 33(2) of the Local Government Act, where a Council proposes to retain a Ward Structure, the number of electors represented by each Council Member must not vary from the ward quota by more than 10%. Based on the current statistic the Semaphore Park ward falls outside of this tolerance.

Statistics for Elector Representation Review

Electoral Commission SOUTH AUSTRALIA

024 City of Charles Sturt

Mayor/Chairperson: M Area Councillors: 0

Ward Code	Ward Name	HA Electors	Council Voters Roll	Total	No. of Rep		Quota	% Difference
1	Semaphore Park	10196	6	10202	2		5101	-10.19%
2	Grange	10905	3	10908	2		5454	-3.98%
3	Henley	11151	4	11155	2		5577	-1.81%
4	Woodville	12441	6	12447	2		6223	9.56%
5	West Woodville	11896	3	11899	2		5949	4.74%
6	Findon	11908	8	11916	2		5958	4.89%
7	Hindmarsh	11734	10	11744	2		5872	3.38%
8	Beverley	10611	5	10616	2		5308	-6.55%
Total:		**90842**	**45**	**90887**	**16**	**Average:**	**5680**	

Last Review: 26-08-2021 **Next Review: 01-01-2024**

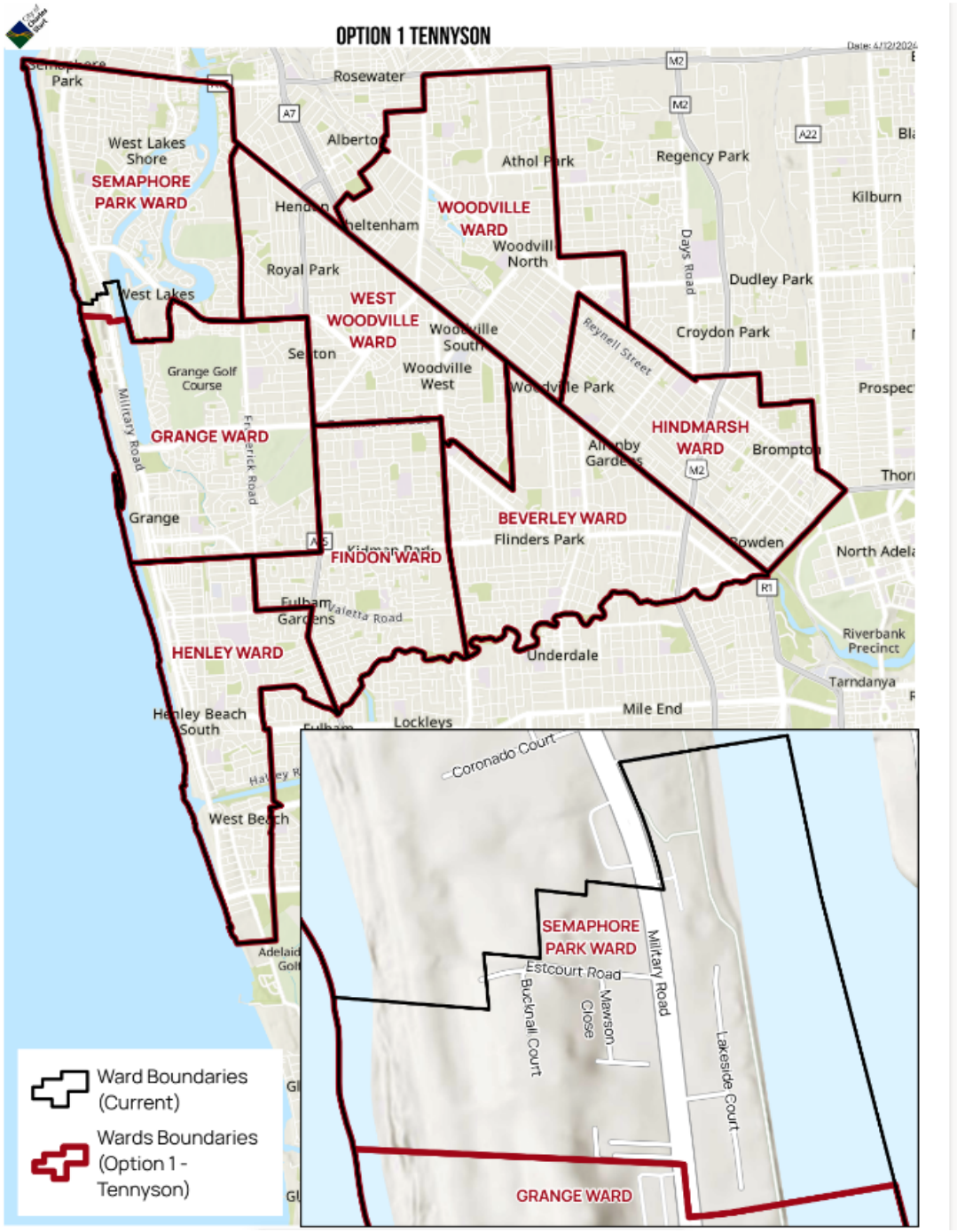
This requires Council to redraw the boundaries of the Semaphore Park Ward and the proposal is to move a small portion of Grange into Semaphore Park Ward.

There are two options for Council to consider.

Option 1- move a small portion of Tennyson along Military Road and around Lakeside Court, resulting in 122 electors moving wards.

The recalculation of the two wards would be as follows:

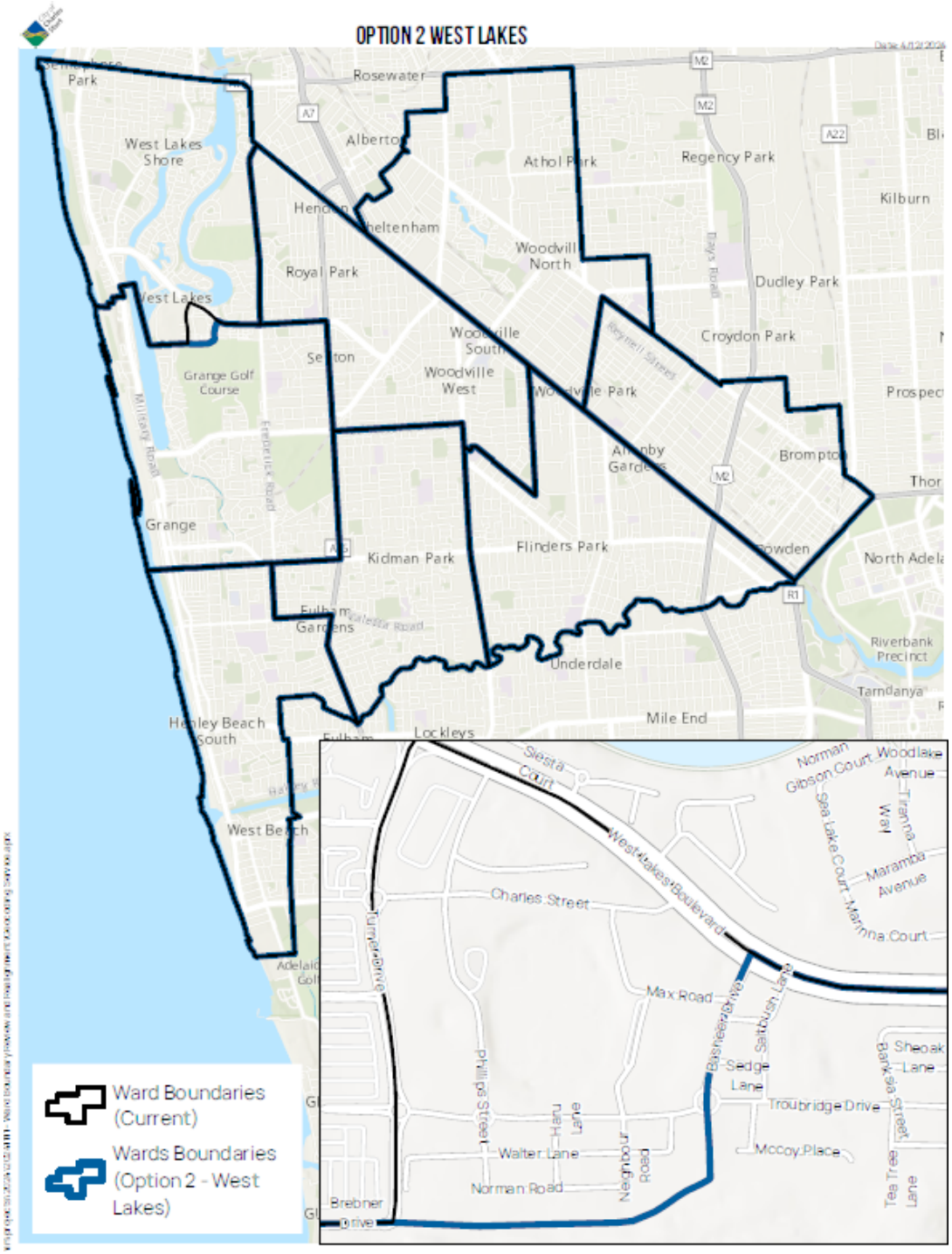
Option One	Current electors	Tolerance	Proposed Electors	Tolerance
Semaphore Park	5101	-10.19%	5223	-8.05%
Grange	5454	-3.98%	5332	-6.13%



Option 2 - move a small portion of West Lakes bordering Turner, Brebner and Basheer Drive into the Semaphore Park Ward, resulting in 273 electors moving Wards.

The recalculation of the two wards would be as follows:

Option Two	Current electors	Tolerance	Proposed Electors	Tolerance
Semaphore Park	5101	-10.19%	5374	-5.39%
Grange	5454	-3.98%	5181	-8.79%



Once Council has determined the preferred Option this will be updated in the Draft Representation Review for the consultation process.

Public Consultation
The public consultation process will be in accordance with the Local Government Act 1999 which requires a three week consultation period and will commence on 10 February 2024. The Community Engagement Approach is attached in **Appendix 3** for Council's endorsement.

Financial and Resource Implications

The budget allocation to undertake this process is $10,500 and funded from Councils recurrent budget.

Customer Service and Community Implications

There are no customer service or community implications.

Environmental Implications

There are no environmental implications.

Community Engagement/Consultation (including with community, Council members and staff)

The Community Engagement Approach is contained in **Appendix 3** of this report.

Risk Management/Legislative Implications

The Representation Review process is being undertaken in accordance with the Local Government Act 1999.

Conclusion

It is recommended that Council accepts the draft Representation Report to maintain the current composition, structure and the realignment of the Semaphore Park and Grange Ward boundaries and commences the public consultation process for a three week period commencing on the 10 February 2024.

Appendices

#	Attachment
1	Appendix 1 - Local Government Act 1999
2	Appendix 2 - Draft Representation Review Report
3	Appendix 3 - Community Engagement Approach - Representation Review Report

APPENDIX 1

(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

11A—Number of members

(1) Despite any other provision of this Chapter, a council must not be comprised of more than 13 members, unless the council is granted an exemption certificate under section 12(11b) in connection with its most recent representation review.

(2) Subsection (1) applies to a council from—

(a) in the case of a council that commences a representation review in accordance with section 12 after the commencement of subsection (1) and completes the review before 1 January 2022—polling day for the periodic election next due to be held after the commencement of subsection (1); or

(b) in any other case—polling day for the second periodic election due to be held after the commencement of subsection (1).

(3) A reference to completing a review under subsection (2)(a) includes (if relevant) publishing any notice or notices in the Gazette under section 12(15)(b) in relation to the review.

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;

(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 report (a ***representation report***) 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 report must—

(a) examine the advantages and disadvantages of 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)—

(i) examine the question of whether the number of members should be reduced; and

(ii) 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

(b) set out any proposal that the council considers should be carried into effect under this section; and

(c) in respect of any such proposal—include 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

(d) examine such other relevant issues as the council or the person preparing the report thinks fit.

(7) The council must undertake public consultation on the representation report.

(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—

(a) the report proposes that the composition of the council be altered so that it is constituted of more than the number of members that a council may be comprised of under section 11A(1) (the ***member cap***); or

(b) the council is constituted of a number of members that exceeds the member cap and the report does not propose an alteration in the composition of the council so that it is constituted of a number of members equal to or less than the member cap,

the report must be referred to the Electoral Commissioner.

(11b) On receipt of a report, the Electoral Commissioner must give the council a certificate authorising the referral of the report under subsection (12) (an ***exemption certificate***), unless the Electoral Commissioner considers that exceptional circumstances exist that justify a refusal to give an exemption certificate to the council.

(11c) In subsection (11b)—

exceptional circumstances means circumstances where the report does not—

(a) examine the matters referred to in subsection (6)(a); or

(b) set out the reasons for the council being constituted in a manner referred to in subsection (11a)(a) or (b).

(11d) If the Electoral Commissioner refuses to give an exemption certificate under subsection (11b), the Electoral Commissioner must refer the matter back to the council and must provide written reasons to the council for the refusal.

(11e) If the matter is referred back to the council under subsection (11d), the council—

(a) must take such action as is necessary (including by altering the report) so that the report proposes an alteration in the composition of the council so that it is constituted of a number of members equal to or less than the member cap; and

(b) must comply with the requirements of subsection (7) in relation to the report (as if the report (as altered) constitutes a new report); and

(c) must then refer the report to the Electoral Commissioner under subsection (12).

(12) The council must then refer the report to the Electoral Commissioner (and, if relevant, provide with the report a copy of an exemption certificate given to the council).

(12a) The report must, if written submissions are received as part of public consultation undertaken under subsection (7), include copies of any written submissions 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 subsection (7) (as if the report (as altered) constituted a new report), unless the council determines that the alteration is of a minor nature only.

(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.

(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 under subsection (11d) or (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 South Australian Local Government Boundaries 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

APPENDIX 2

REPRESENTATION REVIEW REPORT

December 2024

Prepared in accordance with section 12 of the *Local Government Act 1999*

Prepared by

Kelledy Jones

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(Note Will Be Appended Once This Report Has Been Endorsed By Council)

APPENDIX 4 - **(**Note Will Be Appended Once This Report Has Been Endorsed By Council**)**

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City of Charles Sturt

This paper has been prepared for the City of Charles Sturt (the **Council**) for the purposes of section 11A and 12 of the *Local Government Act 1999* (the **Act**) by Kelledy Jones Lawyers.

Disclaimer

This Representation Review Report has been prepared by Kelledy Jones Lawyers for the City of Charles Sturt's Representation Review for use by the Council and its constituents. The opinions, estimates and other information contained in this Report have been made in good faith and, as far as reasonably possible, are based on data or sources believed to be reliable. The contents of this Report are not to be taken as constituting formal legal advice.

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1 INTRODUCTION

Section 12(4) of the *Local Government Act 1999* (the **Act**) requires councils undertake a review of all aspects of its composition and the division (or potential division) of a council area into wards, as prescribed by the Minister every eight (8) years (the **relevant period**) by a notice published in the Government Gazette (the **Representation Review**).

1.1 Legislative Requirements

Recent changes to the Act have resulted in the requirement for all councils to have a principal member, appointed or elected as a representative of the area as a whole, as well as imposing a limit to the number of Elected Members a council may be comprised of.

Councils that do not comply with these legislative requirements, and are not in the 2024-2025 scheduled review period, must undertake a 'Transitional Review', as set out in the *Representation Review Guidelines for Council* published by the Electoral Commission of South Australia (**ECSA**).

The outcome of such a Representation Review must be published before 1 January of the year of the next periodic elections, to take effect for polling day for the next periodic elections.

ECSA has advised councils should aim to refer such a report by **October 2025**. This provides sufficient time for the Electoral Commissioner to consider the report and issue a certificate if the requirements have been met, and for the council to publish a notice in the Gazette.

1.2 Member Cap

The issue now for consideration as part of the City of Charles Sturt's (the **Council's**) Transitional Review is the 'Member cap'.

The Council undertook its last Representation Review during the period June 2020 to June 2021.

Section 11A of the Act provides that councils must not be comprised of more than 13 Members (the **Member cap**), unless the Electoral Commissioner grants an exemption certificate as part of a Representation Review under section 11A of the Act.

Whilst councils in the 2024-2026 Representation Review cycle will examine this issue as part of their scheduled Review, councils that completed a review prior to 1 January 2022 must also address this issue.

It is section 147(1) of the *Statutes Amendment (Local Government Review) Act 2021* that requires those councils to complete a review in accordance with section 12 of the Act, to reduce the number of Members **or to** seek an exemption certificate.

These councils must complete reviews under the transitional arrangements and publish the outcome prior to 1 January of the year of the next periodic election for any changes to take effect as at polling day of that election.

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Section 11A provides, in part, as follows:

> *(1) Despite any other provision of this Chapter, a council must not be comprised of more than 13 members, unless the council is granted an exemption certificate under section 12(11b) in connection with its most recent representation review.*

Reference to '13 Members' in this regard includes the Mayor (the Principal Member being defined as a 'member' for the purposes of section 4 of the Act).

The Council is constituted of a Mayor and 16 Ward Councillors (i.e. 17 Members).

The Council area is divided into eight (8) Wards, with two (2) Ward Councillors in each Ward.

Section 12 (11a) provides that:

> *If - …*
>
> *(b) the council is constituted of a number of members that exceeds the member cap and the report does not propose an alteration in the composition of the council so that it is constituted of a number of members equal to or less than the member cap,*

the report must be referred to the Electoral Commissioner.

The Electoral Commissioner, on receipt and assessment of the Representation Review Report, may grant a certificate authorising the referral of the Report under subsection (12) (an exemption certificate), unless he considers that exceptional circumstances exist that justify a refusal to give an exemption certificate to the council.

Exceptional circumstances justifying a refusal are defined under section 12(11b) of the Act, being where the report does not:

- examine the advantages and disadvantages of the various structure and composition options available, including whether the number of Members should be reduced, and whether Wards should be abolished; or
- set out the reasons for the Council being comprised of more Members than the Member Cap.

The Council wishes to make application for an exemption certificate as part of its Representation Review, in doing so, it understands it must undertake a 'full' Representation Review, addressing the matters set out at sections 12, 26(1)(c) and 33 of the Act.

This Report sets out the Council's proposed elector representation and the process it has undertaken to reach its proposed composition and structure.

1.3 Matters to be Considered

As above, section 11A of the Act proposes to limit the number of Elected Members to 13, including the Mayor (the Member Cap).

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Councils must not be comprised of more members than the Member cap, unless an exemption certificate is granted as part of Transitional Review.

In accordance then with section 12 of the Act:

> *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 division or potential division, or 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.*

That is, the Representation Review is required to consider the composition of the Council and the advantages and disadvantages of the options that are available for elector representation under the Act.

The key areas for consideration are:

- the number of Councillors, noting the Member Cap introduced by section 11A of the Act;
- whether the Council should have Wards or no Wards (and if it has Wards, the name of the Wards);
- how Councillors are elected, from Wards, across the whole of the Council area; or a combination of both;
- the name of the Council; and
- for the Council, the Member Cap established under section 11A of the Act.

The Representation Review must also take into account the principles set out in section 26 of the Act, in particular:

- the resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within a community;
- a council should have a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
- a council should offer its community a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis;
- 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;
- a council should be in a position to facilitate sustainable development, the protection of the environment and the integration of land use schemes;
- 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;

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- a council area should incorporate or promote an accessible centre (or centres) for local administration and services;
- the importance within the scheme of local government to ensure that local communities within large council areas can participate effectively in decisions about local matters;
- residents should receive adequate and fair representation within the local government system, while over-representation in comparison with councils of a similar size and type should be avoided.

The Council must also have regard on its Representation Review to section 33 of the Act, which lists the matters that must be taken into account, so far as is practicable, if the Council proposes to change the Ward representation of the Council.

These considerations include:

- the desirability of reflecting communities of interest of an economic, social, regional or other kind;
- the population of the area, and of each Ward affected or envisaged by the proposal;
- the topography of the area, and of each Ward affected or envisaged by the proposal;
- the feasibility of communication between electors affected by the proposal and their elected representatives;
- the nature of substantial demographic changes that may occur in the foreseeable future; and
- 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).

A proposal that relates to the formation, or alteration of, Wards must observe the principle that the number of electors represented by a Councillor must not, at the relevant date (assuming the proposal was in operation), vary from the Ward quota by more than 10% (+ or – across each Ward).

1.4 Representation Review Process

In undertaking this review, and in accordance with section 12 of the Act, the Council is required to:

- prepare a Representation Review Report, representing the Council's preferred Representation option, to be adopted by the Council for public consultation purposes;
- undertake a minimum three-week public consultation on the Representation Review Report (the **public consultation**), included as supplemented by any additional requirements under the Council's *Public Consultation Policy*;

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- review the submissions received following the conclusion of the public consultation process and, if submissions are received, include those submissions in the Representation Review Report;
- consider and adopt a representation structure, having regard to the submissions received during the public consultation processes;
- have prepared, and adopt, the Final Representation Review Report;
- submit the Final Representation Review Report to the Electoral Commissioner, with a request for an exemption certificate and .a certificate of compliance; and
- on receipt of a certificate of compliance, publish a notice in the Gazette, notifying of the future composition and structure of the Council, to take effect from polling day of the next periodic elections.

2 BACKGROUND

The Council undertook its last Representation Review during the period June 2020 to June 2021 at which time it determined to retain its eight (8) Ward structure, each with two (2) Ward Councillors, as well as a Mayor, elected as a representative of the area.

The existing names of the eight (8) Wards in the Council area are:

- Beverley;
- Findon;
- Grange;
- Henley;
- Hindmarsh;
- Semaphore Park;
- West Woodville; and
- Woodville.

Based on its current composition, the Council commenced its Transitional Review Representation Review process in February 2024.

At Agenda item 6.10 at its meeting of 26 February 2024 (**Appendix 2**), the Council resolved to appoint Kelledy Jones Lawyers, as a 'person' who, in the opinion of the Council was qualified to address the representation and governance issues that may arise with respect to the matters under review, and, in the first instance, to prepare this draft Representation Review Report for the Council's consideration.

Subsequently, a workshop, in the nature of an information and briefing session for the purposes of section 90A of the Act, was held with the Elected Member on 27 May 2024, at which time Members received information regarding the Transitional Review Process.

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3 ADOPTION OF DRAFT REPRESENTATION REVIEW REPORT

Following feedback received from Members, including at a workshop, this Review Report has now been prepared for the Council's consideration.

Pursuant to sections 12(6) and (7) of the Act, at Agenda item 6.119 at its meeting of 9 December 2024, when the Council reached the item in question, following is consideration of the same, the Council resolved to adopt the proposal set out in this Review Report for the purposes of the public consultation process.

A copy of the Agenda report and relevant pages of the Minutes for item 6.119 are **Appendix 3**.

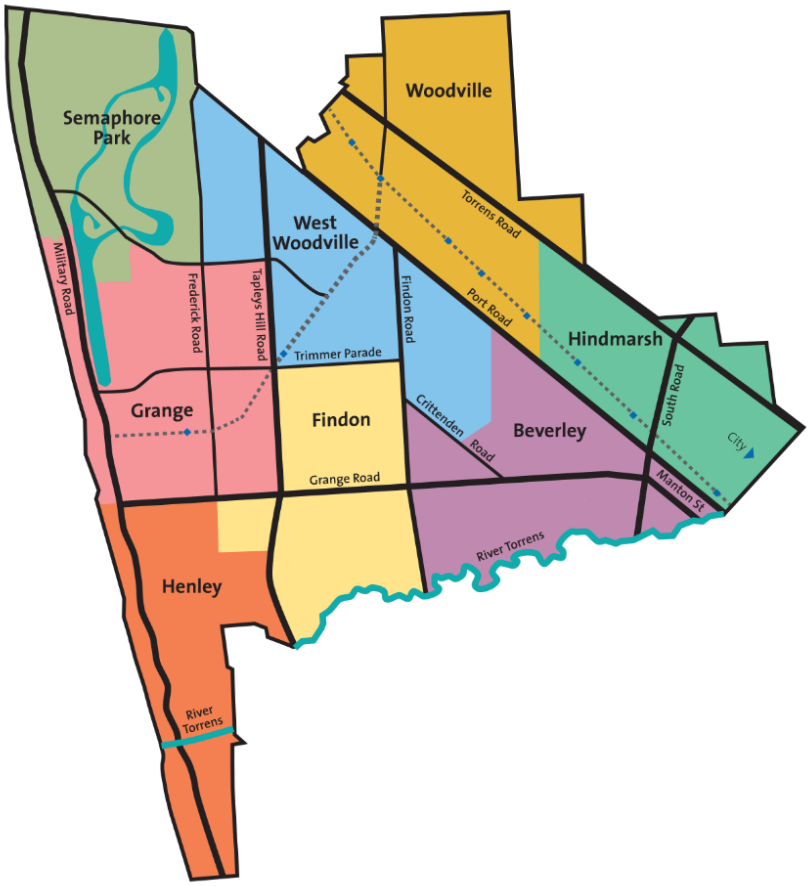
In accordance with the Council's resolution and pursuant to section 12(7) of the Act, the public consultation on the Representation Review Report is now to be commenced on 10 February 2024, concluding on 3 March 2024.

As a result of recent amendments to the Representation Review process under section 12 of the Act, the Council is only required to undertake public consultation for the purposes of section 12(7) of the Act, in accordance with section 50 of the Act (in addition to any further discretionary matters set out under the Council's Public Consultation Policy).

The consultation process is set out in further detail below.

4 REASONS FOR REPRESENTATION AND COMPOSITION PROPOSAL

A Map of the existing Wards across the Council area are set out below:



As part of this Review, the Council proposes to retain its existing structure and composition being:

- a Mayor elected as a representative of the area;
- eight (8) Wards; and
- 16 Ward Councillors, two (2) elected from each Ward.

Based on the current number of electors in the Council area, being 90,887 , the elector representation ratios under the Council's proposal will be 5,680 electors per Councillor.

The average Ward quota will be 1:5,680.

However, by reference to the table below, the Council will be required to 're-draw' its boundaries, to ensure its Wards remain within the tolerances provided for under section 33 of the Act.

Table 1: Statistics for Electoral Representation Review[1]

Statistics for Elector Representation Review

Electoral Commission SOUTH AUSTRALIA

024 City of Charles Sturt

Mayor/Chairperson: M — Area Councillors: 0

Ward Code	Ward Name	HA Electors	Council Voters Roll	Total	No. of Rep		Quota	% Difference
1	Semaphore Park	10196	6	10202	2		5101	-10.19%
2	Grange	10905	3	10908	2		5454	-3.98%
3	Henley	11151	4	11155	2		5577	-1.81%
4	Woodville	12441	6	12447	2		6223	9.56%
5	West Woodville	11896	3	11899	2		5949	4.74%
6	Findon	11908	8	11916	2		5958	4.89%
7	Hindmarsh	11734	10	11744	2		5872	3.38%
8	Beverley	10611	5	10616	2		5308	-6.55%
Total:		**90842**	**45**	**90887**	**16**	**Average:**	**5680**	

Last Review: 26-08-2021 — **Next Review: 01-01-2024**

The Council is required to examine its Ward boundaries as part of this process to ensure Ward quotas remain within the statutory tolerance of 10% variance from the Ward Quota.

Each of the Wards remain within the 'tolerances' provided for under section 33 of the Act, save for Semaphore Park, as demonstrated in the table above. We will return to this shortly.

5 PROPOSAL RATIONALE

5.1 Council Name

The City of Charles Sturt was proclaimed on 1 January 1997, on the amalgamation of the former City of Hindmarsh Woodville and the City of Henley and Grange.

Whilst section 12(2) of the Act provides that the Council may consider the alteration of its name as part of the Review process, the name of the Council is an important part of its history.

[1] Statistic for Elector Representation Review, 4 November 2024, ECSA

The Elected Member body has indicated it is not contemplating a change to the name of Council at this time.

The name of Council has no impact upon the provision of fair and adequate representation.

5.2 Composition

5.2.1 Number of Area or Ward Councillors

There are two (2) key factors that the Council must consider in relation to the number of Councillors:

- whether the current number of Councillors (16) has an impact on decision making by the Council; and
- ensuring adequate and fair representation, whilst avoiding over representation in comparison to other councils of a similar size and characteristic.

These factors are to be considered in respect of sections 11A and 12(11a)-(11c) of the Act, which require the Council to justify its requirements to be exempt from the 13 member limit.

The Council's proposal is to continue with 16 Councillors, to be elected from within Wards as Ward Councillors.

The Council's view is that, although this is an even number of Councillors, coupled with the Mayor, who has a casting vote, this number is appropriate and does not hinder the ability of the Council in its decision-making functions.

In relation to the consideration of adequate and fair representation, a table demonstrating a comparison of the Council against those similarly classified as *Metropolitan Councils* for the purposes of, and in accordance with, the Australian Classification of Local Government framework, is contained in the below Table.

Table 2: Comparison of Elector Ratios with other similarly 'grouped' Councils

Council	Area	Councillors	Electors	Ward Quota
Walkerville	**1.34 *km²***	8	5,845	730
Prospect	**7.81 *km²***	8	15,204	1,900
Norwood, Payneham and St Peters	**15.1 *km²***	13	26,053	2,004
Gawler	**41.1 *km²***	10	20,4874	2,048
Unley	**14.29 *km²***	12	28,038	2,336
Holdfast Bay	**13.72 *km²***	12	28,750	2,395
Burnside	**27.53 *km²***	12	32,362	2,696

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West Torrens	**37.07 *km²***	14	43,277	3,091
Adelaide	**15.57 *km²***	9	30,559	3,395
Campbelltown	**24.35 *km²***	10	37,208	3,720
Mitcham	**75.55 *km²***	12	49,728	4,144
Port Adelaide Enfield	**97 *km²***	17	90,467	5,321
Charles Sturt	***52.14 km²***	***16***	***90,887***	***5,680***
Marion	**55.5 *km²***	12	68,3512	5,709
Tea Tree Gully	**95.2 *km²***	12	74,776	6,231
Salisbury	**158.1 *km²***	14	98,584	7,041

This table demonstrates the Council's Ward quotas **are not** disproportionally low, in fact, the Council sits in the 'higher range' with respect to Ward quotas, even with a proposed retention of 16 Members, particularly noting the total Council area being at the higher end of the comparison councils.

In arriving at the decision to retain 16 Councillors plus a Mayor at its last Review, the Council took into consideration its own experiences as a representative governance body and these comparisons with similar councils.

This included a consideration of the demographic make-up of the Council area and its communities of interest, as identified on its website[2], (to be addressed in further detail below):

> *At Charles Sturt, we champion unity in diversity.*
>
> *Our City is home to more than 120,000 people from over 105 cultures and backgrounds. Our residents all bring something special to our community - festivals, food, language, art, events, knowledge and skills.*
>
> *You'll find people from all corners of the globe around every corner. It is this richness which makes Charles Sturt such a vibrant place to live, work and play.*
>
> *This is why the City of Charles Sturt means the world. It highlights not only what makes our City unique, but the pride of everyone who calls it home.*

Since the preparation of this information for the Council's webpage, the Council's population is now approximately 127,500, and projected in the near future to increase to almost 130,000.

Importantly, it is also to be noted the Council's Ward quotas are **higher** than those of the City of West Torrens and The City or Port Adelaide Enfield, each of which has a composition that exceeds the Member Cap, and each of which are now making

[2] https://www.charlessturt.sa.gov.au/council/about-our-city

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application for an exemption from the Member cap provisions as part of its 'transitional Review'.

This is not surprising, given the high levels of migration and development **in each of** the three (3) council areas, which will be addressed later in this Report, and which supports the retention of 16 Ward Councillors as part of the Council's composition and structure.

5.2.2 City of Onkaparinga

The Council's Ward Quotas have been assessed as against *Metropolitan Councils* in accordance with, the Australian Classification of Local Government framework.

However, the Council does note the City of Onkaparinga has the highest Ward Quota in the State, currently at 1:11,170[3], and has taken this into consideration as part of its Review process.

The Ward quotas for the City of Onkaparinga were not included at **Table 2**, as it is classified as *Metropolitan Fringe*, together with:

- Adelaide Hills Council
- Alexandrina Council
- The Barossa Council
- City of Onkaparinga
- City of Playford

It is submitted that the experiences of the City of Onkaparinga as part of its last Representation Review, can be distinguished from the Council's process in a material manner.

The City of Onkaparinga's last review concluding in December 2017, at which time it determined to reduce its composition from 20 Ward Councillors and a Mayor, to 12 Ward Councillors and Mayor. This decision was made in an environment whereby there was very strong community sentiment and support for such a reduction.

At that time, the Member cap under the Act had been foreshadowed, and the council had been through a period of media attention with respect to alleged expenditure excess. Whilst there was some anomalies in the consultation outcomes, the Council ultimately received and considered:

- 197 submissions at the conclusion of the first six week consultation period;
- 850 submission at the conclusion of a supplementary three week consultation period ; and
- 692 accepted submissions at the conclusion of the second consultation period.

These submissions indicated very strong support for a reduction in the number of Ward Councillors.

[3] Statistics for Elector Representation Review, ECSA, Monday 4 November 2024

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Conversely, on the Council's last Representation Review process, concluded in August 2021, the Council only received 22 submissions, on a proposal to maintain its existing composition and structure, save for a boundary realignment to ensure quota 'tolerances' were maintained.

Those submissions demonstrated a clear and strong preference to retain that existing composition and structure, comprising eight (8) Wards, 16 Councillors, with two (2) each elected from each Ward, and a Mayor, elected from the community as a whole.

It is also submitted that the fact that the Council did not receive the extraordinary number of consultation outcomes, as experienced by the City of Onkaparinga as part of its process, demonstrated broader community support for maintaining the '*status quo'*.

That is, there was, demonstrably, an expressed community desire to ensure that the Council retained local representation by the number of Ward Councillors who know their local area.

Of course, as part of this Review, the Council is to have regard to the obligations under section 11A of the Act to examine the advantages and disadvantages of the various structure and composition options available, including whether the number of Members should be reduced, and set out its reasons for the Council being comprised of more Members than the Member Cap.

Whilst these matters are addressed in further detail later in this Report, the Council's own experiences, and as supplemented by the consultation outcomes set out above from its last review, demonstrate that as an elected body:

- it has been able to make informed, transparent and accountable decisions effectively and in a timely manner for the community;
- it provides appropriate, proportionate, representation for various interest groups/areas in the Council, having particular regard to the physical size of the Council area; and
- each Councillor feels that their workload is appropriate and manageable.

The rationale for continuing with 16 Councillors:

- the Council has found 16 Councillors to be an appropriate number to provide:
    - appropriate elector representation for the different areas of the Council, taking into account the specific characteristics and demographics of the population of the Council area, including its business and industrial districts as well as seaside locations;
    - it provides for a diversity of skills, knowledge and life experiences amongst the Elected Member body that appropriately and fairly match its population; and
    - provides for different views points on matters to be raised and debated, to ensure all relevant considerations are taken into account in representing the interests of the community;

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- this is a sufficient number to share the workload in giving effect to the Council's governance functions, as well as the individual roles and responsibilities of Councillors;
- the number is more than favourable when compared against similar councils in South Australia. That is, it could not be said that the electors in the Council area are under, or over, represented, when compared to other councils of a similar size and composition (refer **Table 2**); and
- it is a composition and structure that has demonstrable support from the community.

The feedback from the Council and an analysis of the data, demonstrates that 16 Councillors, with a total Elected Member group of 17 (including the Mayor), is both a reasonable, suitable and appropriate number to ensure that each Member can carry out their role in accordance with section 59 of the Act, including that members:

> *represent the interests of residents and ratepayers, to provide community leadership and guidance and to facilitate communication between the community and the council.*

5.3 Ward Structure

5.3.1 Wards or No Wards

'Ward' is the name given to an electoral division within a council area in South Australia. Wards exist solely for electoral purposes and are similar in concept to electorates in the Australian and South Australian Parliaments.

As part of this Review process, the Council is required to consider whether it retains its existing Ward Structure (and if so, how many Wards) or whether it abolished Wards. The issue of whether a council is divided into Wards will impact on the number and manner in which Councillors are elected, including:

- whether elected from within Wards as Ward Councillors;
- across the whole Council area as Area Councillors; or
- a combination of Ward Councillors and Area Councillors.

Despite popular opinion to the contrary, there is no difference in the roles and responsibilities of Members elected as Ward Councillor *vis a vis* those elected as Area Councillors, save for, Ward Councillors are generally thought to have specific expertise and experience in their particular Ward and are considered to be representative of the electors, residents and ratepayers in that Ward.

However, there is no impediment to a Member of the community approaching another Councillor, from outside of their Ward and a member does not need to live in the Ward of which they may be Ward Councillor.

Having considered the issue of its existing Wards, and boundaries, as part of this process, the Council proposes **to continue with its current structure of eight (8) Wards**, with two (2) Ward Councillors to be elected from within each Ward.

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In making this decision, the Council has considered the arguments regarding the options available to it, as set out below.

The Council acknowledges the factors that support abolishing a Ward structure, include:

- it affords electors the opportunity to elect more than two (2) nominal representatives from within a Ward, being the current number of candidates that can elected from each Ward);
- it gives electors the opportunity to vote for any candidate at an election, and judge the performance of all candidates (not just the candidates in their Ward);
- Councillors can be challenged to find the right balance between corporate governance duties and their representative role, with the desire to make decisions in the best interests of their Ward sometimes seen to outweigh the requirements to make decisions in the interests of the community as a whole;
- potential reduction in electoral accountability, where periodic elections are required for all Wards of a Council area, with the result that sometimes, incumbent members in some Wards are returned unopposed;
- the lines of communication between the Council and the community may be enhanced, given that members of the community can consult with all members of the Council, rather than feel obliged to consult with specific Ward Councillors;
- such a structure automatically 'absorbs' any fluctuations in elector numbers and adjusts the elector ratio accordingly. That is, specified quota tolerance limits do not apply, and the Council is not required to adjust its Ward boundaries as part of any subsequent Representation Review; and
- in some circumstances the Council can carry a casual vacancy and avoid the cost of a Supplementary Election.

However, the Council's is persuaded to continue with its current structure of eight (8) Wards for reasons including:

- Ward Councillors provide an enhanced representation for specific Council areas, particularly having regard to the size of the Council area and its demographics, which including smaller communities, communities of interest and those communities that may need additional assistance. Each of which in a localised area may have difficulty in obtaining direct representation under a 'no Ward' structure;
- Councillors have better local knowledge of their Ward area and understanding of local issues;
- reduces concerns that 'at large' elections do not guarantee that Councillors will have any empathy for, or affiliation with, all communities within the Council area, or be representative of the same;
- more prominent or popular Councillors, or those perceived to have more 'power' or 'control', are not disproportionately called upon more frequently by

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community members, ensuring equity in demands on time and resources;

- Councillors having a smaller area to manage an appropriate workload;
- ensures more effective representation of all areas across the Council, reducing the risk of lack of representation in some areas, and over representation in others;
- ensures Councillors do not all come from one area and reduces the risk of dominance by factional groups or 'stacking' of the Council;
- keeps costs of campaigning for candidates lower, as they only need to campaign within the nominated Ward area. This is particularly relevant given the geographical and population size of the Council;
- face to face communication between Councillors and electors, residents and ratepayers can be facilitated more readily; and
- the cost of Supplementary elections is lower for a Ward than across the whole Council area.

For these reasons, continuing with the current structure of eight (8) Wards is the preferred option for the Council at this time.

5.3.2 Ward Representation and Quotas

The elector ratio is the average number of electors represented by each Councillor, who represent Wards. The Mayor is not included in these calculations.

In accordance with section 33(2) of the Act, where a Council is proposing to retain Wards as part of its representation structure, the number of electors represented by each Councillor must not vary from the Ward quota by more than 10%.

As part of it last Representation Review, concluded in September 2021, the Council was, likewise, required to consider a number of options in relation to redrawing the boundaries as part of its eight (8) Ward composition, to ensure the Ward quotas were not exceeded under section 33 of the Act.

By reference to **Table 1,** for most Wards in the Council Area, the number of electors represented by each Councillor does not vary from the Ward quota (+/- 10%) under section 33 of the Act, save for the **Semaphore Park Ward.** That Ward exhibits a variation of 10.19% below the Ward Quota.

Accordingly, Ward quotas are required to be considered as part of this Review, having regard to population projections and anticipated demographic trends in the Council area.

The Council, as a governing body, supports retaining the Council's existing structure and composition.

In which case, the Council proposes to adopt the following Ward structure as part of this Review to ensure the Ward quotas are brought back within tolerances set out under section 33 of the Act.

[INSERT PROPOSAL – ONCE DETERMINED]

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The proposed changes to the Ward boundaries are as follows:

•

The following Table depicts the amended Ward quotas under this proposal, based on the updated elector figures for August 2024.

This proposed amended Ward boundaries are depicted in the below Map:

[INSERT UPDATED MAP AND TABLE ONCE DETERMINED]

Table 3: Ward Quotas under the proposed Ward Boundary Amendment

Ward	Ward Councillors	Electors	Ward Quota	Variation from ward quota
Beverley	2			
Findon	2			
Grange	2			
Henley	2			
Hindmarsh	2			
Semaphore Park	2			
West Woodville	2			
Woodville	2			
			Ward Quota	
Total	16	90,687	5667	

If the proposed amendments to the Ward boundaries are adopted as part of this Review, and the composition of the Council remains at 16 Ward Councillors, all eight (8) Wards will fall within the tolerances prescribed under section 33 of the Act

6 LEGISLATIVE PRINCIPLES TO BE CONSIDERED

In arriving at the abovementioned position, there are a number of legislative requirements that are required to be taken into consideration by the Council, when determining its composition as part of its Review, including the Member Cap under section 11A of the Act, the objectives contained at section 26(1)(c) of the Act and the considerations provided under section 33 of the Act.

6.1 Section 11A of the Act

As addressed above, section 11A of the Act has introduced a 13 Member Cap for councils.

In determining to retain its current structure of 16 Councillors and a Mayor, the Council's proposal exceeds the Member Cap by four 94) Members and must refer this Review Report to the ECSA for consideration to be granted an exemption.

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6.1.1 Advantages and Disadvantages of Composition Structures

This Review Report is required to addressed the matters under section 12(6)(a) of the Act, namely, whether the number of Members should be reduced and whether the Council's area should continue to be divided into Wards or not.

The Council has determined its current structure, including both its Member composition and Ward structure is not only sufficient, **but necessary** in effectively meeting the demands of its diverse and growing community.

In order to satisfy the Member Cap, the Council would need to be reduced by four (4) councillors. The effect of this would result in the Ward Quotas increasing from the current 5,667 electors per councillor, to between **7,500 and 7,900** electors per Ward Councillor, placing it at the **highest with respect to elector representation** amongst the other 16 *Metropolitan Councils* in Table 2.

Together with the future population and demographic data outlined in the following sections, the Council considers that any reduction to its Member composition would have a significant, and detrimental, impact on its ability to meet its future community obligations, particularly with respect to adequate representation.

It is also important to consider the impact, including the potential for an increased level of stress and anxiety, that may be placed on Members if there was to be a reduction in Member numbers, as well as a concurrent increase in support required from Administration in order to assist a reduced number of Members give effect to their roles and responsibilities across the Council area.

Members already recognise the Council's existing composition highlights competing demands on their ability to represent and advocate for their constituents whilst also maintaining full-time work and family commitments, particularly noting the diverse and multicultural nature of the Council's population

Given the projected increasing population, as well as residential development within the Council area, the Council considers it would be unreasonable to reduce the number of Members.

That is, if the number of Members in the Council area were to be reduced, there would be an associated reduction in representation of electors.

In addition, any reduction in Member numbers would have a substantial impact on the Council's Ward composition, requiring extensive work in determining boundary realignments. It is considered this would also be a complex and confusing process for members of the community.

The Council is of the strong view the current Ward structure appropriately represents the diverse communities within the Council area. The Council's diversity is not only limited to its community members, but also extends throughout its topography, which ranges from the inner city to the coast.

It is important that these various communities and local areas are fairly represented and heard on issues and needs. Consequently, the Council considers it essential to retain its current composition of 16 Ward Councillors divided equally across its eight (8) Wards.

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In this respect, the requirements of the Council and its community must not be considered solely at the present date, but also in respect of the future. Demographic and development data is examined in the following section of this Report.

6.2 Section 33 of the Act

As set out above, in determining to retain its current structure of eight (8) Wards, the Council has taken into account the considerations under section 33(2) of the Act, which provide that a proposal that relates to the formation or alteration of Wards must also observe the principle that the number of electors represented by a Councillor must not vary from the Ward quota by more than 10 per cent.

For the purposes of section 33(2), if two (2) or more Councillors represent a particular Ward, the number of electors represented by each will be taken to be the number of electors for the Ward, divided by the number of Councillors for the Ward.

The Ward quota will be taken to be the number of electors for the area, divided by the number of Councillors for the area who represent Wards.

The following factors have been taken into account in considering the number of electors in the Council area and Ward quotas.

6.3 Demographic Trends

Demographic trends have been considered on this Review, on the basis of communities of interest, together with the potential for migration trends to impact the population of the Council area.

Data from the Australian Bureau of Statistics (**ABS**) demonstrates the Council is experiencing, and expected to continue experiencing, significant increases in both the size and diversity of its population.

The below Table sets out the pattern of international migration within the Council population over the past five (5) years, demonstrating consistent annual net increase in overseas migrants settling into the Council area, with a more significant increase in the past 12 months.

Table 4: Overseas Migration Figures[4]

Description	2018	2019	2020	2021	2022	2023
Overseas arrivals	1,867	2,069	2,138	445	1,801	3,015
Overseas departures	791	793	872	628	601	657
Net overseas migration	1,076	1,276	1,266	-183	1,200	2,358

[4] Data by region Australian Bureau of Statistics (abs.gov.au) Oct 2024

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ABS data from the 2021 Census also records that 34,379 of the Council's 127,440 residents were born overseas, representing 28.2% of the population of the area, an increase from the 2016 Census.

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Overseas born population - Census

Description	2016	2021
Born in Oceania and Antarctica (excluding Australia) (%)	0.8	0.8
Born in North-West Europe (%)	6	5.7
Born in Southern and Eastern Europe (%)	8.4	7.5
Born in North Africa and the Middle East (%)	1.2	1.2
Born in South-East Asia (%)	4	4.4
Born in North-East Asia (%)	1.7	1.5
Born in Southern and Central Asia (%)	3.3	4.5
Born in Americas (%)	0.8	1.3
Born in Sub-Saharan Africa (%)	1.3	1.3
Total born overseas (no.)	30 711	34 379
Total born overseas (%)	27.5	28.2

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In light of the Council comprising a substantially diverse and multicultural population, it is important that the wide range of cultural considerations are able to be heard and dealt with by the Council, including through a diversity and multicultural Elected Member body that is not served by a reduction in four (4) Members.

Accordingly, the Council considers its current size and structure, although in excess of the Member Cap, is not only sufficient, but necessary to meet the demand of its community.

6.4 Population and the Greater Adelaide Regional Plan

Traditionally, data from the Department for Infrastructure and Transport (formally the Department for Planning, Transport and Infrastructure) prepared in December 2019[5] has been relied on with respect to population projections.

From this data, the estimated population projections for the Council area are as follows:

- 2031 - 131,947 (+4,507); and
- 2036 - 138,292 (+6,435).

However, more significant now are the population projections and proposed development opportunities that have been determined as part of the Plan for the Greater Adelaide Region, published in September 2024.

The Plan identifies key future demographic and development data relevant to the Council, that will have an impact on its and its proposed representation structure.

The Adelaide West region is identified as those LGAs comprised of City of West Torrens, the council and the City of Port Adelaide Enfield (part).

At the 2021 census, the population of the region was 247,123. It is projected to grow by 43,355 to reach around 290,478 by 2041[6].

The Adelaide West Region population is projected to increase between approximately 1,468 - 2,902 persons (medium projection of 2,168) per annum over the next 20 years.

The Plan also identifies the need to support the significant projected population growth, and the consequent additional demand for housing, with a sufficient pipeline of appropriately zoned and developed land.

The Plan also establishes housing targets for each of the three (3) identified councils.

[5] Local Government Area Projections 2011 – 2036

[6] https://plan.sa.gov.au/state_snapshot/population/population-projections#:~:text=Projected%20growth%202021%20to%202051,0.44%25%20in%202041%2D51.

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In light of this data, **it is not an insignificant fact** to recognise that each of the three (3) identified councils in the Region **are constituted by a number of Members above the Member Cap.**

Over the next decade, being between 2021-31, the Council's housing target has been identified at 5,700 dwellings. This figure decreases slightly to 4,900 and 4,700 for the following two decades respectively (2031-2051). The decrease in projected housing targets can be attributed to the large residential developments identified below, which will be completed in the near future.

Key development assumptions for the region include:

- Bowden – development to continue to 2036, with a variety of townhouse and apartment options.
- AAMI Stadium, West Lakes – to be mostly completed by 2026
- Port Adelaide – Dock 1 and Fletchers Slip to be completed by 2031. Other opportunities in the area to continue steadily.
- Thebarton – development opportunities along Port Road, beginning with the West End Brewery site by 2026.
- The strategic infill and urban renewal opportunities in Bowden, Woodville West, Port Adelaide, St Clair and West Lakes will continue to drive growth in the region along with new opportunities at Thebarton and abundant general infill potential.

Of course, Bowden, AAMI Stadium, Woodville West,, St Clair and West Lakes are all located within the Council area (the only key development assumptions the list above not within the Council area being Port Adelaide – Dock 1).

Further, it is also said that the strategic infill and urban renewal opportunities in Bowden, Woodville West, St Clair and West Lakes (as well as Port Adelaide) will continue to drive growth in the region along with new opportunities at Thebarton and abundant general infill potential.

The Table below sets out the proposed increases in this regard.

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Table 5 - Land Supply Assumptions

SA2 Name	2021 ERP	2041 Projection	2021-41 Change	2021-41 Change (%)	Land Supply Assumptions
Beverley	8,959	10,584	1,595	17.7	Woodville West Redevelopment to be completed by 2026. New strategic infill opportunities assumed.
Flinders Park	16,513	20,524	4,012	24.3	Development at Kidman ark to be completed by 2031. New strategic infill opportunities assumed. General infill assumed.
Henley Beach	15,760	17,540	1,780	11.3	Several small strategic infill sites consumed by 2026. New strategic infill opportunities assumed.
Hindmarsh / Brompton	19,365	25,442	6,077	31.4	Bowden Renewal SA development to be completed by 2031. Bowden (MAB former Gasworks site) development commencing after 2026. New strategic infill opportunities assumed. Corridor potential on Port Road assumed.
Royal Park / Hendon / Albert Park	6,563	7,324	761	11.6	General infill opportunities.
Seaton / Grange	17,675	20,982	3,307	18.7	Seaton SAHA renewal project to continue over the period. Potential along Grange Road.
West Beach and Adelaide Airport[7]	5,210	5,434	224	4.3	Constrained by airport building heights. General infill opportunities.
West Lakes	15,334	18,274	2,940	19.2	AAMI stadium redevelopment at West Lakes mostly completed by 2026. SA Water site & new smaller strategic infill opportunities assumed.
Woodville / Cheltenham	19,536	22,876	3,340	17.1	St Claire and Woodville Road developments completed by 2031. General infill opportunities.
Total / Average Change	124,915	148,980	24,036	19	

The Plan also investigated and identified local infill areas within the Council area,

[7] Mainly comprised within City of West Torrens, however a portion is contained within the Council area

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including ‘regeneration areas’. These areas, currently, predominantly consist of ageing housing stock that provide opportunities for new, higher density housing developments, presenting favourable planning policies positions for uplift and renewal.

It is submitted that the Plan highlights the need for the Council to retain its existing composition, in not only decision making for such strategic developments, but also in ensuring appropriate and responsive representation for the increased population (and, hence, electors) in the Council area.

The significant development opportunities identified and projected for the Council demonstrates there will be a need for sufficient Elected Member representation to ensure responsible and attentive consideration is given to the needs of each community within the Council area, as well as the Council as a whole.

This necessitates the need for adequate representation, which the Council considers can be achieved through its existing composition of 16 Ward Councillors and a Mayor, to ensure the needs of its diverse and growing community are met.

6.5 Communities of Interest

Communities of interest are factors relevant to the physical, economic and social environment, and include consideration and analysis of:

- neighbourhood communities;
- history/heritage of the Council area and communities;
- sporting facilities;
- community support services;
- recreation and leisure services and centres;
- retail and shopping centres:
- industrial and economic development; and
- environmental and geographic areas of interest.

Local knowledge is always the best tool to identify and determine communities of interest, along with development characteristics of the Council area.

6.6 Topography

The Council area is approximately of 56km^2 and is bordered by the coast to the West, Torrens River to the South, City of Adelaide to the East and generally, Torrens Road, Hansen Road and Grand Junction Road to the East and North.

The Council consists of the following suburbs: Albert Park, Allenby Gardens, Athol Park, Beverley, Bowden, Brompton, Cheltenham, Croydon, Devon Park (part), Findon, Flinders Park, Fulham Gardens, Grange, Hendon, Henley Beach, Henley Beach South, Hindmarsh, Kidman Park, Kilkenny, Ovingham (part), Pennington, Renown Park, Ridleyton, Royal Park, Seaton, Semaphore Park, St Clair,

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Tennyson, Welland, West Beach (part), West Croydon, West Hindmarsh, West Lakes, West Lakes Shore, Woodville, Woodville North, Woodville Park, Woodville South and Woodville West.

The primary land uses in the Council area are Residential, Commercial and Industrial. Much of the Council area remains residential, with pockets of industrial and commercial land.

By comparison to other councils of a similar size and demographic, such as the City of Port Adelaide Enfield and the City of Marion, the Council has a relatively high population density.[8]

This is likely due to recent development trends, particularly infill development, the Council's close proximity to the Adelaide CBD and other desirable features, such as being situated on the coastline.

Whilst the topography and size of the Council area is not considered to be prohibitive with respect to the ability of Councillors to meet the demands of the community, the size of the population, together with the density, is a relevant factor that has been taken into consideration when determining the future representative composition and structure for the Council and in determining to maintain the existing composition and structure of the council.

6.7 Communication

The Council considers that the retention of the existing level of representation will continue to provide adequate and proven lines of communication between the elected member body of Council and the community.

6.8 Adequate and Fair Representation

For the reasons set out in this Report, the Council is confident that its proposed representation composition and structure will continue to:

- provide an adequate number of Councillors to manage the meet the demands of its community and give effect to its representative role under the Act;
- provide an appropriate level of elector representation for local areas;
- maintain desired diversity in the skill set, experience and expertise of the elected member body; and
- ensure adequate lines of communication between the community and the Council.

6.9 Section 26 of the Act

Section 26(1)(c) of the Act requires that a number of broader principles are taken into account during the Review process, including:

[8] Adelaide Primary Health Network Community Profile at https://profile.id.com.au/aphn/about?WebID=130

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- the desirability of avoiding significant divisions within the community;
- proposed changes should, wherever practicable, benefit ratepayers;
- a council having a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
- a council should offer its community a reasonable range of services delivered efficiently, flexibly, equitably and on a responsive basis;
- 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;
- ensure that local communities can participate effectively in decisions about local matters; and
- residents should receive adequate and fair representation within the local government system, while over-representation in comparison with Councils of a similar size and type should be avoided (at least in the longer term).

The proposed adopted composition and structure of the Council's elected representation is considered to comply with these legislative provisions, specifically in:

- ensuring there are a sufficient number of Councillors to undertake their representative roles fairly, effectively and efficiently;
- little to no detrimental impact upon ratepayers and/or existing communities of interest;
- continuing to provide adequate and fair representation to all electors;
- ensuring that communities, through its elected representation, can participate in decision making; and
- compares favourably with the composition and elector ratios of other Councils of a similar size (in terms of elector numbers) and characteristics.

7 CONCLUSION

This Review Report has been prepared to:

- provide information on the process undertaken by the Council in conducting its 'Transitional' Representation Review;
- set out the rationale for selecting the proposed composition and structure;
- seek feedback from interested persons as part of the public consultation process.

7.1 Preferred Composition Structure

The Council proposes as follows with respect to composition and structure on this Review:

- the name of the Council remains unchanged;

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- the Principal Member of Council continue to be a Mayor, elected by the Council area as a whole;
- eight (8) Wards, subject to the required boundary re-alignment to ensure Semaphore Park Ward is brought within quota tolerances;
- each of the eight (8) Wards to retain their current names; and
- the elected body of the Council to continue to comprise a total of 16 Ward Councillors, with two (2) Councillors elected from each Ward.

7.2 Next Steps

The public consultation plan on this Representation Review Report will be conducted in accordance with section 12(7) of the Act and will comprise, at a minimum:

- a three (3) week public consultation period scheduled to commence on 10 February 2024;
- the consultation period will be notified by:
    - Publication of a notice in a newspaper/s (including online version) circulating within the area of Council such as the Advertiser Newspaper
    - Information to be made available on the City of Charles Sturt website
    - Copies of the proposal being made available for inspection and purchase at the Civic Centre, 72 Woodville Road, Woodville
    - A dedicated page on the Your Say Charles Sturt online consultation website
    - Information in the City of Charles Sturt monthly e-newsletter
    - The City of Charles Sturt social media platforms.

Written submissions are invited in relation to the Council's proposed representative composition and structure.

Submissions may be made through the Council's Website, in writing or by email addressed to Mary DelGiglio – Team Leader Governance and Risk - mdelgiglio@charlessturt.sa.gov.au and will be accepted until 5pm on 3 March 2024.

A copy of the feedback form can also be collecting from Customer Service at 72 Woodville Road, Woodville SA.

Further information regarding the Representation Review may be obtained by contacting Kerrie Jackson – Manager Governance and Risk – 8408 1111 or emailing council@charlessturt.sa.gov.au.

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APPENDICES

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APPENDIX 1

LOCAL GOVERNMENT ACT 1999

NOTICE OF DETERMINATION OF RELEVANT PERIOD

Review of Council Compositions and Wards

Pursuant to section 12(4) of the *Local Government Act 1999* and Regulation 4 of the *Local Government (General) Regulations 2013*, I, Stephan Karl Knoll, Minister for Transport, Infrastructure and Local Government in the state of South Australia, hereby revoke the Notice of Determination of Relevant Period published in the *Government Gazette* on 1 August 2019, pages 2883 to 2885 (inclusive) and determine the relevant period for the next review of council compositions and wards, to be the date as contained in the table listed hereunder.

Council	Last Review	Next Review Period
Adelaide	19/11/2013	June 2020–October 2021
Adelaide Plains	26/11/2013	June 2020–October 2021
Alexandrina	26/11/2013	June 2020–October 2021
Burnside	8/01/2013	June 2020–October 2021
Charles Sturt	5/09/2013	June 2020–October 2021
Coorong	18/09/2013	June 2020–October 2021
Flinders Ranges Council	14/05/2013	June 2020–October 2021
Goyder	16/08/2013	June 2020–October 2021
Light	14/11/2013	June 2020–October 2021
Marion	27/11/2013	June 2020–October 2021
Mid Murray	05/11/2013	June 2020–October 2021
Mitcham	12/11/2013	June 2020–October 2021
Mount Remarkable	29/11/2013	June 2020–October 2021
Murray Bridge	8/07/2013	June 2020–October 2021
Robe	18/09/2013	June 2020–October 2021
Unley	19/08/2013	June 2020–October 2021
Elliston	14/11/2013	October 2020–October 2021
Franklin Harbour	9/07/2013	October 2020–October 2021
Gawler	26/11/2013	October 2020–October 2021
Holdfast Bay	5/11/2013	October 2020–October 2021
Mount Barker	26/08/2013	October 2020–October 2021
Port Pirie	05/11/2013	October 2020–October 2021
Prospect	28/11/2013	October 2020–October 2021
Streaky Bay	28/11/2013	October 2020–October 2021
Tatiara	05/11/2013	October 2020–October 2021
Tumby Bay	12/11/2013	October 2020–October 2021
Wakefield Regional	26/11/2013	October 2020–October 2021
Wattle Range	26/08/2013	October 2020–October 2021
West Torrens	06/11/2013	October 2020–October 2021
Wudinna	26/08/2013	October 2020–October 2021
Yorke Peninsula	19/11/2013	October 2020–October 2021
Adelaide Hills	30/11/2017	April 2024–April 2025
Barossa	1/05/2017	April 2024–April 2025
Berri Barmera	29/06/2017	April 2024–April 2025
Campbelltown	1/05/2017	April 2024–April 2025
Clare & Gilbert Valleys	7/07/2017	April 2024–April 2025
Grant	8/05/2017	April 2024–April 2025
Kangaroo Island	14/02/2017	April 2024–April 2025
Kimba	5/06/2017	April 2024–April 2025
Mount Gambier	1/05/2017	April 2024–April 2025
Northern Areas	21/08/2017	April 2024–April 2025
Norwood, Payneham & St Peters	31/08/2017	April 2024–April 2025
Onkaparinga	7/12/2017	April 2024–April 2025
Playford	16/10/2017	April 2024–April 2025
Port Adelaide Enfield	3/07/2017	April 2024–April 2025
Port Lincoln	6/04/2017	April 2024–April 2025
Salisbury	21/11/2017	April 2024–April 2025
Southern Mallee	1/06/2017	April 2024–April 2025
Victor Harbor	27/07/2017	April 2024–April 2025
Yankalilla	27/07/2017	April 2024–April 2025
Barunga West	31/07/2017	October 2024–October 2025
Ceduna	5/10/2017	October 2024–October 2025
Cleve	26/10/2017	October 2024–October 2025
Coober Pedy	21/11/2017	October 2024–October 2025
Copper Coast	3/10/2017	October 2024–October 2025
Karoonda East Murray	6/11/2017	October 2024–October 2025
Kingston	4/09/2017	October 2024–October 2025
Lower Eyre Peninsula	26/10/2017	October 2024–October 2025
Loxton Waikerie	31/07/2017	October 2024–October 2025
Naracoorte Lucindale	4/09/2017	October 2024–October 2025
Orroroo Carrieton	6/11/2017	October 2024–October 2025
Peterborough	15/12/2017	October 2024–October 2025
Port Augusta	3/10/2017	October 2024–October 2025
Renmark Paringa	3/10/2017	October 2024–October 2025
Tea Tree Gully	28/11/2017	October 2024–October 2025
Walkerville	26/10/2017	October 2024–October 2025
Whyalla	21/11/2017	October 2024–October 2025

Dated: 7 July 2020

HON STEPHAN KNOLL MP
Minister for Transport, Infrastructure and Local Government
Minister for Planning

APPENDIX 2

6. BUSINESS

6.10 REPRESENTATION REVIEW – APPOINTMENT OF CONSULTANT

Brief

This report is to inform Council of the legislated requirements on councils to conduct a Representation Review in accordance with *Division 2 - Powers of Councils and Representation Reviews* of the Local Government Act 1999 and to appoint a suitably qualified person to undertake the Representation Review on Council's behalf.

Moved **Councillor - Alice Campbell** **Seconded** **Councillor - Michael McEwen**

Motion

1. **That Council notes that a Representation Review is required and will be commence in the first quarter of the 2024/2025 Financial Year.**

2. **That Council has considered the capability of Kelledy Jones Lawyers and have determined that they are suitable to conduct the Representation Review on behalf of the City of Charles Sturt.**

3. **That Kelledy Jones Lawyers. be appointed to commence and undertake the Representation Review on behalf of the City of Charles Sturt.**

Carried

6.11 CAWRA'S REGIONAL WASTE MANAGEMENT STRATEGY

Brief

This report seeks endorsement for CAWRA to prepare a draft Regional Waste and Circular Economy Strategy.

Moved **Councillor - George Turelli** **Seconded** **Councillor - Edgar Agius**

Motion

1. **That the report is received and noted.**

2. **That Central Adelaide Waste and Recycling Authority is endorsed to develop a draft Regional Waste and Circular Economy Strategy.**

3. **That the draft Regional Waste and Circular Economy Strategy will be presented to a future Council meeting for endorsement.**

Carried Unanimously

APPENDIX 3

Note - Appendix 3 Will Be Appended Once This Report Has Been Endorsed By Council)

APPENDIX 4

Note - Appendix 4 Will Be Appended Once This Report Has Been Endorsed By Council)

APPENDIX 3

Community Engagement Approach for Representation Review Report

February 2025

Contact: Mary Del Giglio
Team Leader Governance and Risk
Governance and Risk
PH: 08 8408 1120
mdelgiglio@charlessturt.sa.gov.au

Community Engagement Approach for Representation Review Report

1. Purpose and Objectives

The purpose of this Community Engagement Approach is to outline the legislative requirements for conducting a Representation Review. It also explains the various consultation methods that will be undertaken to ensure the community, stakeholders, Elected Members and staff are appropriately engaged during the Representation Review.

The project is a matter set out in Part 1 of Council's PCP and follows the public consultation steps prescribed in the relevant parts of the Act.

The objectives of this Community Engagement Approach are to ensure:

- That our Charles Sturt community has easy access to the appropriate information.
- That our Charles Sturt community is given opportunities to provide feedback.
- That the process builds positive relationships between Council and the community, and positions Charles Sturt as an organisation that is providing sound management decisions.
- That information is provided to the Charles Sturt community of the decision and reasoning for the decision.

2. Project Background

Section 12(4) of the Local Government Act 1999 (the Act) requires Councils in South Australia to undertake regular reviews of their elector representation arrangements (Representation Review), as prescribed by the Minster every eight years, by a notice published in the Government Gazette.

The City of Charles Sturt undertook its last Representation Review during the period June 2020 to June 2021, at which time it determined to retain its current eight Ward structure, each with two Ward Councillors, as well as a Mayor, elected as representatives of the area.

Recent changes to the Act have resulted in the requirement for all councils to have a principal member (a Mayor), appointed or elected as a representative of the area as a whole, as well as imposing a limit of 13 Elected Members (including a Mayor) a council may be comprised of.

Councils that do not comply with these legislative requirements, and are not in the 2024-2025 scheduled review period, must undertake a 'Transitional Review', as set out in the Representation Review Guidelines for Council published by the Electoral Commission of South Australia (ECSA) to address the Member Cap provisions by either reducing the number of Member or seek exemption from the ECSA.

The outcome of such a Representation Review must be published before 1 January of the year of the next periodic elections, to take effect at polling day of that election.

3. Consultation Scope

Section 11A of the Act provides that councils must not be comprised of more than 13 Members including a Mayor (the Member Cap), unless the Electoral Commissioner grants an exemption certificate as part of a Representation Review.

Although the Council most recently undertook a Representation Review during the period June 2020 to June 2021, Council must now address the Member Cap by conducting a Transitional Review to examine the current City of Charles constitution of 16 Council Members and a Mayor, as the current Membership exceeds the Member Cap.

As the Council wishes to make application for an exemption certificate as part of its Representation Review, it must undertake a full Representation Review, addressing all matters set out within the Act.

The Electoral Commissioner may grant a certificate, unless he considers that exceptional circumstances exist that justify a refusal to give an exemption certificate to Council.

Exceptional circumstances justifying a refusal are defined under Section 12(11b) of the Act, being where the report does not:

- Examine the advantages and disadvantages of the various structure and composition options available, including whether the number of Members should be reduced, and whether Wards should be abolished; or
- Set out the reasons for the Council being comprised of more Members than the Member Cap.

The City of Charles Sturt's Representation Review Report considers and weighs the opportunities available while taking into consideration our Council's background and culture, size and demography in comparison to other similar Council's, and projected future growth. This is in addition to the statutory requirements that Council must follow in conducting a Representation Review.

This Representation Report sets out Councils preferred Representation option and examines the following in detail:

- The number of Council Members, noting the Member Cap;
- Whether the Council should have Wards or no Wards (and if Wards, the names);
- How Council Members are elected, from Wards, across the whole of the Council area; or a combination of both;
- The name of the Council; and
- The Member Cap established under Section 11A of the Act.

Submissions received will be reviewed following the conclusion of the public consultation process and where received, will be included within the Representation Review Report.

Council will have regard to the submissions received during the public consultation process while considering and adopting a representation structure.

The Final Representation Review Report will be submitted to the Electoral Commissioner, with a request for an exemption certificate and a certificate of compliance.

On receipt of a certificate of compliance, a notice will be published in the Gazette, notifying the community of the future composition and structure of the Council, which will take effect from polling day of the next periodic elections. This must all be completed prior to 1 January 2026 (the year of the next periodic election), with any changes to take effect as at polling day of that election.

4. Communities of Interest

Key stakeholders and communities of interest for this project include:

- Mayor and Elected members.
- Adjoining Councils and any relevant agencies.
- Local business and resident groups known to Council.
- The broad Charles Sturt community.
- Landowners and occupiers within the locality.
- Relevant associations, or other key stakeholder groups

6.119 REPRESENTATION REVIEW REPORT

Brief

To provide the Council with the Representation Review Report developed by Kelledy Jones Lawyers to be presented to the Community for consultation.

Moved **Councillor - Thomas Scheffler** Seconded **Councillor - Rachele Tullio**

Motion

1. **That the Council notes and receives the Representation Review Report developed by Kelledy Jones Lawyers.**

2. **That the Council proposes to continue with its current composition and structure, being:**
   - **the Principal Member of Council continue to be a Mayor, elected by the Council areas as a whole; and**
   - **maintain an eight ward structure; and**
   - **the elected body of the Council to continue to comprise of a total of 16 Ward Councillors, with two elected to each Ward.**

3. **That the Council proposes to realign the boundaries of the Semaphore Park and Grange Wards to ensure that all Wards remain within the 10% tolerance for the next Local Government periodic elections and that the proposed change is as follows:**
   - **Option 1 - to move a small portion of Tennyson along Military Road and around Lakeside Court into the Semaphore Park Ward, resulting in 122 electors moving wards.**

4. **That Council endorsed the draft Representation Review Report, as updated, for public consultation.**

5. **That Council endorse the Community Engagement Approach for the Draft Representation Review Report to commence on 10 February 2025.**

Carried Unanimously

		• Publish the outcome of the review in the Government Gazette prior to 1 January of the year of the next periodic election (ie. 2026).	

Levels of Engagement

The level of engagement for this project is "**consult"** given the:

- Single issue or a few issues involved in the matter.
- Multiple issues within a localised community.
- Moderate degree of complexity across a localised or broad community of interest.
- Moderate degree of impact on the community.
- Clear process forward or clear options for the way forward.

Communication and Engagement Techniques and Promotions

The following communication and engagement techniques and promotions are proposed.

Print Media Techniques

- Public Notice in the Advertiser Newspaper

Social Media Techniques

- CCS Facebook
- CCS Linked In

Online Techniques

- City of Charles Sturt website
- City of Charles Sturt social media platforms
- City of Charles Sturt's e-newsletter
- Your Say Charles Sturt
- Newsletter to Your Say Charles Sturt registered participants

6. Reporting on Community Engagement

Community feedback received during consultation on the Draft Representation Review Report will be summarised by staff and included within the Representation Review Report which will be presented to Council for Council endorsement. Any issues raised will also be responded to within the Report.

Once endorsed by Council, the Final Representation Review Report will be submitted to the Electoral Commissioner for approval and issue of an exemption certificate.

A notice will be placed in the Government Gazette as notification of the future composition and structure of the Council, to take effect from polling day of the next periodic elections.

Your Say Charles Sturt will be updated to provide an overview of the consultation outcomes and Council's final decision.

7. Budget

The resources required to plan, deliver and report on the public consultation of the proposed Draft Representation Review Report include the following:

Resource Requirement	Budget Estimate
Internal administration costs associated with the project and preparation of associated key messages and documents	Covered by recurrent operational budget
Use of City of Charles Sturt website, Your Say Charles Sturt site, and City of Charles Sturt's social media platforms	Covered by recurrent operational budget
Notice in the Advertiser	$1,500 approximately
Government Gazette Notice	$500 approximately
Total	**$2,000**

8. Risk Management

The key issues and risks for Council if a community engagement approach is not delivered, or not delivered well, include:

- Balancing individual views with broader community views.
- Community satisfaction.
- Failing to understand community sentiments on a project.
- Impacts associated with project delays.
- Media interest.
- Reputational risks.

9. Approval of the Community Engagement Approach

Seek Council approval for the community engagement approach.

6.119 REPRESENTATION REVIEW REPORT

Brief

To provide the Council with the Representation Review Report developed by Kelledy Jones Lawyers to be presented to the Community for consultation.

Moved **Councillor - Thomas Scheffler** Seconded **Councillor - Rachele Tullio**

Motion

1. **That the Council notes and receives the Representation Review Report developed by Kelledy Jones Lawyers.**

2. **That the Council proposes to continue with its current composition and structure, being:**
   - **the Principal Member of Council continue to be a Mayor, elected by the Council areas as a whole; and**
   - **maintain an eight ward structure; and**
   - **the elected body of the Council to continue to comprise of a total of 16 Ward Councillors, with two elected to each Ward.**

3. **That the Council proposes to realign the boundaries of the Semaphore Park and Grange Wards to ensure that all Wards remain within the 10% tolerance for the next Local Government periodic elections and that the proposed change is as follows:**
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4. **That Council endorsed the draft Representation Review Report, as updated, for public consultation.**

5. **That Council endorse the Community Engagement Approach for the Draft Representation Review Report to commence on 10 February 2025.**

Carried Unanimously