



Adelaide Hills
COUNCIL

Elector Representation Review

A report to the Electoral Commissioner

Pursuant to the provisions of
Section 12(12) of the Local Government Act 1999

November 2017

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1. Introduction

Pursuant to the provisions of Section 12 of the Local Government Act 1999 (the Act), the Adelaide Hills Council has undertaken a review of all aspects of its composition and structure so as to ensure the fair and adequate representation of the electors within the Council area. It is the intent of Council that the amended elector representation arrangement which it now proposes (as outlined herein) will come into effect at the next scheduled Local Government election in November 2018.

The review was undertaken during the period April 2016 – October 2017 and addressed a number of key issues, including:

- whether the principal member of Council should be a mayor elected by the community or a chairperson selected by (and from amongst) the elected members;
- the division of the Council area into wards or the abolition of wards;
- the number of elected members required to provide fair and adequate representation;
- the need for area councillors in addition to ward councillors (under a ward structure);
- the identification of an appropriate ward structure (if required) and the level of ward representation; and
- the naming/identification of any proposed future wards.

In addition, the issue of the Council name was considered in the early stages of the review, however, Council showed little or no interest in changing the name at this time. Accordingly, the issue of a potential change to the existing name of Council was not pursued with the community as part of the review process.

Council initially completed its review in February 2017 and forwarded its final report to the Electoral Commissioner in late March 2017. However, it was ultimately determined by the Electoral Commissioner that the requirements of Section 12 of the Act had not been satisfied, specifically in relation to Council's interpretation of the persons who were eligible to make submissions during the public consultation stages of the review. Accordingly, to ensure that no interested person had been denied the opportunity to provide a submission, Council agreed to resume the review and initiate further consultation with the community.

Council has taken into account the advice provided from the Electoral Commissioner; examined the review process undertaken; initiated two additional rounds of public consultation; and reconsidered the proposal initially presented to the Electoral Commissioner. At a meeting of Council held on the 24th October 2017, Council (by way of a majority vote of the elected members) resolved to support the proposal which was presented to the community (by way of the Representation Review Report) during the period 12th September 2017 to 6th October 2017, that being to retain an elected mayor and twelve councillors, but amend the structure of Council by introducing a two ward structure, with one of the proposed wards being represented by seven councillors and the other proposed ward being represented by five councillors.

This report is presented for consideration in accordance with the provisions of Section 12(12) of the Act. It provides details pertaining to the review process and the public consultation undertaken by Council (and all documents relevant thereto); the proposal which Council intends to carry into effect; and the rationale behind Council's decisions.

2. Background

The Adelaide Hills Council was established in 1997 through the amalgamation of the then District Councils of East Torrens, Gumeracha, Onkaparinga and Stirling. The Council area covers approximately 795.1km² and had an estimated resident population of approximately 40,000 in 2015.

Council currently comprises the Mayor and twelve ward councillors. The Council area is divided into five wards (refer Map 1), with the Mount Lofty and Onkaparinga Valley wards each being represented by three ward councillors, and the Manoah, Marble Hill and Torrens Valley wards each being represented by two ward councillors. The current structure was adopted by Council during the elector representation review which was undertaken in 2009 and came into effect at the 2010 Local Government elections.

A subsequent review was commenced in April 2013 because the elector ratios exhibited in two wards (i.e. Onkaparinga Valley and Mount Lofty Wards) varied from the specified ward quota by more than 10%. This anomaly was unlikely to be corrected in the short term by predicted population changes and, as such, Council decided that it would be good governance practice to initiate an elector representation review to address the situation. In October 2013 Council accepted that, due to the complexities of the prescribed review process, the review could not be completed by the scheduled date of the 31st December 2013 and, as such, formally resolved the review be discontinued.

Table 1 provides data pertaining to the number of electors within each of the current wards, and demonstrates the considerable variance in respect to the elector ratios between the wards.

Table 1: Elector data per ward and variance to quota

Ward	Crs	H of A Roll	Council Roll	Electors	Ratio	% Variance
Manoah	2	5,003	4	5,007	1:2,504	+ 1.96
Mount Lofty	3	8,008	21	8,029	1:2,676	+ 9.00
Marble Hill	2	4,489	13	4,502	1:2,251	- 8.33
Torrens Valley	2	5,124	4	5,128	1:2,564	+ 4.42
Onkaparinga Valley	3	6,775	24	6,799	1:2,266	- 7.70
Total	12	29,399	66	29,465		
Average					1:2,454	

Source: Electoral Commission SA (October 2017)

Whilst the current ward structure can be retained because the elector ratios in all existing wards currently lay within the specified 10% quota tolerance limit prescribed under Section 33(2) of the Act, Council has doubts that this situation could be maintained over an extended period of time, given the precarious circumstances pertaining to the elector ratios within the existing Mount Lofty and Marble Hill Wards (and to a lesser degree the Onkaparinga Valley Ward).

The Adelaide Hills Council commenced an elector representation review in April 2016, as required by the Minister for Local Government. This review was conducted in accordance with the process specified under Section 12 of the Act and was completed in March 2017. However, as previously indicated, the Electoral Commissioner determined that there were some anomalies in regards to the public notices which were published during the two public consultation stages of the review. This being the case, the public consultation stages of the review process were conducted again to ensure that no interested person had been disadvantaged by the previously mentioned notification anomalies.

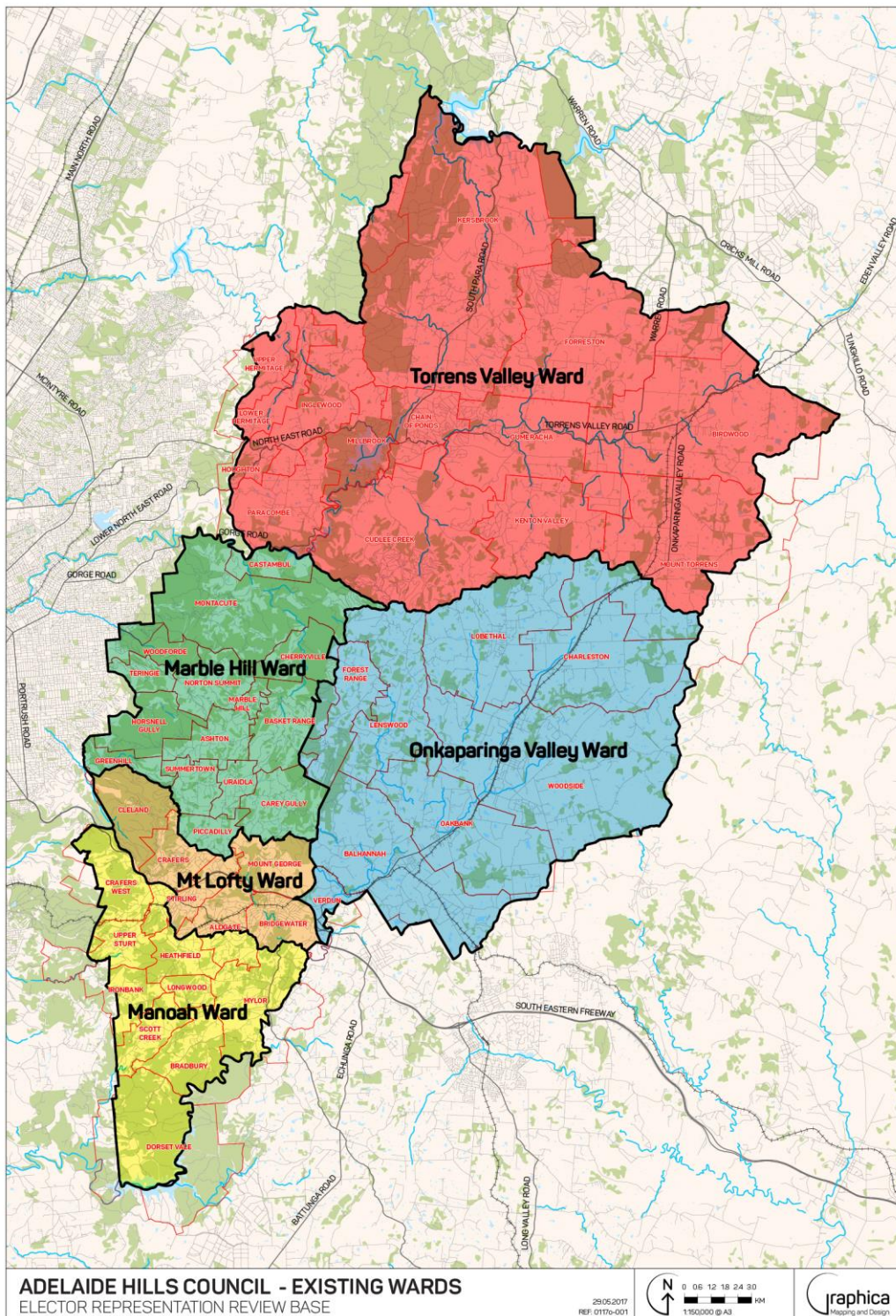
Council recommenced its elector representation review in late May 2017 and completed the first of the prescribed consultation periods on Friday 14th July 2017. Five hundred and thirty seven (537) submissions and two petitions were received. In addition, as advised by Council in its public notices, the sixty one (61) submissions which were received during the initial round of public consultation undertaken from 31st August – 14th October 2016 were considered to be valid.

At a special meeting of Council held on Monday 4th September 2017, and following considerable deliberation of all matters relevant to the review, Council resolved to retain its current composition but amend the ward structure.

The second of the prescribed public consultations was undertaken during the period Tuesday 12th September 2017 to Friday 6th October 2017. During this period Council received forty eight (48) submissions. These submissions were duly considered by Council at a Special Meeting held on the 10th October 2017, at which five respondents addressed Council.

Council gave further consideration to the review and the submissions received at a meeting held on the 24th October 2017, at which time it resolved to retain its current composition but introduce a new two ward structure. The proposed ward structure is a variation of the structure which was presented in the Representation Review Report, with minor adjustments being made to the ward boundary so as to maintain the entire districts of Basket Range, Carey Gully and Cherryville in the proposed Ranges Ward.

Map 1: Current Ward Structure



3. Proposal

Having duly completed a review of its composition and ward structure, pursuant to the provisions of Section 12 of the Act and the requirements of the Electoral Commissioner, the Adelaide Hills Council now proposes the following come into effect at the next Local Government election in November 2018.

- The principal member of Council be a Mayor, elected by the community.
- The Council area be divided into two wards, as depicted on Map 2 and described hereinafter.
- The proposed wards be identified as Ranges Ward and Valleys Ward.
- The future elected body of Council comprise twelve (12) ward councillors, with the proposed Ranges Ward be represented by seven (7) ward councillors and the proposed Valleys Ward be represented by five (5) ward councillors.

The proposed wards are described as follows.

Ranges Ward: Created (in the main) by merging the existing Manoah, Mount Lofty and Marble Hill Wards into one ward comprising the districts/localities of Dorset Vale, Bradbury, Scott Creek, Ironbank, Longwood, Mylor, Bridgewater, Aldgate, Heathfield, Stirling, Upper Sturt, Belair, Crafers, Crafers West, Cleland, Piccadilly, Mount George, Carey Gully, Uraidla, Summertown, Greenhill, Horsnell Gully, Ashton, Basket Range, Marble Hill, Norton Summit, Teringie, Woodforde, Rostrevor, Montacute, Cherryville and Castambul.

Valleys Ward: Created (in the main) by merging the existing Torrens Valley and Onkaparinga Valley Wards into one ward comprising the districts/localities of Verdun, Hahndorf, Balhannah, Hay Valley, Oakbank, Woodside, Lenswood, Forest Range, Lobethal, Charleston, Mount Torrens, Gumeracha, Cudlee Creek, Paracombe, Houghton, Lower Hermitage, Upper Hermitage, Inglewood, Millbrook, Chain of Ponds, Birdwood, Forreston, Kersbrook, Mount Crawford, Humbug Scrub and Cromer.

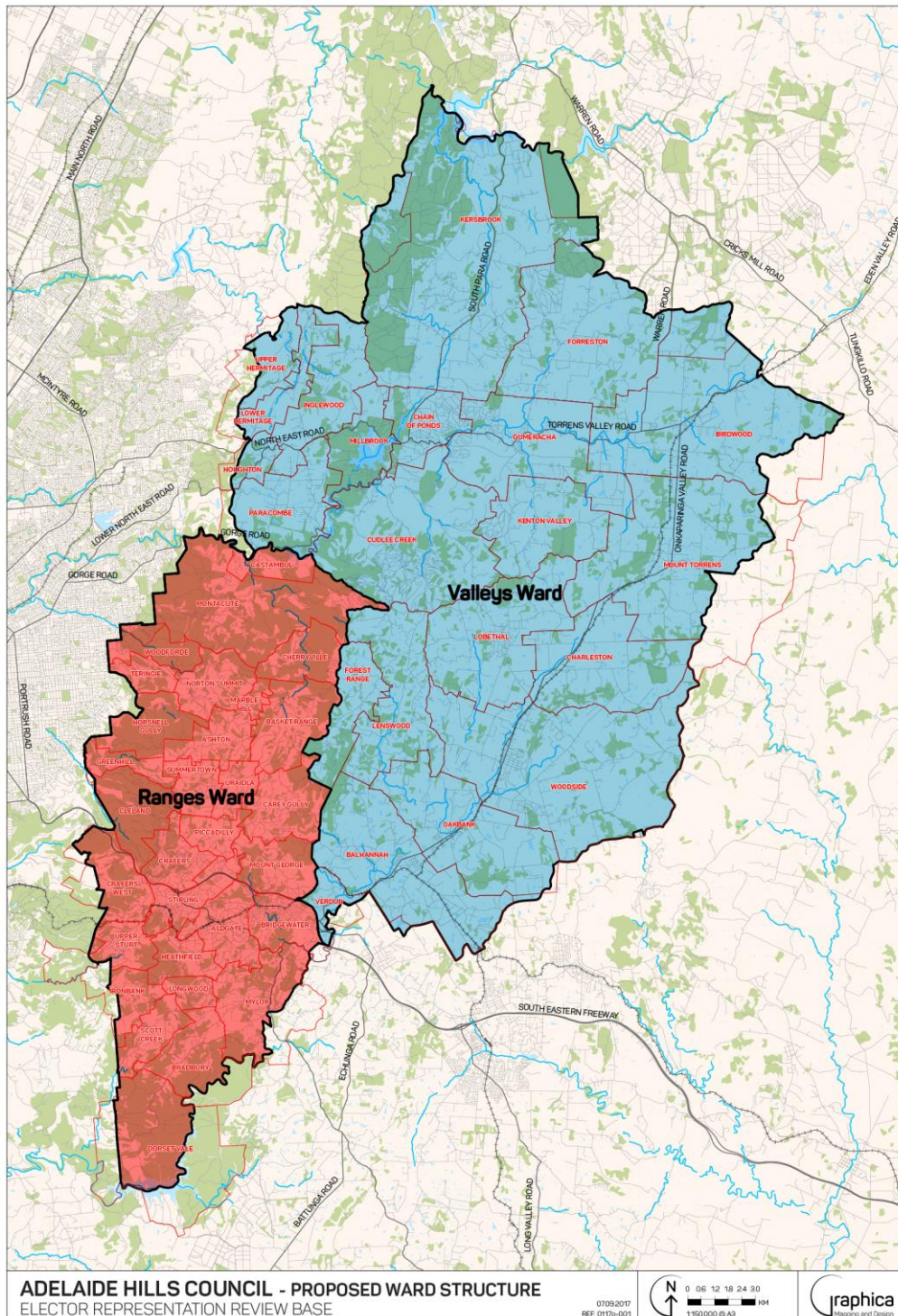
Table 2 provides data pertaining to the proposed future elector representation arrangement, including the elector ratio in each of the proposed wards and for the Council area as a whole. It is noted that the elector ratios within all of the proposed wards lay well within the specified quota tolerance limits.

Table 2: Elector data per ward and variance to quota (Proposed ward structure)

Ward	Councillors	Electors	Ratio	% Variance
Ranges	7	17,570	1:2,510	+ 2.22
Valleys	5	11,895	1:2,379	- 3.11
Total	12	29,465		
Average			1:2,455	

Source: Electoral Commission SA (October 2017)

Map 2: Proposed Ward Structure



4. Review Process

The following is a summary of the review process undertaken by Council, and associated occurrences, in chronological order.

Date	Event
26 April 2016	Council considered a report regarding the representation review and authorised the commencement of the review. (Agenda and Minutes – Appendix A)
6 July 2016	An elected member’s workshop regarding the review was conducted by C L Rowe and Associates Pty Ltd. (Information Paper - Appendix B)
3 August 2016	C L Rowe and Associates Pty Ltd attended an elected members’ workshop and provided an overview of the Representation Options Paper, outlined the legislative requirements for Council and provided/discussed a variety of ward options.
23 August 2016	Council considered a report regarding the Representation Options Paper and endorsed the document for community consultation purposes. (Representation Options Paper - Appendix C, Agenda and Minutes – Appendix D)
31 August 2016	Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, a public notice was published in the “Mount Barker Courier” newspaper advising that the review was being undertaken and the Representation Options Paper was available; and seeking written submissions by Friday 14th October 2016. (Public Notice – Appendix E)
August – September 2016	The review was publicised on Council's webpage and Facebook pages; on roadside banners; at public meetings; and at the Council libraries and service centres.
1 September 2016	Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, a public notice was published in "The Weekender Herald" newspaper and the SA Government Gazette advising that the review was being undertaken and the Representation Options Paper was available, and seeking written submissions by Friday 14th October 2016. (Public Notices – Appendix F)

Date	Event
7 September 2016	Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, a public notice was published in the "Mount Barker Courier" newspaper advising that the review was being undertaken and the Representation Options Paper was available; and seeking written submissions by Friday 14th October 2016. (Public Notice – Appendix G)
14 October 2016	At the close of the first public consultation stage sixty-one (61) submissions had been received. (Submissions - Appendix H)
22 November 2016	Council considered a report regarding the submissions received and the alternatives available in regards to its future composition and structure; resolved "in principle" to retain an elected mayor; retain twelve councillors; abolish wards; and a Representation Review Report be prepared for consideration by Council. (Submissions Report – Appendix I; Agenda and Minutes – Appendix J)
13 December 2016	Council considered a report and endorsed the Representation Review Report for community consultation. (Council Agenda and Minutes – Appendix K, Representation Review Report - Appendix L)
21 December 2016	Pursuant to the provisions of Section 12 (9) of the Local Government Act 1999, a public notice was published in the "Mount Barker Courier" newspaper advising that the Representation Review Report was available and seeking written submissions by Friday 10th February 2017. (Public Notice – Appendix M)
22 December 2016	Pursuant to the provisions of Section 12 (9) of the Local Government Act 1999, public notices were published in the SA Government Gazette and "The Weekender Herald" newspaper advising that the Representation Review Report was available and seeking submissions by Friday 10th February 2017. (Public Notices – Appendix N)
December 2016 - February 2017	The review was publicised on Council's webpage and Facebook pages; on roadside banners; at public meetings; and at the Council libraries and service centres.
10 February 2017	At the close of the second public consultation stage 429 written submissions had been received, including four petitions comprising 440 signatories. (Submissions – Appendix O)

Date	Event
21 February 2017	Council held a Special meeting and heard addresses from eleven respondents (Steve Steggles, Pauline Gill, Erica Womersley, Henry Carter, Ross Leckie, Ken Craig, Daniel Kelly, Joe Frank, Sue Vardon, Steve Swann, Jeff Williams). Invitations to attend the Council meeting were incorporated in the public notices, on the feedback forms and on Council documents presented on the website. (Agenda and Minutes – Appendix P)
28 February 2017	Council considered a report regarding the second consultation process; a further submission (bringing the total to 430); heard an address from a respondent (John Hill) regarding his submission and the review in general; affirmed its decision regarding its future composition and structure; and resolved to finalise its report and refer the document to the Electoral Commissioner pursuant to Section 12(12) of the Act. The aforementioned four petitions were received and noted. (Agenda and Minutes – Appendix Q).
28 April 2017	Mr Joe Frank addressed Council regarding the elector representation review.
5 May 2017	The Electoral Commissioner advised (by correspondence) that Council had not satisfied the requirements of Section 12 of the Local Government Act 1999 (primarily in respect to public notification) and, as such, the appropriate certificate could not be issued pursuant to Section 12(13) of the Act.
23 May 2017	Council considered the correspondence from the Electoral Commissioner and resolved to resume the elector representation review; approve the revised Representation Options Paper (dated May 2017) for public consultation; and undertake further public consultation during the period 1 st June 2017 to 14 th July 2017 inclusive. (Representation Options Paper – Appendix R; Agenda and Minutes – Appendix S)
30 May 2017	Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, a public notice was published in Government Gazette advising that the review had resumed; the Representation Options Paper was available; and seeking written submissions by Friday 14th July 2017 (Public Notice – Appendix T)
31 May 2017	Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, a public notice was published in the “Mount Barker Courier” newspaper advising that the review had resumed; the Representation Options Paper was available; and seeking written submissions by Friday 14th July 2017 (Public Notice – Appendix U)

Date	Event
1 June 2017	Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, a public notice was published in "The Weekender Herald" newspaper advising that the review had resumed; the Representation Options Paper was available; and seeking written submissions by Friday 14th July 2017 (Public Notice – Appendix V)
7 June 2017	Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, a public notice (erratum) was published in the "Mount Barker Courier" newspaper rectifying the incorrect consultation dates provided in notice on the 31 st May 2017; and advising that the review had resumed, the Representation Options Paper was available, and seeking written submissions by Friday 14th July 2017. (Public Notice – Appendix W)
27 June 2017	Mr Steve Steggles addressed Council regarding the elector representation review.
June - July 2017	The review was promoted on Council's website; on social media (Facebook and Twitter); on roadside banners; at public meetings; and at the Council libraries and service centres.
14 July 2017	At the close of the public consultation Council had received 537 submissions, not including the 61 submissions received during the initial consultation stage undertaken 31 st August – 14 th October 2016.
25 July 2017	Council considered two petitions (comprising a total of 78 cosignatories) supporting a three or five ward structure. Council resolved that the two petitions be noted and received; and that they be accepted as two submissions in respect to the review. (Petitions – Appendix X; Agenda and Minutes – Appendix Y)
9 August 2017	Council convened a Special Meeting and considered a report regarding the submissions received. Council resolved that a draft Representation Review Report be prepared as soon as practicable (for future consideration by Council) based on the retention of an elected Mayor; the retention of twelve councillors; and the abolition of wards. (Submissions Report – Appendix Z; Agenda and Minutes – Appendix AA)

Date	Event
22 August 2017	<p>Council considered a petition regarding the elector representation review which comprised 83 signatories. As the petition was received outside of the specified public consultation period, Council resolved that it be noted and received but not accepted as a formal submission.</p> <p>Messrs Steve Steggles, John Hill and Daniel Kelly all addressed Council regarding the elector representation review.</p> <p>Council resolved an amended draft Representation Review Report be prepared for future consideration based on the retention of an elected Mayor; the retention of twelve councillors; the division of the Council area into four wards (being an amendment of the structure presented as Option 2 in the Representation Options Paper dated May 2017); the wards be named North, South, East and West; and each ward be represented by three councillors. (Agenda and Minutes – Appendix AB)</p>
4 September 2017	<p>At a Special Meeting of Council a motion to rescind the previous decision made at the meeting on the 22nd August 2017 (i.e. Item 184/17) was successful (on the casting votes of the mayor).</p> <p>Council resolved that a draft Representation Review Report be prepared as soon as practicable for future consideration, based on the retention of an elected Mayor; the retention of twelve councillors; the division of the Council area in to two wards; the wards being identified as Ranges and Valleys Wards; and the Ranges Ward be represented by seven councillors and the Valleys Ward being represented by five councillors. (Agenda and Minutes – Appendix AC)</p>
11 September 2017	<p>Mr Joe Frank and Ms Erica Womersley addressed Council in respect to the elector representation review.</p> <p>Council resolved the Representation Review Report be approved for three week public consultation. (Representation Review Report – Appendix AD; Agenda and Minutes – Appendix AE)</p>
12 September 2017	<p>Pursuant to the provisions of Section 12 (9) of the Local Government Act 1999, a public notice was published in the Government Gazette advising that the Representation Review Report was available; written submissions were being accepted until close of business on Friday 6th October 2017; and any person making a submission could address Council on the 10th October 2017. (Public Notice – Appendix AF)</p>

Date	Event
13 September 2017	Pursuant to the provisions of Section 12 (9) of the Local Government Act 1999, a public notice was published in the "Mount Barker Courier" newspaper advising that the Representation Review Report was available; written submissions were being accepted until close of business on Friday 6 th October 2017; and any person making a submission could address Council on the 10 th October 2017. (Public Notice – Appendix AG)
14 September 2017	Pursuant to the provisions of Section 12 (9) of the Local Government Act 1999, a public notice was published in "The Weekender Herald" newspaper advising that the Representation Review Report was available; written submissions were being accepted until close of business on Friday 6 th October 2017; and any person making a submission could address Council on the 10 th October 2017. (Public Notice – Appendix AH)
September – October 2017	The review was promoted on Council's website; on social media (Facebook and Twitter); on roadside banners; at public meetings; and at the Council libraries and service centres.
6 October 2017	At the close of the public consultation stage Council had received 48 submissions.
10 October 2017	At a Special Meeting of Council consideration was given to a report regarding the submissions received; and Council heard addresses from Messrs Joe Frank, Geoff Williams, Leith Mudge, Ross Herrmann and Bob Brooksby. (Submissions Report – Appendix AI; Agenda and Minutes – Appendix AJ)
24 October 2017	Mr Joe Frank addressed Council in respect to the elector representation review. Council resolved that the report pertaining to the submissions be received and noted; and that the proposed future composition and structure of Council be an elected Mayor; twelve ward councillors; the division of the Council area into two wards (as per the structure presented in the Representation Review Report dated September 2017), except all of Carey Gully, Cherryville and all of Basket Range to be incorporated into the proposed Ranges Ward; and the proposed wards be identified as the Ranges Ward and the Valleys Ward, with the Ranges Ward being represented by seven councillors and the Valleys Ward being represented by five councillors. Council further resolved to finalise its report and refer the document to the Electoral Commissioner pursuant to Section 12(12) of the Act. (Agenda and Minutes – Appendix AK)

5. Public Consultation

5.1 First Public Consultation

The first of the prescribed public consultation stages commenced on Wednesday 31st August 2016 with the publishing of a public notice in the "Mount Barker Courier" newspaper, and this was followed by the publishing of notices in the Government Gazette and "The Weekender Herald" newspaper on Thursday 1st September, 2016. A second notice was published in the "Mount Barker Courier" newspaper on Wednesday 7th September 2016. In addition, the public consultation process included:

- promotion of the review on the Council website;
- the display of roadside banners;
- a presentation to the Mylor Community Forum;
- the conduct of "listening posts" at local shopping centres in Birdwood (6th September 2016), Stirling 8th September 2016), Lobethal (13th September 2016), Balhannah (16th September 2016) and Uraidla (27th September 2016);
- the conduct of public meetings at Stirling (20th September 2016) and Gumeracha (28th September 2016);
- Council members consulting their constituents; and
- the provision of the Representation Options Paper and associated documents at the council offices.

At the expiration of the public consultation period (i.e. close of business on Friday 14th October 2016) Council had received sixty-one (61) submissions, a summary of which is as follows.

A detailed summary of the submissions and a copy of each submission have been provided in Appendix H.

Of the submissions received:

- forty-six or 79.3% favoured the retention of a mayor (elected by the community);
- fifty-nine or 96.7%) supported the retention of wards, with only two preferring the abolition of wards;
- forty-two or 73.7% favoured the retention of twelve councillors, whilst ten (17.5%) supported a reduction to ten councillors, three (5.3%) preferred a reduction to nine councillors, one (1.8%) favoured a reduction to eight councillors and one (1.8%) supported a reduction to seven councillors; and
- forty-three or 76.8% favoured the retention of five wards, whilst six (10.7%) supported three wards, five (8.9%) favoured four wards, one (1.8%) favoured three or five wards and one (1.8%) favoured two wards.

In respect to the issue of ward names, there was strong support for the retention of the current names, followed by geographical or locality names.

The submissions were formally considered by Council at a meeting held on 22nd November 2016.

5.2 Second Public Consultation

The second public consultation commenced on Wednesday 21st December 2016 with the publishing of a public notice in the "Mount Barker Courier" newspaper, and this was followed by the publishing of notices in the Government Gazette and "The Weekender Herald" newspaper on Thursday 22nd December, 2016. Second notices were published in the "Mount Barker Courier" newspaper on Wednesday 18th January 2017 and the "The Weekender Herald" newspaper on Thursday 19th January 2017. In addition, the public consultation process included:

- promotion of the review on the Council website and social media (Facebook, Twitter, Hills Voice and emails lists);
- the display of roadside banners;
- the conduct of public meetings at Stirling (23rd January 2017 and Gumeracha 30th January 2017);
- on-line digital engagement (including enabling electronic submissions);
- Council members consulting their constituents; and
- the provision of the Representation Options Paper and associated documents at the council offices at Woodside, Stirling and Gumeracha, the Summit Community Centre at Norton Summit and the mobile library.

The consultation period was conducted over a seven week period, rather than the prescribed three week minimum, in order to provide the local community with ample of time to consider Council's proposal and make a submission. At the expiration of the public consultation period (i.e. close of business on Friday 10th February 2017) Council had received four hundred and thirty (430) written submissions and four petitions (total of four hundred and forty (440) signatories).

A summary of the submissions received and copies of the individual submissions and the four petitions have been provided in Appendix O.

Of the submissions received, three hundred and ninety three or 93.6% did not agree with Council's proposal to retain an elected mayor and twelve councillors, and abolish wards; whereas twenty-seven (27) or 6.4% of the submissions received did support the Council proposal.

Council heard addresses from eleven (11) respondents at a special meeting of Council which was convened on the 21st February 2017. The submissions were also considered, along with an address from a twelfth respondent, at the Council meeting on the 28th February 2017.

5.3 Third Public Consultation

Following the recommencement of its elector representation review in late May 2017, Council initiated the first of two additional consultation stages on Tuesday 30th May 2017 with the publishing of a public notice in the Government Gazette, and this was followed by the publishing of notices in the "Mount Barker Courier" newspaper on Wednesday 31st May 2017, "The Weekend Herald" newspaper on Thursday 1st June 2017; and the "Mount Barker Courier" newspaper on Wednesday 7th June 2017. In addition, the public consultation process included:

- promotion of the review on the Council website (with a link to the documents and on-line survey);
- the display of roadside banners at various locations throughout the Council area;
- the provision of the Representation Options Paper and associated documents at the council offices at Woodside, Stirling and Gumeracha, as well as at The Summit Community Centre at Norton Summit and in Council's mobile library;
- Council members consulting their constituents; and
- promotion of the review on social media (i.e. Facebook).

At the expiration of the public consultation period (i.e. close of business on Friday 14th July 2017) Council had received five hundred and thirty seven (537) submissions. In addition, Council already had sixty-one (61) submissions which were received during the initial round of public consultation undertaken from 31st August – 14th October 2016. These initial submissions were considered to be valid, and were accepted by Council in accordance with the advice conveyed to the community in the relevant public notices which specifically advised that *"all submissions previously received from the community in respect to the previous Representation Options Paper (dated August 2016) remain valid and will be reconsidered by Council during any further deliberations (i.e. previous respondents are not required to submit another submission unless they wish to do so, in which case the latest submission will supersede the initial submission)"*.

Council also received two petitions (five pages in total) which supported a ward structure comprising three or five wards (with a preference for five wards). These petitions comprised seventy-eight (78) co-signatories and had been accepted as two submissions, as reported to Council on the 25th July 2017. A review of these petitions revealed that at least ten (10) of the petition co-signatories had also made individual submissions.

Given the above, it was determined that Council had effectively received six hundred submissions. However, of these submissions;

- twelve (12) of the five hundred and thirty seven submissions were duplicates made by persons who had already made a submission and, as such, were rejected;
- twenty three (23) of the five hundred and thirty seven submissions were received from persons who had made a submission during the initial public consultation round in August/October 2016 and, as such, their latest submission superseded their initial submission (as per the advice provided in the public notice); and

- three (3) were anonymous and these were not accepted because there is no way of determining whether the respondents had made more than one submission.

Based on the above adjustments, it was determined that Council ultimately had five hundred and sixty two (562) valid submissions to consider.

A summary of the submissions has been provided in Appendix Z.

The five hundred and sixty two valid submissions was considered to represent a significant response from the community, including a number of interested persons who resided outside of the Council area.

Of the submissions received:

- four hundred and thirty six (436) of 77.58% favoured the principal member being a Mayor elected by the community, as opposed to ninety seven (97) or 17.26% who favoured a change to a chairperson selected by the elected members and twenty nine (29) or 5.16% who either made no response or preferred both;
- five hundred and twenty six (526) or 93.59% supported the retention of wards, whilst only twenty four (24) or 4.27% specifically favoured the abolition of wards;
- four hundred and thirty five (435) or 77.4% favoured a five ward structure, followed by thirty seven (37) or 6.58% in support of a four ward structure and twenty six (26) in support of a three ward structure; and
- three hundred and eighty seven (387) or 68.86% favoured the retention of twelve councillors, whilst ninety (90) or 16.01% favoured a reduction to ten councillors, twenty two (22) or 3.91% favoured a reduction to eleven councillors and twelve (12) or 2.14% favoured a reduction to eight councillors.

As for the issue of ward names, there was a significant response in favour of retaining the current ward names.

5.4 Fourth Public Consultation

The second public consultation undertaken after the resumption of the elector representation review (being the fourth public consultation) was commenced on Tuesday 12th September 2017 with the publishing of a public notice in the Government Gazette, and this was followed by the publishing of notices in the "Mount Barker Courier" newspaper on Wednesday 13th September 2017; and "The Weekender Herald" newspaper on Thursday 14th September 2017.

In addition, the public consultation process included:

- promotion of the review on the Council website (i.e. a copy of the Representation Review Report and notice; a copy of the relevant response form; and associated news items);
- the display of roadside banners at various locations throughout the Council area;

- the provision of the Representation Review Report and associated documents at the council offices and libraries;
- promotion of the review on social media (i.e. Facebook, Twitter, Hills Voice and email lists);
- the conduct of public meetings at Stirling and Gumeracha on 25th and 28th September 2017 respectively;
- on-line digital engagement (enabling electronic submissions); and
- Council members consulting with their constituents.

At the expiration of the public consultation period (i.e. close of business on Friday 6th October 2017) Council had received forty eight (48) submissions.

In addition, a further three (3) submissions were received on Saturday 7th October 2017. Whilst these respondents had made the effort to participate, the submissions were a day late and, as such, were deemed to be invalid. In addition, one respondent from Lobethal made two submissions and, as such, the first submission was taken to be superseded by the second submission.

Given the aforementioned, the number of valid submissions was determined to be forty seven (47).

A summary of the submissions has been provided in Appendix AJ.

Of the forty seven valid submissions received, thirty six (36) or 76.6% opposed Council's proposed two ward structure, whilst eleven (11) or 23.4% supported the proposed ward structure.

Of the eleven supportive submissions, six (6) seemingly only favoured the proposal because it was considered to be a reasonable "compromise" and was preferred over the "no wards" structure. In addition, four (4) of the eleven submissions indicated a level of support for the proposed two ward structure but expressed a preference for five or more wards.

6. Proposal Rationale

6.1 Council Name

The Adelaide Hills Council was established in 1997 through the amalgamation of the then District Councils of East Torrens, Gumeracha, Onkaparinga and Stirling.

Council is of the opinion that the Council name generally reflects the geographic location of the Council area and, as just on twenty years have passed since the creation of the Council in its current form, a change to the Council name is unnecessary and unwarranted at this time. Accordingly, the issue of the Council name, or a potential change thereto, was not pursued as part of the review process.

6.2 Composition of Council

6.2.1 Mayor/Chairperson

The principal member of Council has always been an elected mayor; and the response received from the community during the review process overwhelmingly supported the retention of this arrangement. Indeed, during the first consultation stage after the resumption of the review, four hundred and thirty six (436) or 77.58% of five hundred and sixty two (562) submissions received specifically expressed support for a Mayor elected by the community.

Essentially Council believes that a mayor elected by the community:

- is in accord with a fundamental principle of democracy – choice;
- affords all eligible members of the community the opportunity to express faith in a mayoral candidate, should they choose to do so;
- provides Council with an identifiable principal member who is directly accountable to the community that elected him/her; and
- brings stability and continuity to the Council, given the four year term of office.

Council acknowledges that the introduction of a chairperson could provide some benefits, including a likely reduction in the number of elected members (with associated cost savings); flexibility in the tenure of the principal member; the opportunity for a number of elected members to gain experience as the principal member during the four year term of the Council (and to bring their particular skill set and opinions to the position); and avoidance of the potential loss of high calibre candidates through the mayoral election process. Notwithstanding this, Council is apprehensive because of the fact that a chairperson is chosen by the elected members, thereby depriving the community of the opportunity to vote for the principal member of their choice.

Furthermore, Council believes that the office of mayor (elected by the community) has served the Adelaide Hills Council well over the years; and the retention of an elected mayor is consistent with the elector representation arrangements of all of the other metropolitan councils and most of the regional councils in South Australia, and is in accord with the overwhelming majority of the submissions received during the course of the review.

Given that the Adelaide Hills Council has traditionally had an elected mayor as its principal member; nothing extraordinary has occurred within Council or the Council area to warrant a change to the way that the principal member is determined; and a mayor is democratically elected by the community as its principal representative (and is therefore accountable to the community), it is considered that there is no need for change at this time.

6.2.2 Councillors

Council has long comprised twelve councillors and is proposing to retain this level of representation. This proposition has received considerable support from the community throughout the review, including three hundred and eighty seven (or 68.86%) of the five hundred and sixty two submissions received during the third public consultation undertaken in May – July 2017.

Council is aware that:

- the provisions of Sections 26 and 33 of the Local Government Act stipulate the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term);
- the provisions of Section 12(6) of the Local Government Act require a Council that is constituted of more than twelve members to examine the question of whether the number of elected members should be reduced; and
- the majority of the submissions supported the retention of twelve councillors.

A review of elector data pertaining to other metropolitan councils which are of a similar size (i.e. elector numbers) as the Adelaide Hills Council (refer Table 3) indicates that Council is generally consistent with the elector representation arrangements of the other cited councils but covers a significantly greater area than the other councils.

Table 3: Elector data, representation and areas (Councils with similar elector numbers)

Council	Councillors	Electors	Ratio
Norwood Payneham St Peters (15.1 km ²)	13	25,237	1:1,941
Holdfast Bay (13.7 km ²)	12	27,731	1:2,311
Unley (14.3 km ²)	12	27,561	1:2,297
Adelaide Hills (795.1 km²)	12	29,465	1:2,455
Burnside (27.5 km ²)	12	31,908	1:2,659
Campbelltown (24.35 km ²)	10	35,008	1:3,501

Source: Electoral Commission SA (October 2017)

When determining the appropriate number of councillors to provide fair and adequate representation, Council was mindful that:

- sufficient elected members must be available to manage the affairs of Council;
- the elected members' workloads should not become excessive;

- there is an appropriate level of elector representation;
- a diversity in members' skill sets, experience, expertise, opinions and backgrounds is maintained to ensure robust discussion amongst the elected members;
- adequate lines of communication must exist between a growing community and Council.
- the Adelaide Hills Council covers a larger (approximately 795.1 km²), more diverse area than any of the metropolitan councils;
- there are expectations of continuing population growth in the foreseeable future across the Council area (refer 6.4.3 Population and Demographic Trends, page 25);
- the variety in the economy, land use and social demographics requires more attention from elected members and a broader skill set than other less diverse councils;
- the extent and timing of any of this future residential development (and resultant increase in elector numbers) is difficult to determine at this time; and
- the anticipated increase in the future population will likely result in greater elector numbers, higher elector ratios and potentially greater workloads for the elected members.

Council was also aware that a reduction in the number of elected members would result in some cost savings to Council (e.g. elected member's allowances alone are \$16,276 per annum per councillor) with any resulting savings being available for redirection to community projects and/or programs; and may serve to expedite the decision making process in Council. Further, it is acknowledged that enhanced telecommunications and information technology may also assist elected members in respect to their day to day tasks and communication with both Council and the community. On the downside, whilst email communications can make the elected members more accessible to the community, they can increase the workloads of the elected members.

Council believes that it is important to maintain the quality and level of representation that has long been experienced and expected by the local community. As such, a reduction in the number of councillors at this time would be untenable, given that it will likely result in excessive workloads for the councillors which, in turn, may impact upon the quality of representation provided.

Given the aforementioned, Council is firmly of the belief that a change to its existing composition is neither necessary nor warranted at this time.

6.2.3 Area Councillors (in addition to ward councillors)

The Local Government Act 1999 indicates that councillors can be elected as a representative of a ward, or alternatively, to represent the Council area as a whole (whether or not the Council area is divided into wards).

Council believes that ward councillors consider themselves to represent not only their ward, but the Council area as a whole. This is considered to negate the need for area councillors in addition to ward councillors, an assertion which is seemingly supported by the fact that only the City of Adelaide has a ward structure which incorporates two levels of representation.

Further, it is noted that under such an arrangement area councillors hold no greater status than a ward councillor; have no greater responsibilities than a ward councillor; and need not comply with any extraordinary or additional eligibility requirements. In addition, any contested election (and/or supplementary election) for area councillors must be conducted across the whole of the Council area, at a significant cost to Council.

Given the aforementioned, Council considers that area councillors (in addition to ward councillors) are an unwarranted, unnecessary and a potentially costly additional tier of representation.

6.3 Structure of Council

6.3.1 Wards Structure

The Adelaide Hills Council has been divided into wards since its creation in 1997; and Council is now proposing to retain a ward structure, albeit in a different and simpler configuration to the existing ward structure. This decision is in accord with the clear majority of the submissions received from the local community over the course of the review.

Council has previously acknowledged that the "no wards" alternative affords electors the opportunity to vote for all of the vacant positions on Council; automatically absorbs fluctuations in elector numbers; allows for the most supported candidates from across the Council area to be elected; enables the elected members to be free of parochial ward attitudes; and enables a casual vacancy of an area councillor to be carried by Council, thereby avoiding the need for, and cost of, a supplementary election.

Notwithstanding this, Council is concerned that the "no wards" alternative:

- does not guarantee direct representation of all communities within the Council area;
- may make it easier for single interest candidates and/or groups to gain support (than does the existing ward based system);
- has the potential to make the task and expense of contesting "council-wide" elections difficult and excessive; and
- has the potential to increase the cost of conducting elections and supplementary elections, given that under the "no wards" structure all contested elections must be conducted on a "council-wide" basis.

On the other hand, Council believes that wards:

- guarantee some degree of direct representation of all areas and communities within the Council area;
- ensure local interests and/or issues are not overlooked in favour of the bigger "council-wide" picture; and
- provide recognisable lines of communication with Council through the ward councillors.

It is also considered that ward councillors have empathy for, and an affiliation with, all of the communities within their ward; and the existing ward councillors already deliberate and make decisions on the basis of achieving the best outcome for the whole of the Council area (as would be the role of an area councillor under the "no ward" alternative).

Whilst the current ward structure can be retained because the elector ratios exhibited in all five wards lay within the specified quota tolerance limits, Council has doubts that this situation can be maintained over an extended period of time, given the fact that the elector ratios exhibited within the existing Mount Lofty and Marble Hill Wards, and to a lesser degree the Onkaparinga Valley Ward, are nearing the quota tolerance limits.

The proposed two ward structure is favoured because it:

- gives a greater number of councillors per ward which is better suited to the desired outcome of the Local Government (Elections) Act 1999 for proportional representation;
- provides the electors with a greater choice of candidates;
- merges areas of perceived common character and, as such, serves to consolidate existing "communities of interest";
- recognises that portion of the Council area that is defined as metropolitan area (as per the Development Act 1993);
- is capable of sustaining large fluctuations in elector numbers;
- exhibits ward elector ratios which lie comfortably within the specified quota tolerance limits;
- presents nomenclature for the proposed two wards, being the Ranges Ward and the Valleys Ward, which is descriptive of the main topographical feature of each ward;
- will continue to provide the electors/residents located within the individual wards with avid and direct representation;
- is a relatively simple ward configuration; and, as such, the proposed wards should be easily identified and readily accepted by the local community;
- does not divide any existing districts or localities between wards; and
- has increased levels of ward representation (in comparison to the current ward structure), so as to:
 - ensure adequate and fair representation of the communities within the proposed wards;
 - provide sufficient opportunities for aspiring candidates for Council (and the wards);
 - provide an appropriate number of ward councillors to ensure continued representation within the ward (i.e. to cover absence by a ward councillor from time to time);
 - maintain a reasonable and manageable workload for the ward councillors; and
 - provide a more cohesive arrangement whereby the deliberations of a greater number of ward representatives should serve to provide balanced viewpoints and agreed local perspectives on issues before Council.

Given all of the aforementioned and the fact that there was considerable opposition throughout the review process to the notion of abolishing wards, Council's decision to maintain a ward structure (albeit in a different and simpler configuration) is considered to be rational and justifiable.

6.3.2 Ward Identification

Council has opted to identify the proposed wards in a manner which reflects the general topography within the wards (hence the proposed Ranges and Valleys Wards); and has no connection to any past ward structures. In addition, it was noted that there was no adverse feedback from the community to the proposed ward names. This being the case, Council is confident that the proposed ward names will be accepted by the community.

It should also be noted that during the course of the review Council examined alternative means of ward identification, but considered the allocation of letters and numbers to lack imagination and to have no relevance to the Council area. The same could not be said about the allocation of names of European and/or indigenous heritage significance, however, the identification and/or selection of appropriate names would have required considerable further investigation and community consultation.

6.4 Local Government Act 1999

Throughout the course of the review, specific attention was paid to the provisions of Sections 26 and 33 of the Act. Brief comments pertaining to Council's findings and opinions in respect to the key issues are provided hereinafter.

6.4.1 Quota

Council is aware that Section 33(2) of the Local Government Act 1999 states:

"A proposal that relates to the formation or alteration of wards of a council must also observe the principle that the number of electors represented by a councillor must not, as at the relevant date (assuming that the proposal were in operation), vary from the ward quota by more than 10 per cent..."

As indicated in Table 2 (page 6), the elector ratios in each of the proposed wards lay comfortably within the specified quota tolerance limits.

6.4.2 Communities of Interest

The Act speaks of the desirability of reflecting communities of interest of an economic, social, regional or other kind.

"Communities of interest" have previously been defined "as aspects of the physical, economic and social systems which are central to the interactions of communities in their living environment", and are generally identified by considering factors relevant thereto, including neighbourhood communities; history and heritage communities; sporting facilities; community support services; recreation and leisure communities; land uses; socio-economic levels; retail and shopping centres; work communities; industrial and economic development clusters; and environmental and geographic interests.

Council considers that there are numerous communities of interest within the Council area, including but not limited to the fifty-five long-established township, settlement and district communities. When developing the proposed ward structure, care was taken to ensure that, where possible, identified land use precincts were maintained in their entirety within the bounds of a ward, taking into account the features of the landscape and/or urban development. In order to achieve this, Council aimed to maintain entire districts/localities within wards.

The proposed ward structure does not divide any district/locality (i.e. perceived “communities of interest”) between the two proposed wards.

6.4.3 Population and Demographic Trends

Council is aware that there is the potential for an increase in elector numbers throughout the Council area in the foreseeable future, primarily as a consequence of new and/or on-going residential development. However, the extent and timing of such is difficult to determine with any certainty.

During the review process Council took into account the following information.

- The future redevelopment of the Magill reform school/training centre site at Woodforde for residential purposes could realise an additional 280 - 400 dwellings.
- An approved land division at Mount Torrens will create an additional 40 residential allotments.
- An approved land division at Birdwood will also create up to 40 additional residential allotments.
- Council's Township and Urban Areas Development Plan Amendment will afford more residential development opportunities (through the introduction of smaller allotments) within the major townships of Lobethal, Oakbank, Woodside, Birdwood and Balhannah; as well as allow land division opportunities for smaller sized allotments (under specific circumstances) within the Country Living Zones (Stirling, Aldgate and Bridgewater).
- Population projections provided by the Department of Planning, Transport and Infrastructure (DPTI), as at February 2016, indicate that the population of the Adelaide Hills Council is expected to increase by 748 (i.e. 40,436 to 41,184) or 1.85% during the period 2016 - 2021; and increase by a further 817 (i.e. 41,184 to 42,001) or 1.98% during the period 2021 - 2026.
- According to data provided by Electoral Commission SA, the number of electors enrolled on the House of Assembly Roll within the Adelaide Hills Council:
 - increased by 1,533 (5.78%) during the period February 2001 to February 2008;
 - increased by a further 600 (2.14%) during the period February 2008 to February 2011; but then
 - increased by only one elector during the February 2011 to February 2016.
- According to data provided by the Australian Bureau of Statistics (2001, 2006 and 2011 Census Community Profiles – Adelaide Hills (DC) Local Government Area), the estimated total population of the Council area increased by 1,229 (3.36%) over the period 2001 - 2006, and then increased by a further 770 (2.03%) during the period 2006 - 2011. Overall, the population in the Council area increased by 1,999 (5.46%) over the period 2001 - 2011.

- According to data provided by the Australian Bureau of Statistics (ABS 3218.0 – Regional Population Growth, Australia (2016), as at the 28th July 2017), the estimated total population of the Council area increased by 534 (1.36%) over the period 2006 – 2011 but then decreased by 174 (0.44%) during the period 2011 – 2016. Overall, the estimated population in the Council area increased by 360 (0.92%) over the period 2006 – 2016.
- The initial 30 Year Plan for Greater Adelaide provided targets and key growth directions for regions. Adelaide Hills Council is located within the Adelaide Hills and Murray Bridge Region wherein the initial overall targets to 2038 were 29,000 additional people; 13,000 net additional dwellings; and 13,000 additional jobs. Further, the initial "planned urban lands to 2038" identified within the Adelaide Hills and Murray Bridge Region included the established townships of Stirling, Crafers, Aldgate, Bridgewater, Balhannah, Gumeracha, Birdwood, Lobethal and Woodside.
- The 30 Year Plan for Greater Adelaide has been reviewed and the revised version does not contain the aforementioned urban expansion targets.

6.4.4 Topography

The Adelaide Hills Council is 795.08 km² in area; extends from Mount Bold Reservoir in the south to the South Para Reservoir in the north and from the Hills Face escarpment in the west to the eastern escarpment of the Mount Lofty Ranges; and primarily comprises rural landscape, undulating hills farming land uses and fifty-five township, settlement and/or district communities.

Council acknowledges that the topography and travel distances can, at times, have some effect upon the elected members' ability to attend to the requirements and/or demands of the community, and has consequently given due consideration to the impacts of the topography during the review process.

It is considered that the proposed ward structure is a relatively simple and efficient division of the Council area which befits and accommodates the existing topography of the Council area. Council believes that the topography of the Council area should have little or no impact upon Council's elector representation proposal, given that the proposed ward structure has been developed to maintain entire "communities of interest" (districts/localities) within the bounds of the proposed wards; and (where practicable) to take into account the topography of the area.

6.4.5 Communication

Council believes that the retention of the existing level of representation will continue to provide adequate and proven lines of communication between the elected members of Council and the community.

7. Conclusion

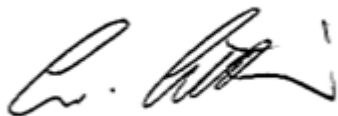
The Adelaide Hills Council initially completed a review of its size, composition and ward structure, as required by the provisions of Section 12 of the Act, in February 2017. However, it was determined by the Electoral Commissioner that the requirements of Section 12 of the Act had not been satisfied, specifically in relation to Council's interpretation of who were eligible to make submissions during the public consultation stages of the review. Accordingly, to ensure that no interested person had been denied the opportunity to participate, Council agreed to resume the review and initiate further consultation with the community.

Council recommenced its review in late May 2017 and has now completed a further two public consultation stages (including the preparation of all necessary reports); and has given due consideration to all relevant matters, its previous decision and all of the public submissions received. The resumed review, which was conducted in accordance with the specified process and addressed the matters detailed under Sections 26 and 33 of the Act, culminated in Council resolving as follows:

- The principal member of the Adelaide Hills Council will be a mayor, elected by the community.
- The Adelaide Hills Council area will be divided into wards, as described on page 6 of this report and depicted on Map 2 contained herein..
- The Adelaide Hills Council will comprise the Mayor and twelve (12) ward councillors.
- The proposed wards will be identified as Ranges Ward and Valleys Ward.
- The proposed Ranges Ward will be represented by seven (7) ward councillors and the proposed Valleys Ward will be represented by five (5) ward councillors.

This report is referred to the Electoral Commissioner in accordance with the provisions of Section 12(12) of the Act, and certification is hereby sought so as to enable Council's proposal, as detailed herein, to be in effect at the Local Government elections in 2018.

Should you require any additional information or wish to discuss the review, please contact Lachlan Miller, Executive Manager Governance and Performance, on telephone 8408 0400.



Andrew Aitken
Chief Executive Officer