



## **DRAFT REPRESENTATION REVIEW REPORT**

**September 2024**

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

**Prepared by  
Kelledy Jones**

## **TABLE OF CONTENTS**

### **1 INTRODUCTION**

- 1.1 Legislative Requirements
- 1.2 Matters to be Considered
- 1.3 Representation Review Process

### **2 BACKGROUND**

### **3 REPRESENTATION PROPOSAL**

### **4 REPRESENTATION REVIEW REPORT**

### **5 REPRESENTATION STRUCTURE PROPOSAL**

### **6 PROPOSAL RATIONALE**

- 6.1 Council Name
- 6.2 Composition
  - 6.2.1 Number of Area or Ward Councillors
- 6.3 Ward Structure
  - 6.3.1 Wards or No Wards
  - 6.3.2 Ward Representation and Quotas
  - 6.3.3 Boundary Realignment

### **7 LEGISLATIVE PRINCIPLES TO BE CONSIDERED**

- 7.1 Section 33 of the Act
  - 7.1.1 Population and Projections
  - 7.1.2 Demographics and Development Trends
  - 7.1.3 Communities of Interest
  - 7.1.4 Topography
  - 7.1.5 Communication
  - 7.1.6 Adequate and Fair Representation
- 7.2 Section 26 of the Act

### **8 CONCLUSION**

- 8.1 Preferred Composition Structure
- 8.2 Next Steps

- APPENDIX 1 -           EXTRACT OF GAZETTE 9 JULY 2020**
- APPENDIX 2 -           MINUTES FROM COUNCIL MEETING 19 MARCH 2024**
- APPENDIX 3 -           AGENDA REPORT ITEM 9.1 FROM COUNCIL MEETING OF 17  
SEPTEMBER 2024**
- APPENDIX 4 -           DRAFT PUBLIC CONSULTATION NOTIFICATIONS**

DRAFT

## **City of Onkaparinga**

This paper has been prepared for the City of Onkaparinga (the **Council**) for the purposes of section 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 Onkaparinga'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.

## 1 INTRODUCTION

Councils in South Australia are required to undertake regular reviews of their elector representation arrangements (the **Representation Review**). The City of Onkaparinga (the **Council**) undertook its last Representation Review during the period April 2016 to April 2017.

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

### 1.1 Legislative Requirements

In accordance with section 12(4) of the *Local Government Act 1999* (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.*

Pursuant to regulation 4 of the *Local Government (General Regulations) 2013*, the relevant period for the Council to undertake its Representation Review was determined by the Minister, by notice in the Government Gazette (the **Gazette**) on 9 July 2020, being the period from April 2024 to April 2025 (**Appendix 1**).

The Council commenced its Representation Review in April 2024.

### 1.2 Matters to be Considered

In accordance with section 12 of the **Act**, 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;
- 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.

The Representation Review Report 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;
- 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 Representation Review Report must also have regard to section 33 of the Act, which lists the matters that must be taken into account, as far as practicable, if the Council proposes to change the Ward representation of the Council. These 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).

### 1.3 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**);
- review the submissions received during 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 of South Australia (the **ECSA**) to obtain 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 come into effect on polling day for the November 2026 Local Government periodic elections.

## 2 BACKGROUND

The last 'relevant period' for the Council in undertaking a Representation Review was April 2016 to April 2017, at which time it determined to change from its five (5) Ward structure, each with four (4) Ward Councillors and a Mayor, to its current six (6) Ward structure, each with two (2) Ward Councillors and a Mayor (elected from the Council area as a whole).

The existing names of the six (6) Wards in the Council area are:

- South Coast;
- Mid Coast;
- Knox;
- Pimpala;
- Thalassa; and
- Southern Vales.

The Council commenced its current Representation Review process in April 2024.

### 3 REPRESENTATION PROPOSAL

At Agenda item 9.15 at its meeting of 19 March 2024, 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 (the **Review Report**) for the Council's consideration.

A copy of the relevant page of the Minutes from the Council meeting of 19 March 2024 is **Appendix 2**.

Two (2) workshops, in the nature of information and briefing sessions for the purposes of section 90A of the Act were held with the Elected Members, namely on:

- 30 April 2024, at which time Members received information with respect to the Representation Review Process; and
- 2 July 2024, at which time Members discussed certain boundary proposals, particularly noting that the Mid Coast Ward has exceeded the Ward 'tolerances' for the purposes of section 33 of the Act, and the Mid Coast Ward was close; and

At a Special Council Meeting held on 10 September 2024, Members considered some options of amended Ward boundaries, together with representation modelling for the purposes of ensuring the proposals met the section 33 tolerances, and determined, by resolution, which proposal it wished to progress as part of this Review.

### 4 ADOPTION OF DRAFT REPRESENTATION REVIEW REPORT

Following feedback received from Members, including at those workshops, 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 9.1 at its meeting of 17 September 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 for item 9.1 is **Appendix 3**.

A copy of the relevant page of the Minutes from the Council meeting of 17 September 2024 is **Appendix 4**.

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).

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 Thursday 3 October 2024, concluding on Thursday 24 October 2024.

The consultation has been notified by notice published in the Government Gazette on 3 October 2024, as well as the Advertiser, being a local newspaper circulating in the Council area and on the Council's website <https://yoursay.onkaparinga.sa.gov.au/> (inclusive of a link to the Review Report).

A copy of the draft public consultation notifications are **Appendix 5**.

In addition to these statutory publication requirements, the public consultation process also includes:

- posts made to the Council's Facebook page, notifying of the availability of the Review Report and inviting interested persons to make a submission;
- a copy of the Review Report is also available to view at the Council's Civic Centre located at Noarlunga Centre and is available for download from the Council's YourSay website.

Responses to the Review Report are invited by electronic submission through the YourSay function on the Council's website, email or hard copy submitted to the Council.

## **5 REPRESENTATION AND COMPOSITION PROPOSAL**

The Council proposes to **retain its existing structure and composition** being:

- a Mayor elected by electors from the whole Council area;
- six (6) Wards; and
- 12 Ward Councillors, two (2) elected from each Ward.

As above, the Council was required to examine a proposed realignment of Ward boundaries, involving the movement of several suburbs, to ensure that the Ward quotas remain within the statutory tolerance of 10% variance from the Ward Quota.

Based on the current number of electors in the Council area, being 133,861<sup>1</sup>, the elector representation ratios under the Council's proposal will remain at 11,155 electors per Councillor.

The average Ward quota will be 1:11,155.

## **6 PROPOSAL RATIONALE**

### **6.1 Council Name**

The 'City of Onkaparinga' has been the name of the Council since 1997, and comes from the traditional Aboriginal place name Ngankiparinga, meaning "women's river place".

Whilst sections 12(2) of the Act provides that the Council may consider the alteration of its name as part of the Review process, the current name of the Council is an important part of its commitment to Reconciliation and acknowledgement of the Traditional Owners and custodians of the land comprising the Council's area.

For this reason, supported by the absence of any submissions from Councillors, the name of the Council was not proposed to be reviewed as part of this Representation Review.

As the name of Council has no impact upon the provision of fair and adequate representation, no changes to the name of the Council are proposed as part of this

---

<sup>1</sup> Statistics for Elector Representation Review 28 June 2024 ECSA  
onka0001\_240088\_023.docx

Review.

## 6.2 Composition

### 6.2.1 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 (12) has an impact on decision making by the Council; and
- ensuring adequate and fair representation, whilst avoiding overrepresentation in comparison to other councils of a similar size and characteristic.

The Council's proposal is to continue with 12 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, the Options Paper included a comparison of the Council against other councils of a similar size, characteristic and elector number.

**Table 1:** Comparison of elector ratios with other councils

<b>Council</b>	<b>Electors 2024</b>	<b>Members (including Mayor)</b>	<b>Ward Quota 2024 (excluding Mayor)</b>
Charles Sturt	90,687	17	5,667
Marion	68,346	13	5,695
Onkaparinga	133,861	13	11,155
Playford	72,103	16	4,806
Port Adelaide Enfield	90,246	18	5,308
Salisbury	98,637	15	7,045
Tea Tree Gully	74,774	13	6,231
West Torrens	43,198	15	3,085

In arriving at the decision to retain 12 Councillors plus a Mayor at its last Review, the Council took into consideration its own experiences as a representative governance body and comparisons with other similar councils, as well as the incoming obligations under section 11A of the Act that now requires that a council must not be composed of more than 13 Members (unless it is otherwise granted an exemption certificate under section 12(11b) of the Act by the ECSA).

The Council's own experiences demonstrate that as an elected body:

- it has been able to make informed, transparent and accountable decisions effectively for the community; and
- it provides appropriate, proportionate, representation for various interest groups/areas in the Council, having particular regard to the physical size of the Council.

The submissions received during the public consultation also supported the position that the number of Councillors is appropriate to provide representation for the community.

The rationale for continuing with 12 Councillors:

- the Council has found 12 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;
  - it provides for a diversity of skills, knowledge and life experiences amongst the elected member body; 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; and
- whilst the Council's elector ratios are larger than the other councils modelled above, this is as a result of the Council determining as part of its prior review process to reduce its number to 12 Councillors, plus a Mayor, to ensure it meets the 'member cap'; for the purposes of section 11A of the Act.

The feedback from the Council, the community and an analysis of the data prior, demonstrates that 12 Councillors, with a total elected member group of 13 (including the Mayor), is both a reasonable and suitable 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.*

## **6.3 Ward Structure**

### **6.3.1 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.

The Council has considered a number of options in relation to redrawing its existing, current six (6) Ward composition, to ensure the composition does not exceed the tolerances under section 33 of the Act.

Of course, as part of its Review process, the Council was also required to consider whether it retained 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 also impact on the number and manner in which Councillors can be 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.

There is no difference in the roles and responsibilities of Councillors elected as Ward Councillors and those elected as Area Councillors, save for, Ward Councillors are generally understood to have specific expertise and experience in their particular Ward and are considered to be representative of those 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.

The Council proposes **to continue with its current structure of six (6) Wards**, with two (2) Ward Councillors to be elected from within each Ward.

In making this decision, the Council has considered the arguments in favour of the options available to it.

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

- 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 be 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 preference is to continue with its current structure of six (6) Wards, and in so determining, is persuaded by:

- Ward Councillors provide an enhanced representation for specific Council areas, particularly having regard to the size of the Council 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 a 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 community members, ensuring equity in demands on time and resources;
- Councillors having a smaller area to manage an appropriate workload;
- ensures better representation of all areas across the Council and reduces 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 their 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 easily; 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 six (6) Wards is the preferred option for the Council at this time.

However, in doing so, notes it will be required to implement a re-alignment of certain Ward boundaries, specifically for the Pimpala, Thalassa and Southern Vales Wards.

### 6.3.2 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 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%.

A copy of the existing Ward map is depicted below:



Ward Boundaries

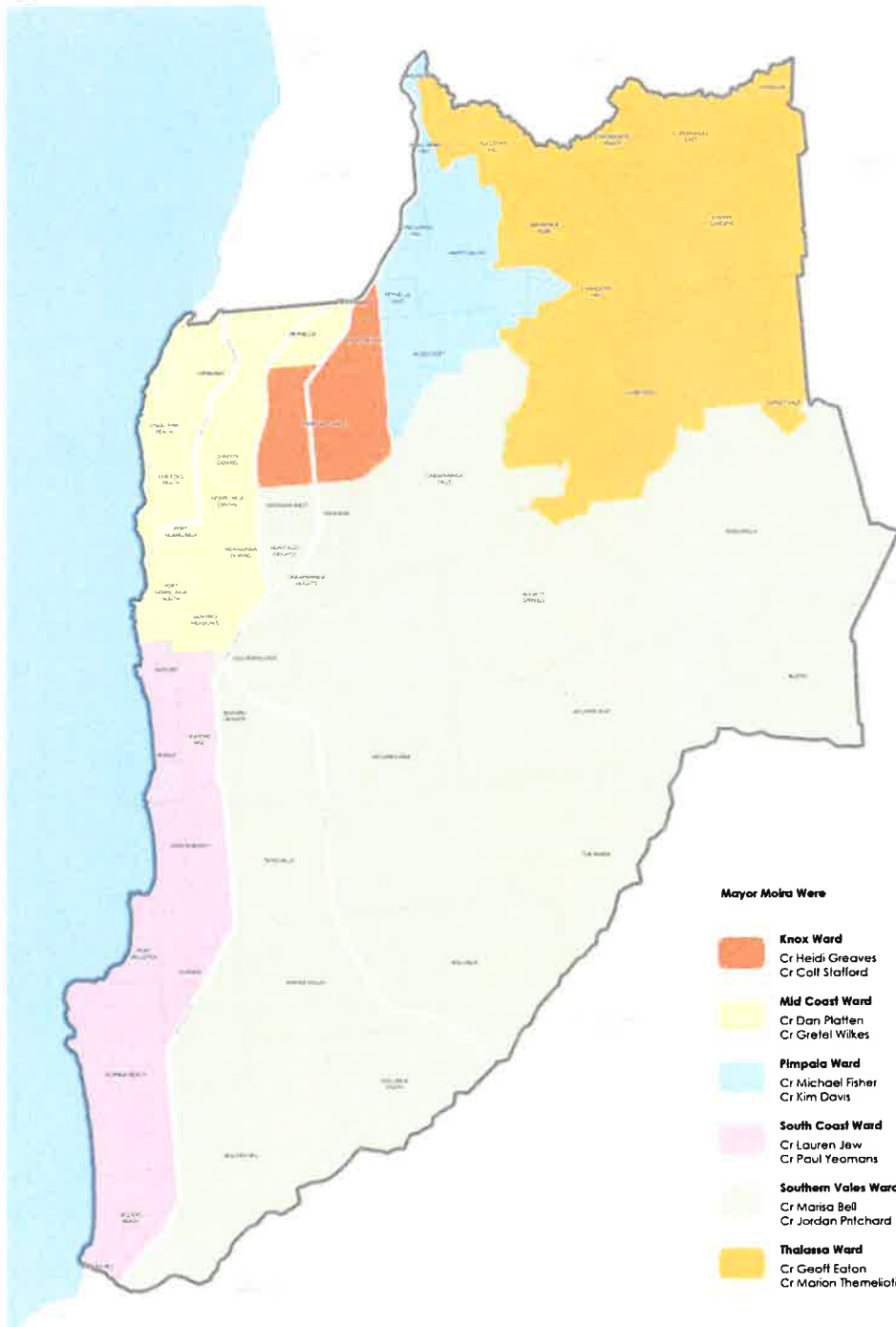


Table 2 below demonstrates for most Wards, in the Council Area, the number of electors represented by each Councillor does not vary from the Ward quota by more than 10% at that time, **with the exception** of the Mid Coast Ward, which exhibits a variation of 13.65% above the Ward Quota.

**Table 2 - Elector Statistics**

**Statistics for Elector Representation Review**



005 City of Onkaparinga		Area Councillors: 0					
Mayor/Chairperson M							
Ward Code	Ward Name	HA Electors	Council Voters Roll	Total	No. of Rep	Quota	% Difference
1	South Coast	23328	36	23364	2	11682	4.72%
2	Mid Coast	25348	9	25357	2	12678	13.65%
3	Knox	21210	5	21215	2	10607	-4.91%
4	Pimpala	21369	3	21372	2	10686	-4.20%
5	Thalassa	20468	3	20471	2	10235	-8.25%
6	Southern Vales	22069	13	22082	2	11041	-1.02%
<b>Total:</b>		<b>133792</b>	<b>69</b>	<b>133861</b>	<b>12</b>	<b>Average: 11155</b>	

Last Review: 12-12-2017 Next Review: 01-04-2024

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.

These calculations also rely on the assumption that no significant changes will occur in the Council area, between now and the next 'relevant period' when the Council considers its composition again, (being approximately eight (8) years) to ensure the Ward quotas remain in tolerance.

For this purpose, the Council now proposes as part of this Review to realign the boundaries of Wards, to ensure that all Wards remain well with the 10% tolerances for the purposes of Section 33 of the Act.

**6.3.3 Boundary Realignment**

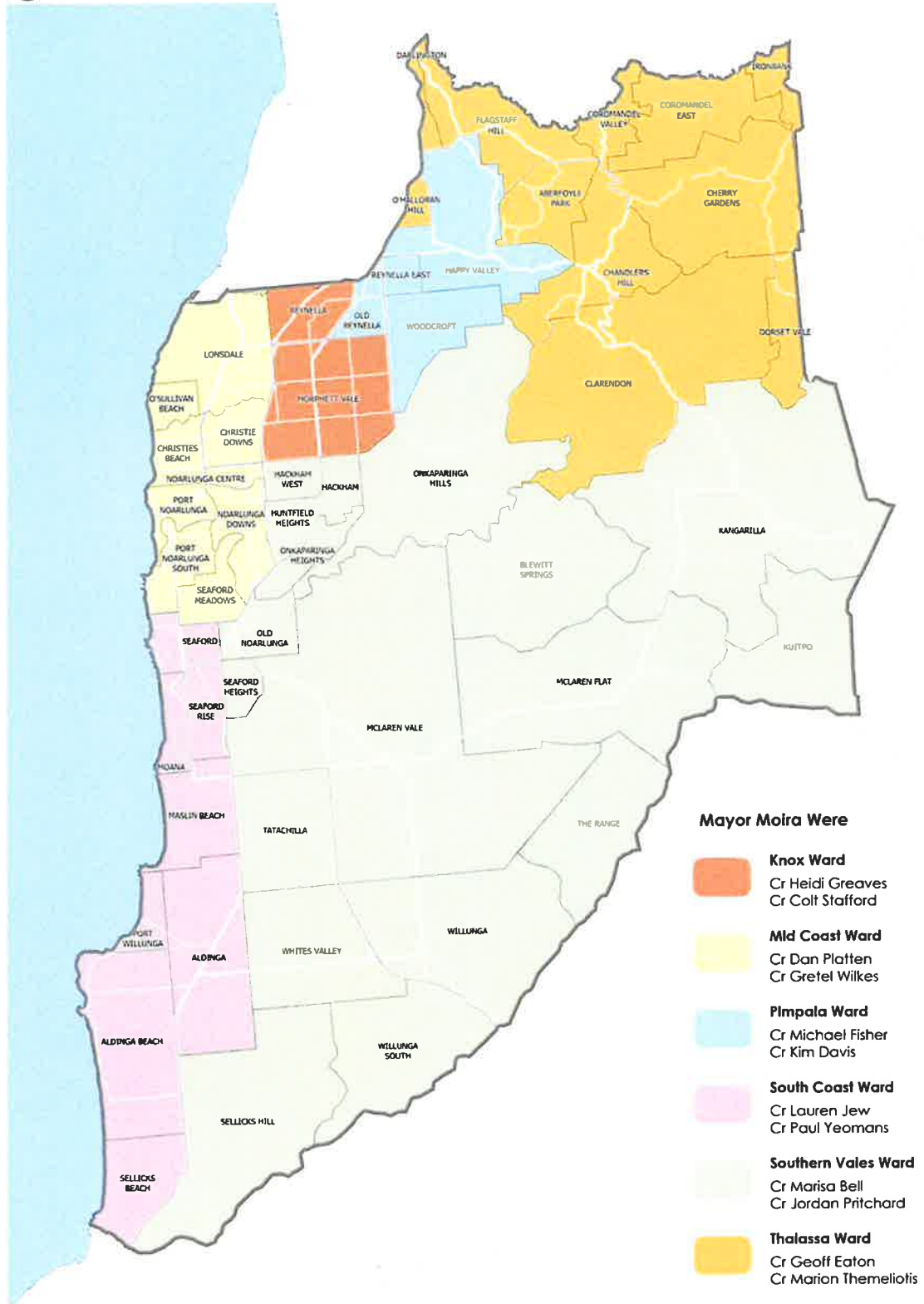
The proposed changes to the Ward boundaries proposed as part of this Review process are as follows, noting the desirability not to 'split' suburbs across Wards:

- **Aldinga**, currently split across South Coast and Southern Vales under the existing structure, is to be included, in full, in the South Coast Ward;
- **O'Halloran Hill** and **Darlington**, each for which are in Pimpala Ward under the existing structure, are to be included in Thalassa Ward;
- **Reynella**, currently in the Mid Coast Ward in the existing structure, is to be moved to Knox Ward; and
- **Old Reynella**, currently in Knox Ward, will be moved to Pimpala Ward.

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



Proposed Ward Boundary Realignments Version 1



The following Table depicts the amended Ward quotas under this proposal, based on the elector figures at June 2024.

**Table 3: Ward Representation and Quotas under the proposed Ward Boundary Amendment**

Ward	Ward Councillors	Electors	Ward Quota	Variation
South Coast	2	23,352	11,676	4.76%
Mid Coast	2	21,665	10,833	-2.80%
Knox	2	22,249	11,125	-0.18%
Pimpala	2	21,837	10,919	-2.03%
Thalassa	2	22,644	11,322	1.59%
Southern Vales	2	21,994	10,997	-1.33%
			<b>Ward Quota</b>	
Total	12	133,741	11,145	

A copy of the Council's current Supplementary Roll is **Appendix 6**.

The Council, as a governing body, supports retaining the Council's existing structure and composition and is now proposing to realign boundaries to ensure the Wards are brought back within tolerance.

If the proposed amendments to the Ward boundaries are adopted as part of this Review, all six (6) Wards remain well with the tolerances under section 33 of the Act

## **7 LEGISLATIVE PRINCIPLES TO BE CONSIDERED**

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

### **7.1 Section 33 of the Act**

As set out above, in determining to retain its current structure of six (6) 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.

### 7.1.1 Population and Projections

The Department for Infrastructure and Transport (formally the Department for Planning, Transport and Infrastructure) prepared population projections for South Australia, released in December 2019 - *Local Government Area Projections 2011 – 2036*. The estimated population projections for the Council area are as follows:

- 2026 – 181,242;
- 2031 – 186,321 (+5,079); and
- 2036 – 191,162 (+4,841).

Population projections must be cautiously considered, based on the date the data was collected, and applying assumptions about future fertility, mortality and migration. It should also be interpreted having regard to the Council's own knowledge about its area, as well as anticipated population changes.

### 7.1.2 Demographic and Development Trends

Demographic trends were considered, together with the potential for these trends to impact on the population of the Council area, particularly as they relate to Ward areas, and quotas.

The Council has seen a steady increase in the number of new dwellings throughout the Council area. In the period between 2017-2020, the Council saw an average of 900 applications lodged for new dwellings per year, this figure dropped slightly to 700 new applications per year in the post-COVID period between 2021-2023, in line with the supply issues and delays within the general construction industry .

In addition to this existing development, significant ongoing infill development is occurring at Aldinga, with an 800-home sustainable development plan proposed in 2019 and construction scheduled to begin in 2025.

**Table 4:** Proposed New Dwellings per Ward to 2032, being the next the next 'relevant period' for the council.

Ward	Additional Dwellings	Additional Population	Total Dwellings 2032	Total Population 2032
Knox Ward	662	1,589	13,408	32,180
Mid Coast	2,472	5,934	17,974	43,137
Pimpala	123	295	11,715	28,118
South Coast	1,383	3,319	14,432	34,637
Southern Vales	1,697	4,074	13,491	32,377
Thalassa	1,045	2,509	16,651	39,961
<b>Total</b>	<b>5,152</b>	<b>17,270</b>	<b>82,601</b>	<b>199,240</b>

However, the number of previous, and new, dwelling applications is not an accurate reflection of the number of dwellings that exist, or will exist, in the Council area.

An application only signals an intention to carry out development, with no obligation to construct the development.

Construction of approved development may also be delayed for a period of time and this may include delay of construction and occupation until after the November 2026 periodic elections. Even when a development is completed it may remain vacant or unoccupied.

For these reasons, development data is to be considered with caution, particularly with regards to any application of these figures to elector numbers (noting, of course, not every 'resident' is an 'elector' for the purposes of the Representation Review process).

### **7.1.3 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.

### **7.1.4 Topography**

The City of Onkaparinga is approximately 518km<sup>2</sup> in area and exhibits varying topographic and geographic areas and features. The Council area incorporates thirty-one kilometres of coastline, large rural areas to the east and south, watercourses, areas of hilly terrain and considerable urban development comprising residential, industrial and commercial land uses. In addition, the Council area exhibits a long established and extensive road network and is dissected by the Adelaide - Seaford railway line.

Despite the above, the topography of the City should have little or no impact upon Council's proposal, given that the proposed Ward structure has been developed with the view to maintaining entire "communities of interest" (and suburbs) within the bounds of the proposed Wards.

#### **7.1.5 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.

#### **7.1.6 Adequate and Fair Representation**

For the reasons set out above in this Review 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.

### **7.2 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.

## **8 CONCLUSION**

This Review Report has been prepared to:

- provide information on the process undertaken by the Council in conducting its 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.

### **8.1 Preferred Composition Structure**

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

- the name of the Council remains unchanged;
- six (6) Wards, subject to the required boundary re-alignment to ensure elector representation is within quota tolerances;
- each of the six (6) Wards to retain current names;
- the elected body of the Council to continue to comprise a total of 12 Ward Councillors, with two (2) elected from each Ward; and
- a Mayor elected from the Council area as a whole.

### **8.2 Next Steps**

This Report is now to be the subject of a public consultation process.

Following which, the Council will receive and take into account the outcomes of the consultation, in determining its proposed representation and composition, for submission to the ECSA.

In accordance with Section 12(7) of the Act, interested persons are now invited to make a written submission to Council in respect to this report, and more specifically the composition and structure that Council proposes to introduce on polling day for the November 2026 Local Government Periodic Elections.

Submissions can be made via:

- completing the feedback form online at

<https://yoursay.onkaparinga.sa.gov.au/>

- or collecting a copy from a Customer Service office located at:
  - Noarlunga Centre, Ramsay Place
  - Aberfoyle Park, The Hub
  - Aldinga Library, 11 Central Way, Aldinga Beach
  - Willunga, St Peters Terrace
  - Woodcroft Community Centre, 175 Bains Road, Morphett Vale

Submissions will be accepted until 5.00pm on **24 October 2024** and should be addressed to the Chief Executive Officer, PO Box 1, Noarlunga Centre 5168 or emailed to:

[mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au)

Further information regarding the elector representation review can be obtained by contacting Katrina French, Senior Governance Officer, on telephone 8384 0666 or emailing [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au)

# APPENDICES

DRAFT

**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
Cooper 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**

## 9.15 ELECTOR REPRESENTATION REVIEW 2024

<b>Report contact</b>	<b>Meeting</b>
Katrina French, Senior Civic & EM Advice Officer Manager	Council
Desma Morris, Manager Governance	
<b>Director</b>	<b>Date</b>
David Stobbe, Director Corporate	19 March 2024

### 1. Purpose

The purpose of this report is to inform and obtain endorsement from Council to commence an Elector Representation Review as required under the *Local Government Act 1999*.

### 2. Recommendations

That in accordance with Section 12 of the *Local Government Act 1999* the City of Onkaparinga commences a Representation Review which is required to be completed by April 2025.

### 3. Executive summary

The Elector Representation Review is a legislative requirement and there are a number of steps that form part of the process which includes (but not limited to) the preparation of a representation review report, public consultation, workshops with Elected Members, public notices in local papers and Gazette, opportunity for persons who make written submissions on the representation review report to address Council, as well as progress reports to Council.

### 4. Background

Community Plan 2030	<b>people:</b> connected, engaged, active, healthy <b>place:</b> green, inviting, accessible, liveable <b>prosperity:</b> economically strong, environmentally thriving performance: accountable, efficient, inclusive, sustainable People. Performance.
Policy and/or relevant legislation	<i>Local Government Act 1999</i> <i>Local Government (General) Regulations 2013</i> Public Consultation Procedure
Who did we talk to/who will we be talking to	Local Government Association South Australia Elected Members and members of our community will be engaged throughout the representation review process.

### 5. Discussion

A Representation Review is held to examine all aspects of a Council's composition and ward structure. It is a formal process that is closely regulated by the *Local Government Act 1999* (Act) and is required to be conducted at least every eight years.

On 9 July 2020, the then Minister for Transport, Infrastructure and Local Government published a notice in the Government Gazette which determined that the next review of Council's composition and ward structure is to be conducted during the period April 2024 – April 2025.

A review must consider all aspects of the composition of the Council and the potential division, redivision of the council area into wards, or the abolishment of existing wards to determine whether the community would benefit from an alteration to the composition or ward structure of the Council. A notice under this section may also change the name of the council.

The provisions of Section 12(5) of the *Local Government Act 1999* requires Council to have a representation report prepared by a person, who in the opinion of Council, is qualified to address the representation and governance issues that may arise with respect to the matters under review.

Of the very limited number of qualified consultants available in Adelaide, four fee submissions were sought and upon consideration of the submissions it was determined that, together with their competitive quote, Kelledy Jones had relevant experience with regard to the recent legislative changes, to successfully undertake a Representation review.

To ensure that we can complete our elector representation review within the required timeframe, a suggested timeline is provided at attachment 1 to this report. Regard does need to be given to the Christmas and New Year period, the existing cycle of Council Meetings and Elected Member Sessions, and the need for Special Council Meetings and additional Elected Member Sessions to inform Council and or seek endorsement at certain stages of the review.

The Act requires broad public consultation. In accordance with our Engagement Framework a comprehensive community engagement strategy will be developed to ensure adherence to the legislated process of public notification and consultation. Timeframes for public notices, written submissions and the opportunity to appear before Council must be adhered to.

## 6. Financial implications

Civic Governance is currently resourced to progress this project and the costs of advertising, public consultation, the qualified person and any additional public consultation requested is included in the existing budget and may extend to the 2024-25 budget.

## 7. Risk and opportunity management

Risk	
Identify	Mitigation
Statutory requirements not met	Ensure all requirements are met: <ul style="list-style-type: none"> <li>• Timely placement of public notices</li> <li>• Preparation of a Representation Review Report</li> <li>• Proper consideration of representation principles and matters outlined in the Act.</li> </ul>
Complex review process	The engagement of a qualified person as described in the Act ensures the review process is performed in accordance with current legislation.
Transparency and accountability	The Act provides for the requirement of public consultation during the review process. Council's engagement framework and a comprehensive community consultation strategy will be developed to ensure adherence to the legislation.

Opportunity	
Identify	Maximising the opportunity
Community Confidence	<p>Comprehensive review taking into account principles set out in the <i>Local Government Act 1999</i> in particular:</p> <ul style="list-style-type: none"> <li>• Changes should benefit ratepayers</li> <li>• Arrangement should reflect communities of interest, values and aspirations, and avoid significant dislocations within the community</li> <li>• Community members should be able to participate effectively in decisions about local matters</li> </ul>

## 8. Timelines and deadlines

Attachment 1 outlines the suggested timeline for the elector representation review.

## 9. Next steps

As the process for conducting the review requires extensive community engagement, and in order for the review to be completed within the statutory time frame, it is proposed that we commence with an Elected Member Session on Tuesday 30 April 2024, which will be conducted by Kelledy Jones.

The workshop will provide in depth information on the following aspects of the review:

- Statutory requirements e.g. what is to be considered
- Process and timeframes
- Community engagement
- Our current structure
- Number of wards
- Ward structures
- Number of Councillors

## 10. Attachments

Attachment 1 – Timeline (1 page)

- END OF REPORT -



## 2024-2025 REPRESENTATION REVIEW TIMETABLE

*Proposed dates subject to change*

Action	Detail	Date / Period
Report to Council – Representation Review commencing	Endorsement of commencement of Elector Representation Review. Details provided on process and next steps.	March
Elected Member Briefing	The workshop will be facilitated by consultant and: <ol style="list-style-type: none"> <li>1. Inform elected members of the representation review process and legislative requirements</li> <li>2. Workshop discussion on key issues, current arrangement and member's thoughts and issues to inform report</li> <li>3. Consultant to prepare Representation Review document proposal for councils preferred options</li> </ol>	May
Report on public consultation to Council meeting	Draft Representation Review proposal on councils preferred option. Endorsed by Council for public consultation.	July
Consultation Period Public Notice on the availability of the Draft Representation Review Proposal	Invite public submissions on Draft Representation Review Proposal. Public notices – advertiser, government gazette Public consultation	August/September
Received Submissions Reviewed	Consultant to collate and prepare report to council.	October/November
Council Meeting	Final Draft Report to council Public submission hearings	November/December
Finalise Representation Review Report Council meeting	Final Representation Review Report to Council for endorsement and submitting to Electoral Commission	February 2025
Submit Representation Review Report to Electoral Commission	Certification Gazettal of composition	March 2025

# MINUTES

## Council meeting 19 March 2024

VENUE:	Council Chamber Civic Centre, Ramsay Place, Noarlunga Centre
MEETING COMMENCED:	6.30pm
PRESENT:	Mayor Were (Chair) Cr Bell Cr Eaton Cr Fisher Cr Greaves Cr Jew Cr Platten Cr Pritchard Cr Stafford Cr Themeliotis Cr Yeomans
APOLOGIES:	-
LEAVE OF ABSENCE:	Cr Wilkes
ABSENT:	-

---

### PLEDGE

We recognise this City's considerable natural and cultural heritage, including thousands of years of traditional ownership by Kaurna, and the more recent contribution from people either born here or who have migrated here. As we meet together, we build on this heritage by respecting and listening to each other, thinking clearly, being receptive to new ideas, speaking honestly, and deciding wisely for the current and future wellbeing of those we serve.

## 9.15 ELECTOR REPRESENTATION REVIEW 2024

*MOVED Cr Eaton.*

*That in accordance with Section 12 of the Local Government Act 1999 the City of Onkaparinga commences a Representation Review which is required to be completed by April 2025.*

*Seconded by Cr Themeliotis.*

CARRIED

## 9.16 COUNCIL AND COMMITTEE REPORTING SCHEDULE

*MOVED Cr Themeliotis.*

*That Council note the agenda report and Reporting Schedule (attachment 1 to the agenda report).*

*Seconded by Cr Eaton.*

CARRIED

# 10. Questions on notice

## 10.1 QUESTIONS ON NOTICE – CR EATON – TREES

### Background

The death of a young woman last week in the City of Adelaide parklands has raised significant media coverage and concerns in the community regarding the risks of trees (particularly eucalypts) being blown over or dropping large limbs that can kill or injure people or cause damage to property.

There was a storm event in November 2022 which resulted in a large number of eucalypt trees being blown over on the Ackland Hill Road, Coromandel Valley/Flagstaff Hill and adjacent areas. At least one house in Birdman Crescent, Flagstaff Hill suffered roof damage (unsure if it was a council tree that caused the damage) and other trees on the verge at the eastern end of the road were blown over. There was also a very large eucalypt tree blown over in Frank Smith Park on the western edge of the oval in a storm event around the same time. That tree did not cause any property damage, but it was in the vicinity of the playground, and it is an area extensively used by the Coromandel Primary School. Due to the extent of the impact of this storm across the northern suburbs of the City of Onkaparinga it took many months for the debris to be removed. The City of Mitcham in adjoining locations was similarly impacted.

In the June 2023 storm event a large eucalypt tree was blown over (around 5.00 am) from the verge of Windebanks Road, Aberfoyle Park, missing the property it was outside of but falling across that property and hitting the neighbour's property next west and damaging their camper bus and carport. Had that tree fallen on the house it was outside of, the residents (a young family) were asleep in a front bedroom and could have been put at risk had it hit their property. That tree had been examined by an arborist in March and assessed as healthy. An inspection of the tree by myself showed that a significant proportion of the tree's roots appeared decayed. During that same event another large eucalypt tree was blown over in a reserve on the eastern side of Horseshoe Drive, Aberfoyle Park with no damage being caused as it fell along the fence line of adjoining properties. In the early October 2023 storm event a number of large eucalypt trees were blown over or lost large limbs at the eastern end of Black Road, Flagstaff Hill resulting in a power outage for at least

**APPENDIX 3**

## 9. Reports of officers

### 9.1 DRAFT REPRESENTATION REVIEW REPORT

**Report contact**

Katrina French

**Manager**

Desma Morris, Manager Governance

**Director**

Phu Nguyen, Chief Executive Officer

**Meeting**

Council

**Date**

17 September 2024

#### 1. Purpose

This report provides the draft Representation Review Report, prepared by Kelledy Jones for Council approval to commence community consultation on Council's representation review, as is required under Section 12 of the *Local Government Act 1999* (the Act).

#### 2. Recommendations

1. That Council approve the draft Representation Review Report provided as attachment 1 to the agenda report, prepared by Kelledy Jones with the inclusion of map version 1 for community consultation.
2. That Council note the draft Representation Review timetable as provided at attachment 2 to the agenda report.

#### 3. Executive summary

Council commenced its Elector Representation Review in March 2024 with Kelledy Jones appointed as the qualified consultant to examine all aspects of a Council's composition and ward structure under the provisions Section 12(5) of the *Local Government Act 1999*.

A draft Representation Review Report was presented at the Special Council meeting on 10 September 2024 which included three (3) ward boundary map versions for Council to consider and resolve the inclusion of their preferred ward boundary map.

Kelledy Jones have finalised the draft Representation Review Report and included map version 1 as resolved by Council at the Special Council Meeting on 10 September 2024 and have further updated the Report with the input received from elected members. Once approved by Council the Representation Review report will be ready for community consultation.

#### 4. Background

<b>Community Plan 2030</b>	<p><b>people:</b> connected, engaged, active, healthy  <b>place:</b> green, inviting, accessible, liveable  <b>prosperity:</b> economically strong, environmentally thriving  <b>performance:</b> accountable, efficient, inclusive, sustainable          People. Performance.</p>
<b>Policy and/or relevant legislation</b>	<p><i>Local Government Act 1999</i>  <i>Local Government (General) Regulations 2013</i>          Public Consultation Procedure</p>
<b>Who did we talk to/who will we be talking to</b>	<p>Local Government Association South Australia          Elected Members and members of our community will be engaged throughout the representation review process.</p>

#### 5. Discussion

Council currently comprises an elected mayor and twelve ward councillors.

The Council area is currently divided into six wards, with each of the wards being represented by two ward councillors. This structure, adopted by Council during the elector representation review undertaken in 2016-2017, came into effect at the 2018 Local Government elections.

The *Local Government Act 1999* requires that Council must ensure that all aspects of its composition and the issue of the division, or potential division of wards are comprehensively reviewed.

This being the case, alternative ward structure options have been considered by elected members in line with the *Local Government Act 1999* Sections 12, 26 and 33, and are further explained in the draft Representation Review Report prepared by Kelledy Jones, attachment 1 to this agenda report.

##### Summary of proposed modelling

Council resolved at its Special Council Meeting on 10 September 2024 to present the following model for community consultation, together with the draft Representation Review Report prepared by Kelledy Jones at attachment 1.

- A Mayor elected by electors from the whole Council area;
- Six (6) Wards
- Twelve (12) Ward Councillors, two (2) elected from each Ward
- Ward boundary realignments as depicted in the draft Representation Review Report

##### Community Consultation

The next stage of the Elector Representation Review is to commence public consultation. The Act requires a minimum of 21 days for the public consultation period. The Elector Representation Review Community Consultation will commence on Thursday 3 October 2024 and close on Thursday 24 October 2024.

A Community Engagement Strategy has been developed to promote the review and publicise the consultation period so that members of the public will be aware of how they can participate.

The consultation mediums to be used are detailed below.

- Government Gazette Public Notice
- Advertisement in the Advertiser
- Council's Your Say page
- Facebook posts
- On-hold message
- Onkaparinga News
- Community Centres/Libraries/Council office posters
- Copies of the Representation Review Report will be available for no charge in all libraries, offices, on the website <https://yoursay.onkaparinga.sa.gov.au/>
- Roadside banners - 4 locations across the city

All responses from the public are required in writing and can be mailed to our Noarlunga postal address or emailed to [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au) by 5pm on Thursday 24 October 2024.

Chief Executive Officer  
 Elector Representation Review  
 PO Box 1  
 Noarlunga Centre SA 5168

Following the public consultation members of the public who have responded will be invited to address the December 2024 Council meeting about their submissions.

Taking all the information into consideration, the Council will make a decision about the future elector representation for the City of Onkaparinga and a report will then be prepared for the Electoral Commission South Australia (ECSA) for certification.

The level of adherence to the legislated process of public notification and consultation will influence the decision of ECSA.

#### **Conflict of interest – Ordinary business matters**

A material, actual or perceived Conflict of Interest does not apply to a matter of ordinary business of the council as prescribed by regulation. The conduct and consideration of a review under section 12 of the Act (Elector Representation Review) is an ordinary business matter prescribed under Regulation 8AAA (1)(a) of the Local Government (General) Regulations 2013 and is exempt from the Conflict of Interest legislative requirements.

#### **6. Financial implications**

Civic Governance is currently resourced to progress this project and the costs of advertising, public consultation, the qualified person and any additional public consultation requested is included in the existing budget and may extend to the 2024-25 budget.

## 7. Risk and opportunity management

Risk	
Identify	Mitigation
Statutory requirements not met	Ensure all requirements are met: <ul style="list-style-type: none"> <li>• Timely placement of public notices</li> <li>• Preparation of a Representation Review Report</li> <li>• Proper consideration of representation principles and matters outlined in the Act.</li> </ul>
Complex review process	The engagement of a qualified person as described in the Act ensures the review process is performed in accordance with current legislation.
Transparency and accountability	The Act provides for the requirement of public consultation during the review process. Council's engagement framework and a comprehensive community consultation strategy will be developed to ensure adherence to the legislation.

Opportunity	
Identify	Maximising the opportunity
Community Confidence	Comprehensive review taking into account principles set out in the <i>Local Government Act 1999</i> in particular: <ul style="list-style-type: none"> <li>• Changes should benefit ratepayers</li> <li>• Arrangement should reflect communities of interest, values and aspirations, and avoid significant dislocations within the community</li> <li>• Community members should be able to participate effectively in decisions about local matters</li> </ul>

## 8. Timelines and deadlines

Attachment 2 outlines the revised timeline for the Elector Representation Review.

## 9. Next steps

Subject to the outcome of this meeting, community engagement will commence for a period of 21 days in accordance with the revised timeline at attachment 2.

Residents who have submitted submissions will be invited to the December 2024 council meeting to address their support or concerns with the proposed ward boundary amendments in person.

A Final Representation Review Report will be presented to Council for approval prior to submission to the South Australian Electoral Commission for certification.

10. Attachments

Attachment 1 – draft Representation Review Report (23 pages)

Attachment 2 – Revised Timeline (2 pages)

END REPORT



## **DRAFT REPRESENTATION REVIEW REPORT**

**September 2024**

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

**Prepared by  
Kelledy Jones**

## **TABLE OF CONTENTS**

### **1 INTRODUCTION**

- 1.1 Legislative Requirements
- 1.2 Matters to be Considered
- 1.3 Representation Review Process

### **2 BACKGROUND**

### **3 REPRESENTATION PROPOSAL**

### **4 REPRESENTATION REVIEW REPORT**

### **5 REPRESENTATION STRUCTURE PROPOSAL**

### **6 PROPOSAL RATIONALE**

- 6.1 Council Name
- 6.2 Composition
  - 6.2.1 Number of Area or Ward Councillors
- 6.3 Ward Structure
  - 6.3.1 Wards or No Wards
  - 6.3.2 Ward Representation and Quotas
  - 6.3.3 Boundary Realignment

### **7 LEGISLATIVE PRINCIPLES TO BE CONSIDERED**

- 7.1 Section 33 of the Act
  - 7.1.1 Population and Projections
  - 7.1.2 Demographics and Development Trends
  - 7.1.3 Communities of Interest
  - 7.1.4 Topography
  - 7.1.5 Communication
  - 7.1.6 Adequate and Fair Representation
- 7.2 Section 26 of the Act

### **8 CONCLUSION**

- 8.1 Preferred Composition Structure
- 8.2 Next Steps

- APPENDIX 1 -           EXTRACT OF GAZETTE 9 JULY 2020**
- APPENDIX 2 -           MINUTES FROM COUNCIL MEETING 19 MARCH 2024**
- APPENDIX 3 -           AGENDA REPORT ITEM 9.1 FROM COUNCIL MEETING OF 17  
SEPTEMBER 2024**
- APPENDIX 4 -           DRAFT PUBLIC CONSULTATION NOTIFICATIONS**

DRAFT

## **City of Onkaparinga**

This paper has been prepared for the City of Onkaparinga (the **Council**) for the purposes of section 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 Onkaparinga'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.

## 1 INTRODUCTION

Councils in South Australia are required to undertake regular reviews of their elector representation arrangements (the **Representation Review**). The City of Onkaparinga (the **Council**) undertook its last Representation Review during the period April 2016 to April 2017.

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

### 1.1 Legislative Requirements

In accordance with section 12(4) of the *Local Government Act 1999* (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.*

Pursuant to regulation 4 of the *Local Government (General Regulations) 2013*, the relevant period for the Council to undertake its Representation Review was determined by the Minister, by notice in the *Government Gazette* (the **Gazette**) on 9 July 2020, being the period from April 2024 to April 2025 (**Appendix 1**).

The Council commenced its Representation Review in April 2024.

### 1.2 Matters to be Considered

In accordance with section 12 of the **Act**, 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;
- 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.

The Representation Review Report 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;
- 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 Representation Review Report must also have regard to section 33 of the Act, which lists the matters that must be taken into account, as far as practicable, if the Council proposes to change the Ward representation of the Council. These 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).

### 1.3 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**);
- review the submissions received during 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 of South Australia (the **ECSA**) to obtain 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 come into effect on polling day for the November 2026 Local Government periodic elections.

## 2 BACKGROUND

The last 'relevant period' for the Council in undertaking a Representation Review was April 2016 to April 2017, at which time it determined to change from its five (5) Ward structure, each with four (4) Ward Councillors and a Mayor, to its current six (6) Ward structure, each with two (2) Ward Councillors and a Mayor (elected from the Council area as a whole).

The existing names of the six (6) Wards in the Council area are:

- South Coast;
- Mid Coast;
- Knox;
- Pimpala;
- Thalassa; and
- Southern Vales.

The Council commenced its current Representation Review process in April 2024.

### 3 REPRESENTATION PROPOSAL

At Agenda item 9.15 at its meeting of 19 March 2024, 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 (the **Review Report**) for the Council's consideration.

A copy of the relevant page of the Minutes from the Council meeting of 19 March 2024 is **Appendix 2**.

Two (2) workshops, in the nature of information and briefing sessions for the purposes of section 90A of the Act were held with the Elected Members, namely on:

- 30 April 2024, at which time Members received information with respect to the Representation Review Process; and
- 2 July 2024, at which time Members discussed certain boundary proposals, particularly noting that the Mid Coast Ward has exceeded the Ward 'tolerances' for the purposes of section 33 of the Act, and the Mid Coast Ward was close; and

At a Special Council Meeting held on 10 September 2024, Members considered some options of amended Ward boundaries, together with representation modelling for the purposes of ensuring the proposals met the section 33 tolerances, and determined, by resolution, which proposal it wished to progress as part of this Review.

### 4 ADOPTION OF DRAFT REPRESENTATION REVIEW REPORT

Following feedback received from Members, including at those workshops, 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 9.1 at its meeting of 17 September 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 for item 9.1 is **Appendix 3**.

A copy of the relevant page of the Minutes from the Council meeting of 17 September 2024 is **Appendix 4**.

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).

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 Thursday 3 October 2024, concluding on Thursday 24 October 2024.

The consultation has been notified by notice published in the Government Gazette on 3 October 2024, as well as the Advertiser, being a local newspaper circulating in the Council area and on the Council's website <https://yoursay.onkaparinga.sa.gov.au/> (inclusive of a link to the Review Report).

A copy of the draft public consultation notifications are **Appendix 5**.

In addition to these statutory publication requirements, the public consultation process also includes:

- posts made to the Council's Facebook page, notifying of the availability of the Review Report and inviting interested persons to make a submission;
- a copy of the Review Report is also available to view at the Council's Civic Centre located at Noarlunga Centre and is available for download from the Council's YourSay website.

Responses to the Review Report are invited by electronic submission through the YourSay function on the Council's website, email or hard copy submitted to the Council.

## **5 REPRESENTATION AND COMPOSITION PROPOSAL**

The Council proposes to **retain its existing structure and composition** being:

- a Mayor elected by electors from the whole Council area;
- six (6) Wards; and
- 12 Ward Councillors, two (2) elected from each Ward.

As above, the Council was required to examine a proposed realignment of Ward boundaries, involving the movement of several suburbs, to ensure that the Ward quotas remain within the statutory tolerance of 10% variance from the Ward Quota.

Based on the current number of electors in the Council area, being 133,861<sup>1</sup>, the elector representation ratios under the Council's proposal will remain at 11,155 electors per Councillor.

The average Ward quota will be 1:11,155.

## **6 PROPOSAL RATIONALE**

### **6.1 Council Name**

The 'City of Onkaparinga' has been the name of the Council since 1997, and comes from the traditional Aboriginal place name Ngankiparinga, meaning "women's river place".

Whilst sections 12(2) of the Act provides that the Council may consider the alteration of its name as part of the Review process, the current name of the Council is an important part of its commitment to Reconciliation and acknowledgement of the Traditional Owners and custodians of the land comprising the Council's area.

For this reason, supported by the absence of any submissions from Councillors, the name of the Council was not proposed to be reviewed as part of this Representation Review.

As the name of Council has no impact upon the provision of fair and adequate representation, no changes to the name of the Council are proposed as part of this

---

<sup>1</sup> Statistics for Elector Representation Review 28 June 2024 ECSA  
onka0001\_240088\_023.docx

Review.

## 6.2 Composition

### 6.2.1 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 (12) has an impact on decision making by the Council; and
- ensuring adequate and fair representation, whilst avoiding overrepresentation in comparison to other councils of a similar size and characteristic.

The Council's proposal is to continue with 12 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, the Options Paper included a comparison of the Council against other councils of a similar size, characteristic and elector number.

**Table 1:** Comparison of elector ratios with other councils

<b>Council</b>	<b>Electors 2024</b>	<b>Members (including Mayor)</b>	<b>Ward Quota 2024 (excluding Mayor)</b>
Charles Sturt	90,687	17	5,667
Marion	68,346	13	5,695
Onkaparinga	133,861	13	11,155
Playford	72,103	16	4,806
Port Adelaide Enfield	90,246	18	5,308
Salisbury	98,637	15	7,045
Tea Tree Gully	74,774	13	6,231
West Torrens	43,198	15	3,085

In arriving at the decision to retain 12 Councillors plus a Mayor at its last Review, the Council took into consideration its own experiences as a representative governance body and comparisons with other similar councils, as well as the incoming obligations under section 11A of the Act that now requires that a council must not be composed of more than 13 Members (unless it is otherwise granted an exemption certificate under section 12(11b) of the Act by the ECSA).

The Council's own experiences demonstrate that as an elected body:

- it has been able to make informed, transparent and accountable decisions effectively for the community; and
- it provides appropriate, proportionate, representation for various interest groups/areas in the Council, having particular regard to the physical size of the Council.

The submissions received during the public consultation also supported the position that the number of Councillors is appropriate to provide representation for the community.

The rationale for continuing with 12 Councillors:

- the Council has found 12 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;
  - it provides for a diversity of skills, knowledge and life experiences amongst the elected member body; 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; and
- whilst the Council's elector ratios are larger than the other councils modelled above, this is as a result of the Council determining as part of its prior review process to reduce its number to 12 Councillors, plus a Mayor, to ensure it meets the 'member cap' for the purposes of section 11A of the Act.

The feedback from the Council, the community and an analysis of the data prior, demonstrates that 12 Councillors, with a total elected member group of 13 (including the Mayor), is both a reasonable and suitable 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.*

## **6.3 Ward Structure**

### **6.3.1 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.

The Council has considered a number of options in relation to redrawing its existing, current six (6) Ward composition, to ensure the composition does not exceed the tolerances under section 33 of the Act.

Of course, as part of its Review process, the Council was also required to consider whether it retained 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 also impact on the number and manner in which Councillors can be 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.

There is no difference in the roles and responsibilities of Councillors elected as Ward Councillors and those elected as Area Councillors, save for, Ward Councillors are generally understood to have specific expertise and experience in their particular Ward and are considered to be representative of those 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.

The Council proposes **to continue with its current structure of six (6) Wards**, with two (2) Ward Councillors to be elected from within each Ward.

In making this decision, the Council has considered the arguments in favour of the options available to it.

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

- 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 be 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 preference is to continue with its current structure of six (6) Wards, and in so determining, is persuaded by:

- Ward Councillors provide an enhanced representation for specific Council areas, particularly having regard to the size of the Council 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 a 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 community members, ensuring equity in demands on time and resources;
- Councillors having a smaller area to manage an appropriate workload;
- ensures better representation of all areas across the Council and reduces 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 their 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 easily; 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 six (6) Wards is the preferred option for the Council at this time.

However, in doing so, notes it will be required to implement a re-alignment of certain Ward boundaries, specifically for the Pimpala, Thalassa and Southern Vales Wards.

### 6.3.2 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 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%.

A copy of the existing Ward map is depicted below:



Ward Boundaries

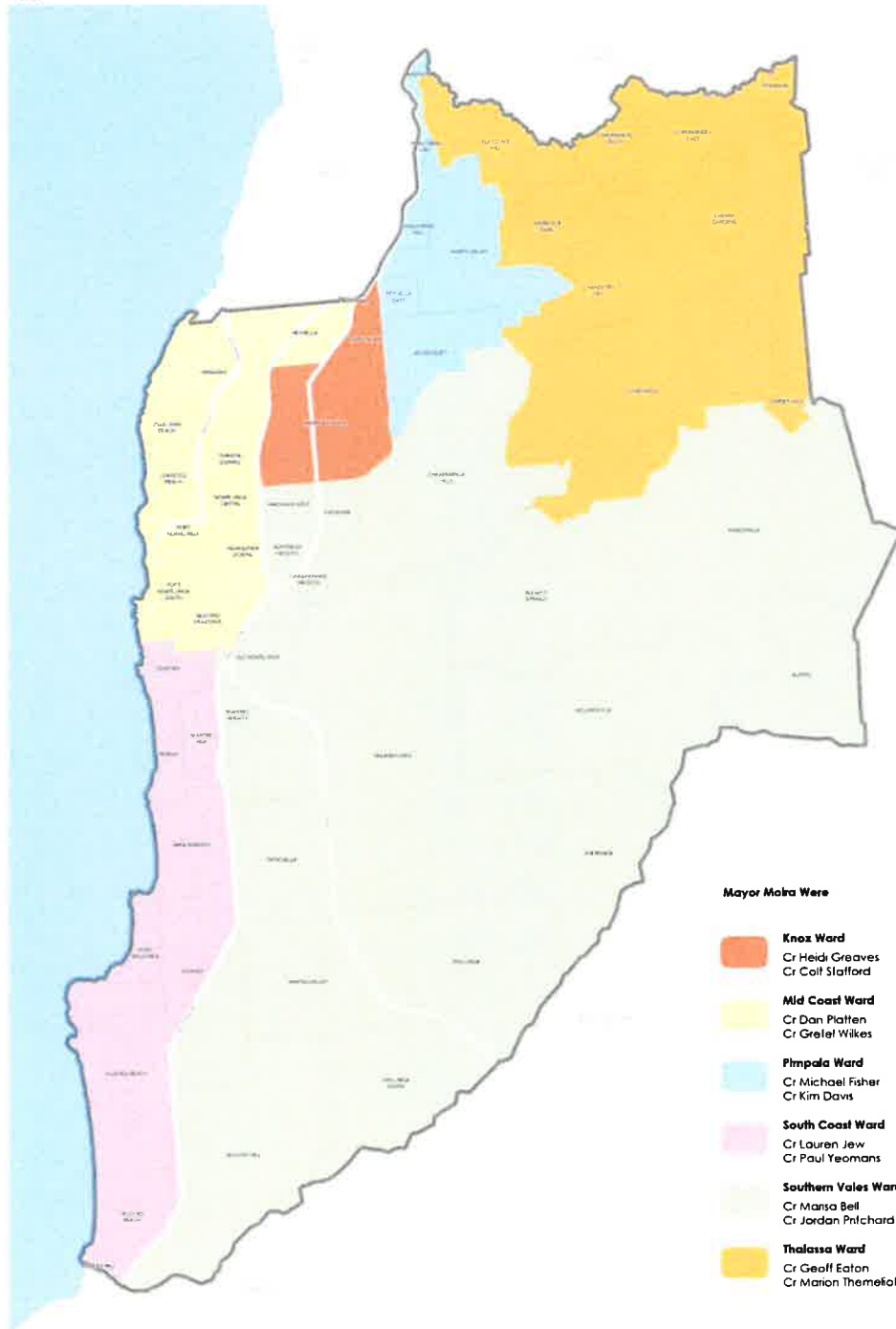


Table 2 below demonstrates for most Wards, in the Council Area, the number of electors represented by each Councillor does not vary from the Ward quota by more than 10% at that time, **with the exception** of the Mid Coast Ward, which exhibits a variation of 13.65% above the Ward Quota.

**Table 2 - Elector Statistics**

**Statistics for Elector Representation Review**



**005 City of Onkaparinga**

Mayor/Chairperson: M

Area Councillors: 0

Ward Code	Ward Name	HA Electors	Council Voters Roll	Total	No. of Rep	Quota	% Difference
1	South Coast	23328	36	23364	2	11682	4.72%
2	Mid Coast	25348	9	25357	2	12678	13.65%
3	Knox	21210	5	21215	2	10607	-4.91%
4	Pimpala	21369	3	21372	2	10686	-4.20%
5	Thalassa	20468	3	20471	2	10235	-8.25%
6	Southern Vales	22069	13	22082	2	11041	-1.02%
<b>Total:</b>		<b>133792</b>	<b>69</b>	<b>133861</b>	<b>12</b>	<b>Average: 11155</b>	

Last Review: 12-12-2017

Next Review: 01-04-2024

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.

These calculations also rely on the assumption that no significant changes will occur in the Council area, between now and the next 'relevant period' when the Council considers its composition again, (being approximately eight (8) years) to ensure the Ward quotas remain in tolerance.

For this purpose, the Council now proposes as part of this Review to realign the boundaries of Wards, to ensure that all Wards remain well with the 10% tolerances for the purposes of Section 33 of the Act.

**6.3.3 Boundary Realignment**

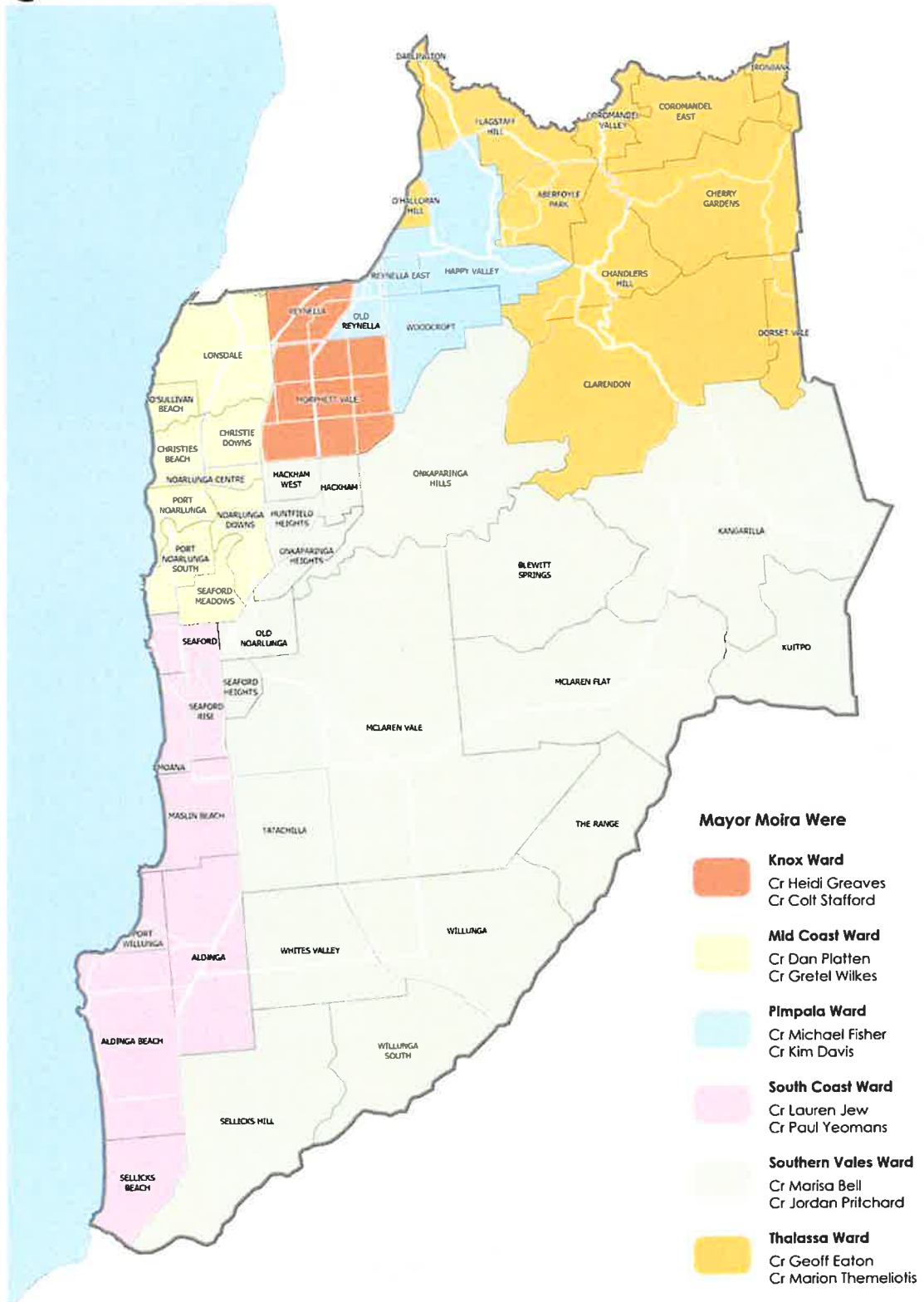
The proposed changes to the Ward boundaries proposed as part of this Review process are as follows, noting the desirability not to 'split' suburbs across Wards:

- **Aldinga**, currently split across South Coast and Southern Vales under the existing structure, is to be included, in full, in the South Coast Ward;
- **O'Halloran Hill** and **Darlington**, each for which are in Pimpala Ward under the existing structure, are to be included in Thalassa Ward;
- **Reynella**, currently in the Mid Coast Ward in the existing structure, is to be moved to Knox Ward; and
- **Old Reynella**, currently in Knox Ward, will be moved to Pimpala Ward.

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



Proposed Ward Boundary Realignments Version 1



The following Table depicts the amended Ward quotas under this proposal, based on the elector figures at June 2024.

**Table 3:** Ward Representation and Quotas under the proposed Ward Boundary Amendment

Ward	Ward Councillors	Electors	Ward Quota	Variation
South Coast	2	23,352	11,676	4.76%
Mid Coast	2	21,665	10,833	-2.80%
Knox	2	22,249	11,125	-0.18%
Pimpala	2	21,837	10,919	-2.03%
Thalassa	2	22,644	11,322	1.59%
Southern Vales	2	21,994	10,997	-1.33%
			<b>Ward Quota</b>	
Total	12	133,741	11,145	

A copy of the Council's current Supplementary Roll is **Appendix 6**.

The Council, as a governing body, supports retaining the Council's existing structure and composition and is now proposing to realign boundaries to ensure the Wards are brought back within tolerance.

If the proposed amendments to the Ward boundaries are adopted as part of this Review, all six (6) Wards remain well with the tolerances under section 33 of the Act

## **7 LEGISLATIVE PRINCIPLES TO BE CONSIDERED**

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

### **7.1 Section 33 of the Act**

As set out above, in determining to retain its current structure of six (6) 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.

### 7.1.1 Population and Projections

The Department for Infrastructure and Transport (formally the Department for Planning, Transport and Infrastructure) prepared population projections for South Australia, released in December 2019 - *Local Government Area Projections 2011 – 2036*. The estimated population projections for the Council area are as follows:

- 2026 – 181,242;
- 2031 – 186,321 (+5,079); and
- 2036 – 191,162 (+4,841).

Population projections must be cautiously considered, based on the date the data was collected, and applying assumptions about future fertility, mortality and migration. It should also be interpreted having regard to the Council's own knowledge about its area, as well as anticipated population changes.

### 7.1.2 Demographic and Development Trends

Demographic trends were considered, together with the potential for these trends to impact on the population of the Council area, particularly as they relate to Ward areas, and quotas.

The Council has seen a steady increase in the number of new dwellings throughout the Council area. In the period between 2017-2020, the Council saw an average of 900 applications lodged for new dwellings per year, this figure dropped slightly to 700 new applications per year in the post-COVID period between 2021-2023, in line with the supply issues and delays within the general construction industry .

In addition to this existing development, significant ongoing infill development is occurring at Aldinga, with an 800-home sustainable development plan proposed in 2019 and construction scheduled to begin in 2025.

**Table 4:** Proposed New Dwellings per Ward to 2032, being the next the next 'relevant period' for the council.

Ward	Additional Dwellings	Additional Population	Total Dwellings 2032	Total Population 2032
Knox Ward	662	1,589	13,408	32,180
Mid Coast	2,472	5,934	17,974	43,137
Pimpala	123	295	11,715	28,118
South Coast	1,383	3,319	14,432	34,637
Southern Vales	1,697	4,074	13,491	32,377
Thalassa	1,045	2,509	16,651	39,961
<b>Total</b>	<b>5,152</b>	<b>17,270</b>	<b>82,601</b>	<b>199,240</b>

However, the number of previous, and new, dwelling applications is not an accurate reflection of the number of dwellings that exist, or will exist, in the Council area.

An application only signals an intention to carry out development, with no obligation to construct the development.

Construction of approved development may also be delayed for a period of time and this may include delay of construction and occupation until after the November 2026 periodic elections. Even when a development is completed it may remain vacant or unoccupied.

For these reasons, development data is to be considered with caution, particularly with regards to any application of these figures to elector numbers (noting, of course, not every 'resident' is an 'elector' for the purposes of the Representation Review process).

### **7.1.3 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.

### **7.1.4 Topography**

The City of Onkaparinga is approximately 518km<sup>2</sup> in area and exhibits varying topographic and geographic areas and features. The Council area incorporates thirty-one kilometres of coastline, large rural areas to the east and south, watercourses, areas of hilly terrain and considerable urban development comprising residential, industrial and commercial land uses. In addition, the Council area exhibits a long established and extensive road network and is dissected by the Adelaide - Seaford railway line.

Despite the above, the topography of the City should have little or no impact upon Council's proposal, given that the proposed Ward structure has been developed with the view to maintaining entire "communities of interest" (and suburbs) within the bounds of the proposed Wards.

#### **7.1.5 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.

#### **7.1.6 Adequate and Fair Representation**

For the reasons set out above in this Review 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.

### **7.2 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.

## **8 CONCLUSION**

This Review Report has been prepared to:

- provide information on the process undertaken by the Council in conducting its 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.

### **8.1 Preferred Composition Structure**

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

- the name of the Council remains unchanged;
- six (6) Wards, subject to the required boundary re-alignment to ensure elector representation is within quota tolerances;
- each of the six (6) Wards to retain current names;
- the elected body of the Council to continue to comprise a total of 12 Ward Councillors, with two (2) elected from each Ward; and
- a Mayor elected from the Council area as a whole.

### **8.2 Next Steps**

This Report is now to be the subject of a public consultation process.

Following which, the Council will receive and take into account the outcomes of the consultation, in determining its proposed representation and composition, for submission to the ECSA.

In accordance with Section 12(7) of the Act, interested persons are now invited to make a written submission to Council in respect to this report, and more specifically the composition and structure that Council proposes to introduce on polling day for the November 2026 Local Government Periodic Elections.

Submissions can be made via:

- completing the feedback form online at

<https://yoursay.onkaparinga.sa.gov.au/>

- or collecting a copy from a Customer Service office located at:
  - Noarlunga Centre, Ramsay Place
  - Aberfoyle Park, The Hub
  - Aldinga Library, 11 Central Way, Aldinga Beach
  - Willunga, St Peters Terrace
  - Woodcroft Community Centre, 175 Bains Road, Morphett Vale

Submissions will be accepted until 5.00pm on **24 October 2024** and should be addressed to the Chief Executive Officer, PO Box 1, Noarlunga Centre 5168 or emailed to:

[mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au)

Further information regarding the elector representation review can be obtained by contacting Katrina French, Senior Governance Officer, on telephone 8384 0666 or emailing [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au)

## APPENDICES

DRAFT

## 2024-2025 REPRESENTATION REVIEW TIMETABLE

*Proposed dates subject to change*

Action	Detail	Date / Period
Report to Council – Representation Review commencing	Endorsement of commencement of Elector Representation Review. Details provided on process and next steps.	19 March 2024
Elected Member Briefing	The workshop will be facilitated by consultant and: <ol style="list-style-type: none"> <li>1. Inform elected members of the representation review process and legislative requirements</li> <li>2. Workshop discussion on key issues, current arrangement and member's thoughts and issues to inform report</li> <li>3. Consultant to prepare Representation Review document proposal for councils preferred options</li> </ol>	30 April 2024
Elected Member Briefing	The workshop will be facilitated by consultant and: <ol style="list-style-type: none"> <li>1. Provide feedback on questionnaire</li> <li>2. Discuss members thoughts and issues to inform draft representation review report</li> <li>3. Provide map and model options</li> </ol>	2 July 2024
Special Council Meeting	Draft Representation Review Report Informal discussion on modelling and maps Preferred option endorsed by council to finalise Draft Representation Review Report	10 September 2024
Report on public consultation to Council meeting	Draft Representation Review proposal on councils preferred option. Endorsed by Council for community consultation.	17 September 2024
Consultation Period Public Notice on the availability of the Draft Representation Review Proposal	Invite public submissions on Draft Representation Review Proposal. Public notices – advertiser, government gazette Public consultation	3 October 2024 - 24 October 2024
Received Submissions Reviewed	Consultant to collate and prepare report to council.	November 2024

Council Meeting	Final Draft Report to council Public submission hearings	December 2024
Finalise Representation Review Report Council meeting	Final Representation Review Report to Council for endorsement and submitting to Electoral Commission	February 2025
Submit Representation Review Report to Electoral Commission	Certification Gazettal of composition	March 2025

**APPENDIX 4**

## CITY OF ONKAPARINGA

### Review of Elector Representation

NOTICE is hereby given that the City of Onkaparinga is undertaking a review to determine whether a change of arrangements is required in respect to elector representation so as to ensure that the electors of the area are being adequately and fairly represented.

Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, notice is hereby given that Council has prepared a Representation Review Report that:

- examines the advantages and disadvantages of the various options available to Council in regard to its future composition and structure; and
- sets out the proposal that the Council considers should be carried into effect from polling day of the next Local Government Periodic Elections in 2026.

A copy of the Representation Review Report is available on the Council's website (<https://yoursay.onkaparinga.sa.gov.au/>) or a copy can be inspected or obtained at any of the following Council offices:

- Noarlunga: Ramsay Place, Noarlunga Centre
- Aberfoyle Park: The Hub, Aberfoyle Park
- Aldinga Library: 11 Central Way, Aldinga Beach
- Willunga: St Peters Terrace Willunga
- Woodcroft: 175 Bains Road, Morphett Vale

Written submissions are invited from interested persons and should be directed to the Chief Executive Officer, P.O. Box 1, Noarlunga Centre, S.A. 5168, or emailed to [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au), to be received by close of business on Thursday 24 October 2024.

Further information regarding the Elector Representation Review can be obtained by contacting Katrina French, Senior Governance Officer, on telephone (08) 8384 0666 or by email at [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au).

Dated Thursday 3 October 2024

Phu Nguyen

Chief Executive Officer

## THE ADVERTISER

3 October 2024

### HAVE YOUR SAY – Help shape your Council

An electoral representation review for the City of Onkaparinga is underway to determine whether the community would benefit from any alterations to the composition and ward structure of Council and to ensure fair and equitable representation for all voters.

A representation review, a requirement of the Local Government Act, must be undertaken every eight years.

Public submissions are a vital part of the review and any one can have a say.

A draft Elector Representation Review Report which details the review process, public consultation and Council's proposed structure.

- the Council area continues to be divided into wards;
- the elected body of Council will be comprised of twelve (12) Ward Councillors, with two (2) Councillors representing each Ward, as well as a Mayor, elected by the community as a whole; and
- the realignment of ward boundaries.

The draft Elector Representation Review Report is available at

<https://yoursay.onkaparinga.sa.gov.au> or you can view a hard copy at our Customer Service offices:

- Noarlunga Centre, Ramsay Place
- Aberfoyle Park, The Hub
- Aldinga Library, 11 Central Way, Aldinga Beach
- Willunga, St Peters Terrace
- Woodcroft Community Centre, 175 Bains Road, Morphett Vale

**We invite you to have your say on the proposed future composition and structure of Council.**

### SUBMIT YOUR FEEDBACK

Complete the feedback form online at <https://yoursay.onkaparinga.sa.gov.au/> or pick up a copy from a Customer Service office (see locations above).

Send your written submission to Elector Representation Review, City of Onkaparinga GPO Box 1, Noarlunga Centre SA 5168.

Or email: [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au)

Consultation runs from 3 October 2024 until 5pm on Thursday 24 October 2024

Any person who makes a written submission will be offered the opportunity to address Council in December 2024, in support of their submission.

THE ADVERTISER

3 October 2024

Any changes to the electoral structure of the City of Onkaparinga will be carried into effect from polling day at the next Local Government Periodic Elections in 2026.

For more information, visit the City of Onkaparinga website at <https://yoursay.onkaparinga.sa.gov.au/> or contact Katrina French, Senior Governance Officer [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au) or call the Customer Relations Centre on 08384 0666.

DRAFT