

city of
Victor Harbor



DRAFT REPRESENTATION REVIEW REPORT

November 2024

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

Prepared by
Kelley Jones

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The City of Victor Harbor

This Report has been prepared for the City of Victor Harbor for the purposes of section 12 of the *Local Government Act 1999* by Kelledy Jones Lawyers.

Disclaimer

This Representation Review Report has been prepared by Kelledy Jones Lawyers for the City of Victor Harbor's Council'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.

EXECUTIVE SUMMARY

The City of Victor Harbor (the **Council**) is undertaking a review of its representation structure in accordance with the requirements of the *Local Government Act 1999* (the **Act**).

The Council's last review was undertaken between April 2016 and April 2017. The current review process is scheduled to be completed by April 2025.

Section 12 of the Act prescribes the requirements of the Representation Review process, to focus on all aspects of the composition of the Council including:

- the number of Council Members;
- the division, or abolishment, of Wards in the Council area; and
- the number of voters represented by each elected Council Member.

The Review process must take into account the principles specified in the Act, so that:

- any changes made are to benefit electors;
- arrangements should reflect communities of interest and should avoid the separation of such communities;
- voters should be afforded effective participation in decisions on local matters; and
- Council is able to cooperate with other councils and govern effectively.

After taking into consideration the requirements under the Act including the considerations listed above, the Council is now proposing to retain its current representation structure / composition, as detailed below:

- the name of the Council be retained as 'City of Victor Harbor';
- the Council's composition includes a Mayor and nine (9) Area Councillors;
- the Council does not propose to divide the Council area into Wards.

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 is proposing to retain.

Submissions should be made by 5pm on Friday 10 January 2025 via:

- online at www.yoursay.victor.sa.gov.au
- in writing and returned via:
 - email to localgov@victor.sa.gov.au
 - post to City of Victor Harbor, PO Box 11, VICTOR HARBOR SA 5211
 - in person at the City of Victor Harbor Civic Centre, 1 Bay Road, Victor Harbor.

Further questions about the Council's Representation Review can be directed to its Governance Team at localgov@victor.sa.gov.au or on (08) 8551 0500.

14 November 2024

1 INTRODUCTION

Councils in South Australia are required to undertake regular reviews of their elector representation arrangements (the **Representation Review**). The City of Victor Harbor (the **Council**) completed its last Representation Review in July 2017.

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

This Report now 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.

The Council resolved to formally commence its Representation Review process at its Ordinary Meeting held on 25 March 2024 (**Appendix 2**).

Following is resolution in this respect, a procurement process was undertaken to engage a suitably qualified consultant to undertake the review on Council's behalf.

Kelley Jones Lawyers was appointed by Council in June 2024 to assist the Council with its Review process.

The first Council Member workshop for the Review, being an information or briefing session for the purposes of section 90A of the Act, was held on Monday 12 August 2024. All Members were invited to attend the workshop, and it was also open to the public.

At this workshop, and noting the issues of relevance for the community as part of its prior Review, the Council considered whether a preliminary community consultation process ought be undertaken to gain insight into the views of the community in relation to key issues to be considered as part of this process, and in particular, whether a Ward structure should be introduced as part of its composition.

1.2 Matters to be Considered

In accordance with section 12 of the Act, the Council is required on its Representation Review to consider the composition of the Council and the advantages and disadvantages of the options 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.

If the Council proposes to change the structure and composition of the Council, to introduce Wards, the Council must consider, as evidenced in the Representation Review Report, that it had regard to section 33 of the Act, which includes:

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

Any 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 draft Representation Review Report representing the Council's preferred Representation option, to be adopted by the Council at a Meeting or public consultation purposes;
- undertake a minimum three-week public consultation on the Representation Review Report (the **public consultation**) in accordance with section 50 of the Act and its *Public Consultation Policy*;
- review the submissions received during the public consultation process and, if submissions are received, include those submissions in the final Representation Review Report;
- having regard to the submissions received during the public consultation processes, have prepared and adopt the final Representation Review Report, setting out its proposed composition and structure for this next relevant period;
- 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 INITIAL COMMUNITY CONSULTATION PROCESS

As above, and whilst not required under the Act, after receiving and considering a report at Agenda item 9.6 *2024/25 Representation Review* at its meeting of Monday 26 August 2024, the Council resolved as follows:

OC2672024

Moved: Cr Angela Schiller

Seconded: Cr David Kemp

That Council:

- a. *receives and notes this report;*
- b. *determines to undertake an initial three (3) week public consultation process on the issue as to whether residents, ratepayers and electors would like the Council to consider introducing a ward structure as part of the composition of the Council, the outcomes of which will be further considered by the Council, in determining the proposal to be set out under the draft Representations Review report for its further consideration*

CARRIED UNANIMOUSLY

A copy of the Agenda report for item 9.6 *Representation Review*, the Community Engagement Plan attachment and the relevant page of the Minutes from the Council Meeting of Monday 26 August 2024 are provided at **Appendix 3**.

Following this decision of the Council, an initial consultation was undertaken in accordance with the Community Engagement Plan from Thursday 3 September 2024, concluding at 5:00pm on Thursday 26 September 2024.

Views of the community were captured through a number of different consultation methods, including a survey, invitation to make a written submission and face to face conversations

A public notice was published in the Fleurieu Sun, being a newspaper in circulation in the Council area, on Thursday 5 September 2024, in addition to information and a survey being provided on the Council's website (www.yoursay.victor.sa.gov.au).

The opportunity to provide feedback during the initial consultation period was promoted through the following channels:

- press advertising in the Fleurieu Sun and The Times newspapers;
- 'Frequently Asked Questions' information sheet prepared and made available in hard copy and online;
- Social media posts;
- E-newsletters;
- Local media (newspaper, radio); and
- 'Listening posts', held at the Victor Central Shopping Centre on 12 September 2024 and the Victor Harbor Farmers' Market on 14 September 2024).

Copies of the consultation documents are provided at **Appendix 4**.

A total of 156 responses were received during this consultation, of a population of around 16,800 ratepayers and residents.

Whilst approximately 75% of the 156 respondents favoured the introduction of a Ward structure, it is important to note the reasons provided in favour for, and against, the introduction of Wards.

In particular, the Council gave careful consideration to the fact that dividing the Council area into Wards was unlikely to address certain concerns raised as a part of the consultation and had the capacity to 'fracture' the Council area, particularly noting the density of population in the town centre.

A summary of the reasons provided in support of the retention of the current structure were:

- the current structure works well;
- the size of the Council area does not warrant the introduction of Wards;
- residents wish to choose Members from all nominating candidates, rather than from those nominating just in a Ward;
- Members should be making decisions for the whole Council area, for reasons of good governance, and the current structure promotes this;
- the Council area does not have townships with unique identities, such as neighbouring councils, warranting a Ward structure; and
- the current Area Member representation is diverse enough to ensure a broad cross-section of representation.

A summary of the reasons provided in support of dividing the Council into Wards were:

- greater accountability for Council Members representing a Ward;
- residents may feel their voice will be heard 'better' through a Ward Councillor;
- localised representation for a specific area will assist residents and ratepayers know who to contact if they need an issue addressed;
- the smaller number of candidates nominating in each Ward at elections will assist electors make a more informed choice;
- rural residents and ratepayers / people living outside of the township do not feel 'represented';
- every neighbourhood will have a dedicated Ward Councillor(s) who understand and advocate for their needs and will help with a perceived 'over representation' of certain areas;
- would result in greater investment in areas outside of the Town Centre, such as Encounter Bay, Hayborough, McCracken; and
- Wards will 'even out' Council Member responsibilities.

Whilst the responses provide valuable insight into the views of a small proportion of the community, the outcomes are, of course, not determinative with respect to the Council's consideration of its representation structure.

Following the conclusion of this initial consultation process, a report was then prepared for Agenda item 4.1 *2024/25 Representation Review – Initial Consultation Results and Future Direction*, for the consideration of the Council at a Special Council Meeting held on Monday 14 October 2024.

The Agenda Report set out the consultation process, as well as the outcomes obtained.

Following its consideration of the Report, the Council resolved as follows;

SC462024

Moved: Cr Stewart Burns

Seconded: Cr Carol Schofield

That Council receive and note the 2024/25 Representation Review - Initial Consultation Engagement Summary as provided at Attachment 1.

CARRIED

SC472024

Moved: Cr Carol Schofield

Seconded: Cr Michael Quinton

That Council support the following 'in-principle' directions to inform the preparation of the draft Representation Review Report for consultation with the community:

- i. That the name of the Council be retained;*
- ii. That the Council's composition on one (1) Mayor and nine (9) Councillors be retained;*
- iii. That the Council retains its existing 'no Ward' structure with nine (9) Area Councillors;*

CARRIED

5.53pm

A division was called

The Mayor declared the vote be set aside

FOR: Cr McKenzie, Cr Schiller, Cr Quinton, Cr Schofield, Cr Henderson

AGAINST: Cr Burns, Cr Quaremba, Cr Kemp

THE MAYOR DECLARED THE VOTE CARRIED

A copy of the Agenda report for item 4.1 and the relevant page of the Minutes from the Special Council Meeting of Monday 14 October 2024 are **Appendix 5**.

Against this background, this draft Representation Review Report has now been prepared.

3 REPRESENTATION AND COMPOSITION PROPOSAL

By reference to resolution SC472024, the Council proposes to **retain its existing structure and composition** being:

- the name of the Council is to be retained
- that the Council's composition of a Mayor and nine (9) Area Councillors be retained;
- that the Council retains its existing 'no Ward' structure.

Accordingly, there is no requirement for the Council to consider further the matters set out under section 33 of the Act, as set out above, as part of this Review.

4 PROPOSAL RATIONALE

4.1 Council Name

The District Council of Victor Harbor was proclaimed on 31 October 1975, having been formed through the amalgamation of the, then, District Council of Encounter Bay and the Corporation of Victor Harbor.

On 1 February 2000, the Council became known as the City of Victor Harbor, this final change representing the significance of Victor Harbor as the regional centre for the Southern Fleurieu Peninsula.

The Council draws its name from the early history of British settlement in Encounter Bay, with the waters being named 'Victor Harbor' after the HMS Victor by Captain Richard Crozier in 1837.

The town of Port Victor, established in 1863 upon the extension of the tramway from Goolwa, was later renamed Victor Harbor in 1921, which name remains in place for both the township and the Council to this day.

Whilst section 12(2) of the Act provides that the Council may consider the alteration of its name as part of the Review process, the current name of the Council reflects both the geographic location of the Council area and the local government history of the region.

For this reason, the Council does not propose to change its name as part of this Representation Review process.

4.2 Composition

4.2.1 Number of Area or Ward Councillors

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

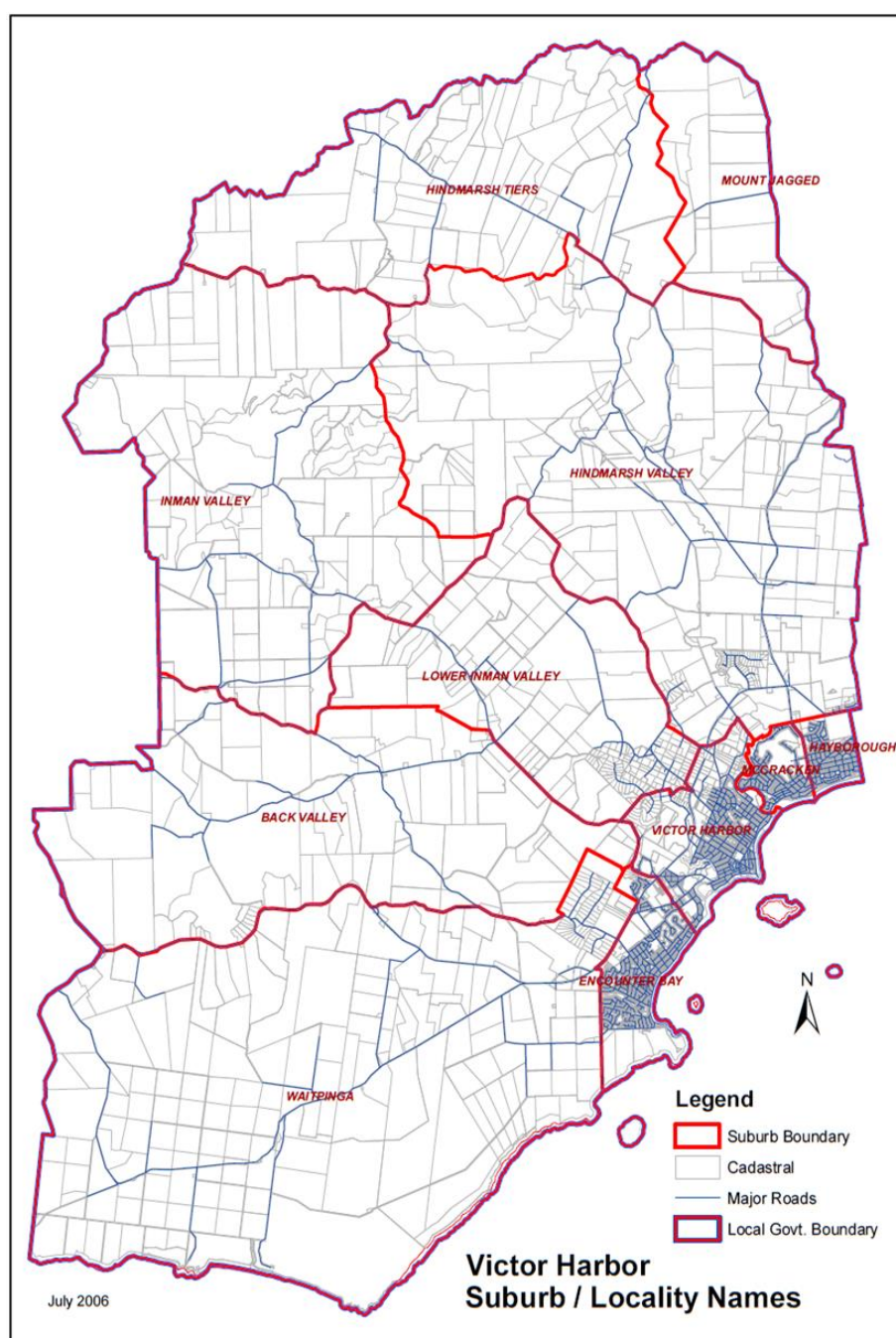
- whether the current number of Councillors (9) has an impact on decision making by the Council; and
- ensuring adequate and fair representation, whilst avoiding overrepresentation in comparison to other councils of a similar size and characteristic.

The Council's proposal is to continue with nine (9) Area Councillors, to be elected from the Council as a whole.

The Council's view is that this number is appropriate and does not hinder the ability of the Council in its decision-making functions.

A copy of the Council area, divided into suburbs, is depicted below.

The concentration of roads infrastructure in the suburbs of Hayborough, McCracken, Victor Harbor and Encounter Bay is to be noted. We will return to this issue shortly in discussing the issue of Wards.



The most recent ECSA figures for electors in the Council area are depicted in the Table below.

Table 1 – Elector Quotas¹

Statistics for Elector Representation Review



127 City of Victor Harbor

Mayor/Chairperson: M

Area Councillors: 0

Ward Code	Ward Name	HA Electors	Council Voters Roll	Total	No. of Rep	Quota	% Difference
1	Victor Harbor	13518	165	13683	9	1520	0.00%
Total:		13518	165	13683	9	Average: 1520	

Last Review: 05-09-2017

Next Review: 01-04-2024

These figures demonstrate that each Area Councillor ‘represents’ 1,520 electors in the Council area.

It is to be noted this figure does not capture all residents and ratepayers, just those eligible to vote in local government elections, as included on the House of Assembly Electoral Roll (**HA Electoral Roll**), as well as the Council Voters Roll (being those persons eligible to vote, but not on the HA Electoral Roll so having made application to appear on the Council Roll).

In considering the issue of adequate and fair representation across the Council area, by comparison to ‘like’ councils, the following Table compares elector numbers of those councils classified as Regional Town / City in accordance with the Australian Classification of Local Government framework, by reference to the ECSA elector figures as of June 2024.

Table 2: Comparison of Elector Ratios – Regional Town / City ²

Council	Area	Councillors	Electors	Average Elector Ratio (Ward Quota)
Port Augusta	1,153 km²	9	9,796	1 : 1,088
Port Lincoln	30 km²	9	11,033	1 : 1,225
Victor Harbor	386 km²	9	13,683	1 : 1,520
Whyalla	1,032 km²	9	15,993	1 : 1,777
Murray Bridge	1,830 km²	9	16,072	1 : 1,785
Mount Gambier	308 km²	8	20,515	1 : 2,564
Mount Barker	595 km²	10	30,108	1 : 3,010

¹ Statistics for Elector Representation Review 4 November 2024 ECSA

² The District Council of Coober Pedy and the Roxby Downs Council are also included within this cohort, however, both have Administrators in place rather than elected member bodies, and hence, have been omitted from the Table for comparison purposes.

The table demonstrates that the Council's quotas are not disproportionately low, indeed, the Council sits 'mid-range' with respect to quotas when compared to the other Regional Town / City classified councils, as well as Council area.

In arriving at the decision to retain nine (9) Area Councillors plus a Mayor at its last Review, a decision it proposes to maintain on this Review, the Council took into consideration its own experiences as a representative governance body and comparisons with other similar councils, as well as the size of the Council area and ongoing (as well as projected) residential development in the Council area (which is addressed in more detail below).

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; and
- each Councillor feels that their workload is appropriate and manageable.

The rationale for continuing with nine (9) Area Councillors:

- the Council has found nine (9) Area Councillors to be an appropriate number to provide:
 - appropriate elector representation for the differently constituted areas of the Council, taking into account the specific characteristics and demographics of the population of the Council area, as well as the size 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
- the number of Members is favourable when compared against comparator councils. That is, it could not be said that the electors in the Council area are under, or over, represented, when compared to other councils, particularly noting the equivalent size of the Council area as against a number of the comparator councils (refer **Table 2**).

The feedback from the Council and an analysis of the data prior, demonstrates that nine (9) Area Councillors, with a total elected member group of ten (10) (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.

4.3 Ward Structure

4.3.1 Wards or No Wards

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

Following amalgamation, the Council area has never been divided into Wards.

As part of this Review process, the Council is required to consider whether it retains its existing no-Ward structure or whether it proposes to introduce Wards (and if so, how many).

The issue of whether a council is divided into Wards will also impact on the number and manner in which Councillors are elected, including whether elected from:

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

Importantly, 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 no Wards, with nine (9) Area Councillors to be elected from within the Council as a whole.**

In making this decision, the Council has considered the arguments with respect to the options available to it, including the outcomes of the initial public consultation process.

During this review, the resolved position of the Council was to retain the no-Ward structure for the purposes of undertaking public consultation on this draft Representation Review Report.

The Council acknowledges the factors that support the introduction of a Ward structure, including that:

- Ward Councillors may provide enhanced representation for specific Council areas, including smaller communities, communities of interest and those

communities that may need additional assistance;

- Ward Councillors may be said to have enhanced local knowledge of their Ward area and understanding of local issues;
- reduces concerns that 'at large' elections do not guarantee that Area 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 Area 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;
- Ward Councillors having a smaller area with respect to representation and appropriate workload;
- reduces the risk of lack of representation in some areas and over representation in others;
- ensures Area 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;
- face to face communication between Ward 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.

However, the Council proposes to continue with its current structure of not dividing the Council area into Wards and in so determining, is persuaded that such a structure:

- the Council area is relatively small in geographical size, with concentrated 'pockets' of electors that does not lend itself well to a Ward structure. In fact, dividing the Council into Wards could 'fracture' the communities of interest that such a structure seeks to enhance;
- retaining the existing 'no Ward' structure promotes a diversity of councillors who represent not only a specific area, but the varied interests of the Council area, as a whole;
- affords electors the opportunity to more broadly choose representatives than just those nominating in a Ward;
- provides 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, particularly noting a Ward Councillor is not required to live in the Ward;
- 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. That is, Wards can result in a ‘fracturing’ of the representation of electors in a Council area;

- potential reduction in electoral accountability, 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, particularly noting proposed development in the area over the next few years and an existing Boundary Reform process, the outcome of which is currently unknown; and
- in some circumstances the Council can carry a casual vacancy and avoid the cost of a Supplementary Election.

Most importantly, and as above, it was noted that given the geographical location of electors in the Council area, that is, with a vast majority centred around the Town Centre, the introduction of Wards may unintentionally result in an ‘arbitrary’ division of the Council area, or, otherwise, the creation of an ‘us and them’ mentality, with the creation of a ‘town centre’ Ward, and a ‘regional’ Ward.

Such an arrangement has the potential to result in ‘factionalism’ and outcomes that may not be in the best interests of the community, and Council area, as a whole.

For these reasons, continuing with the current structure of no Wards is the preferred option for the Council at this time.

4.3.2 Ward Representation and Quotas

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

Where a Council does not propose a Ward structure, it is not required to observe the principles outlined in section 33 of the Act, where the number of electors represented by each Councillor must not vary from the Ward quota by more than 10%.

The Council is not required to consider this issue further as part of this Review, having determined to consult on retaining its current ‘no Ward’ structure.

5 LEGISLATIVE PRINCIPLES TO BE CONSIDERED

However, in arriving at the abovementioned position, the Council is required to consider the objectives contained at section 26(1)(c) of the Act .

5.1 Population and Projections

The following data demonstrates the population (and therefore elector numbers) within the Council area will increase in the foreseeable future. This data was considered during the course of this Representation Review for the purposes of determining to retain nine (9) Area Councillors.

Based on 2024 data, the Australian Bureau of Statistics reports there are 16,869 persons residing in the Council area.

As a part of its investigations for the *Victor Harbor Urban Growth Management Strategy*, the Council commissioned a report that examined future population models³.

The estimated projections for the Council area from this model are as follows:

- 2031 – 18,776 (+1,907 additional persons)
- 2036 – 20,094 (+1,318 additional persons)
- 2051 – 24,050 (+3,956 additional persons)

Whilst population projections must be cautiously considered, and applying assumptions about future fertility, mortality and migration, the figures demonstrate an increase in population across the Council area.

5.2 Demographic Trends

Demographic trends have also been considered, together with the potential for these trends to impact on the population of the Council area.

By reference again to data from the Australian Bureau of Statistics, it is observable that the Council is experiencing, and expected to continue experiencing, significant increases in both the size and diversity of its population.

The below Table sets out the pattern of international migration within the Council population over the past five (5) years, demonstrating a consistent annual net increase of people settling into the Council area, with a more significant increase in overseas migrants over the past 24 months.

Table 3: Internal and Overseas Migration Figures

Description	2018	2019	2020	2021	2022	2023
Internal arrivals	1,187	1,125	1,262	1,377	1,394	1,070
Internal departures	968	922	907	991	1,030	834
Net internal migration	219	303	355	386	364	236

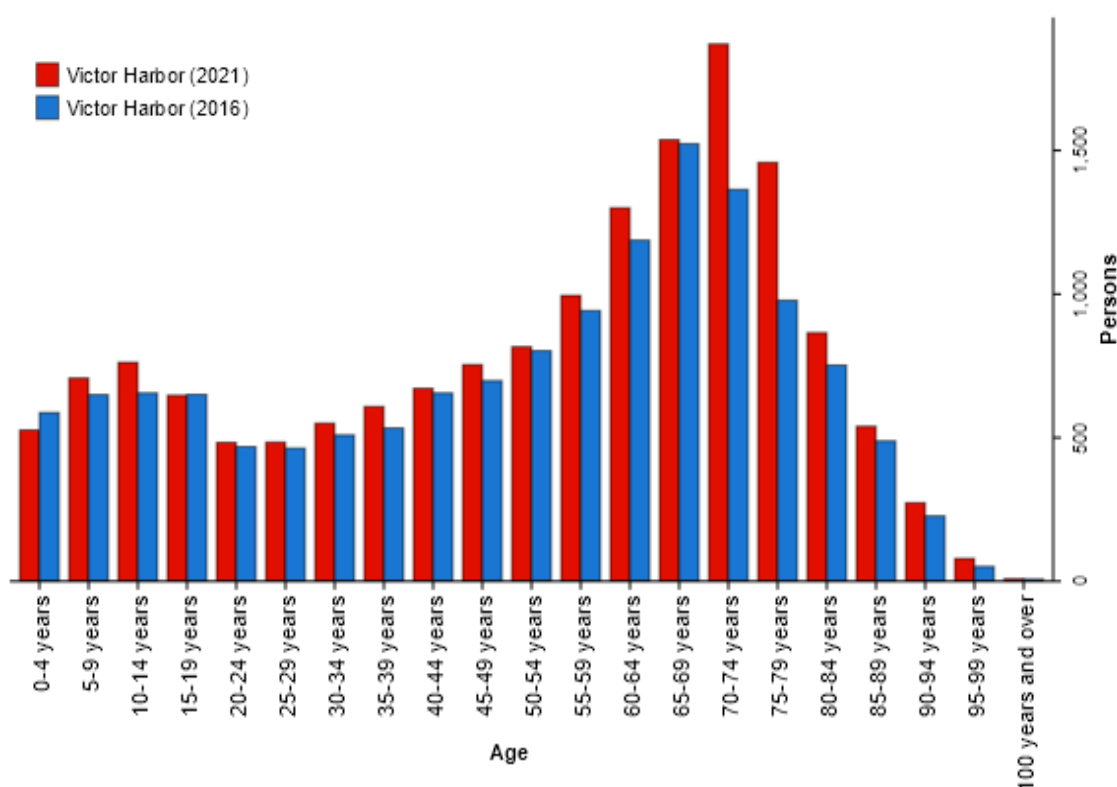
³ City of Victor Harbor Council Area Profile 2023
vict0001_240186_020.docx

Description	2018	2019	2020	2021	2022	2023
Overseas arrivals	46	50	54	10	62	81
Overseas departures	20	20	22	16	20	22
Net overseas migration	26	30	32	-6	42	59

It is also recognised that the Council has an ageing population, which will necessarily result in unique considerations for the future with regards to community representation, including the services and facilities provided by the Council and the nature of future developments within the Council area.

The Graph below depicts both the negatively skewed age distribution of residents in the Council area and the increase of the most-populous age group, from 65-69 to 70-74, between 2016 and 2021 respectively.

Graph 1: Age Distribution of Council Population



In light of the Council comprising a substantially diverse, multicultural and ageing population, it is important that the wide range of cultural considerations for members of the community, often complex in nature, can be received and addressed by Area Councillors, in both supporting the retention of a no-Ward structure, to ensure diversity across the Elected Member group, as well as nine (9) Area Councillors to manage representation quotas.

5.3 Development Trends

The Council has experienced fluctuations in the number of new residential dwellings approved for construction in the Council area over the past few years, which is consistent with trends across other council areas (as well as Australia), noting ongoing pressures in the construction industry, including access to trades and materials.

Since its last review, between the period from 1 July 2017 to 30 June 2024, Council data demonstrates there were 1,152 new dwelling applications approved in the Council Area.

The below Table sets out the number of dwellings **approved** by the Council between the 2021/22 financial year and the 2023/24 financial year.

Table 4: Private Sector Approvals

Description	2021	2022	2023
Private sector houses	185	192	152
Private sector dwelling (exc. Houses)	13	9	17
Total	198	201	169

Once completed, these new dwellings will contribute to the increasing population in the council area, and, in turn, elector numbers (noting, of course, not every 'resident' is an 'elector' for the purposes of the Representation Review process).

The Council has also identified a number of areas in which future development is expected to, or is likely to be, undertaken between now and the next eight (8) years (being the date of the Council's next review process). A map depicting these 'greenfields' development areas are **Appendix 6**.

As part of this Review process, the Council has also considered more recent development and demographic data, produced as part of the Greater Adelaide Regional Plan.

5.4 Greater Adelaide Regional Plan Data and Projections

However, more tellingly, in September 2024 the State Planning Commission released the draft Plan for the *Greater Adelaide Region* (September 2024), which identifies key future demographic and development data, that is relevant to the Council as part of its Review.

The Plan identifies five (5) greenfield sub-areas within the vicinity of Victor Harbor.

These are located directly adjacent to Encounter Bay, along a portion of Inman Valley Road and in a cluster of three(3) areas between Greenhills and Victor Harbor Roads.

These Areas have the potential to draw upon the significant infrastructure, lifestyle and employment offerings of Victor Harbor in the medium to long term, with an estimated dwelling yield of 6,600.

The Plan estimates greenfield supply within the region (comprising the Council, as well as Alexandrina Council and the District Council of Yankalilla) including development-ready lots and proposed/undeveloped lots, to be 25,047 lots.

The Council, and the township of Victor Harbor, is recognised in the Plan as a place of significance to the State, with its long history, tourism development and agricultural areas.

The Plan highlights the importance balance the Council must achieve in managing future population growth and land supply, including the unique demographical and geographical features, whilst retaining its character and cultural importance.

Over the period 2021-31, the Council's housing target has been identified as 3,200 dwellings. This figure increases to 4,700 and 5,600 for the following two decades, respectively – approximately **double** the projections for neighbouring Alexandrina Council and **triple** that of the District Council of Yankalilla.

For the Council, these developments are likely to come from the identified opportunities at Encounter Bay, Inman Valley and the Victor Harbor township.

As noted above, the Plan also highlights the fact the region is heavily dominated by an older age group and projects this trend will continue over the next two (2) decades as more people move to the region for retirement.

The Plan projects that between 2021 and 2051, the 90+ age cohort will increase from 1.5% to 4% of the total population, whilst those aged 75-89 will account for a further 18%, reinforcing the need for unique consideration and planning in the future.

Further, the Plan specifically highlights the responsibility of the Council in undertaking strategic planning for the Council area in order to plan for the implementation of housing growth targets.

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

The Council considers that this can be achieved through maintaining its existing composition of nine (9) Area Councillors and a Mayor, to ensure the needs of its diverse and growing community are met.

In which case, it is submitted the Plan highlights the need for the Council to retain its existing composition, in not only decision making for these strategic developments, but also in ensuring appropriate and responsive representation for the increased population.

5.5 Topography

The Council area covers approximately 386 km², comprising the township of Victor Harbor and the surrounding rural landscape which incorporates a number of smaller townships, primarily given over to agricultural pursuits.

The Council is bordered by the District Council of Yankalilla to the north and west, the Alexandrina Council in the east and Encounter Bay to the south.

The Council is comprised of eleven localities, being Back Valley, Encounter Bay, Hayborough, Hindmarch Tiers, Hindmarch Valley, Inman Valley, Lower Inman Valley, Mount Jagged, McCracken, Waitpinga and the largest township Victor Harbor, which contains over 95% of the Council's population.

The topography of the City is not a primary factor in the Council's decision to maintain a no Ward structure, Members consider the accessibility of the Council area supports such a structure, rather, it is the concentration of population that is key in this decision.

5.6 Communication

The Council considers 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 and the size of the Council area is not prohibitive to effective representation.

5.7 Adequate and Fair Representation

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

- provide an adequate number of Councillors to manage and meet the demands of its community and give effect to the representative role of Members under the Act;
- provide an appropriate level of elector representation for local areas and communities of interest;
- 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 are preserved.

5.8 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 address these legislative provisions, specifically in:

- ensuring there are a sufficient number of Area 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
- elector quotas compare favourably with the composition and elector ratios of other councils of a similar size and characteristics.

6 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; and
- seek feedback from interested persons as part of the public consultation process.

6.1 Preferred Composition Structure

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

- a Mayor elected from the Council area as a whole;
- the name of the Council remain unchanged;
- the Council area remain undivided, that is, no Wards are to be created; and
- the elected body of the Council to continue to comprise a total of nine (9) Area Councillors, elected from the Council area as a whole.

6.2 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 should be lodged by **5:00pm on Friday 10 January 2025**:
 - Online at www.yoursay.victor.sa.gov.au; or
 - In writing and returned via:
 - Email to localgov@victor.sa.gov.au
 - Post to City of Victor Harbor, PO Box 11, Victor Harbor SA 5211
 - In person at the City of Victor Harbor Civic Centre, 1 Bay Road, Victor Harbor.

Further questions on the City of Victor Harbor's Representation Review can be directed to the City of Victor Harbor's Governance Team at localgov@victor.sa.gov.au or (08) 8551 0500.

APPENDICES