

ITEM 4 ALTERATION OF COUNCIL WARD BOUNDARIES

Under section 211 of the Local Government Act 1993, councils are required to keep ward boundaries under review to ensure that a difference in elector numbers of no greater than 10% exists between wards. If a Council becomes aware that a variation of greater than 10% exists, then it must alter its ward boundaries in such a manner to reduce the difference in elector numbers. This report outlines a proposal for Council to commence the process to alter the ward boundaries.

RECOMMENDATION

- 1 In accordance with s210A of the Local Government Act 1993, the proposed ward boundaries detailed in the report, and as shown in Attachment B, be endorsed and placed on public exhibition.
- 2 A further report be provided with the results of the public exhibition process.

REPORT AUTHORISATIONS

Report of: Todd Hopwood, Manager Governance and Customer Service
Authorised by: Renee Campbell, Director Corporate Services - Connected + Engaged City

ATTACHMENTS

- 1 Attachment A - Current Ward Boundaries
- 2 Attachment B - Proposed Ward Boundaries
- 3 Attachment C - Detailed Map of changes to Ward 1 - Ward 2 boundary
- 4 Attachment D - Detailed Map of changes to Ward 2 - Ward 3 boundary

BACKGROUND

Section 211 of the Local Government Act 1993 states the following in relation to Council ward boundaries –

211 Ward boundaries

(1) *The council of an area divided into wards must keep the ward boundaries under review.*

(2) *If -*

- (a) *during a council's term of office, the council becomes aware that the number of electors in one ward in its area differs by more than 10 per cent from the number of electors in any other ward in its area, and*
- (b) *that difference remains at the end of the first year of the following term of office of the council,*
the council must, as soon as practicable, alter the ward boundaries in a manner that will result in each ward containing a number of electors that does not differ by more than 10 per cent from the number of electors in each other ward in the area.

The variation between the largest and smallest wards for Council has been above 10% for several years and was above 10% at the end of the first year of this term of office of the council. As such Council is required to alter its ward boundaries to reduce the difference to below 10%.

The NSW Electoral Commission (NSWEC) have advised that Council must submit ward boundary plans with them by 9 December 2019, if changes are to be in place for the 2020 Local Government elections.

Geographic Segmentation of the Council Area

Designing ward boundaries is not a simple process as council must utilise the elector number data provided by the NSWEC. Until recently electors were grouped into Census Collection Districts (CCD's) which on average had between 200 to 500 electors in each CCD. In the main, each CCD was comprised of 5 - 10 adjoining street blocks. When re-designing ward boundaries each CCD had to sit entirely within

a ward, which limited the natural geographical features or roadways that may be utilised as a ward boundary. Council utilised the CCD boundaries when ward boundaries were last adjusted.

As of 21st May 2015, the NSWEC and its Joint Enrolment Partner have changed the geographic segmentation of the NSW electoral roll from the previous Australian Bureau of Statistics (ABS) standard of Census Collection Districts (CCD) to the new ABS standard Statistical Areas Level 1 (SA1). The ABS describe SA1 as "the smallest unit for the release of census data with a population between 200-800 people (on average 400 people)". The NSWEC have confirmed that Council will be required to utilise the SA1 boundaries for any future changes to ward boundaries.

The SA1's in heavily populated areas generally only cover a few street blocks and their boundaries generally follow the road system or railways. In rural or less populated areas geographical features such as creeks and terrain may be used for boundaries to follow.

It should be noted that the CCD and SA1 boundaries do not exactly align in all areas, so it will not be possible to keep the exact boundaries between any ward even if no substantive changes are proposed in that area.

Current Situation

Table A below has been produced to show the number of electors per Ward as at 23 July 2019, with a total of 153,541 enrolled electors.

Table A

Ward 1	Ward 2	Ward 3	Largest Variation Between Wards %
52,390	53,573	47,578	12.22%

In analysing Table A, the variation in the number of electors enrolled between Wards 2 (highest) and Ward 3 (lowest), equals 12.22%.

Attached as Attachment A to this report is a map showing current ward boundaries.

PROPOSAL

Council's Governance and Risk team has reviewed the current ward boundaries with the view to establishing a set of ward boundaries that have reasonably consistent levels of elector numbers, that also allow for varying expected growth rates between wards, as well as boundaries that are easy to define and follow major roads, train lines or major geographic features wherever possible. Consultation has occurred with Council's Land Use Planning team to gain their assistance in the development of an appropriate set of ward boundaries that allow for future projected population growth.

It should be noted that some previous ward boundaries, that would normally have been retained, will not be able to follow the same route, as the SA1 boundaries and the former CCD boundaries are not consistent in all areas. This is particularly evident on the boundary between Ward 1 and Ward 2 west of the Princes Hwy. The current ward boundary follows Cabbage Tree Creek west of the Princes Hwy to where it passes under Balgownie Road which then becomes the boundary until Brokers Road. The new boundary will essentially move 200m south and follow Cabbage Tree Lane, Hopewood Cres, Lombard Avenue and Balmoral Street.

Following the review and allowing for the boundaries possible (working with the new SA1 boundaries) an alternate set of ward boundaries has been developed that have the following features -

- Reduced the variation in elector numbers between wards to a maximum of 6.0%
- Ward 1 made largest in population size due to higher projected growth rates in other wards
- Greater utilisation of significant / main roads and rail lines as ward boundaries
- Neater and more easily identified ward boundaries at the junction of Ward 1 and Ward 2 in the SE corner of Fairy Meadow

The significant changes to existing ward boundaries that are proposed, are described in detail below -

Move from Ward 1 to Ward 2

Description of area: Area bounded by Princes Hwy, Memorial Drive and Bourke Street
 SA1 to be moved: 1114436
 Enrolled Electors: 355
 Reason for change: To provide a straighter boundary between Wards 1 and 2

Move from Ward 3 to Ward 2

Description of area: Area bounded by Princes Motorway, Princes Highway, Charcoal Creek and the South Coast Rail line
 SA1's to be moved: 1113447, 1114611, 1114612, 1114639, 1114640
 Enrolled Electors: 1,322
 Reason for change: To provide a straighter boundary between Wards 2 and 3 that follows the South Coast Rail Line for a significant distance

Move from Ward 2 to Ward 3

Description of area: Area north of the Unanderra-Moss Vale Rail line and west of the Princes Hwy, and south of the following:
 Factory Rd, Normandie Pl, Charcoal Creek, Blackman Parade, Graham St, Waples Rd, Sugarwood Pl and Charcoal Creek west to the Unanderra-Moss Vale Rail line
 SA1's to be moved: 1113404, 1113405, 1113407, 1113423, 1113433 to 1113438, 1113442, 1113443, 1113445, 1113448, 1113450
 Enrolled Electors: 3,733
 Reason for change: Ward 3 is significantly smaller than the other wards at present, there is little scope for adjustment of the ward boundary between Ward 2 and Ward 3 in the eastern part of the ward, due to the significant industrial lands in this area. The area between the Unanderra-Moss Vale Rail and Waples Road covers almost the entire suburb of Farmborough Heights and the adjusted boundary should be easy for most residents to identify which ward they reside in.

The proposed ward boundaries will result in a distribution of electors per ward as follows:

Table B

Ward 1	Ward 2	Ward 3	Largest Variation Between Wards %
52,963	50,613	49,965	6.0%

Attached to this report are several maps that show the existing and proposed ward boundaries.

- Attachment A Map of current Ward boundaries
- Attachment B Map of the alternate proposed Ward boundaries
(with the existing ward boundaries shown by the orange broken lines).
- Attachment C Detailed Map of changes to Ward 1 / Ward 2 boundary
- Attachment D Detailed Map of changes to Ward 2 / Ward 3 boundary

CONSULTATION AND COMMUNICATION

If Council resolves to amend its ward boundaries then in accordance with s210A of the Local Government Act 1993, the proposed ward boundaries will need to be placed on public exhibition for a period of 28 days and Council must accept submissions on the proposal for a period of 42 days from the date that the ward boundary plan is placed on public exhibition. The Council would then need to consider any submissions made during that submission period before making application to the Minister for a variation to ward boundaries.

The NSWEC has advised that any variations to ward boundaries need to be submitted to the Commission by Monday 9 December 2019 if they are to be used for the local government elections to be held in September 2020.

The proposed timetable for public exhibition and Council consideration is shown below -

Process Timetable

Project Stage	Deliverables Required	Key Dates
Resolution to Approve Public Exhibition	<ul style="list-style-type: none"> Preparation of draft maps and report to Council Resolution to publicly exhibit draft maps 	23 September, 2019
Public Exhibition of Proposed Ward Boundary Map	<ul style="list-style-type: none"> Preparation of public exhibition package including background information and the draft map Receive public submissions for a period of 42 days 	24 September, 2019 to 4 November, 2019
Resolution to Approve Referral to NSWEC	<ul style="list-style-type: none"> Preparation of report to Council incorporating feedback from public submissions Resolution to submit draft map to the NSWEC for approval 	18 November, 2019
Submit Ward Boundary Map to NSWEC	<ul style="list-style-type: none"> Submit draft map to the NSWEC for approval 	Prior to 9 December, 2019

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 Goal 4 “We are a connected and engaged community”.

RISK ASSESSMENT

Disproportionate ward size creates a risk to the principle of an equal vote for eligible electors. The 10% variance cap is put in place to acknowledge that numbers of electors in each ward fluctuates, but that equality in ward size is a key feature of electoral system. Council will be in breach of s211 of the Local Government Act 1993 if it does not alter its ward boundaries prior to the next council election.

FINANCIAL IMPLICATIONS

There are no direct costs associated with the application process to submit an altered Ward Boundary proposal to the NSW Electoral Commission. The process can be resourced utilising existing resources and budgets of the Governance and Customer Service Division.

CONCLUSION

An adjustment to Council's ward boundaries is required in accordance with s211 of the Local Government Act 1993. The proposed ward boundaries are designed to allow for anticipated higher future growth rates in Wards 2 and 3 to ensure that the proposed boundaries will not require re-adjustment for a considerable length of time.







