

11 November 2022

Dear Mayor Athina Pascoe-Bell,

I refer to your submissions dated 8 June and 19 October, where you have requested that the committee respond to the matters you have raised.

The contents of your submissions largely cover the issues discussed at meetings with the council and this letter reiterates responses to questions raised at those meetings.

Section 31 of the *Local Government Act 2019* states the assessment criteria the committee must consider in making determinations:

- (a) community of interests in the local government area including economic, social and regional interests;*
- (b) types of communication and travel in the local government area with special reference to issues arising out of remoteness or distance;*
- (c) the trend of population changes in the local government area;*
- (d) the density of population in the local government area;*
- (e) the physical features of the local government area.*

In the case of City of Palmerston, the proposal to implement wards is largely driven by current and predicted population growth. Elector numbers have increased from 21,261 at the 2018 election to 23,559 at the 2021 election, and continual growth is predicted towards the 2025 election. In accordance with section 31(c) this growth trend necessitates the committee evaluating whether wards be introduced.

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The committee's proposal uses the methodology that wards are to be considered where the number of enrolled electors exceeds 18,000 and if wards were introduced there would be a minimum of 3. With 24,608 City of Palmerston electors (as at 31 October 2022) this is well above the threshold of 18,000. As stated in section 31(c) population is a major criteria regarding the introduction of wards.

Your submissions contain numerous reasons as to why wards should not be implemented. The committee appreciates that there are a number of arguments for and against the introduction of wards, some of which are listed in section 6 of the information guide.

The following response provides insight as to how the committee is considering the points within your submissions.

Wards

The City of Palmerston council has experienced periods of instability and cohesiveness since its incorporation in 1981. The council was placed into administration in 2017 and following your election as Mayor in 2018 it has been cohesive. As noted in your submission the council was rated highly in the 2021 Community Satisfaction Survey. The committee is not asserting that there is any correlation regarding wards and the governance or cohesiveness of the council. It is the quality of leadership, not the existence or non-existence of wards, which is arguably the determining factor in the stability and governance of councils.

Fair representation and communities of interest

There is validity to your comment that wards may not result in greater diversity of council members. However, there is also no certainty that councils without wards have greater diversity. Wards ensure that councils are made up of members that represent different geographic areas within the council.

'Community of interest' is an individual value judgement with councils given the responsibility of determining the collective priorities for the communities they represent. Each member of council has their own views on what is in the interest of the community based on their values and background. Councils with good governance frameworks allow the expression of these differing views and have structures in place to ensure decision making is in the interest of the community. It is governance frameworks not the existence or non-existence of wards that enables this to occur.

Voters at Local Government municipal elections often complain that they do not know the candidates running for alderman or councillors. Wards would not resolve this. They would however increase the practicality for candidates to target their campaigns over a smaller geographic area. In addition, wards allow for a smaller selection of candidates making it easier for voters to rank candidates.

Unintentional informal votes

Federal, Territory and Council elections in the NT all require full sequential marking of the ballot paper.

There is evidence to support the suggestion that more vacancies often lead to a greater number of candidates. Furthermore, there is evidence to suggest that not only do more candidates lead to a higher informality rate, it also leads to a significantly higher unintentional informality rate.

To clarify, ‘unintentional informality’ covers a broad range of errors the Northern Territory Electoral Commission considers likely to be a simple mistake i.e. numbering a ballot paper non-sequentially or repeating a number. The tables below compare informality statistics between municipal councils with and without wards at the last 2 local government general elections.

2021 local government general elections – municipal councils

Council	Ward / Councillor	Vacancies	Candidates	Informality rate (%) ⁱ	Unintentional informality rate (%) ⁱⁱ
Alice Springs	Councillor	8	17	9.9	66.3
Darwin	Chan Ward	3	5	5.2	19.2
	Lyons Ward	3	8	5.3	16.5
	Richardson Ward	3	6	5.1	16.9
	Waters Ward	3	6	5.7	18.2
Katherine	Councillor	6	15	7.9	52.3
Litchfield	Central Ward	2	5	6.6	9.3
	North Ward	2	5	6.9	10.6
	South Ward	2	7	9.4	11.7
Palmerston	Alderman	7	12	8.7	40.8

ⁱ Percentage of votes cast that were informal

ⁱⁱ Percentage of informal votes that were categorised as ‘unintentional’

2017 / 2018 local government elections – municipal councils

Council	Ward / Councillor	Vacancies	Candidates	Informality rate (%) ⁱ	Unintentional informality rate (%) ⁱⁱ
Alice Springs	Councillor	8	19	11.7	75.5
Darwin	Chan Ward	3	7	7.1	33.3
	Lyons Ward	3	16	11.8	52.3
	Richardson Ward	3	8	8.0	37.5
	Waters Ward	3	5	6.5	21.7
Katherine	Councillor	6	12	8.5	61.9
Litchfield	Central Ward	This ward was uncontested and did not go to election			
	East ward	1	2	5.7	10.7
	North Ward	1	2	7.2	3.1
	South Ward	This ward was uncontested and did not go to election			
Palmerston	Alderman	7	17	13.0	56.0

The tables show that councils without wards typically have more candidates and higher unintentional informality rates. This trend is reflected when comparing mayoral and aldermen elections in Palmerston.

At the 2021 City of Palmerston mayoral election there were 3 candidates and 15,227 votes cast. Informal votes totalled 768 (5%). Of these informal votes 639 (83%) were deemed intentionally informal (i.e. blank or graffiti) and 129 (17%) deemed unintentionally informal.

At the alderman election that same year there were 12 candidates with 1,324 (8.7%) of the 15,248 votes deemed informal. Of these informal votes, 784 (59%) were deemed intentionally informal and 540 (41%) were unintentionally informal.

At the 2021 election the same voters cast an additional 411 unintentional informal votes for alderman compared to the mayoral election. The only difference being that there were 3 candidates for mayor and 12 for alderman.

At the 2018 City of Palmerston mayoral election there were 8 candidates. Informal votes comprised 1,072 (7.8%) - 702 (66%) intentional and 370 (34%) unintentional. At the alderman election there were 17 candidates with 1,776 (13%) informal votes – 782 (44%) intentional and 994 (56%) unintentional.

There is a clear correlation between the number of candidates and unintentional informality rate. In the event that more candidates should nominate for alderman at the next election for Palmerston aldermen in 2025, it is likely that the unintentional informality rate would further increase under a structure without wards.

By-elections

Since 2011 there have been a total of 13 by-elections in municipal councils. Of these, 5 occurred in councils with wards. There have been 2 uncontested elections, both of which occurred in Litchfield Council. There have been no failed or supplementary municipal by-elections.

It would seem unlikely that general elections under a ward structure would fail or partially fail given the historic number of candidates nominating for alderman at Palmerston elections.

The committee acknowledges your objection to the introduction of wards given that the current council is cohesive and working well together. The proposal to introduce wards is driven by the growth of the Palmerston community. The committee must consider 5 assessment criteria in making determinations, 2 of which relate to population. As populations increase wards are generally a logical transition to enable fairer representation.

Your second submission states that both proposed scenarios in the preliminary report are not appropriate. The committee can meet with council to devise alternative ward boundaries and select appropriate ward names for the Minister for Local Government's consideration. Any meeting would need to take place before Friday 25 November in order for the committee to meet publication deadlines.

Thank you for your detailed submissions and the honest manner you have addressed your concerns regarding the proposed introduction of wards.

If you have any questions, please contact the committee secretariat on (08) 8999 7641 or email Secretariat.NTEC@nt.gov.au.

Regards,



Sean Holden
Chair of the Local Government Representation Committee
11 November 2022