

## **Response to the Preliminary Report for the 2022 Local Government Representation Reviews**

Thank you for the opportunity to provide a submission to the review of local government electoral structures in the Northern Territory.

Apologies that I wasn't in a position to make a submission in the original round – May 2022 was a very busy time for an election analyst.

I am an election analyst who covers elections in Australia with a particular focus on local government electoral systems. My website The Tally Room features a great deal of analysis about the dynamics of different ward structures at the 2021 NSW council elections, which I think demonstrates my expertise.

I want to address one issue in the Committee's proposals – the breaking up of a council area into low-magnitude wards (specifically magnitudes of less than three). I generally object to this change as something that reduces diversity, representation and voter choice, but I particularly object to it as a solution to the problem of informal voting caused by overly strict formality rules.

I am primarily objecting to the proposed changes to ward boundaries for the City of Palmerston, and the foreshadowed potential changes for the Town of Alice Springs.

Reading the preliminary report, it appears the Committee's primary reason for the change is the high rate of informal voting at the 2021 local government election, with 8.7% of ballots being informal.

It is my understanding that there are no savings provisions in use for Northern Territory local government elections, so it is understandable that a ballot with 14 candidates and no option for above-the-line voting or savings provisions would lead to a high informal rate. Evidence from Australian federal elections, which have a similarly strict formality standard, shows that seats with over 10 candidates on the ballot paper have consistently high informal rates.<sup>1</sup>

While it is true that the informal rate is connected to the number of candidates, breaking up the council area into low-magnitude wards is not a solution.

Low-magnitude wards reduce diversity of representation, produce disproportionate results and limit political options for voters.

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<sup>1</sup> "Will larger ballot papers drive up informal voting?", Ben Raue, *The Tally Room*, 29 April 2022  
<https://www.tallyroom.com.au/47652>

If the concern is about the number of votes wasted due to informality, this problem would be swamped by the significant increase in the number of votes cast for losing candidates if the council is broken up into low-magnitude wards.

With a magnitude-7 council elected at large, the quota for election is just over 12.5%. This means that about 12.5% of votes are left over at the end of the count without being needed to elect anyone.

This leftover vote share is much greater when the magnitude is reduced. If the magnitude is 1, almost half of all votes can end up not flowing to the winner. If the magnitude is 2, that figure is about one third. If you have three magnitude-2 wards, and one magnitude-1 ward, the average unsuccessful vote share would be about 35.7% of all formal votes – almost three times as high as under the existing system. This is far more than the 8.7% of votes that were informal in 2021.

<b>Scenario</b>	<b>Informal %</b>	<b>Winning quota %</b>	<b>Votes for winners %</b>
Magnitude 7	8.7%	87.5%	79.9%
Magnitude 1/2	2.0%	64.3%	63.0%

Low magnitude elections tend to produce less diverse representation, in terms of descriptive representation (gender, ethnic diversity etc) and political representation. While Northern Territory local government elections are mostly non-partisan, that does not mean that these elections don't feature a variety of political views that can be represented more proportionally, or less so.

According to the 2021 census, 13% of residents in the City of Palmerston are Indigenous, and 20% are Indigenous in Alice Springs. If Aboriginal voters all decide to support a particular candidate, they make up more than a quota and thus will win at least one seat. But if that council is split up into low-magnitude wards, that community may not have enough votes in any one ward to win a seat. This is an obvious example, but can apply to any collection of residents with a common interest.

Whatever the outcome, breaking up a council into wards reduces political choice for voters. The preliminary report says that a "ward structure allows electors to select candidates that represent them at a more localised level", but that is entirely possible with an at-large election. If voters choose to prioritise voting for candidates from their suburb, that will be reflected in the results. A ward structure doesn't "allow" more localised representation, it forces it.

A switch from an at-large election to low-magnitude wards will likely result in a reduction in the range of candidates who run, even before you factor in that voters will be limited to the candidates who run in their ward. With a higher quota, the range of candidates who think they can win is reduced, seriously limiting the range of candidates that voters can choose from.

The perfect example can be seen in Shellharbour council, an outer suburban NSW council which switched from electing seven members at large in 2017 to four two-member wards in 2021. Ten different groups had run for those seven seats in 2017, with the Labor group winning three seats, and the other four going to four different groups. In 2021, only one ward had more than two groups running. Two others had just two groups running, while the final ward was uncontested.<sup>2</sup>

Two-member wards are more likely to produce uncontested elections. At the 2021 New South Wales council elections, more than one third of all 2-member wards (11 out of 31) were uncontested, compared to just 7 out of 119 wards that elected three members. Half of all uncontested wards were 2-member, while just 8.7% of all contested wards were 2-member.

At least two councils in New South Wales which used 2-member wards abolished those wards at referendums in 2021, in Dubbo and Walcha.

I note that the political leadership of the City of Palmerston, along with those of the Town of Alice Springs, strongly object to the imposition of wards on their local councils. I agree with those submissions.

The creation of small wards in these urban councils is not necessary to ensure local representation. It imposes local geography as the most important representative feature, limiting voters' choices to a narrower range of candidates. One- and two-member wards in particular produce very disproportionate election results that do a much worse job of representing the diverse interests of a local council area than an at-large election.

There is a need to deal with the informal voting problem at Northern Territory local government elections, but the problem can't be fixed through ward structure changes. Northern Territory's local government system needs to be more flexible to allow votes to count even if the ballot isn't complete. Without that reform, proportional and fair electoral structures will necessarily produce undesirable levels of informal voting.

I am happy to discuss this issue further with the Committee if I can be helpful.

Thanks,

Ben Raue  
13 September 2022

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<sup>2</sup> "NSW councils – measuring the magnitude", Ben Raue, *The Tally Room*, 12 November 2021  
<https://www.tallyroom.com.au/44306>