

ADDITIONAL ITEM



Item No: 1.6
Title: Administrator's Minute - Referendum for a reduction in Councillors and Wards
Department: Administrator

3 February 2021 Extraordinary Council Meeting

Reference: F2021/00035 - D14454784

Author: Dick Persson, AM, Interim Administrator

Further to the delivery of my 30 Day report into the Central Coast Council's financial situation, as part of my appointment as Interim Administrator I have undertaken a review of the underlying problems that resulted in my appointment.

It is my view that fifteen Councillors is too many for the effective operation of a Council. This large number does not facilitate collaborative and effective decision making, and often results in an adversarial environment which does not benefit the Central Coast Community.

I believe this dynamic is a significant contributor to the failure of the elected body to do their job.

As a result, I am proposing that a referendum be held at the September 2021 Local Government Election to reduce the number of Councillors from 15 to 9. The question will include an option on Wards and this will be informed by community consultation.

To pass, the question would need to be supported by a majority of Central Coast electors. Should the referendum be passed, the changes would take effect for the next local government election for the Central Coast to be conducted in 2024.

Reduction of Councillors

My view is that 15 Councillors are too many to effectively govern the Central Coast and that this should ideally be reduced to 9 Councillors, with a Mayor being elected from one of the nine by the Council. A smaller number would assist in changing the council from a combative parliamentary style, to a more collaborative and co-operative approach to its business.

[Section 16](#) and [Section 224 of the Local Government Act 1993](#) provides that if the Council proposes to change the number of Councillors it must conduct a Referendum.

Change in Wards

It is a requirement that there be an equal number of Councillors elected from each Ward where a ward structure is in place.

Prior to determining this question for the referendum, community consultation will be conducted to ascertain community sentiment on whether to reduce the Wards from 5 to 3;

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abolish wards; or have no change to the ward structure (status quo with 15 councillors and 5 wards).

It is my desire to present a viable and appealing proposal at the Referendum and for this reason I am proposing community consultation regarding the ward structure.

[Section 16](#) and [Section 210 of the Local Government Act 1993](#) provides that if the Council proposes to alter, abolish or change the number of wards it must conduct a Referendum. Should it be determined through the Referendum that the wards should be reduced, then the boundaries will be changed in accordance with [Section 210A of the Local Government Act 1993](#).

The process for determining the revised ward boundaries includes the Council ensuring there is no greater than 10% difference in electors between any two wards (based on Census Collection Districts and approved by the NSW Electoral Commission), public exhibition of proposed ward boundaries for not less than 28 days, accepting submissions on proposed ward boundaries for not less than 42 days and consideration of submissions received prior to making a determination. This process would be undertaken should the Referendum be passed and twelve months before the following local government election.

Potential question

Council is required to resolve its intent to hold a Referendum and the purpose for that Referendum. Once resolved, the NSW Electoral Commission is to be advised of this determination within 21 days as provided under Clause 4(a), Schedule 10 of the Local Government (General) Regulation 2005.

The deadline to submit final wording for any question is 12noon on the closing date for the election in accordance with Clause 4(b), Schedule 10 of the Local Government (General) Regulation 2005 which is 4 August 2021. However, the NSW Electoral Commission has requested the wording be submitted as soon as possible but prior to the end of June 2021.

The final question wording will be determined in consultation with legal counsel and informed by the community consultation regarding the ward structure, but the intention of the referendum would be to put a question along the following lines to the voters of the Central Coast in September 2021:

Do you favour a reduction in the number of Councillors from 15 to 9 and a reduction / abolish wards?

I will review and settle the above question/s with the Acting Chief Executive Officer to ensure it is suitable and submit it to the [NSW Electoral Commission](#) (who are legislated to run the next Local Government Elections) by mid April 2021.

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Financial Impact

The most cost effective way of conducting this Referendum is that it be held in conjunction with the September 2021 Local Government Elections, as oppose to a standalone Referendum.

The cost of a Referendum has been estimated by the NSW Electoral Commission as 10% of the costs of the Local Government Election, when run at the same time as an ordinary Election.

At this stage the NSW Electoral Commission has indicated that the costs to run the September 2021 Local Government Election for the Central Coast is \$2,147,083. The additional cost of the Referendum would be \$214,700 and will need to be budgeted for. This additional cost is based on one question being asked, noting that any additional question or questions would slightly increase these costs.

Council is also responsible for the preparation and publicity of the required explanatory material for the Referendum (which Council must ensure presents a balanced case both for and against any proposition to be put). At this stage it is unclear what these costs will be, but I will be working with the Acting Chief Executive Officer to ensure that this is adequately addressed and covered in the budget.

I formally move:

- 1 That Council resolve to conduct a Constitutional Referendum for the reduction of Councillors (from 15 to 9) in conjunction with the September 2021 Local Government Elections.***
- 2 That Council undertake community consultation to include: whether to reduce the ward structure from 5 to 3; have no wards; maintain the status quo with 15 councillors and 5 wards, and provide a report back to Council before mid April 2021.***
- 3 That Council request the Acting Chief Executive Officer to notify the NSW Electoral Commission of this Administrator's Minute and resolution within 21 days as required under Schedule 10 of the Local Government (General) Regulation 2005.***
- 4 That Council settle the proposed Constitutional Referendum question and provide this wording to the NSW Electoral Commission before mid April 2021 for the election.***
- 5 That Council make provision in the 2021/22 budget for the additional costs of the NSW Electoral Commission running a Referendum in conjunction with the September 2021 Local Government Elections and the cost of Council fulfilling its obligations in relation to the explanatory material.***