



2015-16

**Council  
Representation  
Reviews**

# **Final Report**

## **2015 Horsham Rural City Council Electoral Representation Review**

*Wednesday 27 May 2015*

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# 1 Executive summary

The *Local Government Act 1989* (the Act) requires the Victorian Electoral Commission (VEC) to conduct an electoral representation review of each municipality in Victoria before every third council general election.

The purpose of an electoral representation review is to recommend an electoral structure that provides fair and equitable representation for the persons who are entitled to vote at a general election of the council. The matters considered by a review are:

- the number of councillors
- the electoral structure of the council (whether the council should be unsubdivided or divided into wards and, if subdivided, the details of the wards).

The VEC conducts all reviews on the basis of three main principles:

1. ensuring the number of voters represented by each councillor is within 10 per cent of the average number of voters per councillor for that municipality
2. taking a consistent, State-wide approach to the total number of councillors and
3. ensuring communities of interest are as fairly represented as possible.

## Current electoral structure

The previous electoral representation review for Horsham Rural City Council was conducted in 2004–2005. The review recommended that the electoral structure remain unsubdivided, with seven councillors elected from the municipality at-large.

## Preliminary submissions

Preliminary submissions opened at the commencement of the current review on Wednesday 4 February. The VEC received four submissions by the deadline for submissions at 5.00 pm on Wednesday 4 March.

## Preliminary report

A preliminary report was released on Wednesday 1 April, with the following preferred option for consideration:

**Horsham Rural City Council consist of seven councillors elected from an unsubdivided municipality.**

## Response submissions

The VEC received two submissions responding to the preliminary report by the deadline for submissions at 5.00 pm on Wednesday 29 April.

## Public hearing

The VEC scheduled a public hearing for those wishing to speak about their response submission at 5.30 pm on Tuesday 5 May. There were no requests to speak so the hearing was not held.

## Recommendation

**The Victorian Electoral Commission (VEC) recommends Horsham Rural City Council continue to consist of seven councillors elected from an unsubdivided municipality.**

This electoral structure was designated as the preferred option in the preliminary report. Please see Appendix 2 for a detailed map of this recommended structure.

## 2 Background

### 2.1 Legislative basis

The Act requires the VEC to conduct an electoral representation review of each municipality in Victoria before every third general council election, or earlier if gazetted by the Minister for Local Government.

The Act specifies that the purpose of a representation review is to recommend the number of councillors and the electoral structure that provides 'fair and equitable representation for the persons who are entitled to vote at a general election of the Council.'<sup>1</sup>

The Act requires the VEC to consider:

- the number of councillors in a municipality and
- whether a municipality should be unsubdivided or subdivided.

If a municipality should be subdivided, the VEC must ensure that the number of voters represented by each councillor is within 10 per cent of the average number of voters per councillor for that municipality.<sup>2</sup> On this basis, the review must consider the:

- number of wards
- ward boundaries (and ward names)
- number of councillors that should be elected for each ward.

### 2.2 The VEC's approach

#### Deciding on the number of councillors

The Act allows for a municipality to have between 5 and 12 councillors, but does not specify how to decide the appropriate number.<sup>3</sup> In considering the number of councillors for a municipality, the VEC is guided by the Victorian Parliament's intention for fairness and equity in the local representation of voters under the Act.

The VEC considers that there are three major factors that should be taken into account:

- diversity of the population
- councillors' workloads and
- profiles of similar municipalities.

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<sup>1</sup> Section 219D of the *Local Government Act 1989*.

<sup>2</sup> *ibid.*

<sup>3</sup> Section 5B(1) of the *Local Government Act 1989*.

Generally, those municipalities that have a larger number of voters will have a higher number of councillors. Often large populations are more likely to be diverse, both in the nature and number of their communities of interest and the issues of representation.

However, the VEC considers the particular situation of each municipality in regards to: the nature and complexity of services provided by the Council; geographic size and topography; population growth or decline; and the social diversity of the municipality, including social disadvantage and cultural and age mix.

### **Deciding the electoral structure**

The Act allows for a municipality ward structure to be:

- unsubdivided—with all councillors elected 'at-large' by all voters or
- subdivided into a number of wards.

If the municipality is subdivided into wards, there are a further three options available:

1. single-councillor wards
2. multi-councillor wards or
3. a combination of single-councillor and multi-councillor wards.

A subdivided municipality must have internal ward boundaries that provide for a fair and equitable division of the municipality, and ensure that the number of voters represented by each councillor remains within 10 per cent of the average number of voters per councillor for the municipality.

In considering which electoral structure is most appropriate, the VEC considers the following matters:

- communities of interest, encompassing people who share a range of common concerns, such as geographic, economic or cultural associations
- the longevity of the structure, with the aim of keeping voter numbers per councillor within the 10 per cent tolerance as long as possible
- geographic factors, such as size and topography
- the number of voters in potential wards, as wards with many voters can have a large number of candidates, which can lead to an increase in the number of informal (invalid) votes and
- clear ward boundaries.

## 2.3 The VEC's principles

Three main principles underlie all the VEC's work on representation reviews:

- 1. Ensuring the number of voters represented by each councillor is within 10 per cent of the average number of voters per councillor for that municipality.**

Over time, population changes can lead to some wards in subdivided municipalities having larger or smaller numbers of voters. As part of the review, the VEC corrects any imbalances and also takes into account likely population changes to ensure ward boundaries provide equitable representation for as long as possible.

- 2. Taking a consistent, State-wide approach to the total number of councillors.**

The VEC is guided by its comparisons of municipalities of a similar size and category to the council under review. The VEC also considers any special circumstances that may warrant the municipality having more or fewer councillors than similar municipalities.

- 3. Ensuring communities of interest are as fairly represented as possible.**

Each municipality contains a number of communities of interest. Where practicable, the electoral structure should be designed to ensure they are fairly represented, and that geographic communities of interest are not split by ward boundaries. This allows elected councillors to be more effective representatives of the people and interests in their particular municipality or ward.

## 2.4 The electoral representation review process

### Developing recommendations

The VEC bases its recommendations for particular electoral structures on the following information:

- internal research specifically relating to the municipality under review, including Australian Bureau of Statistics and .id (Informed Decisions) Pty Ltd data<sup>4</sup>; voter statistics from the Victorian electoral roll; and other State and local government data sets
- small area forecasts provided by .id (Informed Decisions) Pty Ltd
- the VEC's experience conducting previous electoral representation reviews of local councils and similar reviews for State elections
- the VEC's expertise in mapping, demography and local government

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<sup>4</sup> .id is a company specialising in population and demographic analysis that builds suburb-level demographic information products in most jurisdictions in Australia and New Zealand.



- careful consideration of all input from the public in written and verbal submissions received during the review and
- advice from consultants with extensive experience in local government.

### **Public involvement**

Public input is accepted by the VEC:

- in preliminary submissions at the start of the review
- in response submissions to the preliminary report and
- in a public hearing that provides an opportunity for people who have made a response submission to expand on this submission.

Public submissions are an important part of the process, but are not the only consideration during a review. The VEC ensures its recommendations are in compliance with the Act and are formed through careful consideration of public submissions, independent research, and analysis of all relevant factors, such as the need to give representation to communities of interest.

## 3 Horsham Rural City Council representation review

### 3.1 Profile of Horsham Rural City Council

Horsham Rural City Council covers 4,267 square kilometres of the flat open plains of the Wimmera. It is bounded by the municipalities of Hindmarsh and West Wimmera to the west, Yarriambiack to the north, Northern Grampians to the east, and Southern Grampians to the south. Services located in Horsham serve the regional population, extending outside the council area to include Stawell and Balmoral in the south, north to Hopetoun and west to the Victoria-South Australia border.<sup>5</sup>

The estimated resident population of the Rural City of Horsham in 2013 was approximately 19,000 people. The majority of the population (75 per cent) reside in the regional centre of Horsham and the remaining 25 per cent in rural areas and small settlements, including Natimuk, Laharum/Wartook, Jung and Dadswells Bridge. Population growth is expected to be relatively low, with an annual growth rate of 0.7 per cent between 2011 and 2021.

Health care and social assistance is the major industry in Horsham, involving 15.5 per cent of the population and likely reflecting the significantly higher number of people aged 70 years and over residing in the Rural City of Horsham, as well as the service orientation of the city to surrounding areas. Retail trade is the next largest industry with 12.7 per cent, followed by agriculture (9.5 per cent), construction (8.4 per cent), accommodation and food services (6.4 per cent) and education and training (6.4 per cent). Workforce participation in the Rural City of Horsham is slightly higher than other municipalities in rural and regional Victoria (64.5 per cent) and unemployment is comparatively lower (2.5 per cent).

In line with other rural and regional councils, Horsham Rural City Council has a relatively low level of diversity, with approximately 10 per cent of the population born overseas. Main countries of origin include England and New Zealand. Similarly, only 1.5 per cent of the population identify as Aboriginal or Torres Strait Islander.

### 3.2 Current electoral structure

Horsham Rural City Council is an unsubdivided municipality, comprising seven councillors elected from the municipality as a whole. This structure has been in place since the inception of the elected Council in 1997. The last electoral representation review of Horsham Rural City Council took place in 2004–2005.

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<sup>5</sup> Department of Transport, Planning and Local Infrastructure, *Horsham Planning Scheme*

### 3.3 Public information program

Public involvement is an important part of the representation review process. The Horsham Rural City Council representation review commenced on Wednesday 4 February and the VEC conducted a public information program to inform the community.

#### Advertising

In accordance with the Act, public notices of the review and the release of the preliminary report were placed in the newspapers listed in Table 1.

**Table 1: Public notices**

<b>Newspaper</b>	<b>Notice of review</b>	<b>Notice of preliminary report</b>
<i>Herald Sun</i>	Wednesday 4 February	Wednesday 1 April
<i>Horsham Weekly Advertiser</i>	Wednesday 4 February	Wednesday 1 April
<i>Horsham Wimmera Mail Times</i>	Friday 6 February	Friday 3 April

#### Media releases

A media release was prepared and distributed to local media at the commencement of the review on Wednesday 4 February. A further release was distributed at the publication of the preliminary report on Wednesday 1 April. Local media covered the review through newspaper and radio stories and radio interviews with spokespeople for the VEC.

#### Public information session

A public information session for people interested in the review process was held at 5.30 pm on Tuesday 10 February in the Council Offices, Horsham Rural City Council, 18 Roberts Avenue, Horsham.

#### Helpline and email address

A telephone helpline and dedicated email address were established to assist members of the public with enquiries about the review process.

#### VEC website

The VEC website delivered up-to-date information to provide transparency and facilitate public participation during the review process. An online submission tool was made available and all public submissions were posted on the website.

### **Guide for Submissions**

A *Guide for Submissions* was developed and distributed to those interested in making submissions. Copies of the *Guide* were available on the VEC website, in hardcopy on request and also provided to Council.

### **Council website and newsletter**

Information about the review was provided to Council for publication in council media, e.g. website and newsletter.

## 4 Preliminary report

### 4.1 Preliminary submissions

The VEC received four preliminary submissions by the deadline for submissions at 5.00 pm on Wednesday 4 March. A list of people who made preliminary submission can be found in Appendix 1.

All submissions were in favour of retaining the current unsubdivided electoral structure. Horsham Rural City Council's submission argued that the nature of the municipality, which is focussed on Horsham, with urban and rural areas forming a united community, suited an unsubdivided structure. In the Council's view, this structure also gave voters a wide choice of councillors to vote for and approach. Angela Turner concurred, stating that she could approach any of the councillors, which might not be the case with a ward structure. The Proportional Representation Society of Australia (PRSA) and Andrew Gunter argued that an unsubdivided structure with proportional representation ensured the best possible representation for voters. The PRSA was also open to the possibility of a nine-councillor model comprising three three-councillor wards.

On the number of councillors, the Council supported the status quo (seven), because it was sufficient to fairly represent the community and it provided for constructive debate and equitable sharing of the workload. The Council considered that an increase in the number would be an unwarranted expense, while a reduction would increase workloads and might deter potential candidates. The Council preferred an uneven number of councillors as this reduced the likelihood of an impasse requiring the casting vote of the Mayor. Ms Turner suggested asking the councillors about the numbers. The PRSA and Mr Gunter accepted the current number, but submitted that five or nine councillors would also be acceptable.

### 4.2 Preliminary report

A preliminary report was released on Wednesday 1 April. The VEC considered public submissions and research findings when formulating the options presented in the preliminary report.

#### Number of councillors

The VEC considers that similar types of municipality of a similar size should have the same number of councillors, unless special circumstances justify a variation. Table 2 shows where the Rural City of Horsham fits among the regional urban municipalities. The municipalities are ranked by number of voters.

**Table 2: Regional urban municipalities**

Municipality	Estimated voters#	Number of councillors	Voters per councillor	Area (sq km)
Greater Geelong*	177,363	12	14,780	1,248
Greater Bendigo	83,641	9	9,293	3,000
Ballarat*	76,304	9	8,478	739
Latrobe	55,234	9	6,137	1,426
Greater Shepparton*	44,309	7	6,330	2,422
Mildura*	39,120	9	4,347	22,083
Wodonga*	28,574	7	4,082	433
Warrnambool*	25,850	7	3,693	121
Wangaratta*	22,122	7	3,160	3,645
<b>Horsham*</b>	<b>16,048</b>	<b>7</b>	<b>2,293</b>	<b>4,267</b>
Benalla	11,558	7	1,651	2,353
Ararat	9,103	7	1,300	4,211

\* The municipality is currently undergoing an electoral representation review by the VEC during 2015-16.

# Voter estimate calculated after the January 2015 merge of the State electoral roll and Council-only electors as at the 2012 council elections.

The recommended number of councillors has consistently been at least seven for regional urban municipalities in recognition of the relative complexity of the tasks of the councils.

In terms of voters, the Rural City of Horsham is one of the smallest regional urban municipalities. The population is growing slowly and the Council is not facing major development pressures. The municipality has a relatively low level of ethnic diversity. On the other hand, the Rural City of Horsham is the second largest regional urban municipality in terms of area, covering a significant rural hinterland. Evidence from the Council indicates that councillors have a significant but not excessive workload.

Seven councillors are enough to allow for representation of a wide range of voters' opinions and for opinions to be thoroughly debated at Council meetings.

The VEC considered that there was insufficient reason to consider altering the number of councillors and that seven was the appropriate number of councillors for Horsham Rural City Council.

## Electoral structure

The social geography of a municipality shapes the possible electoral structures. The key feature of the Rural City of Horsham is its focus on Horsham itself. The town includes 73 per cent of the municipality's voters. The road pattern radiates out from Horsham, and no part of the municipality is more than 70 kilometres from the town. Residents from all over the municipality travel to Horsham for services and the town has close links with its hinterland. There are many localities in the municipality, each with their own characteristics, but the only other urban area is Natimuk, which has only 409 residents (as at the 2011 census) compared to Horsham's 15,894. All these features indicate that the municipality forms a single, interconnected community of interest. As such, it is well suited to an unsubdivided electoral structure.

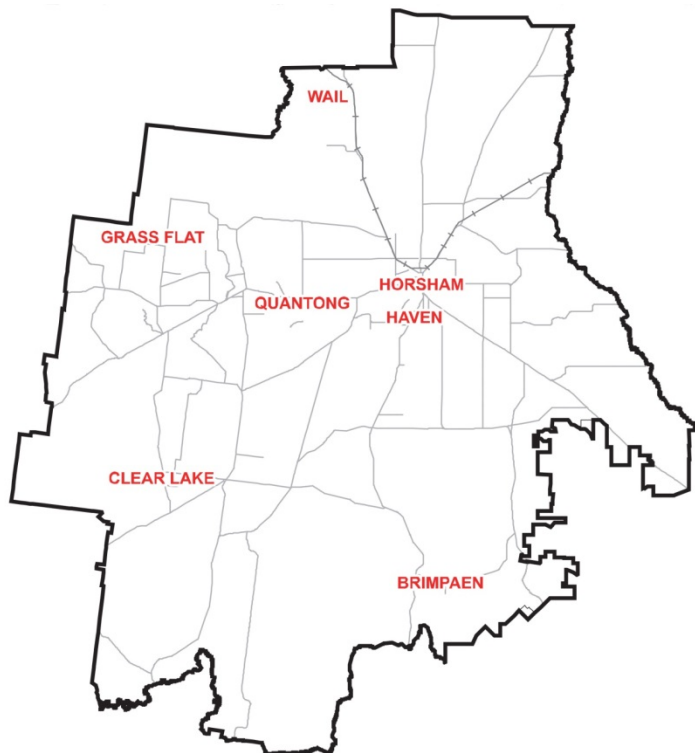
Nevertheless, the distinction between urban and rural areas is a fundamental one. The VEC modelled a subdivided structure that would guarantee geographic representation for the urban and rural parts of the municipality, comprising a five-councillor urban ward and two single-councillor rural wards.

There were a number of problems with this model, which rendered it unsuitable to present as an option in the preliminary report:

- the rural wards had to include semi-urban areas just outside Horsham, which meant that they were not fully rural;
- the rural wards were not really based on communities of interest, but were rather collections of individual localities;
- there was a strong possibility of uncontested elections for the rural wards, which would have reduced the choice for voters; and
- this model would have guaranteed a strong majority of urban-based councillors, which could have produced divisions and bloc voting.

The strongest argument against a subdivided model is that it is a solution to a non-existent problem. Past election results suggest that Horsham Rural City Council voters do not vote on where candidates come from, but on their views of who would make the best councillors.

Diagram 1 shows the locations of the councillors elected in 2012. Five of the councillors come from rural areas—some from very small localities. There was a similar spread of councillors at the 2008 election. The Council's submission stated, 'There has been no concern raised at a Council or a community level in relation to under or over-representation of geographic areas of the community'.



**Diagram 1: Location of current Horsham Rural City Council councillors**

The unsubdivided structure appears to have been working as it should in relation to the operation of the Council. The Council submission stated that ‘One of the strengths of the Horsham Rural City Council has been the ability of the Councillors to come to the Council table representing the whole of the community and focussing on the best benefits for the municipality overall’. Because each councillor is responsible to all of the voters, residents can speak to any one of them.

One of the potential problems of an unsubdivided structure is that a large volume of candidates can confuse voters and increase the informal vote. This has not been the case in elections for the Horsham Rural City Council, where the number of candidates in elections since 2000 has ranged between 9 and 13, and the median informal vote has been only 2.58 per cent. Under the unsubdivided structure, Horsham Rural City Council voters have had enough candidates to provide a choice, without being overwhelmed by numbers.

The VEC is required by the Act to include a preferred option and may include one or more alternative options for the electoral structure in the preliminary report. In this case, the VEC considered that only one option offered fair and equitable representation for voters in the municipality.



**Preferred option**

After careful consideration, the VEC put forward the following preferred option:

**Horsham Rural City Council consist of seven councillors elected from an unsubdivided municipality.**

## 5 Public response

### 5.1 Response submissions

The VEC accepted submissions responding to the preliminary report from Wednesday 1 April until 5.00 pm on Wednesday 29 April. The VEC received two response submissions. A list of people who made a response submission can be found in Appendix 1. Both submissions supported the VEC's preferred option.

Horsham Rural City Council believed that an unsubdivided structure had provided for the most effective representation for the community, given the physical area and population distribution of the community. It also believed that the current number of councillors had proved appropriate and workable in delivering streamlined decision making, accessible representation and a manageable councillor workload.

The PRSA praised the preferred option because it would keep Horsham invulnerable to stalemates; ensure that a maximum number of votes would continue to elect a candidate; avoid uncontested elections; ensure that an absolute majority of votes would elect a majority of councillors; avoid arbitrary positioning of ward boundaries; and save the cost of ward boundary reviews.

### 5.2 Public hearing

The VEC scheduled a public hearing for those wishing to speak about their response submission at 5.30 pm on Tuesday 5 May in the Council Reception Area, Horsham Rural City Council, 18 Roberts Avenue, Horsham. There were no requests to speak so the hearing was not held.

## 6 Findings and recommendation

### 6.1 The VEC's findings

Horsham Rural City Council's electoral structure accords both with the VEC's general approach to electoral representation reviews and with feedback from the municipality.

The number of councillors is the same as for other regional urban municipalities of a similar size. There are no particular circumstances justifying a change in the number of councillors: the municipality is growing slowly, has a relatively low level of ethnic diversity, and, while sizeable, is not unwieldy in area. Seven councillors allow for representation of a variety of opinions.

The unsubdivided structure suits a council like the Rural City of Horsham, which is focussed on the town, and where the urban and rural areas form a single, interdependent community of interest. The distribution of councillors demonstrates that no part of the municipality is over or under-represented, and that voters do not take candidates' locations into account when they vote. Council elections show a consistent pattern of providing voters with a wide choice without having so many candidates as to confuse voters.

The representation review was well covered in the local media. If there was any dissatisfaction with the current structure, residents had every opportunity to express their discontent through submissions. But in fact, the only local feedback was entirely positive: Ms Turner stated that she felt she could approach any of the councillors, whereas if there were wards each councillor would be representing mainly the people in their ward. The Council's preliminary submission made the same point, and saw as one of the strengths of the Council the fact that councillors represented the whole of the community and were able to focus on the best benefits for the municipality overall.

The VEC recommends the retention of the current structure.

### 6.2 The VEC's recommendation

**The Victorian Electoral Commission (VEC) recommends that Horsham Rural City Council continue to consist of seven councillors elected from an unsubdivided municipality.**

This electoral structure was designated as the preferred option in the preliminary report. Please see Appendix 2 for a detailed map of this recommended structure.

## **Appendix 1: Public involvement**

### **Preliminary submissions**

Preliminary submissions were received from:

Andrew Gunter

Horsham Rural City Council

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

Angela Turner

### **Response submissions**

Response submissions were received from:

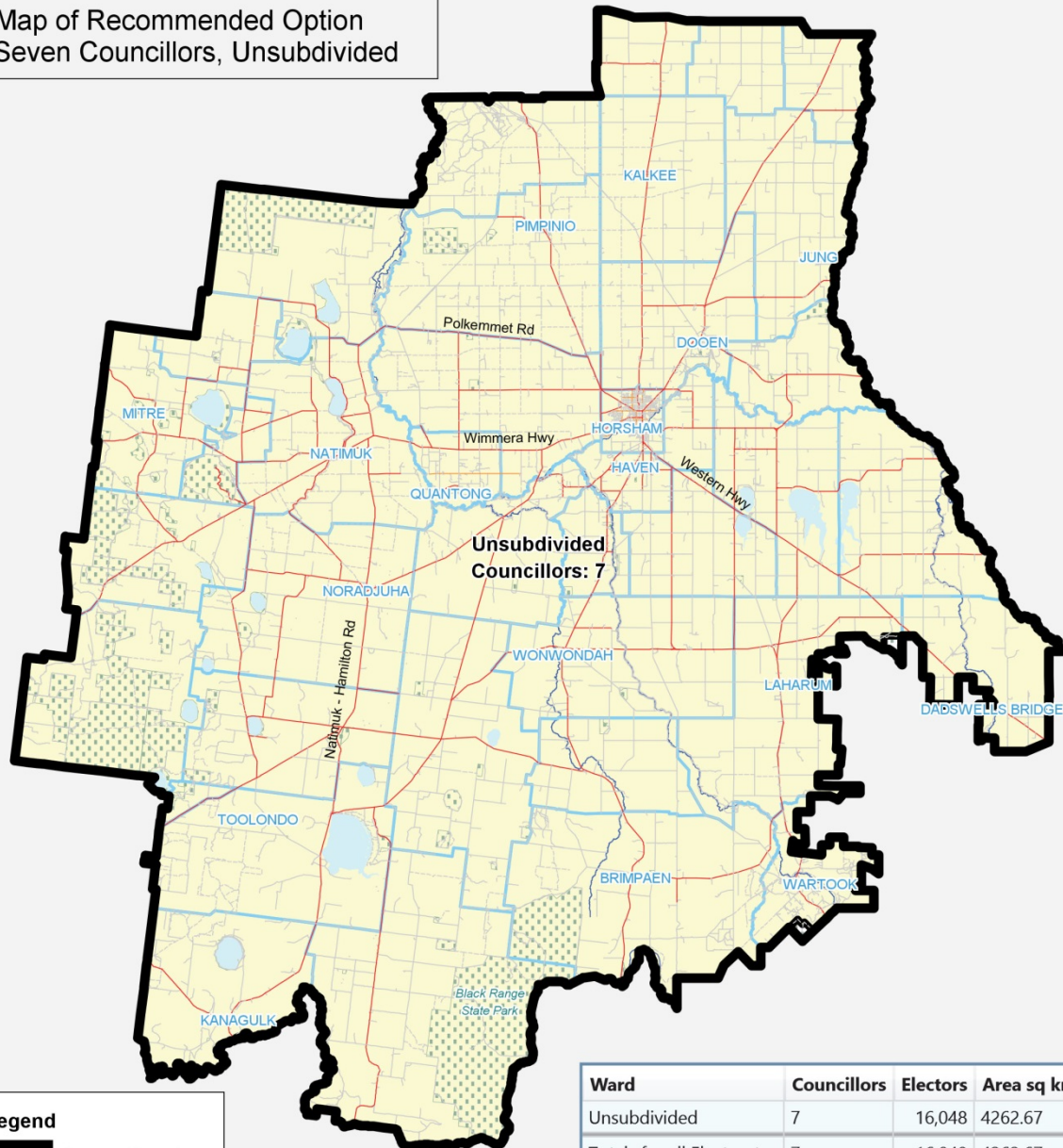
Horsham Rural City Council

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

## Appendix 2: Map

### Horsham Rural City Council

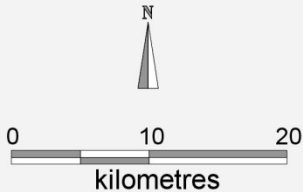
Map of Recommended Option  
Seven Councillors, Unsubdivided



**Legend**

- Proposed Boundary
- Existing Wards**
- Unsubdivided
- Map Symbols**
- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- Railway Line
- River/Creek
- Park/Reserve
- Lake
- Locality Boundary

Ward	Councillors	Electors	Area sq km
Unsubdivided	7	16,048	4262.67
Totals for all Electorates	7	16,048	4262.67
Electors per councillor		2,293	



Map prepared by the Victorian Electoral Commission  
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