



2015-16

**Council
Representation
Reviews**

Final Report

2015 West Wimmera Shire Council Electoral Representation Review

Wednesday 27 May 2015

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Contents

1 Executive summary	4
2 Background.....	6
2.1 Legislative basis	6
2.2 The VEC’s approach	6
2.3 The VEC’s principles	8
2.4 The electoral representation review process.....	8
3 West Wimmera Shire Council representation review.....	10
3.1 Profile of West Wimmera Shire Council	10
3.2 Current electoral structure	11
3.3 Public information program.....	11
4 Preliminary report.....	13
4.1 Preliminary submissions	13
4.2 Preliminary report	13
5 Public response	15
5.1 Response submissions.....	15
5.2 Public hearing.....	16
6 Findings and recommendation	17
6.1 The VEC’s findings	17
6.2 The VEC’s recommendation	19
Appendix 1: Public involvement	20
Appendix 2: Map	21

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 last electoral representation review for West Wimmera took place in 2005. The review recommended retaining the unsubdivided structure of five 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 preliminary 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 options for consideration:

- Option A (preferred option)
West Wimmera Shire Council consist of five councillors to be elected from an unsubdivided municipality.

- Option B (alternative option)

West Wimmera Shire Council consist of five councillors to be elected from one two-councillor ward and one three-councillor ward.

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 7.00 pm on Wednesday 6 May. There were no requests to speak so the hearing was not held.

Recommendation

The Victorian Electoral Commission (VEC) recommends West Wimmera Shire Council continue to consist of five councillors elected from an unsubdivided municipality.

This electoral structure was designated as Option A 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.'¹

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.² 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.³ 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.

¹ Section 219D of the *Local Government Act 1989*.

² *ibid.*

³ 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 data⁴; 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

⁴ .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 West Wimmera Shire Council representation review

3.1 Profile of West Wimmera Shire Council

West Wimmera Shire was formed in 1995 by the amalgamation of the Shire of Kaniva and parts of the Shires of Kowree, Arapiles and Glenelg. The West Wimmera local government area encompasses 9,108 square kilometres, and has one of the smallest populations in Victoria. West Wimmera Shire includes sections of the Little Desert National Park and Big Desert National Park, with over 2,000 natural wetlands and a high level of diversity of fauna and flora in parts of the Shire. The predominant towns in West Wimmera Shire are Edenhope, Kaniva, Goroke, Apsley and Harrow.

Kaniva and Edenhope are the major administrative and business centres in the Shire. The Shire's towns all have a unique identity and are the predominant communities of interest in the municipality. Agriculture is the largest industry in the Shire, followed by healthcare and social assistance. It is an ageing population: approximately 50 per cent of people are aged 50 years and over. However, the population is also actively engaged: approximately 40 per cent of the population indicated in the 2011 ABS Census that they undertook voluntary work for an organisation in the Shire.

Communities of interest

The VEC recognises that communities of interest in West Wimmera Shire Council are primarily geographic. Towns such as Kaniva, Edenhope, Minimay, Apsley and Goroke represent major communities of interest. Less defined but still highly applicable are the distinct physical geographies in the north, centre and south of the Shire that comprise various climates and soils and by extension farming and industry.

The northern part of the Shire is semi-arid and sparsely populated. It includes the Murray Basin Plains and the Big Desert National Park, with land use being primarily cropping. The middle part of the Shire has a number of lakes and swamps, with two of the largest towns of Kaniva and Goroke located in the area. This area tends toward more intensive cropping with a lot of irrigated farming. The southern part of the Shire is more characteristically Mediterranean in climate with land use tending toward grazing (prime lamb, wool and some cattle), especially south of Apsley.

West Wimmera Shire Council has a small population with fewer resources than comparable councils. However, it is located on the Victoria-South Australia border to the east of one of the more highly populated regional areas of South Australia and to the west of the regional centre of

Horsham. Anecdotal evidence suggests that residents travel outside the Shire for higher-order goods and services rather than to one or two major towns within the Shire.

3.2 Current electoral structure

The last representation review for West Wimmera Shire Council occurred in 2005. Following the review, it was recommended that the Shire remain unsubdivided, with five councillors elected from the municipality at-large. Justifications for retaining the structure included a greater choice in candidates for all voters, enabling voters to elect a candidate to specifically represent their interests, and encouraging councillors to be responsible for all areas of the municipality.

3.3 Public information program

Public involvement is an important part of the representation review process. The West Wimmera Shire 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

Newspaper	Notice of review	Notice of preliminary report
<i>Herald Sun</i>	Wednesday 4 February	Wednesday 1 April
<i>Edenhope West Wimmera Advocate</i>	Wednesday 4 February	Wednesday 1 April
<i>Kaniva Times</i>	Wednesday 4 February	Wednesday 1 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.

Public information sessions

Public information sessions for people interested in the review process were held at:

- 7.00 pm on Monday 9 February at the Mechanics Institute, Elizabeth Street, Edenhope
- 7.00 pm on Wednesday 11 February at the Shire Hall Supper Room, Baker Street, Kaniva

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 a preliminary submission can be found in Appendix 1.

Number of councillors

All submissions recommended five councillors as appropriate for West Wimmera, citing arguments of declining population, manageable councillor workloads, and low voter-to-councillor ratios compared with similar councils.

Electoral structure

Three submissions recommended retaining the current unsubdivided electoral structure, with one submission recommending a two-ward structure.

West Wimmera Shire Council, the Proportional Representation Society of Australia (PRSA) and Andrew Gunter all submitted in favour of retaining five councillors elected from an unsubdivided structure. The Council highlighted that the current unsubdivided structure encouraged councillors to take a Shire-wide approach, greatly improving strategic planning and development of the whole Shire. Mr Gunter and the PRSA both recommended retaining the current electoral structure because councillors are elected under proportional representation, which theoretically allows for a wide variety of viewpoints and interests to be represented. Andrew Farran submitted in favour of a two ward structure with a boundary line drawn just north of the town of Edenhope, with the purpose of achieving greater representation for voters in outlying areas by avoiding election of councillors from concentrated areas.

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 considered five councillors appropriate for West Wimmera as the Shire has one of the smallest voter populations in Victoria (3,917 voters) and the lowest voter-to-councillor ratio, with 783 voters per councillor. Population is predicted to decrease by 10 per cent up to 2031, further reducing the voter-to-councillor ratio. Therefore, the minimum number of councillors allowed by the Act (five) is appropriate.

Electoral structure

The VEC put forward two electoral structures for public consideration. Option A (preferred option) comprised five councillors elected from an unsubdivided structure, and Option B (alternative option) comprised one two-councillor ward and one three-councillor ward.

The VEC considered that West Wimmera Shire Council voters are best represented by an unsubdivided structure (Option A) as it allows for diversity and a wide range of voter views. This is especially important for the highly dispersed voter population in West Wimmera Shire that includes town dwellers and voters from the extensive rural area. The VEC further considered that an unsubdivided structure appears to be representing geographic communities of interest appropriately, as indicated by the current location of councillors (Minimay, Kaniva and Edenhope).

A two-ward structure was modelled (Option B) on Mr Farran's submission, with the suggested boundary adjusted to ensure that voter-to-councillor ratios were within legislative requirements. The VEC considered that this model had the advantage over an unsubdivided structure of decreasing the possibility of councillors only being elected from a concentrated locality. However, limitations of the model were identified as increased potential for uncontested wards, the potential for the creation of a perpetual minority ward and/or voting blocs in council, and the creation of arbitrary ward boundaries.

Options

After careful consideration, the VEC put forward the following options:

- Option A (preferred option)
West Wimmera Shire Council consist of five councillors to be elected from an unsubdivided municipality.
- Option B (alternative option)
West Wimmera Shire Council consist of five councillors to be elected from one two-councillor ward and one three-councillor ward.

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 by the close of submissions. A list of people who made a response submission can be found in Appendix 1. Table 2 indicates the level of support for each option.

Table 2: Preferences expressed in response submissions

Option A	Option B
2	0

West Wimmera Shire Council and the PRSA both made response submissions that were in favour of retaining the current structure of five councillors elected from an unsubdivided structure. No response submissions were lodged in support of Option B.

Number of councillors

West Wimmera Shire Council reiterated arguments outlined in its preliminary submission that five councillors are sufficient due to low population growth, no significant communities of interest that increase councillor workload, and comparability with similar councils. The PRSA submission supported five or seven councillors elected from an unsubdivided electoral.

Electoral structure

The West Wimmera Shire Council's submission strongly supported Option A, on the basis that five councillors who look after the needs of the entire Shire has greatly improved strategic planning and development of all areas within the Shire.

The PRSA also favoured Option A. The submission highlighted avoiding uncontested elections and the need to conduct ward boundary reviews as key benefits of the model. The PRSA also argued that representation of voters is greatly enhanced when an absolute majority of voters elect an absolute majority of councillors.

The submission also argued that Option A would allow people to choose which geographically diverse communities of interest they belong to, whether place-based (e.g. town) or interest-based (e.g. environmental or business).

The PRSA did not support Option B, arguing that the model would increase the chance of uncontested elections in one or more wards and that the ward with an even number of councillors could be vulnerable to stalemates.

5.2 Public hearing

The VEC scheduled a public hearing for those wishing to speak about their response submission at 7.00 pm on Wednesday 6 May at the Goroke and District Memorial Hall, Main Street, Goroke. There were no requests to speak so the hearing was not held.

6 Findings and recommendation

6.1 The VEC's findings

The VEC consulted on two options, including its preferred option of retaining the status quo. This report has summarised the process the VEC completed to gather information, including public submissions, to develop and report on the options under consideration. The VEC now provides its findings for recommendation to the Minister.

Number of councillors

As part of its electoral representation review, the Act requires the VEC to recommend the appropriate number of councillors for West Wimmera Shire Council. The Act allows for a municipality to have between 5 and 12 councillors. When determining councillor numbers, the VEC also takes into account any significant geographic or demographic circumstances that may increase councillor workloads, such as significant population growth, geographic distribution, and socioeconomic disparities of high-needs communities.

Currently, West Wimmera Shire Council has the smallest voting population and smallest voter-to-councillor ratio of all councils in Victoria. Population projections have identified a decline in population of approximately 0.4 per cent between 2011 and 2031, indicating no justification for an increase in councillor numbers on population alone. The VEC considers that West Wimmera has a number of characteristics with the potential to increase councillor workloads, such as an ageing population and a voting population dispersed across a large geographic area. However, this is offset by relatively low levels of cultural diversity, a low unemployment rate in the Shire, high civic participation and an overall small voter population. Importantly, the Council and other submitters did not identify unmanageable councillor workloads as an issue to be addressed as part of this review.

On this basis, the VEC considers that West Wimmera Shire Council should retain the current number of councillors at five.

Electoral structure

The Act also requires the VEC to recommend an appropriate electoral structure within the municipality. The VEC considers whether a municipality should be unsubdivided or subdivided into wards and, if subdivided, the positioning of ward boundaries and the number of councillors to be elected for each ward, to provide fair and equitable division and ensure quality of representation.

The VEC put forward two options for public consideration, including the preferred option of retaining the current unsubdivided structure (Option A) and an alternative two-ward structure

(Option B). Both options are considered most likely to meet the VEC's main principles for an electoral representation review.

Unsubdivided structure

West Wimmera Shire has a widely dispersed voting population that includes town dwellers and voters from the extensive rural area. The unsubdivided structure appears to be representing geographic communities of interest appropriately, as current elected members are drawn from across the larger towns of Edenhope (two councillors), Kaniva (two councillors) and the smaller centre of Minimay (one councillor). Elections in 2008 and 2012 had a moderate number of candidates, with eight and 12 respectively. This indicates that the current structure encourages participation from across the Shire, without producing an unmanageable number of candidates on the ballot paper. Similarly, an unsubdivided structure allows for voters from non-geographic communities of interest (such as business or social) to choose which communities of interest they belong to—allowing for greater diversity and a wide range of views from across the municipality.

Subdivided: Five councillors elected from one two-councillor ward and one three-councillor ward

One of the potential limitations of an unsubdivided structure in West Wimmera Shire is having the majority of councillors elected from a concentrated locality, leaving outlying areas underrepresented. In recognition of this potential for lack of representation, as highlighted in a preliminary submission, the VEC modelled a two ward structure consisting of one two-councillor ward in the north of the Shire and one three-councillor ward in the south.

However, a number of limitations of this model can be identified, including the potential for wards to be uncontested at elections and for voting blocs to form within the council (with the two-councillor ward becoming a perpetual minority in council meetings), as well as the risk of creating arbitrary ward boundaries. For instance, the introduction of a ward structure would require adherence to the number of voters represented by each councillor remaining within 10 per cent of the average number of voters per councillor across the municipality. Modelling suggests that logical boundaries, such as regions by type of farming or using natural barriers like the Big Desert and Little Desert national parks, do not meet legislative requirements. With population decreases predicted, there is also a chance that subdivision reviews may be required at an additional cost to the council, depending on which areas experience population loss.

The VEC considers that, while it is possible that a future election may return all councillors from a concentrated area, this risk is outweighed by the benefits of remaining unsubdivided. Similarly, the whole-of-Shire focus for councillors should not be discouraged by the introduction of wards with boundaries that may be largely arbitrary.

On this basis, the VEC recommends retaining an unsubdivided structure.

6.2 The VEC's recommendation

The Victorian Electoral Commission (VEC) recommends West Wimmera Shire Council continue to consist of five councillors elected from an unsubdivided municipality.

This electoral structure was designated as Option A 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 Farran

Andrew Gunter

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

West Wimmera Shire Council

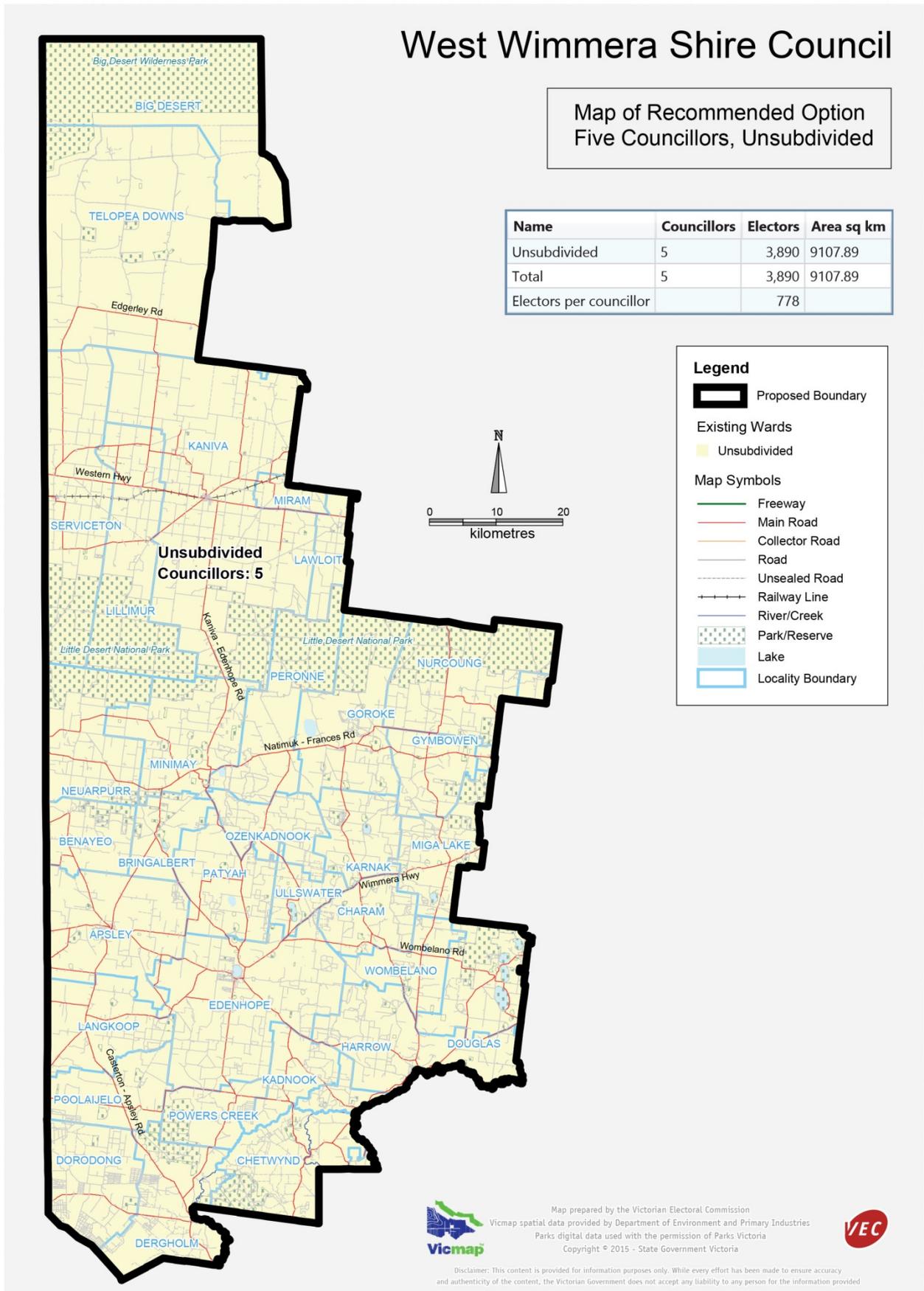
Response submissions

Response submissions were received from:

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

West Wimmera Shire Council

Appendix 2: Map



Map prepared by the Victorian Electoral Commission
 Vicmap spatial data provided by Department of Environment and Primary Industries
 Parks digital data used with the permission of Parks Victoria
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