

Local Council Representation Review

Final Report



**MANSFIELD SHIRE
COUNCIL**

March 2020

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Recommendation

The Victorian Electoral Commission recommends that Mansfield Shire Council change to consist of five councillors elected from an unsubdivided electoral structure.

This recommendation is submitted to the Minister for Local Government as required by the *Local Government Act 1989*.

Please see Appendix 2 for a map of this recommended structure.

Executive summary

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

The purpose of an electoral 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 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 ward boundaries and the number of councillors per ward).

The VEC conducts all reviews based on three main principles:

1. taking a consistent, State-wide approach to the total number of councillors
2. if subdivided, ensuring the number of voters represented by each councillor is within plus-or-minus 10% of the average number of voters per councillor for that local council
3. ensuring communities of interest are as fairly represented as possible.

Current number of councillors and electoral structure

Mansfield Shire Council currently comprises five councillors elected from four wards (one two-councillor ward and three single-councillor wards). At the last representation review in 2007 the VEC recommended that Mansfield Shire Council continue with the current electoral structure, which has been in place since the formation of the Shire in 2002.

Visit the VEC website at vec.vic.gov.au for more information on Mansfield Shire Council and to access a copy of the 2007 representation review final report.

Preliminary submissions

Preliminary submissions opened at the commencement of the current review on Wednesday 30 October 2019. The VEC received 10 submissions for the representation

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

review of Mansfield Shire Council by the deadline of 5.00 pm on Wednesday 27 November 2019.

Preliminary report

A preliminary report was released on Wednesday 29 January 2020 with the following options for consideration:

- Option A (preferred option)
Mansfield Shire Council consist of five councillors elected from four wards, with adjustments to the current ward boundaries (one two-councillor ward and three single-councillor wards).
- Option B (alternative option)
Mansfield Shire Council consist of five councillors elected from an unsubdivided electoral structure.
- Option C (alternative option)
Mansfield Shire Council consist of seven councillors elected from an unsubdivided electoral structure.

Response submissions

The VEC received eight submissions responding to the preliminary report by the deadline of 5.00 pm on Wednesday 26 February 2020.

Public hearing

The VEC conducted a public hearing for those wishing to speak about their response submission at 5.30 pm on Monday 2 March 2020. One person spoke at the hearing.

Recommendation

The Victorian Electoral Commission recommends that Mansfield Shire Council change to consist of five councillors elected from an unsubdivided electoral structure.

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

Background

Legislative basis

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

The Act states 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.'²

The Act requires the VEC to consider:

- the number of councillors in a local council
- whether a local council should be unsubdivided or subdivided.

If a local council is subdivided, the VEC must ensure that the number of voters represented by each councillor is within plus-or-minus 10% of the average number of voters per councillor for that local council.³ On this basis, the review must consider the:

- number of wards
- ward boundaries
- number of councillors to be elected for each ward.

Public engagement

Public information program

The VEC conducted a public information program to inform the community of the representation review, including:

- public notices printed in local and State-wide papers
- a public information session to outline the review process and respond to questions from the community
- media releases announcing the commencement of the review and the release of the preliminary report

² Section 219D of the *Local Government Act 1989*.

³ *Ibid.*

- a submission guide to explain the review process and provide background information on the scope of the review
- an information email campaign targeted at known community groups and communities of interest in the local council area
- sponsored social media advertising geo-targeted to users within the local council area
- ongoing information updates and publication of submissions on the VEC website.

More information on the VEC's public information program for the representation review of Mansfield Shire Council can be found at Appendix 3.

Public consultation

Public input was encouraged by the VEC via:

- preliminary submissions at the start of the review
- response submissions to the preliminary report
- a public hearing that provided an opportunity for people who had made a response submission to expand on their submission.

Public submissions are an important part of the review process but are not the only consideration. The VEC ensures its recommendations comply with the Act and are formed through careful consideration of public submissions, independent research, and analysis of all relevant factors.

The VEC's principles

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

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

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

2. If subdivided, ensuring the number of voters represented by each councillor is within plus-or-minus 10% of the average number of voters per councillor for that local council.

This is the principle of 'one vote, one value', which is enshrined in the Act and is common across all three levels of government: local, state and federal. This means that every person's vote counts equally.

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

Each local council 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 local council or ward.

Developing recommendations

The VEC bases its recommendations for the number of councillors and electoral structure on the following information:

- internal research specifically relating to the local council under review, including data from the Australian Bureau of Statistics and .id⁴; voter statistics from the Victorian electoral roll; and other State and local government data sets
- small area forecasts provided by .id for relevant local council areas
- 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
- consideration of all input from the public in written submissions received during the review and via oral submissions at the public hearing
- advice from consultants with extensive experience in local government.

Deciding on the number of councillors

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

⁴ .id is a consulting company specialising in population and demographic analysis and prediction information products in most jurisdictions in Australia and New Zealand.

⁵ Section 5B(1) of the *Local Government Act 1989*.

The starting point in deciding the appropriate number of councillors for a local council is comparing the local council under review to other local councils of a similar size and type (Principle 1). Generally, local councils 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 also considers the particular circumstances of each local council which could justify fewer or more councillors, such as:

- the nature and complexity of services provided by the Council
- geographic size and topography
- population growth or decline
- the social diversity of the local council.

Deciding the electoral structure

The Act allows for a local council ward structure to be unsubdivided—with all councillors elected 'at-large' by all voters—or subdivided into a number of wards.

If the local council is to be subdivided into wards, there are three options available:

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

A subdivided electoral structure must be developed with internal ward boundaries that provide for a fair and equitable division of the local council.

The Act allows for wards with different numbers of councillors, as long as the number of voters represented by each councillor is within plus-or-minus 10% of the average number of voters per councillor for that local council (Principle 2). For example, a local council may have one three-councillor ward with 15,000 voters and two single-councillor wards each with 5,000 voters. In this case, the average number of voters per councillor would be 5,000.

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

In determining the most appropriate electoral structure, the VEC considers the following matters:

- the VEC's recommendation at the previous representation review and the reasons for that recommendation
- the longevity of the structure, with the aim of keeping voter numbers per councillor within the 10% tolerance for as long as possible (Principle 2)
- communities of interest, consisting of people who share a range of common concerns, such as geographic, economic or cultural associations (Principle 3)
- the number of candidates in previous elections, as outcomes from previous elections indicate that large numbers of candidates can lead to an increase in the number of informal (invalid) votes
- geographic factors, such as size and topography
- clear ward boundaries.

Mansfield Shire Council representation review

Profile of Mansfield Shire Council

Mansfield Shire is located approximately 115 kilometres north-east of the Melbourne CBD in the Hume Region of Victoria.

The Shire covers 3,843 square kilometres, approximately 60% of which consists of National Parks, State Forests and timber plantations.⁶ The landscape is dominated by the Great Dividing Range and includes high alpine areas, river valleys and rolling plains. Major waterways in the Shire include the Broken, Delatite, Goulburn, Howqua and Jamieson Rivers and Lake Eildon. A significant area of the local council is heavily forested and mountainous. The Shire includes parts of the Alpine and Lake Eildon National Parks, as well as access to Mount Buller and Mount Stirling, which are within the boundaries of Mansfield Shire but are not part of the local council. These alpine resorts are managed by the Mount Buller and Mount Stirling Alpine Resort Management Board.⁷

At the 2016 Census Mansfield Shire had a population of 8,584, with most settlements located in the north of the Shire in the foothills of the Great Dividing Range.⁸ Mansfield (population 4,787) is the major urban centre. Other towns include Bonnie Doon (570), Merrijig (549), Tolmie (447) and Jamieson (301), with additional smaller towns scattered across the local council area.⁹ Approximately 50% of ratepayers in the Shire are either non-residents or part-time residents, and the population of the Shire increases on weekends and during tourist season peaks.¹⁰

Tourism, agriculture, light industry and forestry are major industries and sources of employment.¹¹ Tourism is largely focused around the natural features of the Shire,

⁶ Mansfield Shire Council, 'Council Plan 2017-2021', <https://www.mansfield.vic.gov.au/sites/default/files/Mansfield%20Shire%20Council%20Adopted%20Council%20Plan%202017-21%20and%20Strategic%20Resource%20Plan%202018-22.pdf>, accessed 13 March 2020.

⁷ Mount Buller and Mount Stirling Alpine Resort Management Board, 'About', <http://rmb.mtbuller.com.au/about.php>, accessed 13 March 2020.

⁸ Australian Bureau of Statistics, '2016 Census QuickStats: Mansfield (S)', https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/LG_A24250?opendocument, accessed 13 March 2020.

⁹ Australian Bureau of Statistics, '2016 Census QuickStats', https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/036, accessed 13 March 2020.

¹⁰ Mansfield Shire Council, 'Economic Development Strategy Review Action Plan 2013-2017', https://www.mansfield.vic.gov.au/sites/default/files/ECONOMIC_DEVELOPMENT_STRATEGY_REVIEW_2013-2017_1.sflb.pdf, accessed 13 March 2020.

¹¹ Know Your Council, 'Mansfield Shire', <http://knowyourcouncil.vic.gov.au/councils/mansfield>, accessed 13 March 2020.

particularly Lake Eildon and the alpine resorts.¹² Major agricultural activities include sheep and cattle grazing and the production of seed, grapes and tomatoes.¹³ Residents within the Shire mainly work in accommodation and food services (11.5%), retail trade (11.2%), construction (10.4%), education and training (9.5%) and agriculture/forestry/fishing (9.3%).¹⁴

The unemployment rate in Mansfield Shire (3.4%) is lower than both the regional Victorian average (6.0%) and the State-wide average (6.6%).¹⁵ The median weekly household income for residents of Mansfield Shire is lower than that of regional Victoria (\$1,062 versus \$1,124), while the median weekly personal income (\$580) is slightly above the regional average (\$576).¹⁶ Although some areas within the local council are experiencing higher levels of disadvantage compared to regional Victoria (for example, Jamieson and Bonnie Doon), disadvantage is below average for the Shire overall.¹⁷

The population within the local council is older and ageing. The median age is 48 years, which is higher than average compared to regional Victoria (43 years). Mansfield Shire also has lower proportions of younger residents aged 44 years or under, and higher proportions of people aged 45 years and older when compared to regional Victoria.¹⁸ The proportion of the population aged over 75 years is expected to increase significantly in the future.¹⁹

Most residents were born in Australia (79.5%) and speak only English at home (88.5%). This is characteristic for regional Victoria: 80.7% of the regional population were born in Australia and 86.6% speak only English at home. Mansfield Shire residents who were born

¹² Urban Enterprise, 'Mansfield Shire economic profile – March 2018', <https://www.mansfield.vic.gov.au/sites/default/files/Mansfield%20Shire%20Economic%20Profile%20and%20Directions%20Paper%2022-02-19.pdf>, accessed 13 March 2020.

¹³ Mansfield Shire Council, 'About Mansfield Shire', <https://www.mansfield.vic.gov.au/my-council/about-mansfield-shire>, accessed 13 March 2020.

¹⁴ Australian Bureau of Statistics, 'Region Data Summary: Mansfield (S) (LGA)', <https://itt.abs.gov.au/itt/r.jsp?databyregion&ref=CTA2#/>, accessed 13 March 2020.

¹⁵ Australian Bureau of Statistics, '2016 Census QuickStats: Mansfield (S)', loc. cit. See also: '2016 Census QuickStats: Rest of Vic'.

¹⁶ Ibid.

¹⁷ Australian Bureau of Statistics, 'Census of Population and Housing: Socio-Economic Indexes for Areas (SEIFA), Australia, 2016', <http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/2033.0.55.0012016?OpenDocument>, accessed 13 March 2020.

¹⁸ Australian Bureau of Statistics, 'Region Data Summary: Mansfield (S) (LGA)', loc. cit. See also 'Region Data Summary: Rest of Vic. (GCCSA)'.

¹⁹ Department of Environment, Land, Water and Planning, 'Victoria in Future 2019', <https://www.planning.vic.gov.au/land-use-and-population-research/victoria-in-future>, accessed 13 March 2020.

overseas mainly come from England (3.9%), New Zealand (1.0%), Germany (0.9%), Scotland (0.5%) and the Netherlands (0.4%).²⁰

The proportion of the Shire's population identifying as Aboriginal and Torres Strait Islander (0.7%) is lower than average for regional Victoria (1.6%). The Taungurung people are the Traditional Custodians of the land known as Mansfield Shire.²¹

There are an estimated 10,971 registered voters for Mansfield Shire Council, with a ratio of 2,194 voters per councillor. Between 2018–2036 the population is expected to increase at a rate of 1.1% per annum, from 8,584 to approximately 10,970 residents.²²

Current number of councillors and electoral structure

Mansfield Shire Council currently comprises five councillors elected from four wards (one two-councillor ward and three single-councillor wards). At the last representation review in 2007 the VEC recommended that Mansfield Shire Council continue with the current electoral structure, which has been in place since the formation of the Shire in 2002.

Visit the VEC website at vec.vic.gov.au for more information on Mansfield Shire Council and to access a copy of the 2007 representation review final report.

Preliminary submissions

At the close of submissions on Wednesday 27 November 2019, the VEC had received 10 submissions for the representation review of Mansfield Shire Council. A list of people who made a preliminary submission can be found in Appendix 1.

Submissions were received from a range of stakeholders including individuals and community organisations. The submissions were made available on the VEC website.

Number of councillors

Six preliminary submissions supported maintaining the number of five councillors for Mansfield Shire Council. Submitters supporting the current number of councillors argued that an increased number of councillors was not required, as councillor workloads were less demanding than those of similar country Victoria local councils with seven councillors, and that five councillors remained sufficient for representing voters across

²⁰ Australian Bureau of Statistics, '2016 Census QuickStats: Mansfield (S)', loc. cit. See also: '2016 Census QuickStats: Rest of Vic'.

²¹ Aboriginal Victoria, 'Acknowledgement of Traditional Owners', <https://www.aboriginalvictoria.vic.gov.au/acknowledgement-traditional-owners>, accessed 13 March 2020.

²² Department of Environment, Land, Water and Planning, loc. cit.

the local council area. It was also argued that having five councillors made it easier to scrutinise councillor performance and meant there was less chance of factions or political alliances forming within the councillor group. One submitter indicated concern that an increased number of councillors could increase costs for the community.

One submission suggested the number of councillors be increased to six to enable the creation of an additional single-councillor ward.

Two submissions supported an increase to seven councillors, arguing that this would bring Mansfield Shire Council in line with other local councils of similar size and numbers of voters. It was also argued that an increased number of councillors would increase the quorum at council meetings, which would increase the minimum number of votes needed to pass a Council decision and remove the risk of potentially contentious council decisions being determined by only two councillors.

One submitter indicated a preference for an odd number of councillors and supported either the retention of five councillors or an increase to seven.

Electoral structure

Five submitters supported the current electoral structure, arguing that it works well for the Shire. Supporters argued that the ward boundaries provided a reasonable representation of the different geographic areas and land uses in the local council, and that having wards enabled councillors to gain a good knowledge of ward issues and facilitated communication between communities and the Council.

One submitter who supported the current electoral structure also raised concerns about the history of uncontested elections in the Shire and suggested that voters in uncontested wards should have the opportunity to vote for candidates from other wards.

Two submitters supported an unsubdivided electoral structure. Of these, one submitter argued that it was logical that all voters across the Shire be able to elect all councillors, as Mansfield Shire councillors undertake most of their work on behalf of the whole Shire. The second submitter argued that an unsubdivided electoral structure would reduce the risk of uncontested elections, maximise the number of candidates that voters could choose from, remove the need to adjust ward boundaries over time, and reduce the likelihood that councillors would take their positions for granted. Another submitter opposed moving to an unsubdivided electoral structure, arguing that the Shire was

more suited to a subdivided electoral structure because the town of Mansfield was more urban in character and had different interests to the smaller townships of the Shire.

One submitter proposed a multi-councillor, three-ward electoral structure for Mansfield Shire Council. This submitter supported an increased number of councillors for the Shire but found that increasing councillor numbers would require the electoral structure to be redesigned. The proposed redesign consisted of one three-councillor ward for the town of Mansfield and surrounds (Mansfield Ward), a two-councillor ward for the northern area encompassing Bonnie Doon and Tolmie (Bonnie Doon Ward), and a two-councillor ward for the southern area encompassing Merrijig, Jamieson, Macs Cove and Howqua Inlet (Buller-Eildon Ward).

Two submitters supported single-councillor ward electoral structures. Of these, one submitter supported the current electoral structure but stated the existing two-councillor Mansfield Ward should be divided into two single-councillor wards. The second submitter called for Bonnie Doon Ward to also be split into two separate wards, creating an additional single-councillor 'Lakeside' Ward for the Woodfield and Maintongoon Road area. Another submitter strongly opposed single-councillor wards, arguing that this type of structure carried a risk of continued uncontested elections for the Shire and minimised voter choice by restricting voters to selecting from the candidates nominating for their ward.

Overall, the majority of preliminary submissions supported a subdivided electoral structure for Mansfield Shire Council.

Preliminary report

A preliminary report was released on Wednesday 29 January 2020. The VEC considered public submissions and research findings when formulating the options presented in the preliminary report.

Number of councillors

When considering the appropriate number of councillors for a local council, the VEC reviews population data and assesses other factors which may warrant an increase or decrease in the number of councillors, such as projected population growth or special circumstances relating to distinct communities of interest.

Mansfield Shire Council covers an area of 3,843 square kilometres and currently has 10,971 voters represented by five councillors. The average number of voters per councillor is 2,194. Country Victorian local councils of a similar size and number of voters

to Mansfield Shire Council generally have seven councillors and, on average, have significantly fewer voters per councillor. Based on this comparison, the VEC recognised that it may be logical for the number of councillors in Mansfield Shire to be increased to seven to bring the Shire in line with similar local councils across Victoria.

Although it may be appropriate to increase the number of councillors to seven, the VEC's analysis and the information provided in preliminary submissions also identified special circumstances that supported a recommendation for Mansfield Shire Council to retain five councillors.

Compared to regional Victorian averages, Mansfield Shire is expected to experience below average growth in the short-to-medium term. The Mansfield Shire population is largely socially and linguistically homogenous and the overall level of disadvantage in the Shire is below average for regional Victoria. The Shire's population is ageing, but this is also the case for much of regional Victoria. Although the Shire is a popular tourist destination with many visitors during weekends and holidays, the Shire also has a large proportion of non-resident voters who tend to have fewer demands on Council and councillors than residents. In addition, travel times for councillors when interacting with communities would be likely to be manageable, because the great majority of the population resides in the north-west of the local council and over 60% of the local council area is unpopulated public land.

For these reasons, the VEC considered that either five or seven councillors would be appropriate for Mansfield Shire Council, and the options put forward by the VEC consisted of both five and seven councillors.

Electoral structure

Table 1: Overview of models considered

Electoral structure	Option in preliminary report	Key considerations
Current structure (with adjustments)	Option A	<ul style="list-style-type: none">• Projected elector population estimates indicate that this electoral structure will be viable until the next scheduled review in 2028• Additional councillors may not be required based on special circumstances• Supported through submissions• Minimal change

5 councillors, unsubdivided	Option B	<ul style="list-style-type: none"> • History of uncontested elections in single-councillor wards • Additional councillors may not be required based on special circumstances
7 councillors, unsubdivided	Option C	<ul style="list-style-type: none"> • History of uncontested elections in single-councillor wards • Seven councillors is comparable to similar councils • Supported through submissions
5 x single-councillor wards	X	<ul style="list-style-type: none"> • Arbitrarily splits Mansfield into two wards (a major geographic community of interest) • Little support through submissions and some opposition • History of uncontested elections in single-councillor wards
6 x single-councillor wards	X	<ul style="list-style-type: none"> • Current elector data indicates that this electoral structure does not comply with legislated tolerances • Little support through submissions and some opposition • History of uncontested elections in single-councillor wards
2 x two-councillor wards 1 x three-councillor ward	X	<ul style="list-style-type: none"> • Geographic communities of interest are not clearly reflected in wards • History of uncontested elections

In the preliminary report, the VEC observed that there has been a consistent pattern of low candidate numbers and uncontested wards at general elections for Mansfield Shire Council since the last representation review in 2007. Of particular concern was the 2016 general election, where only five candidates nominated and all wards were uncontested.

The VEC also found another major issue with the current electoral structure regarding voter-to-councillor ratios across wards. Although the deviations for all wards are currently within the legislated plus-or-minus 10% range, voter projections indicate that the deviations of two wards (Bonnie Doon Ward and Mansfield Ward) will fall outside of this range before the next scheduled representation review.

The VEC concluded that, at the very least, adjustments to the current ward boundaries must be made to ensure the existing electoral structure is sustainable into the future. However, uneven population growth across the local council area and the geographic characteristics of Mansfield Shire make it difficult to establish meaningful ward boundaries while also balancing voter-to-councillor ratios across wards. Because of

these difficulties, as well as the Shire's history of uncontested elections, the VEC considered both unsubdivided and subdivided electoral structures should be examined during this representation review.

The VEC explored possible electoral structures based solely on multi-councillor wards or single-councillor wards, as well as mixed electoral structures consisting of both multi- and single-councillor wards.

In response to one submission, the VEC modelled an electoral structure consisting of seven councillors and three multi-councillor wards but found that the arrangement of wards was less representative of geographic communities than the existing electoral structure. The VEC also considered there to be a significant risk of uncontested and potentially failed future elections for Mansfield Shire Council if a subdivided electoral structure with seven councillors was introduced. For these reasons, the VEC did not put this model forward as an option for further consultation.

The VEC considered a number of different single-councillor ward arrangements in response to two submissions. However, due to the need to balance voter-to-councillor ratios across wards, single-councillor ward models either arbitrarily split Mansfield into two separate wards or resulted in a very small Mansfield ward that excluded the outskirts of the town. The VEC found that the community residing in the town of Mansfield shared a strong interest in the town as a whole, so electoral structures based purely on single-councillor wards were found to be inappropriate for Mansfield Shire Council.

After examining a range of electoral structures, the VEC put forward three preliminary options for public consultation.

In Option A, the internal boundaries of the current electoral structure were adjusted to balance projected voter-to-councillor ratios across wards. The boundary between Bonnie Doon and Tolmie Wards was adjusted. Adjustments were also made to the Mansfield Ward boundary, which balanced voter-to-councillor ratios while also improving representation of the geographic communities to the north and south of the town. Although Option A responded to the support for the existing electoral structure expressed in preliminary submissions and enabled the current system of representation to continue with the least disruption to voters, it did not address the significant issue of uncontested elections.

The VEC put forward an unsubdivided electoral structure with five councillors as Option B. The VEC considered that Option B would address concerns regarding the current

electoral structure, particularly the difficulties balancing voter-to-councillor ratios across wards, the history of uncontested elections, and the risk of failed future elections. The VEC considered that an unsubdivided electoral structure would suit Mansfield Shire's geographic distribution of voters. An unsubdivided structure would support a Shire-wide approach to representation, enabling voters to choose their preferred candidate from across the local council area, providing an opportunity for geographic and non-geographic communities of interest to gain representation. It would also provide an opportunity for councillors to equitably share responsibilities and workloads, and balance the uneven population growth expected for the Shire.

Option C consisted of an unsubdivided electoral structure with seven councillors. Option C offered the same potential benefits of an unsubdivided electoral structure as Option B and provided an opportunity to consider whether the number of councillors in the local council should be increased to seven. Increasing the number of councillors to seven would bring Mansfield Shire Council in line with other local councils with a similar area and number of voters and would also help address any concerns regarding the small number of councillors needed for quorum at Council meetings. The VEC was aware that the risk of uncontested elections occurring in the future may be amplified with an increased number of councillors but considered that this risk would be reduced under an unsubdivided electoral structure.

Options

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

- Option A (preferred option)
Mansfield Shire Council consist of five councillors elected from four wards, with adjustments to the current ward boundaries (one two-councillor ward and three single-councillor wards).
- Option B (alternative option)
Mansfield Shire Council consist of five councillors elected from an unsubdivided electoral structure.
- Option C (alternative option)
Mansfield Shire Council consist of seven councillors elected from an unsubdivided electoral structure.

Public response

Response submissions

The VEC accepted submissions responding to the preliminary report from Wednesday 29 January 2020 until 5.00 pm on Wednesday 26 February 2020. The VEC received eight response submissions. A list of people who made a response submission can be found in Appendix 1. The table below indicates the level of support for each option.

Table 2: Preferences expressed in response submissions

Option A	Option B	Option C
4	1*	4*

* One submitter supported both Option B and Option C.

Four response submissions supported Option A. The main argument put forward in favour of Option A was that this model retained the existing electoral structure, albeit with minor boundary changes. Supporters of Option A argued that the current electoral structure has worked well for the Shire, and that a subdivided electoral structure ensures that the needs of different areas within the Shire are represented on the Council. Two submitters also supported Option A in the belief that this electoral structure offered the best chance of gaining locally based representatives. These submitters argued that local councillors were easier for locals to relate to, were more likely to have a knowledge of their local area and were important for rural councils such as Mansfield Shire. One submitter also supported the adjusted boundaries of Option A, arguing that the Mansfield Ward boundary was improved by bringing more of the town into the ward.

Two response submissions opposed Option A, arguing that the history of uncontested elections meant that voters did not have the opportunity to vote for a representative of their choice. One submitter supporting Option A also raised concerns about the history of uncontested elections for Mansfield Shire Council. Those opposed to Option A argued that councillors representing wards were less motivated to understand wider Shire issues, and that it was more difficult for widespread communities of interest to gain representation on the Council. One submitter argued that the mix of multi-councillor and single-councillor wards also led to inequality in the Shire. This submitter argued that, because the quota to be elected in the multi-councillor Mansfield Ward was lower than

for the single-councillor wards, it was easier for candidates in Mansfield Ward to be elected.

The Proportional Representation Society of Australia (Victoria-Tasmania) Inc. (PRSA) supported both Option B and Option C, arguing that both electoral structures would enable proportional representation to function well.

In addition to the PRSA, three response submissions supported Option C. Of these, one submitter argued that Shire-wide issues were important to and impacted all voters in the Shire, therefore all voters should be able to elect all councillors. This submitter also argued that an unsubdivided electoral structure would provide a greater opportunity for widespread communities of interest to gain representation on the Council. This submitter argued that seven councillors was appropriate for Mansfield Shire as this was comparable to similar country Victoria local councils. Also, that increasing the number of councillors would enable a more diverse Council, which would result in better decision-making and a Council that was more representative of the wider community.

Two submissions in support of Option C did not detail their reasoning for supporting this option. Of these, one submission stated they would have preferred to support a subdivided option with seven councillors, indicating that their support for Option C was based on this being the only option which increased the number of councillors to seven.

Three submitters opposed both Option B and Option C. These submitters were concerned that an unsubdivided electoral structure may lead to most councillors coming from Mansfield and result in reduced representation for other areas of the Shire.

Public hearing

The VEC conducted a public hearing for those wishing to speak about their response submission at 5.30 pm on Monday 2 March 2020 in the Council Chambers, 33 Highett Street, Mansfield.

One person, Mr Michael Wahren spoke at the hearing. Mr Wahren argued that only Option C fully complies with the VEC's three guiding principles on representation reviews. Mr Wahren noted that in Option C the number of councillors (at seven), would be comparable to similar local councils across the State. He argued that the principle of 'one vote, one value' was not being upheld in the current structure as there have been many uncontested elections where voters have not had the opportunity to vote at all. In relation to the VEC's third principle, on ensuring communities of interest are fairly

represented, he argued that seven councillors elected from an unsubdivided electoral structure would provide the opportunity for non-geographic communities of interest to elect a representative.

Mr Wahren argued that the community's low performance rating of Mansfield Shire Council in the community satisfaction survey stems in part from the Council structure. He believed that there was some apathy within the community and that changing to an unsubdivided electoral structure would encourage more people to nominate at elections and, with all voters able to vote for all councillors, this would result in a broader representation of views on Council.

Findings and recommendation

The VEC's findings

The VEC proposed three options in its preliminary report. All three options would provide fair and equitable representation in accordance with the Act. Each option had advantages and disadvantages, which were discussed in the preliminary report. At the final stage of the review, the VEC carefully considered all options in relation to its own research, the 10 preliminary submissions and eight response submissions received and the evidence given at the public hearing. On balance, it considered that five councillors elected from an unsubdivided electoral structure (Option B) provided greater advantages to ensure fair and equitable representation for voters in Mansfield Shire Council.

Number of councillors

Opinion was divided on the number of councillors, with a narrow majority of submissions supporting the existing number of five councillors. The VEC's research showed that, although comparable councils generally have seven councillors, the large number of non-resident voters in Mansfield Shire and largely socially and linguistically homogenous community means councillors in this Shire have a lower workload than in similar-sized country Victorian councils. Additionally, the Shire is expected to have lower-than-average growth in the short-to-medium term. Finally, the VEC considered that increasing the number of councillors could exacerbate the existing pattern of uncontested elections. For these reasons, the VEC found that an increase in the number of councillors is not warranted in this review. The VEC recommends Mansfield Shire Council retain five councillors.

Electoral structure

The VEC identified two main issues during the preliminary stage that highlighted the need to change the electoral structure. The first was that voter projections indicated that two wards (Bonnie Doon Ward and Mansfield Ward) would fall outside the legislated plus-or-minus 10% range before the next scheduled representation review. The second was the consistent pattern of low candidate numbers and uncontested elections for Mansfield Shire Council since the last representation review in 2007.

Through the representation review, the VEC found that five councillors elected from an unsubdivided electoral structure would improve representation by enabling voters to

support their preferred candidate from across the Shire, as well as decreasing the chance of uncontested elections.

While the existing electoral structure does respond to the different geographic communities of interest, the VEC found that there were also many commonalities across the Shire. Mansfield is by far the largest population centre of the Shire and has a unique urban composition in comparison to the rural wards. However, most of the Shire's population is concentrated in the north-western corner, within easy reach of the town of Mansfield. For this reason, it acts as a service centre for the whole Shire and therefore the whole Shire has an interest in the town of Mansfield. The tourism industry is also Shire-wide, affecting the town of Mansfield, the lakeside and mountain areas. These shared interests led the VEC to regard the whole of Mansfield Shire as a single community of interest, well suited to an unsubdivided electoral structure.

The second reason for change relates to democratic principles. Democracy implies choice and in all too many general elections since the Shire's foundation the voters of Mansfield Shire have had no choice of representative. In this instance, the VEC is compelled to recommend a change to the electoral structure. An unsubdivided electoral structure is likely to minimise the chances of uncontested elections and maximise choice for voters.

The VEC's recommendation

The Victorian Electoral Commission recommends that Mansfield Shire Council change to consist of five councillors elected from an unsubdivided electoral structure.

This recommendation is submitted to the Minister for Local Government as required by the *Local Government Act 1989*. The model was designated as Option B in the VEC's preliminary report for this review.

If this recommendation is accepted, any changes to the number of councillors and electoral structure will apply at the October 2020 general election.

Please see Appendix 2 for a detailed map of this recommended structure.

Appendix 1: Public involvement

Preliminary submissions

Preliminary submissions were made by:

Condon, Thomas

Hare, Sue

Mansfield Branch VFF

Newman, Adam

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

Tehan, Joan

Tehan, Tony

Volkering, Paul (Councillor)

Westendorp, Harry (Councillor)

Yenckens, James

Response submissions

Response submissions were made by:

Adams, Geoffrey and Maureen

Adams, Peter and Kathryn

Breen, Jim

Denton, Noel

Leslie, John

Newman, Adam

Proportional Representation Society of Australia (Victoria-Tasmania) Inc.

Wahren, Michael

Public hearing

The following individuals spoke at the public hearing:

Wahren, Michael

Appendix 2: Map

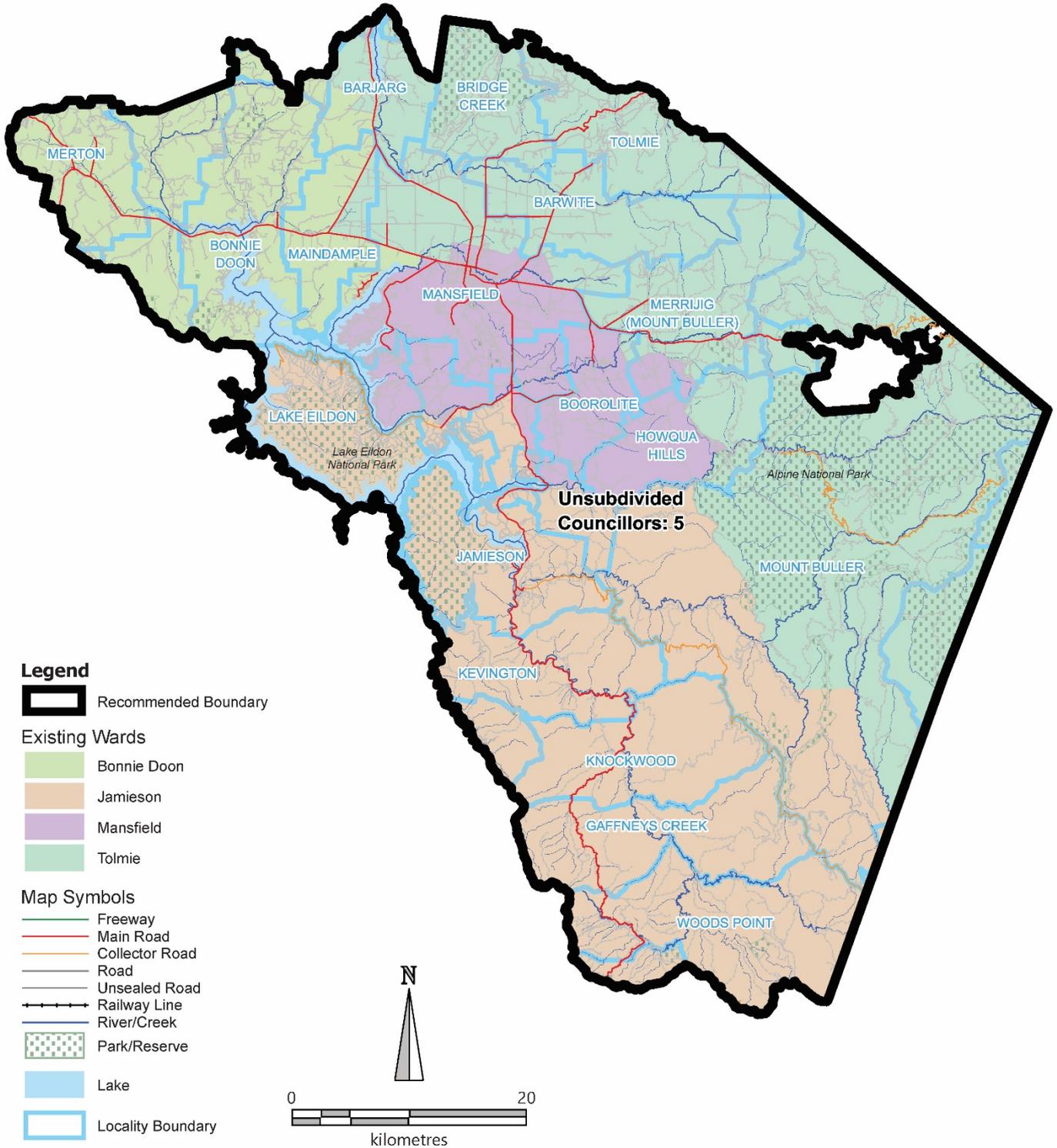
The map is provided on the next page.

Mansfield Shire Council

Map of Recommended Option Five Councillors, Unsubdivided

Ward	Councillors	Electors*	Area sq km
Unsubdivided	5	10,971	3,841.03
Total	5	10,971	3,841.03
Average		2,194	3,841.03

*Elector numbers at 24th May 2019



Map prepared by:



Data use:



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Department of Environment, Land, Water &
Planning

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Appendix 3: Public information program

Advertising

In accordance with the Act, public notices of the review and the release of the preliminary report were placed in the following newspapers:

Newspaper	Notice of review	Notice of preliminary report
<i>Herald Sun</i>	Thursday 24 October 2019	Wednesday 29 January 2020
<i>Mansfield Courier</i>	Wednesday 23 October 2019	Wednesday 29 January 2020

Media releases

A media release was prepared and distributed to local media to promote the commencement of the review on Wednesday 23 October 2019. A further release was distributed with the publication of the preliminary report on Wednesday 29 January 2020. A final media advisory was circulated on the publication date of this final report.

Public information session

A public information session for people interested in the review process was held on Thursday 31 October 2019 in the Council Chambers, 33 Highett Street, Mansfield.

Submissions guide

A submission guide was developed and made available on the VEC website, or in hardcopy on request, throughout the review timeline. The submission guide provided information about the review, the review timeline and how to make submissions to the review.

Online submission tool

An online submission tool was developed and made available during the submission periods of the review. The tool allowed people to make a submission from the VEC website. During the preliminary submission stage, users also had the opportunity to map out their preferred subdivisions through the online submission tool using Boundary Builder. Boundary Builder included real elector numbers so that users could see if their preferred structures and numbers of councillors met the plus-or-minus 10% rule.

VEC website

The VEC website delivered up-to-date information to provide transparency and facilitate public participation during the review process. All public submissions were published on the website.

Email and social media engagement

The VEC delivered an information email campaign targeted at known community groups and communities of interest in the local council area. This included a reminder email at each milestone of the representation review process.

The VEC also published sponsored social media advertising that was geo-targeted to users within the local council area. This included advertising at both the preliminary submission and response submission stages. The total reach of these posts was 693 during the preliminary submission stage and 1,165 during the response submission stage.

Council communication resources

The VEC provided the Council with a communication pack that included information on the review in various formats. While the council is encouraged to distribute this information and raise awareness about the review, the VEC is an independent reviewer and all communications resources include reference and links to the VEC website and core materials.

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(Victorian Electoral Commission)
March 2020

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