



TEMPORARY DETERMINATION

Access to electronic assisted voting for flood-affected electors

Electoral Act 2002, section 110G
Electoral Regulations 2022, regulation 51A

Determination T01/2022

Keywords

2022 State election, Barmah, Broken Creek, Bundalong, Cobram, Echuca, electronic assisted voting, emergency, Emergency Warning, Everton, flood, Goulburn River, Kerang, Mildura, Mooroopna, Murray River, prescribed eligible electors, Rochester, Shepparton, Swan Hill, Tarrawingee, telephone assisted voting, Yarrowonga, Wangaratta, Wahgunyah, Watch and Act, Wodonga

Preamble

Section 110G of the *Electoral Act 2002* (Vic) (Electoral Act) provides that electronic assisted voting can be accessed by eligible classes of electors prescribed by the Electoral Regulations 2022 (Electoral Regulations).

Regulation 51A of the Electoral Regulations enables temporary access to electronic assisted voting for electors affected by floods occurring in Victoria on and after 13 October 2022. Regulation 51A applies to the electors who are unable to attend or travel to an early voting centre on one or more days from 19 November 2022 or an election day voting centre on election day.

If the Victorian Electoral Commission (VEC) considers that a place or places in Victoria will be affected, or has already been affected, by a flood, the VEC may make a determination to enable electors living in that place or places to access electronic assisted voting during the applicable period.

This Determination sets out the places where eligible electors can access electronic assisted voting for the Victorian general election to be held on 26 November 2022 in accordance with regulation 51A of the Electoral Regulations.

Audience

The principal audience for this Determination includes:

- electors
- registered political parties and candidates

- election managers and election officials.

Determination

I, Warwick Gately AM, Electoral Commissioner for the State of Victoria, by delegation of the Victorian Electoral Commission pursuant to section 16(1)(b) of the Electoral Act, make the following determination in accordance with section 9(3) of the Electoral Act.

This Determination is made under regulation 51A of the Electoral Regulations.

1. *Applicable period*

- 1.1. This Determination is applicable from and includes 19 November 2022 and ends on and includes 26 November 2022.

2. *Availability of electronic assisted voting*

- 2.1. During the applicable period, electors living in an applicable residence in an affected place in respect of a flood are an eligible class of electors and may access electronic assisted voting for the purposes of section 110G of the Electoral Act, delivered through the VEC's telephone assisted voting service.

3. *Affected places*

- 3.1. The affected places are set out in the Schedule to this Determination, and further affected places may be added to this Determination from time to time.
- 3.2. The VEC will advertise the list of affected places on its Internet site as soon as practicable after the making of this Determination on 18 November 2022.

4. *Applicable residence*

- 4.1. Applicable residence, in relation to an elector, is the elector's principal place of residence or any other place at which the elector is temporarily living on one or more days during the applicable period.

5. *Reasons for the determination*

- 5.1. The VEC considers that the affected place(s) will be or have been affected by flooding occurring in Victoria on or after 13 October 2022.
- 5.2. Following consultation with the Emergency Management Commissioner, the VEC has formed a view that the floods have or will have a significant impact to affected places and electors living in those places.
- 5.3. The VEC identified the affected places based on the assessment of a combination of factors. Emergency Management Victoria (EMV) has provided VEC with briefings and with mapped analysis to assist the VEC in

determining the flood impacted areas for consideration. EMV has granted the VEC access to data sets that cover the flood affected area of the State of Victoria during the October and November 2022 flood events. These data sets have been combined with VEC data sets to provide further geospatial analysis and identify the affected places.

- 5.4. Because of the floods occurring in Victoria on or after 13 October 2022, electors in the affected places may be:
- 5.4.1. unable to attend or travel to an early voting centre to vote on one or more days during the applicable period; or
 - 5.4.2. unable to attend or travel to an election day voting centre to vote on election day on 26 November 2022.
- 5.5. The VEC anticipates that it has sufficient resources to meet the expected increase in electors looking to access electronic assisted voting from the affected place.

Previous instrument superseded

Determination T01/2022 (Temporary access to electronic assisted voting for flood-affected electors) (Version 1.0), which was made by the Electoral Commissioner on 12 November 2022, is superseded by this amended Determination.

Commencement of this determination

This Determination commences on 19 November 2022 and remains in effect until 26 November 2022.

Warwick Gately AM
Electoral Commissioner
Victorian Electoral Commission

18 November 2022

Document details

Determination name	Temporary access to electronic assisted voting for flood-affected electors			
VEC Electra ref	EDRM155-166419294-162			
Custodian	Director, Electoral Integrity and Regulation			
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— Version 1.1	T01/2022 (V1.1)	19 Nov 2022	T01/2022	Not applicable
— Version 1.0	T01/2022	19 Nov 2022	Not applicable	T01/2022 (V1.1)

Schedule

Access to electronic assisted voting for flood-affected electors

Column 1 Name of affected place(s)	Column 2 Description	Column 3 Elections
Area 1 Echuca, Rochester and surrounding area along the Murray and Campaspe rivers including Wharparilla, Echuca West, Echuca Village, Bamawm, Strathallan, Ballendella, Fairy Dell Nanneella, Koondrook, Cohuna, Leitchville, Gunbower and Torumbarry as shown in Area 1 Map	Affected places are highlighted in Area 1 Map corresponding with the relevant Flood Observation Area (as at 9 November 2022)	In respect of all District and Region elections
Area 2 Shepparton, Mooroopna and surrounding areas including Bunbartha, Ardmona, Shepparton East, Orrvale, and areas along the Goulburn River, the Broken River and Seven Creeks including Kialla, Kialla West, Toolamba and Murchison as shown in Area 2 Map	Affected places are highlighted in Area 2 Map corresponding with the relevant Flood Observation Area (as at 9 November 2022)	In respect of all District and Region elections
Area 3 Areas along the Goulburn River including Nagambie, Seymour, Alexandra, Thornton and Eildon as shown in Area 3 Map	Affected places are highlighted in Area 3 Map corresponding with the relevant Flood Observation Area (as at 9 November 2022)	In respect of all District and Region elections
Area 4 Areas along Broken Creek including Barmah, Picola, Nathalia, Waaia, Numurkah, Wyuna and Undera as shown in Area 4 Map	Affected places are highlighted in Area 4 Map corresponding with the relevant Flood Observation Area (as at 9 November 2022)	In respect of all District and Region elections
Area 5 Kerang and surrounding areas including along the Loddon River and Dingwall, Boort, Pyramid Hill, Calivil, Dingee and Serpentine as shown in Area 5 Map	Affected places are highlighted in Area 5 Map corresponding with the relevant Flood Observation Area (as at 9 November 2022)	In respect of all District and Region elections
Area 6 Areas North-west of Kerang including Lake Boga and Lake Charm. Areas along the Murray River including Murrabit as shown in Area 6 Map	Affected places are highlighted in Area 6 Map corresponding with the relevant Flood Observation Area (as at 9 November 2022)	In respect of all District and Region elections
Area 7 Low lying areas along the Murray River between (and including) Mildura and Swan Hill which are forecasted as having potential flood impacts during the election period as shown in Area 7 Map	Affected places are highlighted in Area 7 Map corresponding with the relevant Flood Observation Area (as at 9 November 2022)	In respect of all District and Region elections
Area 8 Low lying areas along the Murray river between Barmah, Cobram, Yarrawonga, Wahgunyah, Wodonga and up to Lake Hume. Areas along the Ovens river from Bundalong, around Wangaratta to Tarrawingee and Everton as shown in Area 8 map	Affected places are highlighted in Area 8 Map corresponding with the relevant Flood Observation Area (as at 16 November 2022)	In respect of all District and Region elections
Area 9 Areas receiving a warning from Emergency Management Victoria on and after 19 November 2022 as follows: <ul style="list-style-type: none"> • “Watch and Act – Move to Higher Ground/Avoid the Flooded area” or • “Emergency warning- Move to higher ground/Evacuate Immediately/Too Late to Leave.” 	Following consultation with Emergency Management Victoria, areas affected by Watch and Act or Emergency Warnings in relation to floods on and after 19 November 2022 will be included as affected places. Watch and Act and Emergency Warning are published in real-time on emergency.vic.gov.au/respond/	In respect of all District and Region elections

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