

Final Report 2015 Corangamite Shire Council Electoral Representation Review

Wednesday 18 November 2015



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1 Recommendation

The Victorian Electoral Commission (VEC) recommends Corangamite Shire Council continue to consist of seven councillors elected from one three-councillor ward and four single-councillor wards.

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

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

2 Executive summary

The *Local Government Act 1989* (the Act) requires the 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 Corangamite Shire Council took place in 2004. The review recommended that Council consist of seven councillors elected from one three-councillor ward and four single-councillor wards.

Preliminary submissions

Preliminary submissions opened at the commencement of the current review on Wednesday 29 July. The VEC received six submissions by the deadline for submissions at 5.00 pm on Wednesday 26 August.

Preliminary report

A preliminary report was released on Wednesday 23 September with the following options for consideration:

Option A (preferred option)

Corangamite Shire Council consist of

Corangamite Shire Council consist of seven councillors elected from one three-councillor ward and four single-councillor wards.

Option B (alternative option)
 Corangamite Shire 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 21 October.

Public hearing

The VEC scheduled a public hearing for those wishing to speak about their response submission at 10.00 am on Monday 26 October. There were no requests to speak so the hearing was not held.

Recommendation

The VEC recommends Corangamite Shire Council continue to consist of seven councillors elected from one three-councillor ward and four single-councillor wards.

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

3 Background

3.1 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.

3.2 The VEC's approach

Deciding on the number of councillors

The Act allows for a municipality to have between five 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.

Section 219D of the Local Government Act 1989.

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.

3.3 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.

3.4 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 Ltd⁴ data; 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.

4 Corangamite Shire Council representation review

4.1 Profile of Corangamite Shire Council

Corangamite Shire is located in Western Victoria. It is bounded by Moyne Shire in the west, Pyrenees Shire and the Rural City of Ararat in the north, and Colac Otway and Golden Plains Shires in the east, with the Southern Ocean forming the southern boundary. The topography of the Shire is diverse, including plains in the north with large numbers of lakes, volcanic cones in the centre of the Shire and hilly country in the south.⁵

Highly productive agricultural land also characterises the Shire, with dairy farming prevalent in the south and sheep and cattle grazing in the north. The coastline along the southern border includes a section of the Great Ocean Road tourist route, attracting a large number of tourists annually.

Towns within the Shire act as service centres for the surrounding rural areas. Camperdown, Terang and Cobden have the largest populations, as shown in Table 1. The coastal town of Port Campbell predominantly services the tourism industry. Residential development to 2031 is expected to be relatively low, with approximately 1,000 dwellings to be built, the majority in Camperdown, Timboon and district, Cobden and Terang.

Table 1: current population estimates in towns ⁶		
Camperdown	2,938	
Terang	1,962	
Cobden	1,566	
Timboon	743	
Skipton	452	
Lismore	291	
Port Campbell	260	
Derrinallum	229	

In 2014, the estimated resident population of Corangamite Shire was 15,996, with 3.6 people per square kilometre. The population is set to remain relatively stable between 2011 and 2031, with a 0.4 per cent average annual decline in population.

The median age in the Shire is 43. The age structure of Corangamite Shire Council is approximately equal to the rural and regional Victorian average, with the exception being a

⁶ ABS, 2011 Census Quickstats (Urban Centre).

⁵ Department of Environment, Land, Water and Planning, Corangamite Planning Scheme, 2015.

slightly lower percentage of people aged under 34.⁷ The percentage of people who changed address between 2006 and 2011 (28.7 per cent) was significantly less than the rural and regional average (36.2 per cent), indicating that population mobility is low. The Shire has a slightly lower percentage of high-income households (7.9 per cent) compared to the rural and regional Victorian average (9.2 per cent), and a similar proportion of low-income households (27.9 per cent in Corangamite and 27.2 per cent in rural and regional Victoria as a whole).

Cultural diversity in Corangamite Shire is significantly lower than the rural and regional Victorian average, with only 1.6 per cent of its residents speaking a language other than English at home and 6.7 per cent of the population born overseas. The municipality has a small Aboriginal and/or Torres Strait Islander population (0.7 per cent)—about half the rural and regional average.

Workforce participation in the Shire is moderately higher than the average (63 per cent), while unemployment is lower (3 per cent). Agriculture, forestry and fishing is the most significant employing industry (31.3 per cent), followed by retail (10 per cent); healthcare and social assistance (10 per cent); and manufacturing (8.9 per cent).

Community profiles vary across the Shire. Camperdown, Terang and the Rural North have an older age profile than the Shire as a whole, while the Rural South and Timboon have a younger age profile. Degrees of social disadvantage also vary, with Camperdown being the most disadvantaged and the Rural South the least so.⁸

4.2 Current electoral structure

The last electoral representation review for Corangamite Shire Council took place in 2004. Following the last review, the VEC recommended that the subdivided structure of Corangamite Shire Council consist of seven councillors to be elected from five wards, comprising one three-councillor ward and four single-councillor wards.

The VEC considered seven councillors (reduced from 10) was the appropriate number for the Shire, bringing the municipality into line with comparable councils. This reduction in councillors necessitated a change in the electoral structure from five two-councillor wards. One three-councillor ward and four single-councillor wards was considered the most appropriate structure, following local communities of interest. The wards were designated:

- Central Ward (three councillors, including Camperdown, Terang and Noorat)
- Coastal Ward (one councillor, including Port Campbell, Simpson and Princetown)
- North Ward (one councillor, including Skipton, Lismore and Derrinallum)

-

⁷ Profile.id, Corangamite Shire Council: Population and age structure.

⁸ Derived from .id Community Profile, profile.id.com.au/corangamite

- South-Central Ward (one councillor, including Cobden)
- South-West Ward (one councillor, including Timboon).

4.3 Public information program

Public involvement is an important part of the representation review process. The Corangamite Shire Council representation review commenced on Wednesday 29 July and the VEC conducted a public information program to inform the community, including:

- public notices of the review and the release of the preliminary report in local and state-wide papers
- media releases announcing the commencement of the review, the release of the preliminary report and the publication of this final report
- a public information session to outline the review process and respond to questions from the community
- coverage through the municipality's media, e.g. Council website or newsletter
- a helpline and dedicated email address to answer public enquiries
- ongoing information updates and publication of submissions on the VEC website and
- a *Guide for Submissions* to explain the review process and provide background information on the scope of the review.

See Appendix 3 for full details of the public information program.

5 Preliminary report

5.1 Preliminary submissions

The VEC received six preliminary submissions by the deadline for submissions at 5.00 pm on Wednesday 26 August.

Half of the submissions, including those by Corangamite Shire Council and the Derrinallum Progress Association, supported the status quo as providing fair and equitable representation. In their view, there was no need to change the current number of councillors, as minimal population change was expected. The Council's submission stated that the Shire's dispersed settlement pattern lent itself to a subdivided structure. Stephen Baldock of Lismore submitted that the ward structure provided an opportunity for representation of the varied areas of the Shire, each of which had different concerns, and gave examples of the particular concerns and approaches of North Ward.

Alan Kerr of Timboon also argued that wards lead to a much greater understanding of local issues in a geographically diverse shire, but contended that councillor numbers should rise to nine or 10 to reduce workload and enable professionals, business people and employees to serve, deepening the talent pool for the Council.

In contrast, Glenn Cain of Cobden favoured abolition of the ward system. He believed that, at present, a number of councillors micro-managed their own little communities without strong direction for the rest of the Shire, but felt that ratepayers should have the opportunity (through an unsubdivided structure) to elect the seven best people to the Council regardless of where they live. This would give better and stronger representation for all ratepayers. The Proportional Representation Society of Australia (PRSA) also advocated an unsubdivided structure (with an alternative of three three-councillor wards), arguing this structure would produce the fairest and most representative election results for voters.

A list of people who made a preliminary submission can be found in Appendix 1.

5.2 Preliminary report

A preliminary report was released on Wednesday 23 September. 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. Corangamite Shire is in the middle of the seven-councillor band of councils, and has the same number of councillors as

municipalities of a similar size and character, such as Moyne, Southern Grampians and Alpine Shires. The number of voters per councillor (1,914) should make for ready contact between councillors and their constituents. On voter numbers alone, there is no reason to change the number of councillors. There are no particular factors that might otherwise justify a variation to the number. The population is very stable, and there do not appear to be any major development or planning pressures. The population is also comparatively homogeneous, without the level of cultural diversity that can increase demands on the Council. At the same time, the Shire's substantial physical dimensions and large number of communities are reasons against reducing the number of councillors. The VEC considered that seven is the appropriate number of councillors for Corangamite Shire Council.

Electoral structure

Current structure

The VEC recommended the current structure in 2004 in recognition of the community demand for local ward representation. With only one local submission advocating a change in structure, it appeared that the current structure was generally accepted. Mr Baldock's submission included some strong examples of the particular concerns of North Ward, and how the ward councillor had helped to meet these concerns.

Each ward is based on one or a few related service towns, and generally captures those towns' hinterlands. The wards reflect the geographic diversity of the Shire, from the coast-based tourism and high-rainfall, rolling dairy country of Coastal Ward to the drier plains and small towns of North Ward. The three-councillor Central Ward may seem anomalous, as it includes both the Shire's largest town (Camperdown) and its second largest town (Terang). This ward was created as a way of dealing with perceived inequality between Camperdown and the rest of the Shire, and an unsatisfactory boundary between Camperdown and Terang. Two of the ward's current councillors are from Camperdown and one from Terang, which accurately mirrors the population balance in the ward.

There was no need to adjust the ward boundaries that were established in 2004. Corangamite Shire's population is stable so that enrolments for all wards are still well within the 10 per cent tolerance required by the Act (the greatest deviation is in Coastal Ward, which is 5.27 per cent below the average), and are likely to continue to be so. The VEC presented the current electoral structure as its preferred option for this representation review.

Unsubdivided municipality

The VEC believed an unsubdivided structure should also be considered. Under an unsubdivided structure, councillors are elected to represent the municipality as a whole, which promotes a Shire-wide outlook. The ability to choose the best people for the job, regardless of where they

live, was the reason why Mr Cain supported a change to an unsubdivided structure. The proportional representation system that applies in an unsubdivided structure also offers more scope for representation of the diversity of the Shire.

One of the potential flaws of a single-councillor structure is that wards can be uncontested, reducing choice for voters. This has certainly been the case with Corangamite Shire. At each of the three elections since the introduction of the current structure, three of the five wards have been uncontested, and there have been only 10 or 11 candidates in all. Even the three-councillor Central Ward was uncontested on one occasion. These statistics mean that most voters have not had any choice at Council elections since 2004. The introduction of Shire-wide elections would open up choice for voters. The number of candidates in Council elections to date suggests that there is no serious risk of an excessively long ballot paper.

With its scattered population and separate service centres, Corangamite Shire is not a typical candidate for an unsubdivided structure. However, the desirability of providing voters with more choice at elections, plus the general positive features of an unsubdivided structure, prompted the VEC to include this structure as an alternative option.

Options

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

- Option A (preferred option)
 Corangamite Shire Council consist of seven councillors elected from one three-councillor ward and four single-councillor wards.
- Option B (alternative option)
 Corangamite Shire Council consist of seven councillors elected from an unsubdivided municipality.

6 Public response

6.1 Response submissions

The VEC accepted submissions responding to the preliminary report from Wednesday 23 September until 5.00 pm on Wednesday 21 October. The VEC received two response 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
1	1

Corangamite Shire Council supported Option A. The Council noted that the current boundaries align with the legislative equality requirement, and stated that the subdivided structure ensures that all the Shire's communities have equal access to councillors. 'While Option B may provide voters with more choice at elections, it does not reflect the geographic diversity of the Shire and may result in some communities having less representation', the Council stated.

The PRSA, in contrast, criticised the current structure as leading to many councillors being elected unopposed, potentially allowing a minority group to win control of the Council, and (through the unequal size of wards) leading to councillors being elected by differing percentages and quotas, contrary to a recommendation of the recent Local Government Electoral Review Panel. The PRSA argued that an unsubdivided structure would minimise uncontested elections, maximise the effective votes that elect a councillor, enable majority support from voters to be reflected in election results, and avoid the cost of boundary reviews.

6.2 Public hearing

The VEC scheduled a public hearing for those wishing to speak about their response submission at 10.00 am on Monday 26 October at the Killara Centre, 201-212 Manifold Street, Camperdown. There were no requests to speak so the hearing was not held.

7 Findings and recommendation

7.1 The VEC's findings

The Corangamite Shire Council review involves a straightforward choice between the status quo and a change to an unsubdivided municipality. There is little dispute about the number of councillors. Ward boundaries do not need to be altered to retain the current electoral structure. The only question is which structure would best provide fair and equitable representation for voters in Corangamite Shire into the future.

An unsubdivided structure would offer a wider choice to voters, who would be voting for all the candidates for Council. Any candidate gaining more than one eighth of the votes (either in their own right or through preferences) would be elected, which would offer scope for diversity of representation. All the councillors would represent the Shire as a whole, which would encourage a wider outlook. There are no guarantees as to the locations of the elected councillors, but experience of other unsubdivided councils indicates that councillors tend to be distributed across the municipality, roughly in accordance with population.

On the other hand, the current structure appears to be generally accepted by residents of Corangamite Shire. Only one local submission (at the preliminary stage) favoured an unsubdivided municipality. The current configuration of wards fits the social geography of Corangamite Shire, which comprises a series of small and medium sized towns each with its own distinct rural hinterland.

One of the PRSA's criticisms of the current unequally sized wards is that the quotas required for election in a single-councillor ward and the three-councillor ward vary, and that this disparity is unjust and arbitrary. The PRSA's argument is mathematically indisputable. However, equality as determined by the Act relates to the number of voters per councillor. The variation in quotas according to the number of councillors for a ward is unlikely to have any material effect on achieving fair and equitable representation. The Act provides for wards with differing numbers of councillors, and the VEC considers that this provision facilitates the representation of unequally sized communities of interest.

The PRSA also contends that the current structure is undemocratic, because a group with as little as 36.7 per cent of the vote could win four out of seven seats, while a group with majority support could be restricted to a minority of seats, depending on the distribution of their votes.

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⁹ If all 5,886 voters in the 3-councillor Central Ward voted, the quota required for election would be 1,472, while if all 1,869 voters in the single-councillor North Ward voted, the majority required for election would be 935.

The PRSA's analysis assumes the existence of organised groups campaigning for votes. However, under the Act candidates stand for election as individuals.

The strongest argument against retaining the current structure is the prevalence of uncontested elections. As discussed earlier in this report, three of the five wards have been uncontested in the three elections under the current structure. Uncontested elections are less likely under an unsubdivided structure, as a contest will take place if there is only one more candidate than the total number of councillors to be elected. An unsubdivided structure would probably widen choice for voters.

On the other hand, there is no guarantee of a contest under an unsubdivided structure. The small number of candidates in the last three elections suggests that the pool of candidates may be limited.

As well, there is little sign that incumbent councillors have become unassailably entrenched in their positions, which is a common criticism of single-councillor wards. The Shire's longest serving councillor has been a member of the Council since 1996, but four of the seven current councillors have taken office since 2010. This suggests that there is turnover on the Council, even though many of the incoming councillors often do not have to face a contested election.

Despite the valid arguments regarding choice for voters under an unsubdivided structure, the VEC considers that there is insufficient reason to change the electoral structure of Corangamite Shire Council. The current structure complies with the requirements of the Act, represents geographic communities of interest across the Shire, and appears to be generally accepted by the local community. The VEC believes that the current structure will continue to provide fair and equitable representation for the voters of Corangamite Shire until the next representation review.

7.2 The VEC's recommendation

The VEC recommends Corangamite Shire Council continue to consist of seven councillors elected from one three-councillor ward and four single-councillor wards.

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:

Stephen Baldock

Glenn Cain

Corangamite Shire Council

Derrinallum Progress Association

Alan Kerr

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

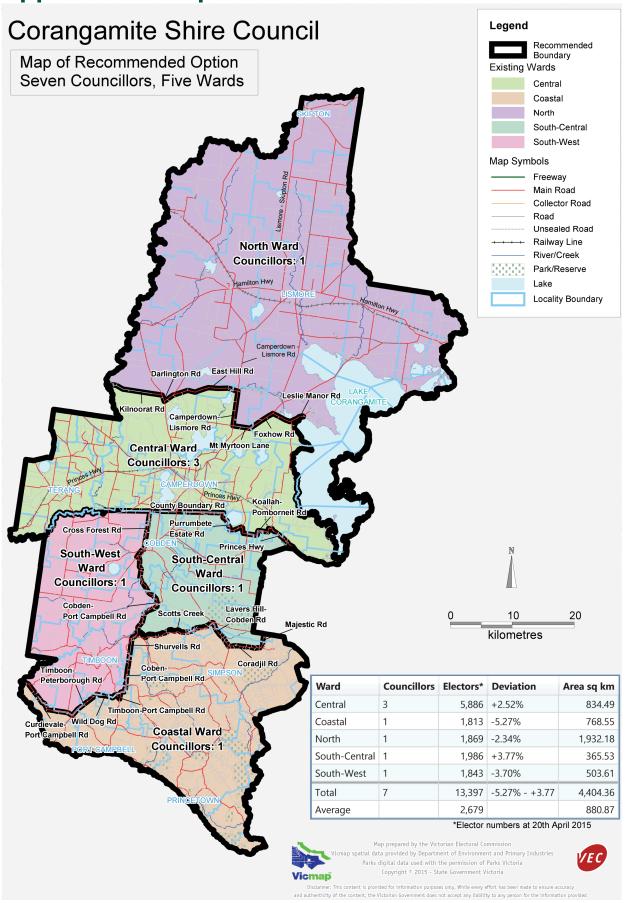
Response submissions

Response submissions were received from:

Corangamite Shire Council

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

Appendix 2: Map



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
Herald Sun	Wednesday 15 July	Wednesday 9 September
Cobden Timboon Coast Times	Wednesday 29 July	Wednesday 23 September
Terang Express	Thursday 30 July	Thursday 24 September
Camperdown Chronicle	Friday 31 July	Friday 25 September
Warrnambool Standard	Saturday 1 August	Wednesday 23 September

Media releases

A media release was prepared and distributed to local media at the commencement of the review on Wednesday 29 July. A further release was distributed at the publication of the preliminary report on Wednesday 23 September. A final release 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 Tuesday 4 August at the Killara Centre, 201–212 Manifold Street, Camperdown.

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

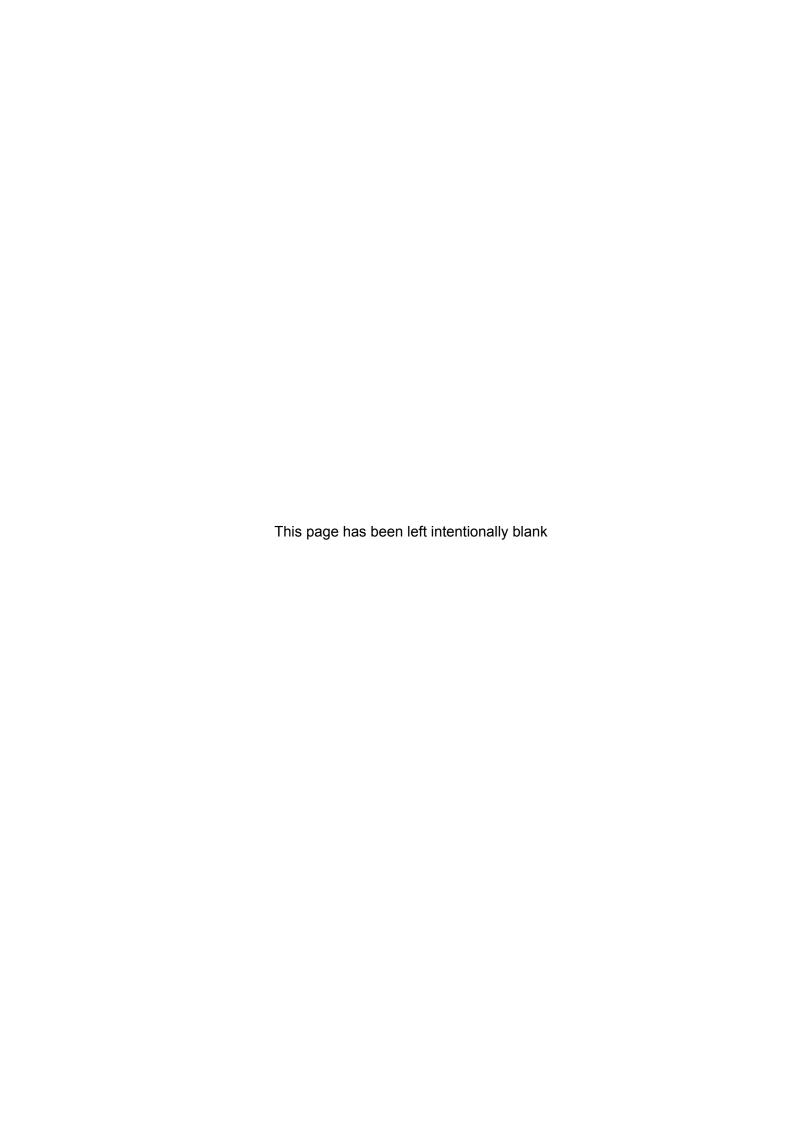
The VEC website delivered up-to-date information to provide transparency and facilitate public participation during the review process. An online submission tool was made available and all public submissions were posted on the website.

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.



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