

# **Final Report** 2015 Yarriambiack Shire Council **Electoral Representation Review**

Wednesday 4 November 2015



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# 1 Recommendation

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

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 Yarriambiack Shire Council took place in 2004–05. The review recommended that the Shire change to consist of seven councillors elected from two two-councillor wards and one three-councillor ward.

### **Preliminary submissions**

Preliminary submissions opened at the commencement of the current review on Wednesday 15 July. The VEC received three submissions by the deadline for submissions at 5.00 pm on Wednesday 12 August.

# **Preliminary report**

A preliminary report was released on Wednesday 9 September with the following options for consideration:

Option A (preferred option)

Yarriambiack Shire Council consist of seven councillors elected from two two-councillor wards and one three-councillor ward.

Option B (alternative option)

Yarriambiack Shire Council consist of five councillors elected in an unsubdivided structure.

# **Response submissions**

The VEC received four submissions responding to the preliminary report by the deadline for submissions at 5.00 pm on Wednesday 7 October.

# **Public hearing**

The VEC scheduled a public hearing for those wishing to speak about their response submission at 7.00 pm on Tuesday 13 October. There were no requests to speak so the hearing was not held.

#### Recommendation

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

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.<sup>2</sup> On this basis, the review must consider the:

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

# 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.<sup>3</sup> In considering the number of councillors for a municipality, the VEC is guided by the Victorian Parliament's intention for fairness and equity in the local representation of voters under the Act.

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

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

Section 219D of the Local Government Act 1989.

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

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

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

### **Deciding the electoral structure**

The Act allows for a municipality ward structure to be:

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

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

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

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

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

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

## 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 Ltd<sup>4</sup> 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

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

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

#### **Public involvement**

Public input is accepted by the VEC through:

- · preliminary submissions at the start of the review
- · response submissions to the preliminary report and
- a public hearing, which 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 Yarriambiack Shire Council representation review

#### 4.1 Profile of Yarriambiack Shire Council

Yarriambiack is located in north-western Victoria, between the Wimmera River and the Grampians mountain range in the State's Wimmera Mallee region. The region, which spans 7,326 square kilometres, is known for its historic heritage and natural landscape, attracting tourists to local lakes, wilderness parks and walking trails. The Shire provides a link between the Grampians and the Murray Tourist Regions from Horsham to Mildura.<sup>5</sup>

Yarriambiack is an important area for Victoria's agricultural economy, with approximately 25 per cent of the population employed in sheep, beef, cattle and grain farming.<sup>6</sup> The dry-land farming area produces one quarter of Victoria's total wheat and barley production.<sup>7</sup> Service industries directly supporting farming are the other major employers in the region's larger towns and smaller settlements.

The Shire of Yarriambiack has a population of 6,892<sup>8</sup> and is projected to experience population decline at a rate of 0.7 per cent over the next 15 years.<sup>9</sup> This decline is in contrast to Victoria's projected annual average growth rate of 1.7 per cent.<sup>10</sup> There are approximately 6,116 voters in Yarriambiack,<sup>11</sup> with a ratio of 874 voters per councillor.

Table 1: Current population estimates in major towns

Warracknabeal	2,745
Murtoa	991
Minyip	667
Beulah	640
Hopetoun	555
Rupanyup	549
Woomelang	191

<sup>&</sup>lt;sup>5</sup> Yarriambiack Shire Council, *Our Region*, http://yarriambiack.vic.gov.au/tourism/our-region/

<sup>&</sup>lt;sup>6</sup> Australian Bureau of Statistics, 2011 Census Quick Stats: Yarriambiack, 2011.

<sup>&</sup>lt;sup>7</sup> Yarriambiack Shire Council, *Our Region*, http://yarriambiack.vic.gov.au/tourism/our-region/

<sup>&</sup>lt;sup>8</sup> Australian Bureau of Statistics, *Estimated Residential Population, Local Government Areas, Victoria*, 2014

<sup>&</sup>lt;sup>9</sup> Victorian Government, Victoria in Future 2015: Population and household projections to 2051.

<sup>&</sup>lt;sup>10</sup> Victorian Government, Victoria in Future 2015: Population and household projections to 2051.

<sup>&</sup>lt;sup>11</sup> Data derived by the Victorian Electoral Commission from State and Council voter rolls (as at January 2015).

Yarriambiack has a median age of 48, higher than the regional Victorian median of 42. As in rural and regional Victoria generally, a relatively high percentage of Yarriambiack's population is over 50, and there is evidence of the out-migration of younger people, with changing demographics driven by housing affordability, economic restructuring and environmental change.<sup>12</sup>

Approximately six per cent of Yarriambiack's population was born overseas, and two per cent of the population speaks a language other than English at home. Of the population born overseas, the majority originated from the United Kingdom, with other residents born in New Zealand, the Philippines, Germany, India and China. One per cent of the population identify as Aboriginal or Torres Strait Islander. Traditional inhabitants of the area include the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia, and Jupagulk people, represented by the Barengi Gadjin Land Council.<sup>13</sup>

Yarriambiack Shire has a lower unemployment rate relative to regional Victoria in general, as well as comparatively fewer high-income earners and a greater proportion of low-income earners. Agriculture, forestry and fishing are the major employers in the Shire, employing up to 28 per cent of the local workforce. Health care and social assistance employ up to 17 per cent of the workforce, while retail trade (nine per cent) and education and training (seven per cent) are the next biggest employers.

The Shire is known for its eco-tourism attractions including the Big Desert, Wyperfeld National Park and Lake Albacutya, as well as historical heritage sites including the Warracknabeal Machinery Museum and Hopetoun Heritage Homesteads.

#### 4.2 Current electoral structure

The last electoral representation review for Yarriambiack Shire Council took place in 2004–05. Prior to the review, the municipality was represented by nine councillors, elected from three single-councillor wards and two three-councillor wards.

Following the 2005 review, the VEC recommended that Yarriambiack Shire Council should change to consist of seven councillors to be elected from one three-councillor ward and two two-councillor wards.

<sup>13</sup> Victorian Government, Registered Aboriginal Parties in Victoria, 2013.

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<sup>&</sup>lt;sup>12</sup> Rural Councils Victoria, *Rural Migration: Trends and Drivers*, 2013, p.18.

### 4.3 Public information program

Public involvement is an important part of the representation review process. The Yarriambiack Shire Council representation review commenced on Wednesday 15 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 three preliminary submissions by the deadline for submissions at 5.00 pm on Wednesday 12 August.

#### **Number of councillors**

Two of the three submissions supported retaining the current number of councillors.

Yarriambiack Shire Council's submission stated that the councillors work well together, and referred to positive examples of good governance. The Council's submission also stated that there was no broad desire for change among voters within the municipality. One submission suggested that the number of councillors should be reduced to either five or six, arguing that reduction in councillor numbers would reduce the financial burden on ratepayers.

#### **Electoral structure**

Two out of the three submissions received by the VEC suggested retaining the current number of wards, while one submission recommended changing to an unsubdivided structure. The submission made on behalf of Yarriambiack Shire Council supported the existing structure, stating that it was working well and providing ratepayers with fair and equitable representation.

The submission put forward by the Proportional Representation Society (PRSA) was in favour of an unsubdivided structure, outlining the benefits of the proportional representation counting method. According to the PRSA, an unsubdivided structure using proportional representation is the only system that ensures that the majority of councillors are elected by an absolute majority of voters throughout the entire municipality. The PRSA also suggested that an unsubdivided model provides voters with a greater choice of councillors to approach to discuss matters of concern to them, and is a simple structure for voters to understand.

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 9 September. The VEC considered public submissions and research findings when formulating the options presented in the preliminary report.

#### **Number of councillors**

The VEC noted that the Yarriambiack Shire is slightly unusual in having seven councillors, when compared with other councils of a similar size and demographic profile. The elongated shape of the Shire and large geographic distances councillors and constituents are required to travel,

coupled with the declining population, were factors that the VEC considered to justify recommending the slightly higher number of councillors (proportionate to population) at the time of the last representation review.

In considering retaining the current number of seven councillors, the VEC noted the views expressed in some submissions suggesting that the current number of councillors was working well, and that the demographic profile of the municipality had not changed significantly since the time of the last review. The geographic considerations and travel distances some councillors were required to travel were still considered sufficient to justify the higher number of councillors compared to other municipalities. A seven-councillor option was considered appropriate to put forward for further consultation.

The VEC also considered arguments for reducing the number of councillors to either five or six. Based on population size, a lower number of councillors could be appropriate for Yarriambiack. As outlined in the preliminary report, Yarriambiack has one of the smallest populations among rural municipalities in Victoria. Councils of a similar size in the rural category such as Loddon, Pyrenees, and Towong, each have five councillors, and neighbouring Hindmarsh Shire Council has six councillors. A preliminary submission to the representation review had suggested that a lower number of councillors could be appropriate for the Shire as a strategy for reducing council costs in light of the declining population.

A six-councillor subdivided model was determined to be unsuitable due to the disproportionately large wards that would need to be created to meet the voter-to-councillor ratio requirements. The model was also considered to introduce significant change for voters who would be enrolling in new wards, which was not justified by population changes, communities of interest or other factors.

As with the six-councillor model, a five-councillor subdivided option would involve significant change to current boundaries. The option was not considered suitable on the grounds that the new ward boundaries required to meet the voter equality principle would exacerbate the long distances some councillors could be required to travel, and that demographic data did not show a need for significant change. However, the VEC determined that five councillors could be suitable in an unsubdivided structure.

#### **Electoral structure**

The VEC's preliminary report noted that Yarriambiack Shire's population is very evenly distributed throughout the municipality, suggesting that it could be suited to either a subdivided or unsubdivided structure. The current subdivided structure with seven councillors was considered to be effective, encapsulating the Shire's larger towns of Hopetoun, Warracknabeal and Murtoa in separate wards. The separation of these population centres into distinct wards under the

current model allows representation from across the Shire. The model was also supported by the majority of submissions. The current subdivided structure of seven councillors elected from two two-councillor wards and one three-councillor ward was put forward in the VEC's preliminary report as Option A.

An unsubdivided model with five councillors was also put forward by the VEC as an alternative option (Option B in the preliminary report) for further consultation. The unsubdivided model was considered to broaden the choice of candidates, and deliver results reflecting the intention of voters throughout the municipality, compared to ward-based models.

### **Options**

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

- Option A (preferred option)
   Yarriambiack Shire Council consist of seven councillors elected from two-councillor wards and one three-councillor ward.
- Option B (alternative option)
   Yarriambiack Shire Council consist of five councillors elected in an unsubdivided structure.

# 6 Public response

### 6.1 Response submissions

The VEC accepted submissions responding to the preliminary report from Wednesday 9 September until 5.00 pm on Wednesday 7 October. The VEC received four 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
3	1

#### **Number of councillors**

Three of the four submissions preferred the current number of seven councillors. Of those submissions in support of the current number of seven councillors, Yarriambiack Shire Council restated its support for the status quo, which, in its preliminary submission, had been described as working well, and providing residents with fair and equitable representation. The Council's response submission affirmed its unanimous support for the existing number of councillors. The Murtoa Progress Association also supported the current number of councillors, particularly the provision of two councillors to represent the communities of Minyip, Murtoa, Rupanyup and Lubeck in Dunmunkle Ward.

The PRSA supported the VEC's Option B with five councillors.

#### **Electoral structure**

Three of the four submissions preferred the current subdivided structure. The Yarriambiack Shire Council affirmed its unanimous support for the current structure. Another submission stated that the current structure was working well and suited the size of the Shire. The Murtoa Progress Association supported the current structure on the grounds that the Shire's boundaries stretch over 200 kilometres from Lubeck in the south to Speed and Patchewollock in the north of the Shire. As it had stated in relation to councillor numbers, the Association stated that the subdivided ward model would ensure a voice for the southern communities to balance the majority elected from Warracknabeal and the representatives elected in the northern part of the Shire.

While the PRSA had supported an unsubdivided structure of seven councillors in its preliminary submission, its response submission supported the unsubdivided structure put forward by the VEC as Option B. The PRSA reiterated its reasons for supporting proportional representation

and an odd number of councillors, as this structure would result in a decisive council not vulnerable to stalemates; an absolute majority of voters electing an absolute majority of councillors; fairness and equity with councillors elected by the same percentage quota; and limiting 'wasted' votes as can be the case in single-councillor ward structures.

### 6.2 Public hearing

The VEC scheduled a public hearing for those wishing to speak about their response submission at 7.00 pm on Tuesday 13 October in the Function Room, Yarriambiack Shire Council, 34 Lyle Street, Warracknabeal. There were no requests to speak so the hearing was not held.

# 7 Findings and recommendation

# 7.1 The VEC's findings

The VEC has taken into account the key themes expressed in submissions to the representation review, as well as internal research and analysis to develop its final recommendation. The recommendation complies with the legislative equality requirement, acknowledges communities of interest and was supported in several submissions.

#### **Number of councillors**

The number of councillors was one of the most important considerations for the VEC in this review of Yarriambiack Shire Council. Demographically, Yarriambiack Shire is showing signs of a declining population. This trend suggests that there is no need to increase the number of councillors, and perhaps decreasing the number of councillors should be considered. However, the elongated shape of the Shire and evenly spread population results in the need for councillors to travel significant distances, and balances the arguments in favour of reducing the number of councillors.

The VEC also noted the views expressed in some submissions suggesting that the current number of councillors was working well. The combination of demographic profile, geography and stakeholder feedback supports the VEC's recommendation to retain the current number of seven councillors.

#### **Electoral structure**

The preferred electoral structure is closely tied to the number of councillors. As outlined in the VEC's preliminary report, while the declining population of the Shire suggests a need to reduce the number of councillors, this would require ward boundaries to be re-drawn in order to comply with the legislative equality requirements. The VEC's analysis concluded that five- and six-councillor options are not suitable with a subdivided structure. An unsubdivided structure was therefore also considered.

An unsubdivided structure can be beneficial in rural communities experiencing declining population patterns, as it may become increasingly difficult to sustain ward boundaries which meet the required voter-to-councillor ratio. An unsubdivided structure with the proportional representation counting method should produce broad representation of the larger population centres as well as outlying areas within the municipality. However, there is some evidence from other municipalities to suggest that this is not always guaranteed.

Previous election results for Yarriambiack Shire Council reveal a pattern of uncontested elections, with several wards uncontested in the 2003, 2008 and 2012 elections. An unsubdivided model can be introduced to address a recurring pattern of uncontested elections. In the case of Yarriambiack, however, the pattern is not considered to be impacting fair and equitable representation in the municipality enough to warrant changing the structure.

Submissions to the review did not convey a desire for change to the electoral structure or number of councillors. While either a subdivided or unsubdivided structure could be suitable for the municipality, in the VEC's view there are no significant reasons based on population change, communities of interest or other factors to introduce an unsubdivided structure.

The existing structure of two two-councillor wards and one three-councillor ward encapsulates the Shire's larger towns of Hopetoun, Warracknabeal and Murtoa. The structure allows these communities in the central, northern and southern parts of the Shire to be separately represented. This was highlighted as an important issue in one of the submissions to the review, with the submitter stating that it was important for the communities outside of Warracknabeal, particularly at the southern end of the Shire, to have a voice on the Council. The differences between the northern and southern parts of the Shire are able to be reflected in this subdivided structure, and representation is spread along the length of the Shire.

As outlined in the preliminary report, the current structure meets the voter-to-councillor equality requirement, and based on the VEC's analysis would be a stable and sustainable model up to the time of the next representation review.

Based on the analysis of population data and the geographic profile of the Shire, as well as views put forward in submissions, the VEC is satisfied that the existing structure of two two-councillor wards and one three-councillor ward is a suitable structure which provides fair and equitable representation for the municipality of Yarriambiack.

#### 7.2 The VEC's recommendation

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

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

# **Appendix 1: Public involvement**

# **Preliminary submissions**

Preliminary submissions were received from:

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

Pamela Scourfield

Yarriambiack Shire Council

## **Response submissions**

Response submissions were received from:

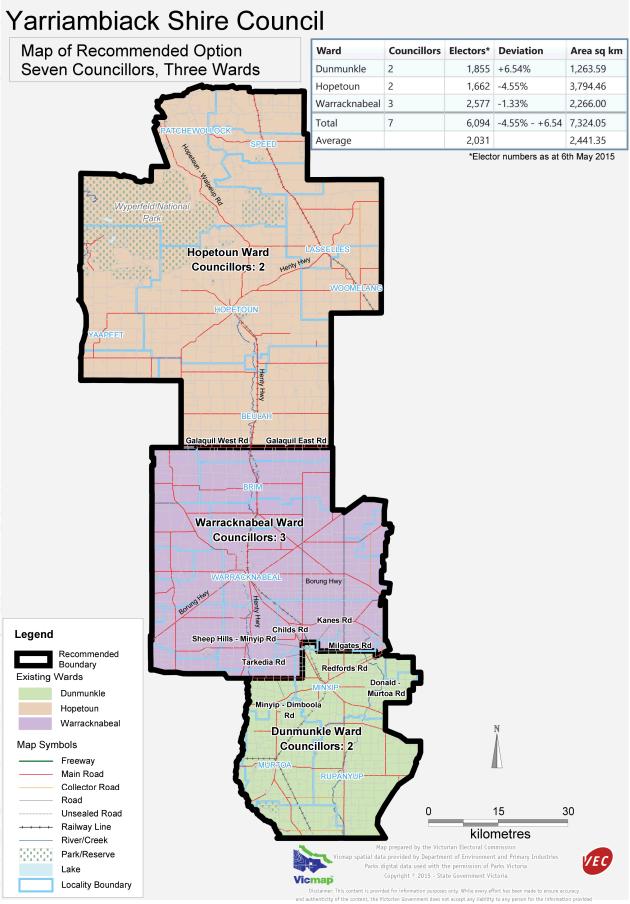
Murtoa Progress Association

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

**Shane Roberts** 

Yarriambiack Shire Council

# **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
Wimmera Mail Times	Wednesday 15 July	Wednesday 9 September
Hopetoun Courier	Thursday 16 July	Thursday 10 September
Ouyen North West Express	Thursday 16 July	Thursday 10 September
Warracknabeal Herald	Friday 17 July	Friday 11 September
Rainbow Jeparit Argus	Friday 17 July	Friday 11 September
Murtoa and District Advertiser	Thursday 23 July	Thursday 17 September

#### Media releases

A media release was prepared and distributed to local media at the commencement of the review on Wednesday 15 July. A further release was distributed at the publication of the preliminary report on Wednesday 9 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 21 July in the Function Room, Yarriambiack Shire Council, 34 Lyle Street, Warracknabeal.

# 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.

Victorian Electoral Commission Level 11, 530 Collins Street Melbourne VIC 3000

131 832
yarriambiack.review@vec.vic.gov.au