

## PROPORTIONAL REPRESENTATION SOCIETY OF AUSTRALIA (VICTORIA-TASMANIA) INC.



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### Preliminary Submission to Electoral Representation [Review](#), Manningham City Council

This submission is also accessible, **with active hyperlinks**, at [http://www.prsa.org.au/2019\\_prelim\\_manningham.pdf](http://www.prsa.org.au/2019_prelim_manningham.pdf)

#### 1. Summary:

Proportional Representation Society of Australia (Victoria-Tasmania) Inc. considers that Manningham City Council would be expected to continue to have nine councillors, and that it should continue to benefit from [proportional representation using the single transferable vote \(STV\)](#).

The whole number of councillors should remain as an odd number, [to avoid tied votes](#) in the Council.

PRSAV-T Inc. supports Manningham City Council continuing to have three 3-councillor wards. It recommends against any single-councillor wards, or any [disparity](#) between the numbers of councillors in each ward. A 9-councillor unsubdivided municipality would also have some advantages, but it would not be practical for Manningham given the large number of candidates - ranging from 32 to 40 in the [last three general elections](#) - that would clutter the ballot paper, unless [Regulation 26 was changed](#), to introduce partial optional preferential voting, consistently with Victoria's [PR-STV](#) voting for its Legislative Council and the Senate.

APPENDIX 1 refers to Victoria's unimpressive decade-long trial of single-councillor wards.

APPENDIX 2 details some of the disadvantages of single-councillor wards.

#### 2. The desirability of retaining three 3-councillor wards:

##### 2.1 Any wards to be used should be multi-councillor, each with the same number of councillors:

Arrangements of wards with differing numbers of councillors are intrinsically anti-democratic, as they have very different quotas for election in their distinct components, and would result in too much attention being given to where various boundaries are set out, at the expense of a community-oriented spirit. They are also very confusing to electors, and have led to considerable inconsistency across the State.

*Lack of [parity](#) in the quotas for election makes it easier to be elected in some wards than others. That is an undesirable feature that can induce candidates to stand in a particular ward just for their convenience.*

##### 2.2 PR-STV works far better in districts with an odd, rather than an even number of councillors:

PRSAV-T Inc. urges the review **not** to recommend any electoral district with an [even number of councillors](#) to be elected. Districts electing an even number of councillors are most unsatisfactory, as they flout the important democratic principle that a majority view should be represented by a majority of elected councillors, and they can lead to [stalemates](#) in the representation of the ward.

If a two-councillor ward were to be recommended, for example, the serious anomaly may arise that, in that ward, one candidate or group might win 65% of the vote and another just 35%, yet the two groups would still have equal representation under proportional representation. Unfortunately four-councillor wards have been recommended for several municipalities in the earlier round of representation reviews. In those wards, a minority group with just on 40% of the vote will be able to achieve equal representation with a majority group achieving just under 60% of the vote.

*Only by having an odd number of councillors elected in each ward can the important democratic principle that majority support should lead to majority representation be maintained.*

### **2.3 A single-councillor ward has all ward electors' eggs in one basket – more baskets would be safer:**

Not all elected councillors prove to be outstanding, exemplary, or even adequate, but a certain number usually are. Without each councillor being compartmentalized by himself or herself in a small ward, there is a much greater likelihood that the occasional poor performer will be compensated for by that councillor's colleagues. If there is only one councillor for a ward, and that councillor proves - without quite invoking the legal provisions for their dismissal or reproach - to be lazy, unreliable, inaccessible, or to be absent too often, every one of the constituents in that ward faces serious neglect.

With small single-councillor wards, each councillor's electoral base is at most only one of the wards, whereas with an undivided Council, the entire body of councillors has a geographical area in common and an electoral motive to understand that entire area. There is potent electoral incentive for sensible motions relating to that entire area, or part of it, that are moved by one of the councillors to be seconded by one of the other councillors, whereas with single-councillor wards a lack of knowledge of, or lack of motivation for interest in a ward, by all the other councillors can make informed seconding of motions, and voting on them, more problematical.

What can be termed 'geographically-diverse communities of interest' can also include communities of electors with environmental concerns, business interests, electors wanting to keep rates low, and so on. Under PR-STV, both these geographically diverse communities of interest, and the geographically based communities of interest can be served. It will be up to the voters to decide what community of interest they belong to, whether it be geographical – where electors predominantly vote for an identity from their immediate area, or some other community of interest – where people supportive of wider environmental concerns and practices in Manningham City predominantly vote for 'sustainability' candidates, and those rejecting those views vote for their opponents, with each gaining a representative if they can muster a quota of votes. Voters need the flexibility to aggregate as they wish, and not the arbitrary, pre-determined, and rigid compartmentalization of single-councillor ward systems.

*Proportional representation does not reduce geographically based communities of interest, but single-councillor ward systems arbitrarily and unnecessarily destroy any non-geographical communities of interest.*

### **2.4 Multi-councillor wards minimize the number and percentage of councillors elected unopposed:**

For it to be possible at a general election that a poll is required in every ward, the excess of the number of candidates over the full number of seats on the Council must be at least equal to the number of individual electoral districts. The more wards there are, the more likely it is one or more are uncontested.

Thus, when the number of wards is set at the maximum possible for the prescribed number of councillors overall, which is the case with single-councillor wards, it requires at least twice as many candidates as there are council seats (100% higher number) for it to be possible for each ward to be contested at a poll. It is therefore much more likely with an undivided municipal district that all voters will be involved in choosing between candidates, that council seats in such districts will be far less likely to be taken for granted by their occupants than in single-councillor districts, and that local issues will be aired and publicly assessed electorally each four years, in each part of the municipality.

### **2.5 Comparison between four options in regard to the minimum percentage of effective votes:**

Table 1 below shows how four options rank in regard to this important measure of the effectiveness of democratic representation, which is the percentage of overall votes that actually comprise part of the bare majority, or the quota, as the case may be, that actually results in the election of a candidate. The fractional calculations from which the various percentages were determined are shown in Table 1.

The formula for calculating the minimum fraction, **m**, of effective votes for the council as a whole contributed by the electoral districts having a particular number of councillors, if there are **d** electoral districts with **n** councillors per electoral district in a council with **c** councillors, is where an asterisk “\*” indicates multiplication and a solidus “/” indicates division:

$$m = (d * n * n) / (c * (1+n))$$

**Table 1: Minimum percentage of effective votes, showing fractions from which it is calculated**

No. of councillors per electoral district	Minimum percentage of effective votes	Fractions from which <b>minimum percentage of effective votes</b> is calculated (No. of councillors for each ward size is shown in <b>bold magenta</b> )
Nine single-councillor wards	<b>50.0%</b>	$(9 * 1 * 1) / (9 * (1+1))$
Three <b>3</b> -Cr wards	<b>75.0%</b>	$(1 * 3 * 3) / (9 * (1+3))$
One <b>9</b> -Cr undivided district	<b>90.0%</b>	$(1 * 9 * 9) / (9 * (1+9))$

Table 1 shows that the two purely *PR-STV* options - where there are no single-councillor wards to reduce the overall level of vote effectiveness - give the highest minimum percentage of effective votes, and that the single-councillor ward option ranks worst.

**2.6 Warning of minimum percentage of votes for an organized group to control Manningham Council:**

Table 2 shows how various possible options rank in regard to this important measure of the safety and integrity of democratic representation, and it reveals the poor rating of the *ad hoc* mixtures of different district magnitudes compared with that for full *parity*. The fractional calculations from which the various percentages were determined are shown in Table 2. It is obviously desirable that the percentage should be nearer 50% than a low 28.6%.

**Table 2: Minimum percentage of vote needed to control Council, showing fractions it is calculated from**

No. of councillors per electoral district	Minimum percentage of vote to control Council	Fractions from which minimum percentage of overall vote required to gain control of just <b>5</b> Council seats is calculated
Nine single-councillor wards	<b>27.8%</b>	$(5 * 1) / ((1+1) * 9)$
Three <b>3</b> -Cr wards	<b>41.7%</b>	$(5 * 3) / ((3+1) * 9)$
One <b>9</b> -Cr undivided district	<b>50.0%</b>	$(5 * 9) / ((1+9) * 9)$

Table 2 shows that the two purely *PR-STV* options, where there are no single-councillor wards to reduce the minimum percentage of the total municipality-wide vote needed to gain control of the Council, give the highest minimum percentage of vote needed to control Manningham City Council, and that the other two options fall well below it.

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

## **APPENDIX 1 – Victoria’s unsuccessful trial of single-councillor wards:**

### **The long and generally widespread wisdom of avoiding single-councillor districts:**

Single-councillor districts are, and have been, very little used world-wide, certainly in the English-speaking democracies. The first election in Australia for any level of government, preceding elections for parliaments, was a municipal election, which was for Adelaide City Council in 1840. That [pioneering Australian election](#) was held with multi-councillor wards, and was the first use of proportional representation (PR) for the election of a public body in the world. Since then, consistent with long-standing and continuing world practice, multi-councillor districts have nearly always applied for all municipal elections in all the States and Territories of Australia, except for the gratuitous introduction, mainly in Victoria, and only for some of its councils, of single-councillor wards in the mid-1990s.

### **Victoria’s clumsy initial introduction of triennial elections without proportional representation:**

Until Victoria’s neighbouring states - [New South Wales](#), [South Australia](#), and [Tasmania](#) - adopted proportional representation as the prevalent system in their municipal electoral districts, which were, and still are, all multi-councillor districts, they generally conducted *winner-take-all* elections for one of the three councillor positions in each ward annually in rotation. Those neighbouring states all abandoned such annual elections in the 20th Century by changing to a system of general elections with multi-councillor districts with proportional representation being the prevailing system. When [Victoria](#) abandoned such annual elections, it not only failed to retain multi-councillor districts throughout, resulting in many single-councillor wards, but it also retained for its remaining multi-councillor wards - by default owing to opposition to proportional representation by the then Opposition-dominated Legislative Council - the *winner-take-all* system that had been used for counting Senate elections from 1919 until it was discredited and replaced by the present quota-preferential system of proportional representation in 1948.

### **Unable to choose PR, Victorian councils decided to choose the lesser of two evils:**

Because that *winner-take-all* multi-councillor system was as unrepresentative and lopsided as its [1919-46 Senate counterpart](#), many amalgamated councils had little choice but to seek some slightly improved diversity by preferring the newly-imposed single-councillor wards. The abhorrently unrepresentative nature of both the *winner-take-all* Senate systems used prior to 1949 is demonstrated by the extraordinary fact of the five Senate elections, those of [1910](#), [1917](#), [1925](#), [1934](#) and [1943](#), where **100%** of the senators elected for **all** States were of the same party. Of course such a silly outcome has not occurred since 1948.

Since that unfortunate and short-lived period when all that was available were two *winner-take-all* systems, with one being distinctly worse than the other, Victoria now has the far more satisfactory and representative system of multi-councillor wards with quota-preferential proportional representation.

That undesirable *winner-take-all* system for multi-councillor wards is no longer available under the present *Local Government Act 1989*, which fortunately now requires that polls in multi-councillor districts must be counted on a proportional representation basis only.

## **APPENDIX 2 – Some of the disadvantages of single-councillor wards:**

### **Single-councillor wards minimize voters' choices, yet maximize candidates' choice of voters:**

With single-councillor systems, the voters' choice of candidates is reduced to the minimum possible, for a given total number of candidates overall, but the candidates' choice of which ward to contest is maximized. With an undivided Council, the voters' choice of candidates, for a given total number of candidates overall, is maximized by comparison with single-councillor wards, and the candidates' choice of which ward to contest is minimized, as is their ability to **avoid scrutiny** by a wider electorate.

*The electoral system should emphasize as much as practicable the importance of letting voters choose their candidates, rather than that of letting candidates choose their voters. The choice of candidates open to voters should be arranged so that it is the maximum practicable, and candidates should face, and be electorally assessed by, a wider cross-section of the municipality they make decisions for.*

### **Single-councillor wards with incumbents elected unopposed facilitate unopposed succession:**

Once a councillor has been able to be elected unopposed, particularly if consecutive unopposed elections have been involved, a notorious weakness of the single-councillor ward system can be utilized by that councillor when he or she eventually chooses not to contest the next election.

Such retiring councillors do not have to give, and often do not give, any public notice or even suggestion, prior to the nomination deadline, of their private decision that they will not be maintaining their past practice of nominating for another term. The public is lulled into the misconception that the councillor will probably be nominating again. What happens is that the retiring councillor discreetly chooses not to nominate, and quietly encourages a protégé to nominate at a few minutes before the deadline. That scenario is far less likely in a multi-councillor ward as explained in the point just above.

*Once that surreptitious unopposed transition is a **fait accompli**, the ward in question soon finds to its surprise that it has a new councillor that hardly anybody realized would be so effortlessly installed.*

### **Single-councillor ward boundary location has an undue influence on representation:**

Setting and adjusting the intricate and cumulatively long boundaries for seven single-councillor wards is a contentious, time-consuming and expensive task. No internal boundaries are needed for an undivided municipality, compared with at least six for seven single-councillor wards. Few electors know the boundaries of their ward, and few councillors, including Mayors, know the boundaries of wards other than their own. The resources needed for boundary and ward size control and maintenance can be used for more productive purposes.

It has long been recognized, that with single-councillor wards, even where the number of electors in each is as equal as possible, variations in the positioning of boundaries between wards can alter the overall result of polls without any change having taken place in the way electors vote. The excellent U.S. on-line adaptation of the Proportional Representation Society of Australia's "Gerrymander Wheel", accessible at [www.prsa.org.au/history.htm#gerrymander](http://www.prsa.org.au/history.htm#gerrymander) demonstrates that. The reason for that is that boundaries between single-councillor wards of a particular shape can in many circumstances just manage to amalgamate a bare majority where a different configuration would not. It has long been called "gerrymandering" when done deliberately, but it is just as effective when it happens as a by-product of impartial boundary-setting. The remedy is to have fewer unnecessary boundaries, as multi-councillor ward arrangements facilitate.

**‘Dummy candidates’ are a single-councillor ward device that is of little use in an undivided Council:**

Single-councillor wards using preferential voting are very much more vulnerable to manipulation by the use of so-called ‘dummy candidates’. These are candidates that do not expect or wish to be elected, but that are encouraged to stand for election by more serious candidates in the hope that they will garner first preference votes that the more serious candidate might not expect to get. The hope is that those votes will, on the exclusion of the ‘dummy candidates’, be transferred to the serious candidate, and that there will be enough of such votes to produce an absolute majority for the serious candidate, and thus achieve his or her election.

Proportional representation using the single transferable vote is far less conducive to the fielding of ‘dummy candidates’. The reason for that is because, unlike preferential voting in single-councillor wards, where the only type of vote transfer that can occur is the exclusion of minor candidates, there is an extra stage in the transfer process at the vote count, which takes priority over the transfer of votes from excluded candidates. That extra, prior stage is the transfer of surplus votes from candidates that gain more than a quota of first preference votes. Transfer of votes from excluded candidates occurs in PR counts, but it is not the only transfer, and it occurs only after transfer of surplus votes, or if there are no surplus votes.

As several councillors are to be elected in a PR count, it is much more likely that at least one will gain a quota of first preference votes than it is that any one of many candidates in a single-councillor ward will gain an absolute majority of first preference votes. Once a candidate in a PR count has gained a quota of first preference votes there must then be a transfer of surplus votes before any transfers arising from exclusion can occur. Unless a single candidate in a single-councillor ward can gain an absolute majority of first preference votes and be elected forthwith, such a count has to proceed to the transfer of excluded candidates, which involves transfer, at full value, of the votes of the lowest-polling candidates, often ‘dummy candidates’.

It is most significant that transfers of surplus votes are, by definition, from candidates that have secured election early in the count, before the count is completed, i.e. serious candidates rather than ‘dummy candidates’. Such transfers of surplus votes come into operation in the positive circumstance of a candidate being elected. Those transfers are derived from that candidate’s total parcel of ballot-papers, whereas the only transfers available in single-councillor counts are necessarily those transfers arising from exclusions of candidates. Such exclusions are initiated in the negative circumstance of no candidate being elected, and are derived from the ballot-papers of the candidate with the lowest prospect of being elected, viz. the candidate with the lowest progress total in the poll, which is where ‘dummy candidates’ usually appear.

Transfers of surplus votes are positive in outcome as they give effect to the support for a particular point of view that is large enough to have already achieved at least one elected representative and to contribute towards the election of another. By contrast, transfers arising from exclusions of candidates, although necessary and justified, are of lower priority, but not value, as reflected in the rules for a quota-preferential proportional representation count, because they are derived from the smallest aggregations of opinion, rather than the larger aggregations represented by parcels of votes exceeding a quota.

Proportional Representation Society of Australia (Victoria-Tasmania) Inc. is very pleased that the review process recommended PR-STV systems for a number of the councils reviewed in recent rounds. It looks forward to electoral arrangements in Manningham City that empower voters and leave all candidates satisfied that community views are fairly reflected in the representation determined after each poll.

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