

FINAL REPORT
Electoral Representation Review
Warrnambool City Council

A large, light grey watermark of the Victorian Electoral Commission (VEC) logo is centered on the page. The logo consists of the letters 'VEC' in a bold, sans-serif font, with the 'V' and 'E' slanted to the right. The 'V' is a solid block, while the 'E' and 'C' have a white outline. The entire logo is set against a light grey, rounded rectangular background that spans most of the page width.

VEC

10 May 2004

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1 Recommendation

The Victorian Electoral Commission (VEC) is required under the legislation for the electoral representation review to make a recommendation to the Minister for Local Government as to the number of councillors and the electoral structure that provide fair and equitable representation for the voters of the City of Warrnambool (s.219D *Local Government Act 1989*).

The VEC recommends that the City of Warrnambool consist of seven councillors to be elected from an unsubdivided municipality.

This recommended structure is indicated in the map on the back page of this report.

2 Background

2.1 Legislative basis

The *Local Government (Democratic Reform) Act 2003* which amended the *Local Government Act 1989* (the Act), was passed by the Parliament in Spring 2003. The amendments included provisions for independent electoral representation reviews of all Victorian councils. In accordance with this new legislation, the Warrnambool City Council received notice pursuant to s.219C of the Act from the Minister for Local Government that an electoral representation review was to be conducted for the City of Warrnambool. The notice appeared in the *Victoria Government Gazette* on 15 December 2003.

Under the legislation, a council is required to appoint an electoral commission to conduct an electoral representation review. On 14 January 2004 the Warrnambool City Council appointed the VEC to conduct the review.

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. Matters to be considered by the review are:

- a) the number of councillors;
- b) the electoral structure of the City (whether the City should be unsubdivided or divided into wards; and, if the City is to be subdivided, the number of wards and the number of councillors to be elected for each ward); and
- c) if the recommendation is for the City to be divided into wards, boundaries for the wards that will:
 - i. provide for a fair and equitable division of the City; and
 - ii. ensure equality of representation, through the number of voters represented by each councillor being within 10% of the average number of voters represented by all councillors.

2.2 Municipality profile

The City of Warrnambool was formed in 1994 through the amalgamation of the former City of Warrnambool and the Allansford, Bushfield and Woodford districts of the former Shire of Warrnambool.

The City of Warrnambool is a busy and thriving municipality which has established itself as the main regional service centre of South Western Victoria. The City's economy is based on such major industries as retail, tourism, dairy, meat processing and clothing manufacture. Encompassing 121 square kilometres, it is geographically

one of the smallest regional municipalities in Victoria, but it is of an average size (when compared with other regional and rural cities and boroughs) in terms of electoral numbers, with 23,777 enrolled voters.

2.3 Current electoral structure

At present, the City of Warrnambool has seven wards with one councillor representing each ward.

3 Electoral representation review process

3.1 Public consultation

The VEC developed a community consultation framework for the electoral representation review that focussed on:

- creating an awareness of the review process through an advertising and public relations strategy;
- conducting an information session to outline the review process and to respond to questions from members of the community;
- communicating with the City of Warrnambool community through the use of media releases and the VEC website;
- ensuring the review process remains transparent by publishing all preliminary submissions and making them available to the public;
- releasing a Preliminary Report on 29 March 2004 and making the Report available at the Council offices, at the VEC and on the VEC website;
- conducting a public hearing in Warrnambool on 28 April 2004; and
- providing information for those persons or organisations with an interest in the review process, by establishing a help line for responding to community questions and distributing a guide to assist those persons who decided to make preliminary submissions for consideration by the VEC.

3.2 Advertising

The VEC published the following advertisements for the representation review:

- A public notice of the review (in accordance with s.219F(4) of the Act), which detailed the process for the review and called for public submissions, appearing in the *Warrnambool Standard* on 7 February 2004;
- A general advertisement covering several electoral representation reviews and including the City of Warrnambool review, appearing in the *Herald Sun* on 13 February 2004;
- A notice of the Preliminary Report, appearing in the *Warrnambool Standard* on 29 March 2004; and
- A notice of the public hearing, appearing in the *Warrnambool Standard* on 23 April 2004.

The VEC also publicised the representation review by:

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- Broadcasting radio advertisements over Warrnambool radio stations, 3YB Warrnambool and 3 Coast FM 95.3, during the week commencing 8 February 2004.

See Appendix 9.1.

3.3 Media releases

Media releases designed to supplement the paid advertising were distributed to the *Warrnambool Standard* on 13 February 2004 and 29 March 2004. See Appendix 9.2.

3.4 VEC website

The VEC used its website to deliver information and to provide transparency in the review process. All preliminary submissions were posted to the website to facilitate public access to this information. The VEC website can be viewed at www.vec.vic.gov.au

3.5 VEC support for public enquiries regarding the review

The VEC established a help line to assist with public enquiries concerning the process for the electoral representation review. In addition the VEC developed and distributed a guide for those persons and organisations wanting to make a submission. A copy of the guide is attached. See Appendix 9.3.

4 Consideration of the number of councillors

The electoral representation review provisions of the Act provide that the purpose of the review is to consider two matters. The first matter is the number of councillors for the municipality and the second matter is the electoral structure of the municipality.

In regard to the number of councillors, the legislation provides that a council must consist of not fewer than 5 councillors and not more than 12 councillors (s.5B(1)).

The legislation does not prescribe the matters to be considered by the reviewer in recommending the number of councillors for a municipality.

The VEC has therefore been required to identify the appropriate matters to take into account when considering the number of councillors.

Parliament has provided for a range of councillors from 5 to 12 that can constitute a council. The range of councillors was to provide for those councils that have large numbers of voters and those that have a smaller number of voters. The size of councils in terms of voters varies from 4,131 to 155,000. The VEC has formed the view that Parliament intended these provisions to work in a logical way, with those councils that have the largest number of voters having the most councillors, and those councils that have the least number of voters having fewer councillors.

In most cases, the electoral structure and the number of councillors for the newly constituted councils were established by the Commissioners when local government was restructured between 1993 and 1995. Commissioners did not have the benefit of a State-wide reference when considering the appropriate number of councillors. The result was a degree of disparity in councillor numbers for similar types of councils. The VEC has produced a table that lists each council and the councillor to voter ratio. The table differentiates between rural, regional and metropolitan councils. The table has been a

valuable reference point in considering the appropriate number of councillors by recognising the different circumstances and needs between these categories of councils. This information was made available to the public in the information guide, and has assisted the VEC to compare a council being reviewed with councils with similar voter numbers and size.

The VEC also considers whether the number of voters in the municipality is anticipated to increase or decline in the period between reviews (8 years). Population forecasts produced by the Australian Bureau of Statistics and the Victorian Department of Infrastructure have been used to assist the VEC in making its assessment.

In addition, the VEC considers any special issues or circumstances that may require a council to have more councillors than would otherwise be the case. The public consultation process provides valuable information regarding any such issues or circumstances.

In considering representation options for each council, the VEC takes into account submissions received. Submissions are not weighed up in numbers, as this would constitute a "straw poll" but rather, the substance of the arguments and the perspectives they present are taken into consideration in coming to a view on the most appropriate number of councillors.

The VEC is implementing the approach outlined above as the way to fulfil its legislative obligation to make its recommendation to the Minister on the appropriate number of councillors.

5 Preliminary Report

In accordance with s.219F(6) of the Act, the VEC produced a Preliminary Report containing the VEC's proposed options for the City of Warrnambool. In developing these proposed options, the VEC considered preliminary submissions made by various individuals and organisations, as well as various other relevant factors which are outlined in section 5.2.

5.1 Preliminary submissions

By the closing time for submissions (5.00 pm Monday, 8 March 2004), the VEC had received 21 preliminary submissions.

Among the submissions, opinion regarding the number of councillors varied. Support ranged from a total of five to 12 councillors. Opinion regarding the electoral structure and voting system options also varied. Some submissions favoured the municipality remaining subdivided into wards, with either single or multiple councillor representation for each ward. Other submissions preferred an unsubdivided municipality and a system of voting by proportional representation.

See Appendix 9.4 for details of those persons and organisations making preliminary submissions. Copies of the submissions can be downloaded from the VEC website, www.vec.vic.gov.au

5.2 Other relevant factors

In considering all reviews, the VEC takes into account such other relevant factors as:

- The requirements of the Act regarding the number of councillors permitted;

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- Fairness and equity of representation;
 - The total number of voters and their geographical distribution;
 - Anticipated changes in the total number of voters;
 - The level of representation of councillors for similar sized Victorian municipalities;
 - The workload and responsibilities of councillors including council business requirements;
 - Communities of interest within the municipality; and
 - Using logical boundaries such as main roads, physical features and existing boundaries for easy identification of wards.

5.3 Recommended options

Having considered the preliminary submissions made by various individuals and organisations and all other relevant factors, the VEC proposed two options for public comment.

The VEC's preferred option was:

- **That the City of Warrnambool consist of seven councillors to be elected from an unsubdivided municipality.**

The VEC's alternative option was:

- That the City of Warrnambool consist of seven councillors to be elected from seven single-councillor wards.

Detailed maps of these two options, showing recommended ward boundaries, were included in the Preliminary Report.

6 Response submissions

In accordance with s.219F(7) of the Act, the VEC invited written submissions in response to the Preliminary Report. The VEC required that these submissions be limited to commenting on the proposals set forward in the Report.

By the close of submissions at 5.00 pm on Monday 19 April, the VEC had received 8 response submissions.

Among the response submissions, support for maintaining the current number of councillors was fairly consistent - seven of the eight submissions received favoured this option. One submission suggested that an increase in the number of councillors would be desirable but since this was not an option considered in the Preliminary Report, the suggestion was outside the scope of the final stage of the review. In contrast, opinion regarding the most appropriate electoral structure and voting system options for the City of Warrnambool were split two ways. Exactly half of the eight submissions received favoured a municipality divided into single-councillor wards and a preferential system of voting. The other half advocated an unsubdivided structure and a system of voting by proportional representation.

See Appendix 9.4 for details of those persons and organisations making response submissions. Copies of the submissions can be downloaded from the VEC website, www.vec.vic.gov.au

7 Public hearing

A public hearing was held at the City of Warrnambool Civic Centre on Wednesday, 28 April 2004. All persons who had made submissions in response to the VEC's Preliminary Report were invited to speak to their submissions and four individuals chose to do so. Members of the public were invited to attend and eight people, including those speaking at the hearing, were present.

8 Findings and recommendations

In formulating the most appropriate recommendation for the City of Warrnambool, the VEC has been concerned to provide fair and equitable electoral representation for the persons who are entitled to vote at a general election of the Council. The VEC has also been conscious of the need to generate a forward thinking model that will serve the City of Warrnambool through the next eight years. In coming to its recommendation, the VEC has been guided by several crucial issues but consideration has not been dominated by any single factor.

In developing a recommendation as to an appropriate number of councillors for the City of Warrnambool, the VEC has been particularly conscious of the City's number of voters. Currently, the City of Warrnambool has 23,777 voters and each councillor represents an average of 3,397 constituents (compared with an average number of voters per councillor in the regional and rural cities of Victoria of 3,717). If councillor numbers were increased to nine, as suggested in one response submission, each councillor would represent an average of 2,642 voters. Such a comparatively low ratio would be difficult to justify given that the City of Warrnambool does not display any particular features that would otherwise warrant such an increase. The City is growing but not at a rate that would justify an increase in the number of councillors at this stage.

Council	Area (km ²)	Number on roll	Number of councillors	Voters per councillor	Electoral structure
Ararat	3,701	9,586	7	1369	Unsubdivided
Ballarat	739	66,468	9	7385	Single member wards
Benalla	2,354	11,785	7	1684	Single member wards
Greater Bendigo	2,995	77,069	7	11010	Single member wards
Greater Geelong	1,275	155,034	12	12920	Single member wards
Greater Shepparton	2,420	39,740	7	5677	Unsubdivided
Horsham	4,253	14,614	7	2088	Unsubdivided
Latrobe	1,405	58,131	9	6459	Single member wards
Mildura	22,092	36,333	9	4037	Unsubdivided
Queenscliffe	11	4,131	7	590	Unsubdivided
Swan Hill	6,106	14,586	7	2084	1 single member ward, 3 two member wards
Wangaratta	3,628	21,525	8	2691	6 single member wards, 1 two member ward
Warrnambool	121	23,777	7	3397	Single member wards
Wodonga	434	23,373	5	4675	Unsubdivided
Average (median)	2,387	23,575	7	3717	

In deciding on an appropriate electoral structure for the City of Warrnambool, the VEC has been conscious of the City's physical makeup. Currently, the City of Warrnambool is divided into seven single-councillor wards but geographically, the region is largely unsuited to such a dissection. Ideally, ward divisions within a municipality should follow strong natural or physical features and divide the community according to clear communities of interest and in such a way that the voter number equality requirements of the Act are satisfied. The City of Warrnambool does present some natural and physical features, such as the Hopkins River, the Hopkins Highway and the Princes Highway, along which ward boundaries could potentially be based. However, wards based on these features would fail to meet voter number requirements. In order to satisfy the equality requirements, ward boundaries would, in part, need to follow small residential streets. This would create artificial divisions and would split what is, essentially, a single community of interest within the residential area of Warrnambool City.

In generating its recommendation, the VEC has also been aware that the social constitution of the City of Warrnambool renders the municipality unsuited to division. The City of Warrnambool encompasses a homogeneous community within which defined communities of interest are difficult to discern. At the public hearing, it was suggested by one speaker that such communities of interest do, in fact, exist and that various parochial interests within the municipality call for subdivision. In listening to the views of other residents of Warrnambool and after conducting its own research, the VEC has not been convinced that Warrnambool does contain the types of communities of interest that would warrant subdivision. The VEC considers that the City of Warrnambool's homogeneous nature calls for an unsubdivided electoral structure which will further the whole-of-city approach to management that the Council currently employs.

In preparing its recommendation for the City of Warrnambool, the VEC has also considered the number of voters who have presented as candidates. Since its formation in 1994, the City has undergone 3 council elections: in 1996; in 1999; and three years later in 2002. During those elections, a trend of uncontested elections emerged. In 1996, one ward went uncontested, in 1999 it was three and in 2002 two wards were uncontested. These numbers may seem hardly significant but the fact that the City of Warrnambool has seven councillors lends them more weight: in 1999, voters in almost half the wards in the City of Warrnambool were offered no choice as to which councillor they might choose to represent them on local council. The removal of ward boundaries in the City of Warrnambool would guarantee voters a choice of all candidates in a council election. The VEC considers that this would provide voters in the City with a fairer and more equitable system of electoral representation than they may previously have experienced.

Finally, in formulating its recommendation for the Minister, the VEC was aware that due to the City's relatively small size, if ward boundaries were removed, the extra travel requirements which would be imposed on councillors would not be unreasonable.

The VEC is satisfied that the City of Warrnambool will be well served over the next eight years by a council of seven councillors, elected from an unsubdivided municipality. The VEC is confident that such a structure will provide for fair and equitable representation of the voters within this homogeneous and compact community.

9 Appendices

9.1 Public notices of electoral representation review

Electoral Representation Review Warrnambool City Council

The Minister for Local Government has given notice under section 219C of the *Local Government Act 1989* that there is to be an electoral representation review of the Warrnambool City Council. The Warrnambool City Council has appointed the Victorian Electoral Commission (VEC) to conduct the review.

What is the review about?

The aim of the review is to achieve fair and equitable electoral representation for the voters of the Warrnambool City Council. The review will consider:

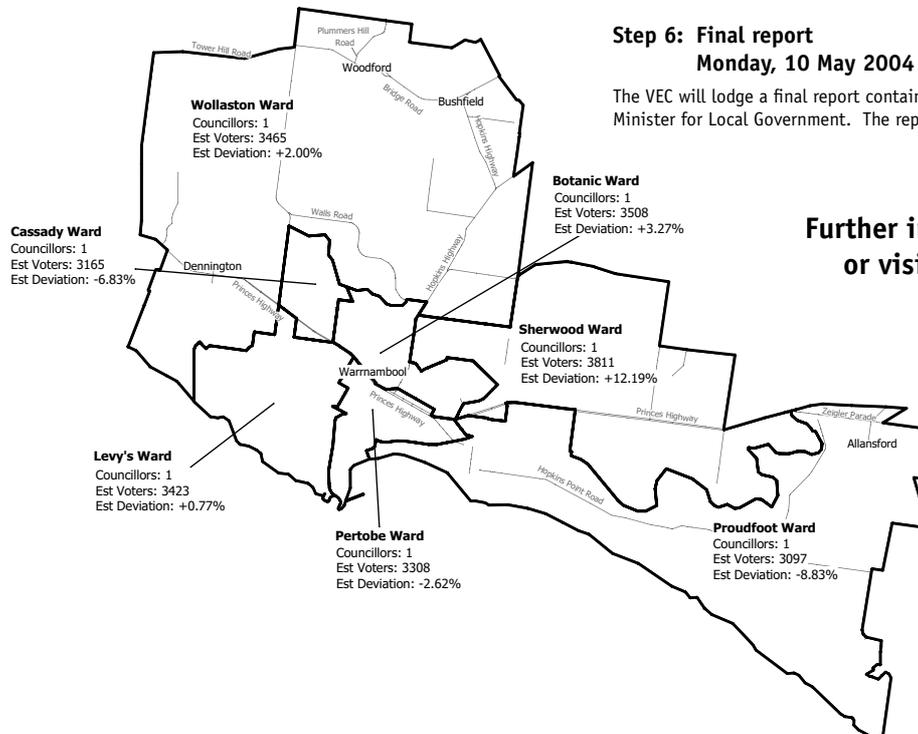
- the number of councillors;
- the electoral structure of the City (whether the City should be unsubdivided or divided into wards, how many wards there should be, and how many councillors per ward); and
- the ward boundaries (if the City is to be divided into wards).

Do I have a say?

Consultation with the Warrnambool community is an important part of the review. The VEC welcomes input from the public. Any person or group can make a submission to the VEC, and can also speak in support of their submission at a public hearing. The VEC will take public opinion into account in preparing its reports on the review.

Current structure of the Warrnambool City Council

The Warrnambool City Council currently has seven wards, with one councillor representing each ward. The map shows the current ward boundaries, the estimated number of voters for each ward, and the deviation from the average as at 22 January 2004.



The review process

Step 1: Information session

Wednesday, 18 February 2004

7.30 pm at the Reception Room, Warrnambool Civic Centre, 25 Liebig Street, Warrnambool.

Anyone interested in making a submission should attend.

Step 2: Preliminary submissions

Deadline, 5.00 pm, Monday, 8 March 2004

Any person or group may make a submission to the VEC by mail, fax or email. Submissions will be available for public inspection.

Step 3: Preliminary report

Monday, 29 March 2004

After considering public submissions, the VEC will release a preliminary report containing its preferred option(s).

Step 4: Submissions

Deadline, 5.00 pm, Monday, 19 April 2004

Any person or group may make a submission to the VEC about the preliminary report. Submissions will be available for public inspection.

Step 5: Public hearing

Week commencing Monday, 26 April 2004

People will be able to speak in support of their submissions about the preliminary report.

Step 6: Final report

Monday, 10 May 2004

The VEC will lodge a final report containing its recommendations with the Minister for Local Government. The report will be publicly available.

**Further information 13 18 32
or visit www.vec.vic.gov.au**

Electoral Representation Reviews

The Minister for Local Government has given notice under section 219C of the *Local Government Act 1989* that there are to be electoral representation reviews of the following councils:

Corangamite Shire Council
Greater Bendigo City Council
Hobsons Bay City Council
Moorabool Shire Council
Moreland City Council
Pyrenees Shire Council
Stonnington City Council
Warrnambool City Council
Yarra City Council.

The councils have appointed the Victorian Electoral Commission (VEC) to conduct the reviews.

What are the reviews about?

The aim of the reviews is to ensure fair and equitable electoral representation for the voters of these councils. The reviews will consider:

- the number of councillors;
- the electoral structure of the councils (whether the Council should be unsubdivided or divided into wards, how many wards there should be, and the number of councillors per ward); and
- the ward boundaries (if the councils are to be divided into wards).

Do I have a say?

Consultation with the community is an important part of the reviews. The VEC welcomes input from the public. Any person or group can make a submission to the VEC. The VEC will take submissions into account in preparing its recommendations to the Minister for Local Government.

Making a submission

Submissions can be made by mail, fax or email. Submissions must reach the VEC by 5.00 pm on the following dates:

Corangamite: 8 March 2004	Pyrenees: 1 March 2004
Greater Bendigo: 1 March 2004	Stonnington: 15 March 2004
Hobsons Bay: 22 March 2004	Warrnambool: 8 March 2004
Moorabool: 1 March 2004	Yarra: 15 March 2004
Moreland: 22 March 2004	

What happens next?

After considering submissions, the VEC will release a preliminary report for each council for public comment.

After considering submissions on the preliminary reports, the VEC will make recommendations to the Minister for Local Government by 24 May 2004. The Minister will consider the VEC's recommendations and may make determinations, which would take effect at the council elections in November 2004.

**For further information or a guide to making submissions call
13 18 32 or visit www.vec.vic.gov.au**

Victorian Electoral Commission 

Electoral Representation Review

Warrnambool City Council

Preliminary Report

The Victorian Electoral Commission (VEC) is conducting an electoral representation review for the Warrnambool City Council. Having considered submissions from the public, the VEC has now released a preliminary report including recommendations to achieve fair and equitable electoral representation for persons who are entitled to vote at the City's general election.

What are the recommendations in the report?

The City of Warrnambool is currently divided into seven wards, with one councillor representing each ward.

Preferred option

The report recommends that the Warrnambool City Council consist of seven councillors to be elected in an unsubdivided municipality.

Alternative option

The report also outlines an alternative option of a Council consisting of seven councillors to be elected from seven single-councillor wards.

Where is the report available?

Copies of the preliminary report are available from:

Copies of the preliminary report are available from:

- The Warrnambool City Council offices, 25 Liebig Street, Warrnambool;
- The VEC's website, www.vec.vic.gov.au; and
- By telephoning the VEC on 13 18 32.

Submissions on the report

Any person or group may make a submission to the VEC about the preliminary report. A submission should comment only on the preferred option and/or the alternative option. Submissions can be:

- Posted to the VEC at Level 8, 505 Little Collins Street, Melbourne Vic. 3000;
- Emailed to warrnambool.review@vec.vic.gov.au; or
- Faxed to 9629 9330.

Submissions must include the name, address and telephone contact number of the person making the submission. Submissions will be available to the public at the VEC and the VEC website.

Submissions should indicate whether the person making the submission wishes to speak at a public hearing in support of their submission.

Submissions must be received at the VEC by 5.00 pm, Monday, 19 April 2004. Late submissions will not be accepted.

Public hearing, Wednesday, 28 April 2004

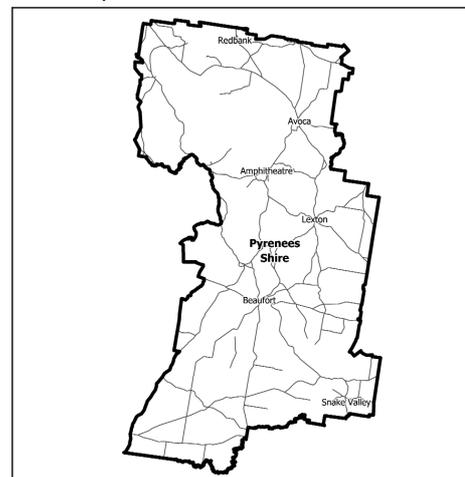
The hearing will be at the Warrnambool City Council offices, Reception Room, Warrnambool Civic Centre, 25 Liebig Street, Warrnambool. The hearing is open to the public, but only those people who have indicated in their submission that they would like to speak in support of their submission will be heard at the hearing.

Final report, 10 May 2004

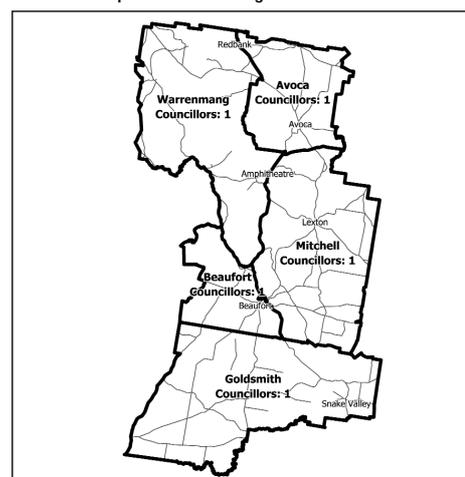
After considering any submissions on the preliminary report and information provided at the public hearing, the VEC will prepare a final report making recommendations to the Minister for Local Government.

Further information 13 18 32 or visit www.vec.vic.gov.au

Preferred option - Unsubdivided



Alternative option - Seven single-councillor wards



Victorian Electoral Commission

Electoral Representation Review Warrnambool City Council

Public hearing

A public hearing for the Warrnambool City Council electoral representation review will be held:

- When: 6.30 pm, Wednesday 28 April 2004
- Where: Warrnambool Civic Centre, Reception Room, 25 Liebig Street, Warrnambool.

The hearing is open to the public, but only those people who have indicated in their submission that they would like to speak at the hearing will be able to do so.

Further information

13 18 32 or visit www.vec.vic.gov.au

Victorian Electoral Commission

For immediate release

REPRESENTATION REVIEWS GET UNDERWAY

Electoral representation reviews for Corangamite Shire and the Warrambool City Council have begun. The reviews, conducted by the Victorian Electoral Commission (VEC), are concerned with the number of councillors and the councils' electoral structure.

The Victorian Electoral Commissioner, Mr Colin Barry, will speak at public information sessions next week. The information sessions will cover the process for the reviews, and anyone interested in making a submission should attend.

The details for the information sessions are:

Corangamite

Monday, 16 February (three sessions)

2.00 pm: Timboon Civic Hall, Meeting Room

5.30 pm: Lismore Community Centre, Seymour Street

7.30 pm: Camperdown Killara Centre, Theatre Royal Complex, Manifold Street

Warrambool

Wednesday, 18 February, at 7.30 pm

Warrambool Civic Centre, Reception Room, 25 Liebig Street

"All interested persons and organisations are welcome to participate in these reviews", said Mr Barry. "By making their views known through written submissions to the Victorian Electoral Commission, it will be possible for electors to help in shaping the future basis of electoral representation for their Shire".

Submissions do not have to be elaborate documents. A letter is perfectly acceptable, as long as it deals with the matters covered by the review.

Key dates for the Corangamite and Warrambool representation reviews are:

Monday, 8 March, at 5 pm – Deadline for preliminary submissions. Submissions can be mailed, faxed or emailed to the VEC.

Monday, 29 March – The VEC's preliminary reports will be made public after consideration of the preliminary submissions received.

Monday, 19 April, at 5 pm – Deadline for submissions about the preliminary reports.

Week commencing Monday, 26 April – Opportunity for those persons who have made submissions on the preliminary report to speak publicly in support of their views.

Monday, 10 May – The VEC will lodge final reports, containing its recommendations, with the Minister for Local Government.

Mr Barry pointed out that the deadlines for lodgement of submissions are fixed. Late submissions cannot be accepted.

Media Release

"The outcomes from these reviews will have a lasting impact on the Warrambool and Corangamite councils. The new electoral arrangements, once approved by the Minister for Local Government, will apply at the next Council elections", he said.

Any person who requires additional information can contact the VEC on telephone 13 18 32 or write to the VEC at Level 8, 505 Collins Street, Melbourne, Vic., 3000.

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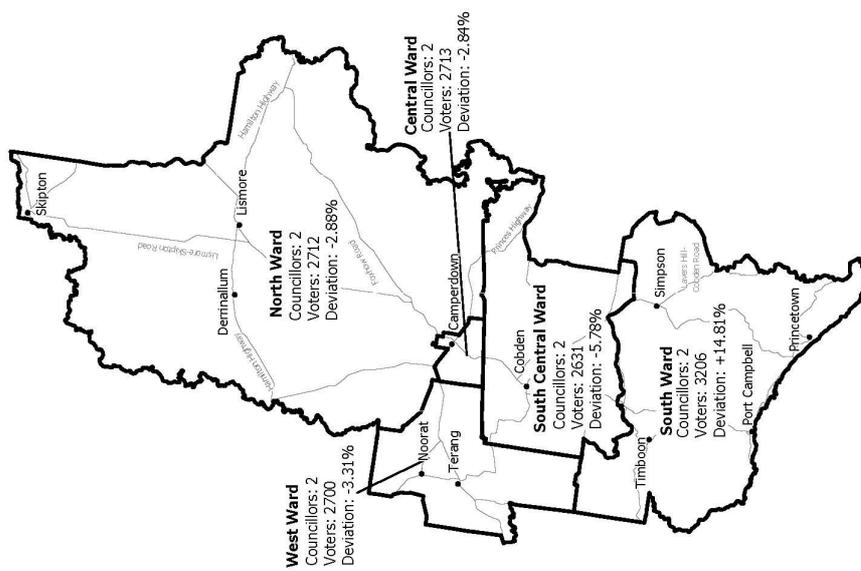
For further media information:

Paul Thornton-Smith
Victorian Electoral Commission
Tel: 9299 0732

Media Release

Corangamite Shire

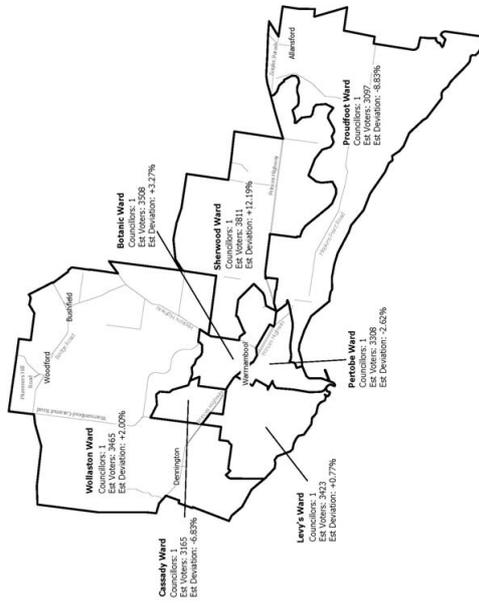
The map below shows the current ward boundaries and voter numbers for Corangamite Shire.



Media Release

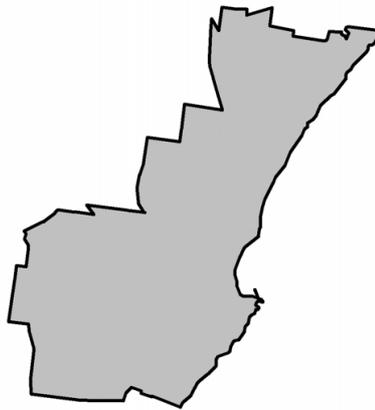
Warrnambool City Council

The map below shows the current ward boundaries and voter numbers for the Warrnambool City Council.



Electoral representation review for the
Warrnambool City Council

Guide for submissions



Conducted by the
Victorian Electoral Commission
Level 8, 505 Little Collins Street, Melbourne Vic. 3000
Telephone: 13 18 32
Fax: 9629 9330
Email: warrnambool.review@vec.vic.gov.au
Website: www.vec.vic.gov.au



Why this review is being undertaken

The *Local Government Act 1989* requires regular, independent electoral representation reviews of councils. Electoral representation reviews must be conducted by an Electoral Commission, to ensure that reviews are carried out at arms length from the councils.

This system of electoral representation reviews came into effect at the end of 2003 as a result of amendments to the Local Government Act. Previously, councils reviewed their own electoral representation arrangements.

The first representation review under this system takes place at a time specified by the Minister for Local Government by a notice in the Government Gazette. Future reviews will occur before every second Council election – that is, about every eight years.

On 15 December 2003, the Minister for Local Government gave notice under section 219C of the Local Government Act that there was to be an electoral representation review of the Warrnambool City Council. The Warrnambool City Council has appointed the Victorian Electoral Commission (VEC) to conduct the review.

What is the review about?

The aim of the review is to ensure fair and equitable representation for the voters of the Warrnambool City Council.

The review is considering:

- The number of councillors;
- The electoral structure of the City (whether the City should be unsubdivided or divided into wards, how many wards there should be, and how many councillors per ward); and
- The boundaries of the wards (if the City is to be divided into wards).

The review cannot deal with the external boundaries of the City, or such matters as whether the City should be divided into two separate councils or amalgamated with another council.

The review process

Notice, 7 February 2004

A notice detailing the process for the review and calling for submissions has been placed in the *Warrnambool Standard*.

Radio advertisement, 9-13 February 2004

An advertisement alerting residents to the review was broadcast on Radio 3YB and COAST FM 95.3.

Information session, Wednesday, 18 February 2004

An information session on the review process is being held at:

- 7.30 pm at the Reception Room, Warrambool Civic Centre, 25 Liebig Street.

Anyone with an interest in making a submission is advised to attend.

Preliminary submissions

Any person or group, including the Council, may make a preliminary submission to the VEC. Submissions should address matters relating to the number of Councillors and the electoral structure for the City, so as to provide fair and equitable representation for the voters of the City.

Submissions do not have to be elaborate documents; a short letter would be perfectly acceptable as long as it addresses matters within the scope of the review.

Submissions can be sent to the VEC in the following ways:

- posted to Level 8, 505 Little Collins Street, Melbourne, Vic. 3000;
- faxed to 9629 8624; or
- emailed to warrambool.review@vec.vic.gov.au.

Submissions must include the name, address and telephone contact number of the person making the submission.

Once lodged, submissions will be available to the public at:

- the VEC at Level 8, 505 Little Collins Street, Melbourne; and
- the VEC website www.vec.vic.gov.au.

Preliminary submissions must be received at the VEC by **5.00 pm, Monday, 8 March 2004**.

Late submissions will not be accepted.

Preliminary report, Monday, 29 March 2004

After the VEC has considered all preliminary submissions, it will prepare a preliminary report containing the preferred option(s) for the number of councillors and the electoral structure, and, if it is proposed that the City is to continue to be divided into wards, the boundaries of those wards.

Copies of the preliminary report will be available from the VEC website, www.vec.vic.gov.au, by contacting the VEC on 13 18 32, and at the Warrambool City Council offices, 25 Liebig Street, Warrambool.

When the preliminary report is released, a notice in the *Warrambool Standard* will specify how people can make a written submission in response to the report.

Submissions on the preliminary report

Any person or group, including the Council, may make a submission to the VEC about the preliminary report. These submissions can be sent to the VEC in the same ways as the preliminary submissions, and will also be available to the public at the VEC and on the VEC website.

Submissions on the preliminary report should indicate whether the person making the submission wishes to speak at a public hearing in support of their submission.

Submissions on the preliminary report must be received at the VEC by **5.00 pm Monday, 19 April 2004**. **Late submissions will not be accepted.**

Public hearing, week commencing Monday, 26 April 2004

There will be a public hearing for people who want to speak in support of their submissions on the preliminary report.

Final report, Monday, 10 May 2004

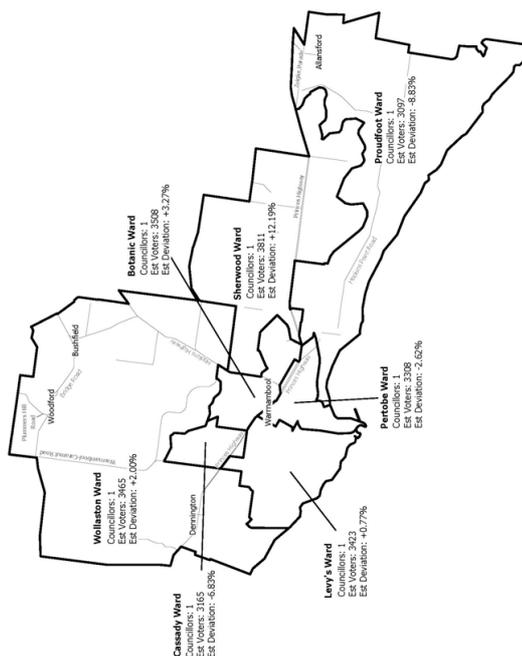
After considering any written submissions relating to the preliminary report, and information provided at the public hearing, the VEC will prepare a final report making recommendations to the Minister for Local Government. Copies of the final report will be forwarded to the Warrambool City Council. The final report will be available for inspection at the Council offices and at the VEC during normal office hours and on the VEC website, www.vec.vic.gov.au.

Implementation

The Minister for Local Government will consider the VEC's recommendations and may make a determination. The determination would take effect at the next Council election.

Current structure of Warrnambool City Council

Warrnambool City Council currently has seven wards, with one councillor representing each ward. The map shows the current ward boundaries, the number of voters for each ward and the voter deviation from the average. These voter statistics will be used as the basis for the review.



Matters to consider when preparing submissions

How many councillors should there be?

Section 10(1) of the Local Government Act requires that a Council is to consist of not fewer than 5 Councillors and not more than 12 Councillors.

A report issued by the Local Government Division in 1995, "Setting New Internal Boundaries for Councils Holding Elections in 1997" (which is still used by the Local Government and Regional Services Division), advised that in determining the number of councillors, the following factors should be considered:

- total voter numbers and their geographic distribution;
- equity of representation;
- the likely workload of councillors;
- Council business requirements, such as the allocation of portfolio responsibilities;
- the costs associated with a larger rather than a smaller number of councillors.

The table at the end of this guide puts Warrnambool in context. The table shows, for each council in Victoria, the geographical size of the council, the latest number of voters, the number of councillors, the number of voters per councillor and the council's electoral structure. The table can be used for comparative purposes.

The number of councillors should enable representation for the various communities of interest across the City. Councillors should be accessible to their constituents.

Another factor to be considered is the workload of councillors. Councillor workload is affected by such matters as volume of business, diversity and complexity of issues, distances to be travelled and the number of separate communities of interest to be serviced.

The number of councillors can also affect how effectively and efficiently a council operates.

The current average annual cost of one councillor at Warrnambool City Council is approximately \$11,500. This is equivalent to 0.026% of the Council's total annual operating budget.

The possible features of a small or a large number of councillors can be portrayed as follows:

	Positive Features	Less Positive Features
Small number of councillors	Council works cohesively and efficiently. Reduced cost.	Councillors are less representative and accessible. Increased workload deters people from becoming councillors.
Large number of councillors	Council is representative of communities of interest. Councillors are readily accessible. Reasonable workload for councillors. Diversity of views enriches council decision-making.	Council becomes unwieldy and divided. Increased cost.

Should the Council be divided into wards or be unsubdivided?

A council can either be unsubdivided, with all councillors elected “at large” by all the voters, or it can be subdivided into a number of wards or ridings. Of Victoria’s 79 councils, 13 are unsubdivided. A local example is the Southern Grampians Shire Council.

Warrambool City Council is currently divided into seven wards, with one councillor representing each ward.

This review will consider all possible models of representation, taking into account the submissions received during the public consultation process.

The possible features of an unsubdivided council can be portrayed as follows:

Positive Features	Less Positive Features
Promotes the concept of a City-wide focus, with councillors being elected by and concerned for the City as a whole, rather than parochial interests.	Can lead to significant communities of interest and points of view being unrepresented. Can lead to councillors being relatively inaccessible for residents of parts of the City.
Gives residents and ratepayers a choice of councillors to approach with their concerns.	Can lead to confusion of responsibilities and duplication of effort on the part of councillors.
Each voter has the opportunity to express a preference for every candidate for the Council election.	Large numbers of candidates can be confusing for voters.
Removes the need to define internal ward boundaries.	
Results in a simple, less expensive voters’ roll for elections as compared with separate voters’ rolls for individual wards.	

Options for division into wards

If the Council is to be divided into wards, there are three options:

- Single-member wards;
- Multi-member wards; and
- Combinations of single- and multi-member wards.

Single-member ridings

More than half (43) of Victoria’s councils, including Warrambool, have single-member wards or ridings.

The possible features of single-member wards can be portrayed as follows:

Positive Features	Less Positive Features
Councillors are more likely to be truly local representatives, easily accessible to residents and aware of local issues. Every community of interest is likely to be represented. It is less likely that one particular point of view or sectional interest will dominate the Council.	Councillors may be elected on minor or parochial issues and lack a perspective of what is to the benefit of the City as a whole. Ward boundaries may divide communities of interest, and may be difficult to define.
	Voters may have a restricted choice of candidates in elections for individual wards. There may be problems if a councillor is not performing effectively or is clashing with some electors, as electors for that ward have no alternative councillor to approach. Small populations in each ward may make ward boundaries susceptible to change caused by demographic shifts. Population changes can lead to unequal workloads for councillors until ward boundaries are reviewed.
	Separate voters’ rolls must be prepared for individual wards, which is more complex and costly than in an unsubdivided Council. Some voters may be confused if they have multiple voting entitlements through owning or occupying property in more than one ward.

Multi-member wards

Eleven of Victoria’s councils have multi-member wards or ridings. A local example is Moyme Shire, which has five two-member ridings.

A multi-member ward structure results in fewer but larger wards than a single-member ward structure.

The possible features of multi-member wards can be portrayed as follows:

Positive Features	Less Positive Features
This structure supports the accommodation of a whole community of interest (such as a sizeable town or suburb) within a ward. Focus on issues may be broader than for single-member wards (though councillors may be more locally focussed than in an unsubdivided council).	Very local issues may be overridden. Groups within the council based on multi-member wards may form, leading to division.. In very large wards, councillors may not be accessible for residents in parts of the ward. Duplication or gaps may occur if councillors do not communicate or share their workload effectively.
Councillors may be more accessible than in an unsubdivided council. Electors have a choice of councillor to approach. Councillors can more effectively share workloads.	
Ward boundaries are likely to be easy to identify and less susceptible to change than for single-member wards.	
	It is easier for candidates to be elected as part of a voting ticket than as individuals.

Combination of single- and multi-member wards

Twelve of Victoria's councils have a mixture of single- and multi-member wards or ridings. A local example is Colac Otway Shire, which has one three-member ward, one two-member ward and two single-member wards.

The possible features of a combined system can be portrayed as follows:

Positive Features	Less Positive Features
A large community of interest can be included within a multi-member ward, and a smaller community of interest can be included within a single-member ward. This accommodates differences in population across a Council, and allows small communities to be separately represented. Clear ward boundaries may be more likely.	Electors in single-member wards may expect that their councillors will be more influential than their numbers suggest. The different voting systems for single- and multi-member wards may cause confusion.

Voting systems

The voting system is an important factor affecting election outcomes.

In single-member wards the voting system is **preferential**.

Under the preferential system:

- a candidate must achieve an absolute majority (50% plus one) of the formal votes to be elected;
- if a candidate obtains an absolute majority of the first-preference votes, that candidate is elected;
- if no candidate obtains an absolute majority of first-preference votes, preferences have to be distributed;
- the candidate with the lowest number of first-preference votes is declared to be a defeated candidate, and that candidate's votes are distributed to the remaining candidates according to the second preferences on the ballot papers;
- the process of excluding the lowest candidate and distributing that candidate's preferences to the remaining candidates continues until one candidate has an absolute majority of votes, and is declared elected.

Under this system, the way in which voters allocate their preferences can be just as important as where they place their first-preference votes. Candidates advise voters (through how-to-vote cards and candidate statements) about how to order their preferences, and negotiate with other candidates about the order of preferences. In some cases, candidates have had informal "running mates" to help with the flow of preferences to them.

In unsubdivided councils and multi-member wards the voting system is **proportional representation**, following legislative change at the end of 2003. The basis of proportional representation is that candidates are elected in proportion to their support.

Under the proportional representation system:

- to be elected, a candidate must obtain a "quota", which is calculated by dividing the total number of votes by one more than the number of vacancies, and then adding one (for example, in an election for 3 vacancies with 800 votes cast, the quota would be 201);
- when a candidate receives more votes than a quota, the surplus votes are distributed to the continuing candidates at a reduced value, calculated by dividing the surplus votes by the total votes for the candidate. (For example, if a candidate achieved 300 votes and the quota was 201 votes, the candidate's surplus would be 99, and ballot papers would be transferred to the remaining candidates at a value 99 divided by 300.);
- when all surplus votes have been distributed and there are still vacancies to be filled, preferences are distributed from the lowest-scoring candidates until a candidate has a quota.

This system means that any candidate who obtains a quota, either through first-preference votes or through the flow of preferences, is elected. In effect, candidates representing all large minorities are likely to be represented as well as candidates representing majorities.

In practice, this system encourages candidates to group together and advise their supporters to follow a ticket in their preferences. However, such a group is unlikely to win all the vacancies in a ward or unsubdivided council unless it has overwhelming support.

How should ward boundaries be drawn?

If Warrnambool City Council is to remain divided into wards, the ward boundaries must comply with legal requirements. Section 219D of the *Local Government Act 1989* requires that:

- the number of voters represented by each Councillor must be within 10% of the average number of voters represented by all Councillors; and
- the ward boundaries must provide a fair and equitable division of the municipal district.

Where there are multi-member wards, the number of voters represented by each councillor for such wards is taken to be the total number of voters for the ward divided by the number of councillors for the ward. For instance, there are 2 councillors and 2,712 voters for North Ward in Corangamite Shire. The number of voters represented by each councillor for North Ward is 2,712 divided by 2, which equals 1,356.

Ward boundaries **must** meet the approximate equality requirement set by the Local Government Act. In Warrnambool at present, the number of voters in Sherwood Ward is 12.19% above the average. If Warrnambool City Council were to retain the current structure, the number of voters for all wards would have to be brought back within the 10% tolerance by changing the current ward boundaries.

The Local Government Act does not prescribe any more details to define what constitutes a fair and equitable division of the Council. However, the following criteria are useful in considering and then deciding on proposed ward boundaries:

- the boundaries should take account of communities of interest;
- the boundaries should follow clear lines, such as major roads, rivers and other natural features;
- as far as possible, the boundaries should follow census collector district (CCD) boundaries. This will assist in providing the Council with demographic information, and will also facilitate voters' roll administration; and
- the boundaries should take account of likely population changes, by setting the number of voters in wards with high growth potential somewhat below the average, and the number of voters in wards with little growth potential somewhat above the average. The approach will help ensure that the boundaries stay within the 10% tolerance for a longer period, avoiding the need for frequent redrawing of boundaries.

What should wards be called?

There is a variety of possible approaches to the naming of wards, including:

- **Place names:** A number of councils name their wards after localities in the wards. This approach is useful where ward boundaries closely align with localities. However, it can lead to smaller localities within a ward feeling overlooked, and may cause confusion if the locality that a ward is named after cuts across a ward boundary;
- **Compass directions:** This is the current approach in Corangamite Shire, where the wards are Central, North, South Central, South and West. It is straightforward. It is of most use where the location of the wards is closely aligned to compass directions;
- **Names of historic buildings:** This is a way of celebrating the City's heritage;
- **Names of natural features:** Using the names of natural features such as hills or streams can be a way of identifying wards without the complications of locality names. The features would need to be well known and relevant to the particular ridings;
- **Names of pioneers and former prominent citizens:** This is a way of recognising important former residents. It is most appropriate when the person is closely associated with the area covered by the ward;
- **Aboriginal names:** This is a way of recognising the City's Aboriginal heritage. However, the use of Aboriginal names could be seen as being tokenistic if the names are not relevant to areas within the City.

TABLE: PROFILES OF MUNICIPAL COUNCILS - 2004

Metropolitan (including outer metropolitan)					
Council	Area (km ²)	Number on roll	Number of councillors	Number of voters per councillor	Electoral structure
Banyule	63	91,639	7	13091	Single member wards
Bayside	37	68,043	9	7560	Single member wards
Boroondara	60	124,245	10	12425	Single member wards
Brimbank	123	119,791	9	13310	Single member wards
Casey	389	130,368	11	11852	Single member wards
Darebin	53	100,680	9	11187	Single member wards
Frankston	130	90,611	7	12944	Single member wards
Glen Eira	39	96,259	9	10695	3 three member wards
Greater Dandenong	130	94,605	11	8600	Single member wards
Hobsons Bay	64	63,775	8	7972	4 two member wards
Hume	503	97,985	9	10887	Single member wards
Kingston	91	105,796	7	15114	Single member wards
Knox	118	110,006	9	12223	Single member wards
Manningham	113	86,847	8	10856	4 two member wards
Maribymong	31	48,844	7	6978	Single member wards
Maroondah	61	77,585	7	11084	Single member wards
Melbourne	37	64,000	9	7111	Unsubdivided
Melton	528	37,818	7	5403	Single member wards
Monash	81	122,865	8	15358	Single member wards
Moonee Valley	44	92,217	7	13174	Single member wards
Moreland	31	98,732	10	9873	Single member wards
Mornington Peninsula	721	136,358	9	15151	Single member wards
Nilfumbik	430	43,736	9	4860	Single member wards
Port Phillip	20	73,812	7	10545	Single member wards
Stonnington	26	78,148	9	8683	Single member wards
Whitehorse	64	112,858	10	11286	5 two member wards
Whittlesea	490	84,676	9	9408	Single member wards
Wyndham	540	67,813	7	9688	Single member wards
Yarra	70	59,589	9	6621	1 single member ward, 4 two member wards
Yarra Ranges	2,464	105,900	9	11767	Single member wards
Average (median)	76	91,928	9	10872	

Regional Cities, Rural Cities and Boroughs					
Council	Area (km ²)	Number on roll	Number of councillors	Number of voters per councillor	Electoral structure
Ararat	3,701	9,586	7	1369	Unsubdivided
Ballarat	739	66,468	9	7385	Single member wards
Benaalla	2,354	11,785	7	1684	Single member wards
Greater Bendigo	2,995	77,069	7	11010	Single member wards
Greater Geelong	1,275	155,034	12	12920	Single member wards
Greater Shepparton	2,420	39,740	7	5677	Unsubdivided
Horsham	4,253	14,614	7	2088	Unsubdivided
Latrobe	1,405	58,131	9	6459	Single member wards
Mildura	22,092	36,333	9	4037	Unsubdivided
Queenscliffe	11	4,131	7	590	Unsubdivided
Swan Hill	6,106	14,586	7	2084	1 single member ward, 3 two member wards
Wangaratta	3,628	21,525	8	2691	6 single member wards, 1 two member ward
Warrnambool	121	23,777	7	3397	Single member wards
Wodonga	434	23,373	5	4675	Unsubdivided
Average (median)	2,387	23,575	7	3717	

Regional Shires					
Council	Area (km ²)	Number on roll	Number of councillors	Number of voters per councillor	Electoral structure
Alpine	4,837	11,074	5	2215	Unsubdivided
Bass Coast	865	37,113	7	5302	Single member wards
Baw Baw	4,030	30,399	9	3378	Single member wards
Buloke	8,006	6,804	9	756	3 three member wards
Campaspe	4,519	30,525	7	4361	5 single member wards, 1 two member ward
Cardinia	1,282	36,473	7	5210	Single member wards
Central Goldfields	1,532	11,415	5	2283	Single member wards
Colac Otway	3,449	20,433	7	2919	2 single member wards, 1 two member ward, 1 three member ward
Corangamite	4,356	13,962	10	1396	5 two member wards
East Gippsland	20,942	36,769	8	4596	2 four member wards
Gannawarra	3,736	9,949	7	1421	3 single member wards, 2 two member wards
Glenselg	6,212	18,506	9	2056	Single member wards
Golden Plains	2,705	13,192	9	1466	Single member ridings
Hepburn	1,470	13,783	5	2757	Single member wards
Hindmarsh	7,520	5,430	6	905	3 two member wards
Indigo	2,046	11,457	7	1637	Unsubdivided
Loddon	6,694	8,570	6	1428	Single member ridings
Macedon Ranges	1,743	30,189	9	3354	Single member wards
Mansfield	3,887	9,141	5	1828	4 single member wards, 1 two member ward
Mitchell	2,864	21,955	7	3136	5 single member wards, 1 two member ward
Moira	4,057	20,599	9	2289	3 three member wards
Moorabool	2,110	20,328	7	2904	4 single member ridings, 1 three member riding
Mount Alexander	1,528	15,377	7	2197	Single member wards
Moyne	5,853	13,883	10	1388	5 two member ridings
Murrindindi	3,987	13,725	6	2288	Single member ridings
Northern Grampians	5,903	11,080	9	1231	1 three member ward, 1 six member ward
Pyrenees	3,432	7,211	7	1030	Single member ridings
South Gippsland	3,297	28,548	9	3172	7 single member wards, 1 two member ward
Southern Grampians	6,800	13,195	7	1885	Unsubdivided
Strathbogie	3,304	9,080	7	1297	Single member wards

Council	Area (km ²)	Number on roll	Number of councillors	Number of voters per councillor	Electoral structure
Surf Coast	1,560	21,943	9	2438	3 single member wards, 2 three member wards
Towong	6,670	5,264	5	1053	Unsubdivided
Wellington	11,007	37,709	9	4190	Unsubdivided
West Wimmera	9,116	4,322	5	864	Unsubdivided
Yarriambiack	7,163	7,251	9	806	3 single member wards, 2 three member wards
Average (median)	3,987	13,783	7	2197	

9.4 List of people and organisations making submissions

Preliminary submissions

Adriene Anson
David Atkinson
Brian Callaghan
Anthony van der Craats
Richard J Cumming
Andrew Stuart Fawcett
Damian B Goss
Lloyd Haslehurst
Trevor Hawker
J. J. Leahy
Greg Lee
Frank McCarthy
Colin McKenna
Damien Mugavin
The Proportional Representation Society of Australia (Victoria-Tasmania Branch)
L. D. Ryan
Gerald Shanley
Warrnambool City Council
Wes Taylor
Kerri Worland
Russell John Worland

Response submissions

Adriene Anson
David Atkinson
Anthony van der Craats
Andrew Stuart Fawcett
The Proportional Representation Society of Australia (Victoria-Tasmania Branch)
Peter Ronald
Wes Taylor
Warrnambool City Council