



# **COUNCIL MEETING**

## **AGENDA**

**Wednesday 8 February 2023**

**Commencing at 7:00pm**

**Wycheproof Supper Room**

**367 Broadway, Wycheproof**

**Wayne O'Toole  
Chief Executive Officer  
Buloke Shire Council**

## **ADDENDUM AGENDA**

### **8.2. MANAGEMENT REPORTS**

8.2.7	RESPONSE TO ELECTORAL STRUCTURE REVIEW PRELIMINARY SUBMISSION PERIOD	3
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**Wayne O'Toole**  
**CHIEF EXECUTIVE OFFICER**

## 8.2. MANAGEMENT REPORTS

### 8.2.7 RESPONSE TO ELECTORAL STRUCTURE REVIEW PRELIMINARY SUBMISSION PERIOD

**Author's Title:** Director Corporate and Organisation Performance

**Department:** Corporate and Organisational Performance **File No:**

**Relevance to Council Plan 2021 - 2025**

**Strategic Objective:** Our Council and Community Leadership

#### PURPOSE

To seek direction from Councillors on a preferred electoral structure for the purpose of providing a submission to the Victorian Electoral Commission's Electoral Structure Review Preliminary Submission period.

#### SUMMARY

The Victorian Electoral Commission is assisting the Minister for Local Government in the administration of an Electoral Structure Review Process ahead of the 2024 local government elections. 39 councils, including Buloke Shire Council, have electoral structures that are not in alignment with the new *Local Government Act 2020* (the Act) and as such require their electoral structures to be brought in line with identified structures within the Act.

Buloke Shire Council is proposing a submission during the Preliminary Submission process of the Electoral Structure Review and three electoral structure options are explored in this report that are acceptable under the conditions stated in the Act, each with benefits and disbenefits.

Option 1 proposes a move to an unsubdivided structure with seven councillors. This would present a substantially changed electoral model to the communities of Buloke Shire Council however voter/councillor ratios would be relatively maintained as per the current structure.

Option 2 with three wards but reducing to six councillors, has the benefit of nuanced geographic focus for Councillors as well as generally maintaining existing ward structures that the community is familiar with, with the exception of Birchip township moving into the Mallee Ward.

Option 3 with four wards and eight councillors, while an acceptable structure, is unlikely to be supported by the Electoral Representation Advisory Panels due to a lower voter/councillor representation in comparison to similar sized councils. As such this is not recommended as a suitable option.

#### RECOMMENDATION

That Council provide a Preliminary Submission to the Electoral Representation Advisory Panel based on option 2 that recommends Council move to a subdivided ward with three wards and six councillors to be elected at the 2024 local government elections.

**Attachments:** 1 [↓ Preliminary Submission Options](#)

## DISCUSSION

### Background

Under the Local Government Act 2020 (the Act), the Minister for Local Government has formed two electoral representation advisory panels (ERAPs) to review electoral structures in local councils ahead of the October 2024 local council elections.

When it was introduced, the Act made several changes to local government representation, including changes to the types of electoral structures local councils may have. From October 2024, all metropolitan, interface and regional city councils must have single-councillor ward electoral structures. Large and small rural shire councils may have one of following three electoral structures:

- unsubdivided (large area with no wards),
- single-councillor wards, or
- multi-councillor wards with the same number of councillors per ward.

Currently, the structures of 39 of Victoria's 79 local councils do not meet the requirements of the Act. Appointed ERAPs must review these 39 and recommend appropriate electoral structures before the October 2024 elections. Councils have been clustered together generally in groups of four to facilitate the reviews. The groups are then spread across three rounds with the first round focused on rural shire councils.

Buloke Shire Council has been selected for review in Group 1 of Round 1 along with Gannawarra, Northern Grampians, and Yarriambiack Shire Councils. In this group, Buloke and Gannawarra Shires will be reviewed by ERAP 1, and Northern Grampians and Yarriambiack will be reviewed by ERAP 2.

*Table 1: Electoral Representation Advisory Panels assigned to Round 1/Group 1 Councils:*

Electoral Representation Advisory Panel		Round 1/Group 1 Councils
<b>ERAP 1</b>	<ul style="list-style-type: none"> <li>- The Hon Frank Vincent, Chairperson</li> <li>- Liz Williams</li> <li>- Warwick Gately, Electoral Commissioner</li> </ul>	Buloke SC Gannawarra SC
<b>ERAP 2</b>	<ul style="list-style-type: none"> <li>- Julie Eisenbise, Chairperson</li> <li>- Tim Presnell</li> <li>- Dana Fleming, Deputy Electoral Commissioner (EC Delegate)</li> </ul>	Northern Grampians SC Yarriambiack SC

Various rounds of consultation are being undertaken by the VEC across the various groups under consideration throughout this process. The first round of this consultation is a preliminary submission period where councils and community can indicate their preferred structures to ERAPs for consideration based on local knowledge and experiences.

The VEC has indicated that there are a number of factors and special circumstances that the ERAPs will consider in the preparation of their recommendations to the Minister:

- nature and complexity of services provided by the council;
- geographic size and topography of the local council area;
- population and voter growth or decline;
- social diversity of the local council, including:
  - cultural and linguistic diversity,
  - socio-economic disparities, and

- the number of 'communities of interest' (defined as groups of people who share a range of common concerns or aspirations).

### RELEVANT LAW

The *Local Government Act 2020*.

### RELATED COUNCIL DECISIONS

Not applicable.

### OPTIONS

Options have been prepared in line with the available structures defined in the Act for Large and small rural shire councils.

For the purpose of providing a preliminary submission to the ERAPs three options are outlined in Attachment 1:

*Table 2: Prepared Submission Options for Buloke Shire Council Preliminary Submission:*

Option	Description
<b>Submission Option 1</b>	Unsubdivided Maintain Seven Councillors 5249 voters / 7 Councillors = 750 voters per Councillor
<b>Submission Option 2</b>	Subdivided - 3 Wards 6 Councillors 5249 voters / 6 Councillors = 875 voters per Councillor
<b>Submission Option 3</b>	Subdivided - 4 Wards 8 Councillors 5249 voters / 8 Councillors = 656 voters per Councillor

Each option has a number of benefits and disbenefits around several factors such as voter representation, level of councillor responsibilities and decision making, coverage of substantial distance, recognition of community identities and administration of wards and councillor remuneration:

*Table 3: Prepared Submission Options for Buloke Shire Council Preliminary Submission:*

Option	Summary of Benefits	Summary of Dis-benefits
<b>Submission Option 1</b>	<ul style="list-style-type: none"> <li>- less administration around separate wards</li> <li>- all councillors are seen to represent all voters in municipality</li> <li>- Potential for higher voter participation across municipality at election (as compared to wards running unopposed)</li> <li>- Odd number of Councillors provides balance of power to a Council majority.</li> </ul>	<ul style="list-style-type: none"> <li>- Advocacy from councillors may not be targeted to specific wards/communities</li> <li>- Diluted focus from councillors having to represent a large geographical area</li> </ul>

Option	Summary of Benefits	Summary of Dis-benefits
<b>Submission Option 2</b>	<ul style="list-style-type: none"> <li>- Councillors focus can remain on specific ward areas.</li> <li>- Advocacy on ward-based issues likely increased.</li> <li>- Ward boundaries remain similar to current ward structure, with the exception of Birchip proposed for move into Mallee Ward.</li> <li>- Status quo remains in terms of ward administration and Councillor remuneration</li> </ul>	<ul style="list-style-type: none"> <li>- An even number of councillors provides balance of power to Mayor who would hold a deciding vote in the event of a tie.</li> <li>- Lower voter representation with reduction in number of councillors compared to current structure.</li> </ul>
<b>Submission Option 3</b>	<ul style="list-style-type: none"> <li>- Councillors focus can remain on specific ward areas</li> <li>- Advocacy on ward-based issues likely increased.</li> <li>- Increased voter representation from increase in councillors compared to current structure</li> <li>- New ward structures may encourage increased diversity in ward-based community engagement.</li> </ul>	<ul style="list-style-type: none"> <li>- When compared to similar Council structures, voter/councillor ratio would be very low and unlikely to meet consistency requirements</li> <li>- Increase in Councillor remuneration costs</li> <li>- Increased ward-based administration.</li> <li>- Ward structure changes will be new to communities who may identify with current ward structure.</li> </ul>

Given Option 3 is unlikely to be supported by the ERAP due to a lower voter/councillor representation in comparison to similar sized councils (700-1300 voters per councillor on average compared to 656 voters per councillor in Option 3) this is not recommended as a suitable option.

Option 1, moving to unsubdivided, would present a substantially changed electoral model to the communities of Buloke Shire Council however voter/councillor ratios would be relatively maintained.

Option 2 has the benefit of nuanced focus for Councillors from a geographic sense as well as generally maintaining existing ward structures that the community is familiar with, with the exception of Birchip township moving into the Mallee Ward.

#### **SUSTAINABILITY IMPLICATIONS**

Not Applicable

#### **COMMUNITY ENGAGEMENT**

Communities are able to openly engage in this process via the VEC's webpage and public submission process. Media and communications plans have encompassed newspaper and social media.

#### **INNOVATION AND CONTINUOUS IMPROVEMENT**

Not Applicable.

#### **COLLABORATION**

Not Applicable.

#### **FINANCIAL VIABILITY**

Not Applicable.

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

*Local Government Act 2020*

**COUNCIL PLANS AND POLICIES**

Not Applicable.

**TRANSPARENCY OF COUNCIL DECISIONS**

Not Applicable.

**CONFLICTS OF INTEREST**

No staff member involved in the preparation of this report has a conflict of interest.

### Options For Preliminary Submission to VEC Electoral Structure Review

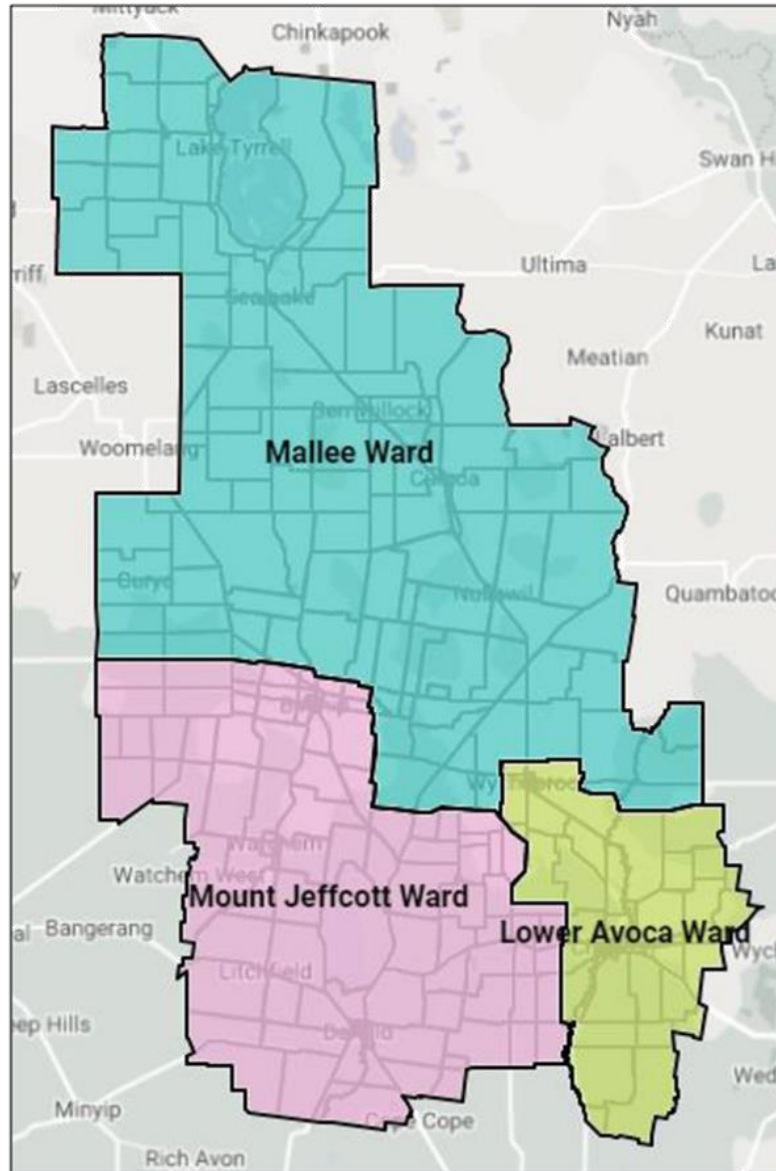
#### Current Electoral structure:

Structure is no longer compliant under the Local Government Act 2020

3 Wards; 7 Councillors

5249 voters / 7 Councillors = 750 voters per Councillor

Wards ▲	Councillors ⓘ	Voters ▲	Deviation ▲ ⓘ
■ Unassigned	0	0	
■ Lower Avoca W...	- 2 +	1,593	+6.22% 🗑
■ Mallee Ward	- 2 +	1,398	-6.78% 🗑
■ Mount Jeffcott ...	- 3 +	2,258	+0.37% 🗑
<b>Total councillors</b>	- 7 +		





**Options For Preliminary Submission to VEC Electoral Structure Review (Cont.)**

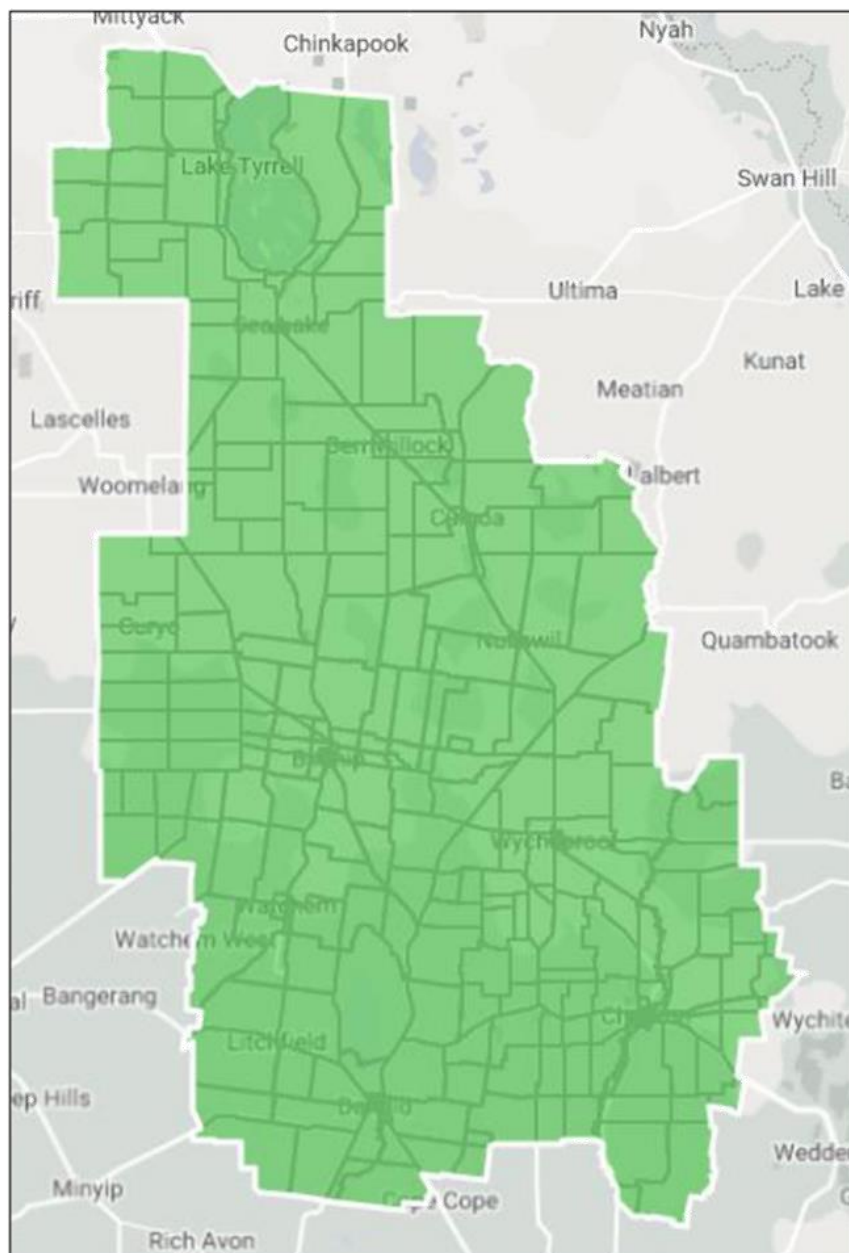
**Submission Option 1:**

Unsubdivided

Maintain Seven Councillors

5249 voters / 7 Councillors =  
750 voters per Councillor

Wards ▲	Councillors ⓘ	Voters ▲	Deviation ▲ ⓘ
■ Unassigned	0	0	
■ Unsubdivided ✎	- 7 +	5,249	0.00% 🗑️
<b>Total councillors</b>	- 7 +		



**Options For Preliminary Submission to VEC Electoral Structure Review (Cont.)**

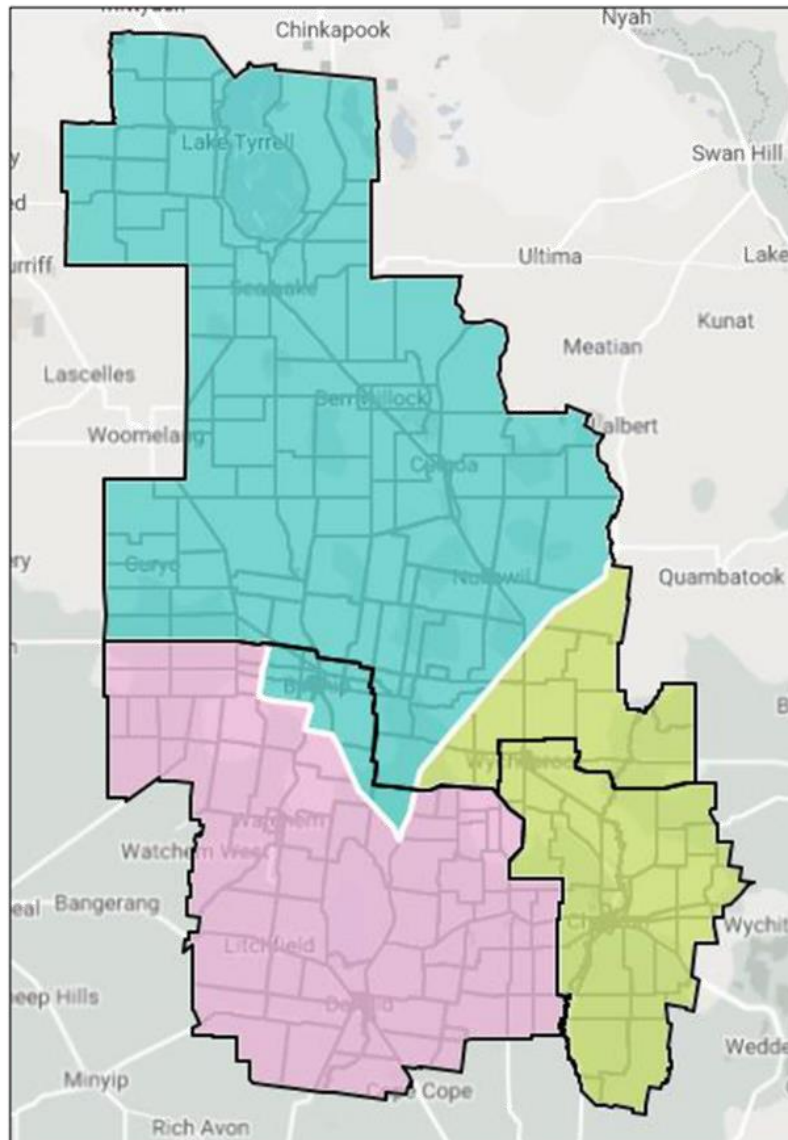
**Submission Option 2:**

Subdivided

3 Wards; 6 Councillors

5249 voters / 6 Councillors =  
875 voters per Councillor

Wards ▲	Councillors ⓘ	Voters ▲	Deviation ▲ ⓘ
■ Unassigned	0	0	
■ Lower Avoca W...	- 2 +	1,684	-3.75% 🗑️
■ Mallee Ward	- 2 +	1,841	+5.22% 🗑️
■ Mount Jeffcott ...	- 2 +	1,724	-1.47% 🗑️
<b>Total councillors</b>	- 6 +		



*Black Lines = Existing Ward Boundaries  
White Lines = Proposed Boundaries per Submission Option*

**Options For Preliminary Submission to VEC Electoral Structure Review (Cont.)**

**Submission Option 3:**

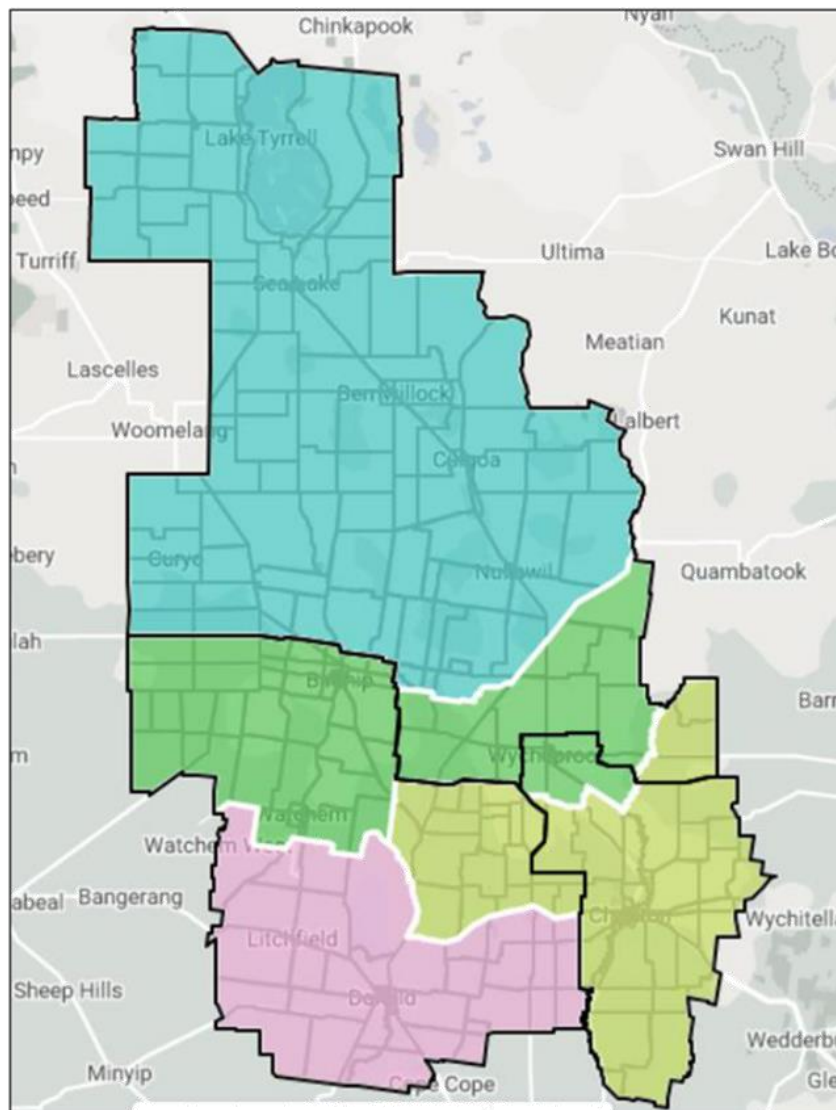
Subdivided Municipality

4 Wards; 8 Councillors

5249 voters / 8 Councillors =

656 voters per Councillor

Wards ▲	Councillors ⓘ	Voters ▲	Deviation ▲ ⓘ
■ Unassigned	0	0	
■ New Ward ↗	- 2 +	1,339	+2.04% 🗑️
■ Lower Avoca W... ↗	- 2 +	1,232	-6.12% 🗑️
■ Mallee Ward ↗	- 2 +	1,289	-1.77% 🗑️
■ Mount Jeffcott ... ↗	- 2 +	1,389	+5.85% 🗑️
<b>Total councillors</b>	- 8 +		



*Black Lines = Existing Ward Boundaries  
White Lines = Proposed Boundaries per Submission Option*