



2015-16

**Council  
Representation  
Reviews**

# **Final Report**

## **2015 Baw Baw Shire Council Electoral Representation Review**

*Wednesday 11 November 2015*

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# 1 Recommendation

The Victorian Electoral Commission (VEC) recommends Baw Baw Shire Council consist of nine councillors elected from three three-councillor wards.

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

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

## 2 Executive summary

The *Local Government Act 1989* (the Act) requires the VEC to conduct an electoral representation review of each municipality in Victoria before every third council general election.

The purpose of an electoral representation review is to recommend an electoral structure that provides fair and equitable representation for the persons who are entitled to vote at a general election of the council. The matters considered by a review are:

- the number of councillors
- the electoral structure of the council (whether the council should be unsubdivided or divided into wards and, if subdivided, the details of the wards).

The VEC conducts all reviews on the basis of three main principles:

1. ensuring the number of voters represented by each councillor is within 10 per cent of the average number of voters per councillor for that municipality
2. taking a consistent, State-wide approach to the total number of councillors and
3. ensuring communities of interest are as fairly represented as possible.

### Current electoral structure

The last electoral representation review for Baw Baw Shire Council took place in 2007. The review recommended nine councillors elected from three two-councillor wards and one three-councillor ward.

### Preliminary submissions

Preliminary submissions opened at the commencement of the current review on Wednesday 22 July 2015. The VEC received six submissions by the deadline for submissions at 5.00 pm on Wednesday 19 August.

### Preliminary report

A preliminary report was released on Wednesday 16 September with the following options for consideration:

- Option A (preferred option)  
**Baw Baw Shire Council continue to consist of nine councillors elected from one three-councillor ward and three two-councillor wards, with modified ward boundaries.**

- Option B (alternative option)  
**Baw Baw Shire Council consist of nine councillors elected from three three-councillor wards.**
- Option C (alternative option)  
**Baw Baw Shire Council consist of nine councillors elected from one four-councillor ward, one three-councillor ward and one two-councillor ward.**

### **Response submissions**

The VEC received seven submissions responding to the preliminary report by the deadline for submissions at 5.00 pm on Wednesday 14 October.

### **Public hearing**

The VEC conducted a public hearing for those wishing to speak about their response submission at 7.00 pm on Thursday 22 October. Four people spoke at the hearing.

### **Recommendation**

**The VEC recommends Baw Baw Shire Council consist of nine councillors elected from three three-councillor wards.**

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

## 3 Background

### 3.1 Legislative basis

The Act requires the VEC to conduct an electoral representation review of each municipality in Victoria before every third general council election, or earlier if gazetted by the Minister for Local Government.

The Act specifies that the purpose of a representation review is to recommend the number of councillors and the electoral structure that provides ‘fair and equitable representation for the persons who are entitled to vote at a general election of the Council.’<sup>1</sup>

The Act requires the VEC to consider:

- the number of councillors in a municipality and
- whether a municipality should be unsubdivided or subdivided.

If a municipality should be subdivided, the VEC must ensure that the number of voters represented by each councillor is within 10 per cent of the average number of voters per councillor for that municipality.<sup>2</sup> On this basis, the review must consider the:

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

### 3.2 The VEC’s approach

#### Deciding on the number of councillors

The Act allows for a municipality to have between five and 12 councillors, but does not specify how to decide the appropriate number.<sup>3</sup> In considering the number of councillors for a municipality, the VEC is guided by the Victorian Parliament’s intention for fairness and equity in the local representation of voters under the Act.

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

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

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<sup>1</sup> Section 219D of the *Local Government Act 1989*.

<sup>2</sup> *ibid.*

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

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

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

### **Deciding the electoral structure**

The Act allows for a municipality ward structure to be:

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

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

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

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

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

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

### 3.3 The VEC's principles

Three main principles underlie all the VEC's work on representation reviews:

- 1. Ensuring the number of voters represented by each councillor is within 10 per cent of the average number of voters per councillor for that municipality.**

Over time, population changes can lead to some wards in subdivided municipalities having larger or smaller numbers of voters. As part of the review, the VEC corrects any imbalances and also takes into account likely population changes to ensure ward boundaries provide equitable representation for as long as possible.

- 2. Taking a consistent, State-wide approach to the total number of councillors.**

The VEC is guided by its comparisons of municipalities of a similar size and category to the council under review. The VEC also considers any special circumstances that may warrant the municipality having more or fewer councillors than similar municipalities.

- 3. Ensuring communities of interest are as fairly represented as possible.**

Each municipality contains a number of communities of interest. Where practicable, the electoral structure should be designed to ensure they are fairly represented, and that geographic communities of interest are not split by ward boundaries. This allows elected councillors to be more effective representatives of the people and interests in their particular municipality or ward.

### 3.4 The electoral representation review process

#### Developing recommendations

The VEC bases its recommendations for particular electoral structures on the following information:

- internal research specifically relating to the municipality under review, including Australian Bureau of Statistics and .id (Informed Decisions) Pty Ltd<sup>4</sup> data; voter statistics from the Victorian electoral roll; and other State and local government data sets
- small area forecasts provided by .id (Informed Decisions) Pty Ltd
- the VEC's experience conducting previous electoral representation reviews of local councils and similar reviews for State elections
- the VEC's expertise in mapping, demography and local government

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

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

### **Public involvement**

Public input is accepted by the VEC:

- in preliminary submissions at the start of the review
- in response submissions to the preliminary report and
- in a public hearing that provides an opportunity for people who have made a response submission to expand on this submission.

Public submissions are an important part of the process, but are not the only consideration during a review. The VEC ensures its recommendations are in compliance with the Act and are formed through careful consideration of public submissions, independent research, and analysis of all relevant factors, such as the need to give representation to communities of interest.

## **4 Baw Baw Shire Council representation review**

### **4.1 Profile of Baw Baw Shire Council**

Baw Baw Shire Council was formed in 1994 through the amalgamation of the Shires of Buln Buln, Narracan, Warragul and parts of the Upper Yarra Shire. The Baw Baw local government area encompasses 4,031 square kilometres, and is situated in West Gippsland between Melbourne's south-eastern growth corridor and the Latrobe Valley. The northern part of the Shire is heavily forested and includes Baw Baw National Park, Bunyip National Park and Mt Baw Baw, while the southern part of the Shire is used largely for dairy farming and agriculture. Although predominantly a rural municipality, the Shire has a number of rural-residential and urban areas, with the majority of the population residing across the towns of Warragul, Drouin, Trafalgar, Yarragon, Longwarry and Neerim South.

The demographic profile of Baw Baw Shire is relatively consistent with the rural and regional Victorian average; although workforce participation in the Shire is moderately higher (63.6 per cent), while unemployment is lower (3.1 per cent). The Shire has slightly higher percentages of high and low income earners than the rural and regional Victorian average.

#### **Communities of interest**

A geographically diverse municipality, Baw Baw Shire can broadly be divided into three geographic communities of interest: the mountainous area in the north, high quality agricultural land in the southern areas of the Shire, and large urban population centres (i.e. Warragul and Drouin) toward the west of the Shire and along the Princes Highway. It is these latter areas where population growth is forecast to increase the most. Increasingly Warragul, Drouin, and, to a lesser extent, Trafalgar, are becoming commuter suburbs to Melbourne. As with many councils located just outside the Melbourne fringe, the Shire includes small, densely populated towns and suburbs, with large tracts of rural, sparsely populated land.

### **4.2 Current electoral structure**

The last electoral representation review for Baw Baw Shire Council took place in 2007. Following the review, the VEC recommended that the subdivided structure of the council change from nine single-councillor wards to nine councillors elected from one three-councillor ward and three two-councillor wards.

The VEC considered that the introduction of multi-councillor wards would improve representation of voters by providing a wider range of candidates at election, therefore broadening interests represented on the council and avoiding uncontested elections in wards covering more remote parts of the Shire. Sharing of councillor workloads, particularly in the rural and remote parts of

the Shire, was also seen as a distinct benefit of a multi-councillor structure. The VEC also considered that five councillors representing the urban areas of the Shire and four councillors representing the rural and remote areas was appropriate.

### **4.3 Public information program**

Public involvement is an important part of the representation review process. The Baw Baw Shire Council representation review commenced on Wednesday 22 July and the VEC conducted a public information program to inform the community, including:

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

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

## 5 Preliminary report

### 5.1 Preliminary submissions

The VEC received six preliminary submissions by the deadline for submissions at 5.00 pm on Wednesday 19 August. A list of people who made a preliminary submission can be found in Appendix 1.

#### Number of councillors

The number of councillors recommended by submitters varied, with four submissions supporting retaining nine councillors, and two submitters recommending an increase to 11. Submitters in favour of retaining the current number of councillors argued that the number was appropriate on the basis that councillor workloads will remain viable, despite the inevitable increase in workload that increased population growth will produce. The two submitters who recommended 11 councillors argued that the very large geographic size of the municipality justified increasing the number of councillors, also drawing on the argument that the same area was represented by over 30 members prior to amalgamation in the mid-1990s.

#### Electoral structure

General consensus among submitters at the preliminary stage was that a multi-councillor ward structure, introduced following the last representation review, has worked well in the Shire. No submissions advocated a return to the single-councillor ward model, and the VEC was cautioned against the introduction of an unsubdivided structure. Yet, despite consensus on the preference for a multi-councillor ward structure, four different models were recommended by submitters. All except one submitter recommended re-orienting wards to reflect the north-south road corridors within the Shire, placing each major township (Warragul, Drouin and Trafalgar) into separate wards with accompanying rural areas.

Two submissions recommended the introduction of a three three-councillor ward model that placed the three major towns of Warragul, Drouin and Trafalgar into separate wards. Baw Baw Shire Council's submission recommended a multi ward structure comprised of one three-councillor ward, one four-councillor ward and one two-councillor ward—placing each of the three major towns in a separate ward. The proposed boundaries under this model ran the entire length of the Shire, effectively dividing the municipality into three 'slices'. This placement of ward boundaries was requested in a further two submissions, though with 11 or 12 councillors, rather than the Council's recommendation of nine councillors. These two submitters suggested models consisting of one five-councillor ward, one four-councillor ward and one three-councillor ward.

However, not all submitters recommended a change. One submitter recommended retaining the current structure on the grounds that it was working well, with the current alignment of wards allowing for representation of smaller wards while facilitating proportional representation.

## **5.2 Preliminary report**

A preliminary report was released on Wednesday 16 September. The VEC put forward three options for public comment, which are discussed in more detail below.

### **Councillor numbers**

The VEC considered retaining nine councillors appropriate for Baw Baw Shire Council, with an increase in councillors resulting in over-representation when compared with other rural councils in Victoria. While the VEC acknowledged that population growth is set to occur in the municipality, it noted the moderate and concentrated nature of this growth, largely confined to urban areas, with minimal population decline across the remainder of the Shire. With this in mind, the VEC determined that councillor workloads would continue to remain manageable.

### **Electoral structure**

After considering the preliminary submissions and undertaking internal research and mapping exercises, the VEC proposed three electoral structures for the public to consider.

#### ***Option A (preferred model) – nine councillors elected from one three-councillor ward and three two-councillor wards***

The VEC's preferred option (Option A—illustrated in Diagram 1) recommended retaining the current electoral structure, making minor amendments to Drouin Ward's boundaries in order to meet legislative requirements. The VEC considered that the current structure was working well in regards to representation of voters, with electoral statistics indicating a good number of candidates standing for election at both the 2008 and 2012 council elections. Geographic communities of interest are broadly contained within the current ward structure, with the mountainous north and the farming districts in the south each contained within their own wards, and the two growing urban areas of Warragul and Drouin also contained in separate wards. The VEC considered that by retaining the two major urban areas in separate wards, the likelihood of rural interests being dominated by urban ones was reduced. Baw Baw Shire Council also acknowledged that the council structure was working well, although it was not their preferred structure.



**Diagram 1: Option A.**

The VEC acknowledged limitations to the model, including the need to place the less densely populated areas immediately surrounding Drouin into neighbouring wards to meet legislative requirements<sup>5</sup>; and the very large North Ward that retained only two councillors.

**Option B – Nine councillors elected from three three-councillor wards**

The VEC’s second option (Option B) recommended nine councillors elected from three three-councillor wards. This model placed the three major urban towns in the Shire into three separate wards, responding to the desire among some submitters to see the north-south road corridors captured fully in the ward structure. It places an equal number of councillors in each ward, which as Diagram 2 shows, includes one very large ward covering the majority of the Shire, a smaller ward in the west that contains future growth in that part of the Shire, and an urban ward that contains all of Warragul.

<sup>5</sup> The current boundaries around Drouin Ward are set to exceed 10 per cent by 2016, requiring ward boundaries to be adjusted in order to meet legislative requirements. This requires separating the outlying parts of Drouin from the urban area – separating a major community of interest.



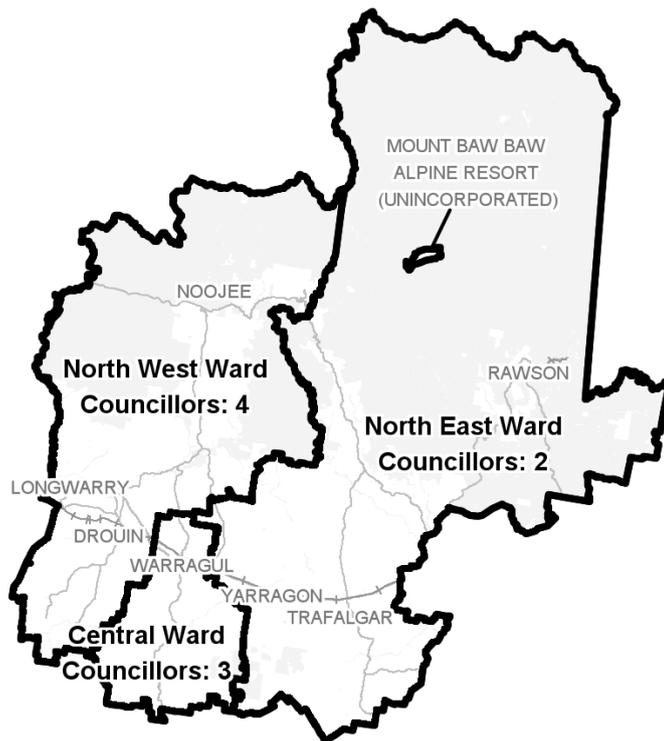
**Diagram 2: Option B.**

The VEC considered that the model had the advantage of containing all of Warragul in one ward, reducing the likelihood of any rural area being dominated by the town if it was placed in the same ward (such as in Option C). Option B also kept the rural and regional parts of Drouin together in one ward along the western edge of the Shire, including the uninhabited areas of Gentle Annie and Ada. This enabled all of the north-south road corridors across the northern part of the Shire to be retained in one ward.

However, limitations of the model were considered to be the large size of the eastern ward and the diversity that makes up the wards. For instance, while the model accounted for the north-south road corridors in the north of the Shire, it also brought localities with little in common into one ward—such as Erica and Thorpdale. Also, the model splits the southern part of the Shire between two wards, thereby potentially diminishing representation of farming interests in the south.

***Option C – nine councillors elected from one four-councillor ward, one three-councillor ward and one two-councillor ward***

The VEC's third option also placed the three major towns in separate wards, with each ward incorporating part of the respective surrounding rural and regional areas, as illustrated in Diagram 3.



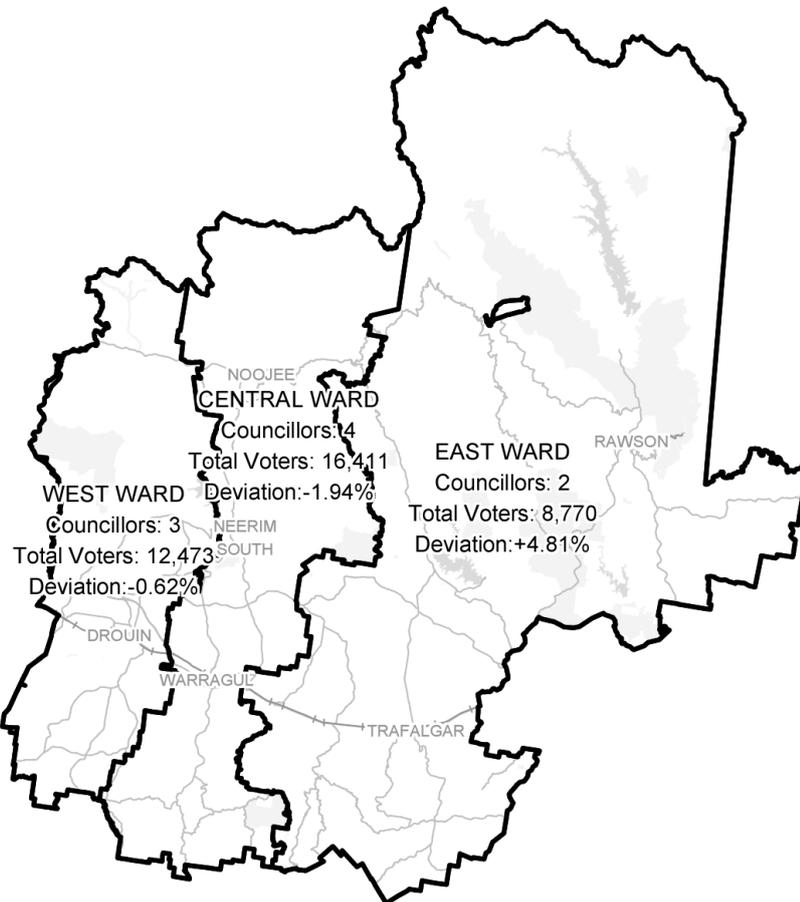
**Diagram 3: Option C.**

Similar to Option B (illustrated in Diagram 2) and Baw Baw Shire Council’s proposal (illustrated in Diagram 4 below), Option C recognised the north-south orientations in the Shire and kept major urban areas in separate wards. However, unlike Option B, Option C placed a different number of councillors in each ward—with four councillors in a north-west ward that includes Drouin, Toorong and Neerim; three councillors in a Warragul based ward; and two councillors in a large ward toward the north-east of the Shire.

The model shifts the balance of councillors to Drouin, increasing the likelihood of candidates being elected from outside the major urban areas, while providing a larger number of councillors for an area that is expected to experience the most population growth, given its close proximity to the urban growth boundary in neighbouring Cardinia Shire. The model still results in a very large ward in the east, although two major road corridors in the north are kept together – a necessity due to population distribution. And, there is a greater division of the land based communities in both the north and south of the Shire when compared with the other models – a concern for the VEC, as it potentially diminishes representation for these communities.

**North-south ward model (not recommended)**

Option C was an adaptation of a model requested by three submitters that placed the three main urban areas in separate wards with the respective hinterlands, and ward boundaries running the full length of the Shire. Diagram 4 illustrates this proposed model.<sup>6</sup>



**Diagram 4: North-South ward model**

Submitters recommended this model on the basis that the structure provided ease of access for councillors and less fragmentation and ‘provincialism’ by incorporating both rural and urban areas within one ward. However, the VEC considered that its limitations outweighed its strengths—especially in that the model splits the Shire across three different wards across both the north and south of the Shire, potentially weakening the representation of interests of these groups (based on land use), as well as linking communities together that may have little in common. The VEC was also concerned about the potential for over-representation of urban areas, reducing the opportunity for representatives from the rural communities to be elected to the Council. Furthermore, projections were forecast to be well outside the legislative tolerance, with over 13 per cent deviation expected in a proposed “East Ward” by 2024. As a result, the

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<sup>6</sup> Bruce McDonald and the Baw Baw Rate Payers Association submitted a very similar model, although with slightly altered boundaries

diagram was not submitted as one of the VEC's options, although the arguments made in submissions for this model were used to inform the development of Option B and Option C.

### Options

In summary, the VEC put forward the following options:

- Option A (preferred option)  
**Baw Baw Shire Council continue to consist of nine councillors elected from one three-councillor ward and three two-councillor wards, with modified ward boundaries.**
- Option B (alternative option)  
**Baw Baw Shire Council consist of nine councillors elected from three three-councillor wards.**
- Option C (alternative option)  
**Baw Baw Shire Council consist of nine councillors elected from one four-councillor ward, one three-councillor ward and one two-councillor ward.**

## 6 Public response

### 6.1 Response submissions

The VEC received seven submissions responding to the preliminary report from Wednesday 16 September until 5.00 pm on Wednesday 14 October. A list of people who made a response submission can be found in Appendix 1. Table 1 indicates the preferences expressed in the response submissions.

**Table 1: Preferences expressed in response submissions**

Option A	Option B	Option C	Other
0	3	2	2

Overall, Option B was supported by three of the seven response submitters, with a common view that the model fairly disperses councillors across the Shire, providing better and more balanced representation of interests for all voters and communities of interest.

Two submitters were in favour of Option C. One of the submitters preferred the model on the basis that the boundaries reflected the old shire boundaries prior to amalgamation, the proposed wards following the historical and social interconnection of communities (for example, the close connection between Trafalgar and Willow Grove). Geographic distances covered by councillors were deemed to be more manageable by proponents of Option C. The Council’s submission preferred Option C, agreeing with the VEC that the model does not preference Warragul Ward to the same extent as the other models, and accounts for projected population growth—placing the highest number of councillors in the largest forecast growth areas. Council’s submission also argued that Option C best considers councillor workloads by placing the two major traffic corridors in the North East Ward and North West Ward, and responds to the call for placing the major urban areas in separate wards—reducing the likelihood of an urban-centric focus in wards.

Option A (current structure) was the least preferred amongst all submitters, with the general perception that the structure placed the balance of power with urban wards, increasing the potential to divert a greater share of council resources to the residential growth areas at the expense of other communities of interest—especially farmers and rural areas.

Bruce McDonald did not prefer any of the VEC’s proposed models, instead resubmitting a ward-based structure closely configured to Diagram 4 – both a nine and 11 councillor option. The view in the submission was that this better reflected the Shire’s communities of interests and improved councillor workloads.

## 6.2 Public hearing

The VEC conducted a public hearing for those wishing to speak about their response submission at 7.00 pm on Thursday 22 October at Baw Baw Shire Council, Council Chambers, Civic Place, Warragul. A list of people who spoke at the hearing can be found in Appendix 1.

Four people spoke at the public hearing. There were a number of key themes and issues raised by speakers, and questions raised by the VEC to test the strengths and limitations of the various proposed models.

### North-south interconnections

One theme explored in the public hearing was the interconnection (or common interests) between the northern and southern areas of the Shire, and how this differed across the Shire—a common theme in many submissions. The Narracan-Coalville Local Neighbourhood Advisory Group (NCLNAG) argued that farmers in the east of the Shire (both in north and south) were engaged in a range of industries, including beef, sheep and dairy farming; potato and vegetable cropping; and mining and forestry. In the west of the Shire (also in the north and south of the Shire), orchard and nursery production, along with equine and rural living, was more prevalent. On this basis ‘common interests’ rather than communities of interest based on land type (i.e. mountainous communities) should be considered. This view was reiterated by Cr Gauci (speaking on behalf of Baw Baw Shire Council), who further noted a historical connection between urban areas and rural hinterlands, cautioning against viewing these as distinctly separate. The strong economic links and transport corridors that flow north to south in the Shire, with all major roads (apart from the freeway) leading to the centre (especially Warragul) were particularly noted.

This point was also raised by Bruce McDonald and the Baw Baw Ratepayers Association, although the Ratepayers Association noted that the towns in the north-east of the Shire (i.e. Rawson and Erica) tend to have a greater connection to Moe (in the City of Latrobe), rather than to regional centres such as Trafalgar or Warragul.

### Urban-centric wards

A second issue that the VEC was concerned about was the potential for urban areas to return the majority (if not all) councillors in wards that included a blend of urban and rural areas. The view from NCLNAG was that, apart from Warragul, the other urban areas are still principally supportive of the rural environment, and wards that included both rural and urban areas would be representative of all interests. This was especially valid under Option B, as a third councillor is made available to cover the very large ward in the east of the Shire.

Cr Gauci argued that councillors currently work together and share the workload across the rural areas. The importance of the candidate's local identity was seen as more important than location, with the point made about not assuming that rural people do not know urban people and vice versa. This view of councillors elected for their ability, rather than location, was reiterated by the Ratepayers Association.

The VEC questioned Bruce McDonald on the model he recommended in his public submission that included three wards running the full length of the Shire (see Diagram 4). The VEC was concerned that the Central Ward, containing Warragul, would return all councillors from the urban areas. In response, using extrapolated Council data, Bruce McDonald argued that there were more than 5,000 rural voters who could return a rural candidate under that model, and this was not problematic.

### **Number of councillors**

Three speakers were concerned that the VEC had not made sufficient provisions for projected population growth in the Shire, recommending increasing the number of councillors to alleviate council workloads. Bruce McDonald and the Ratepayers Association reiterated the arguments outlined in their submissions that an increase in the number of councillors was warranted as, prior to amalgamation, there were over 30 councillors representing Baw Baw Shire. However, Cr Gauci, speaking on behalf of the Council, did not see management of councillor workloads as an issue with the current number.

## 7 Findings and recommendation

### 7.1 The VEC's findings

At the last representation review in 2007, Baw Baw Shire's electoral structure changed from nine single-councillor wards to a multi-councillor ward structure. Support for retaining this type of structure was reiterated in submissions, which noted the benefits of the model in enabling the proportional representation system of counting to be established, and perception that there was more equitable representation of voters across all the urban, rural and remote parts of the Shire. There was no call for a reintroduction of single-councillor wards, and caution against the introduction of an unsubdivided structure was further raised.

However, despite this consensus, Baw Baw Shire's highly diverse geographic composition creates the possibility for a number of multi-councillor ward electoral structures, each with their own strengths and limitations. The VEC recognised early in the representation review process that there was an appetite for change in Baw Baw Shire Council as the majority of submissions indicated a preference for introducing wards with a north-south orientation that incorporated a blend of rural and urban areas, with major townships separated into different wards.

Using public submissions, its own research and mapping software, the VEC developed three models that met the legislative requirements for each ward—Option A retaining the current structure with a slightly altered ward boundary around Drouin; Option B retaining nine councillors but reducing wards to three, with three councillors elected to each ward; and Option C, which included nine councillors elected from three wards, with one four-councillor ward, one three-councillor ward and one two-councillor ward. After considering all data and public submissions, the VEC has determined that Option B is the most appropriate for Baw Baw Shire. However, as mentioned above, Option A and Option C were also regarded viable models, and a discussion outlining the VEC's considerations is included below.

#### Option A

A number of factors are considered when the VEC develops models, including legislative requirements, communities of interest, longevity of the structure and other factors such as whether elections are likely to be adequately contested. On all these points, the VEC considered that Option A, based on the current structure, was generally working well. Electoral statistics indicated fair and equitable representation for voters was being met, and geographic communities of interest based on land use were considered well represented (especially the mountainous north and farming south).

The VEC did recognise a number of limitations with Option A, namely that the nature of population growth and distribution required part of the existing Drouin Ward to be moved to neighbouring wards—separating a major community of interest. It also retained a very large North Ward requiring significant travel time for councillors. This latter point is potentially less of a concern to the VEC, as Cr Gauci speaking on behalf of council noted that councillors already take a Shire-wide approach and help out across the rural north.

However, there was an overall lack of support for the current model among submitters, with a greater desire to see the wards reflect a north-south orientation. This, in concert with the limitations of Option A, led the VEC to consider alternative options for Baw Baw Shire's electoral structure.

### **Option B and Option C**

The VEC's alternative options both reduced the number of wards to three, prioritising the north-south road corridors while placing the three major urban areas in separate wards from each other. The VEC considered that both models were viable. Three submitters preferred Option B on the basis that the model recognised north-south traffic corridors (especially in the north of the Shire) and provided an equal number of councillors per ward. Whereas proponents of Option C preferred the model on the basis that Warragul's urban area was blended with the rural area, and the ward boundaries followed the old Shire boundaries prior to amalgamation—reflecting historical and social interconnections.

### ***Communities of interest***

The issue of the large north ward under the current model (Option A) not reflecting the north-south road corridors was overcome in Option B, with all but the uninhabited areas of Gentle Annie and Ada contained in one ward. The VEC considered that this model balances competing communities of interest—ensuring minimal disruption to any land use based communities of interest across the mountainous north, while acknowledging the much referred to population movements between the centre of the Shire and the rural areas.

Option B is less favourable in the south than Option A, with the boundary between West Ward and East Ward running along the locality boundary of Hallora—dividing the dairy farming area in order to meet legislative requirements. However, this division of the south is less arbitrary in Option B than it is in Option C, which sees the southern part of the Shire split across three wards. The potential for weakening the interests of farmers in the south is a key concern for the VEC.

At the public hearing, the VEC heard about the various land uses across the Shire—noting that the north and south in the eastern part of the Shire had more in common than the north and

south in the west of the Shire. There was little discussion regarding the communities of interest that may flow east to west across the north and south of the Shire.

### ***Managing the potential for urban-centric wards***

A key theme in submissions was the perceived need to ensure that urban interests are not disproportionately represented over rural ones. The VEC considered that Option B was the most appropriate structure to meet these concerns. For instance, placing all of the township of Warragul exclusively in one ward is preferable to blending the urban area with surrounding rural areas (which occurs under Option C). Apart from splitting the interests of farmers across three wards in the south, the VEC was concerned that the ward containing Warragul in Option C may dominate rural voters—further weakening the ability for the non-Warragul community in the ward to be represented. While this creates a very large rural ward in the east under Option B, the extra councillor and north-south corridors would help to offset this limitation.

The distribution of voters across the Shire also means that, under Option B, the potential for the number of candidates being elected from outside the urban areas is increased. Under Option A, half the wards could be considered rural wards, while Option B increases this to two thirds. However, the VEC was encouraged to hear from Councillor Gauci on behalf of the Council that councillors are in the practice of sharing the workload across the rural areas.

One of the concerns the VEC had with the model recommended by Bruce McDonald was the potential for all wards to become urban-centric due to the imbalance of rural and urban voters across the wards—particularly in Central Ward. As the proposed model effectively ‘slices’ the Shire into three based primarily on population movement corridors, there is a real concern that representation from rural communities in the north and south could be weakened. This was a concern of both submitters and the VEC. Apart from managing the potential for urban-centric wards, the model recommended by Bruce McDonald is not viable in the long term, with the projected deviation of voters per councillor set to exceed 15 per cent in East Ward by 2024—well before the next scheduled representation review.

### **Summary**

In summary, the VEC considers that on balance Option B is the most appropriate electoral structure for Baw Baw Shire Council. This electoral structure supports the north-south transport and population corridors while minimising the impact on communities of interest based on topography and land based interests. It provides a blend of rural and urban areas in two wards, responding to the concerns of submitters that the current structure preferences urban voters and interests. Importantly, it provides an extra councillor to cover an inevitably large eastern ward.

## **7.2 The VEC's recommendation**

**The VEC recommends Baw Baw Shire Council consist of nine councillors elected from three three-councillor wards.**

## Appendix 1: Public involvement

### Preliminary submissions

Preliminary submissions were received from:

Baw Baw Ratepayers and Citizens Association

Baw Baw Shire Council

William Blackburn

David Wombat Lyons

Ian Bruce McDonald (two submissions)

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

### Response submissions

Response submissions were received from:

Richard Hill

David Wombat Lyons

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

Mick Bourke

Narracan-Coalville Local Neighbourhood Advisory Group

Baw Baw Shire Council

Bruce McDonald

### Public hearing

The following individuals spoke at the public hearing:

Bruce McDonald

Geoff Anderson on behalf of Baw Baw Ratepayers Association

Cr Joe Gauci on behalf of Baw Baw Shire Council

Fred Boreham on behalf of Narracan-Coalville Local Neighbourhood Advisory Group

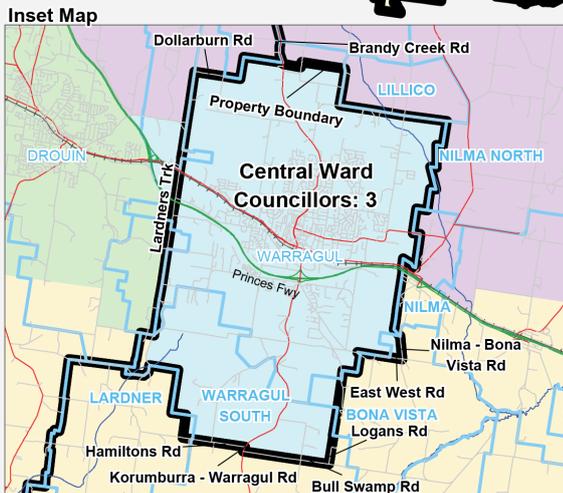
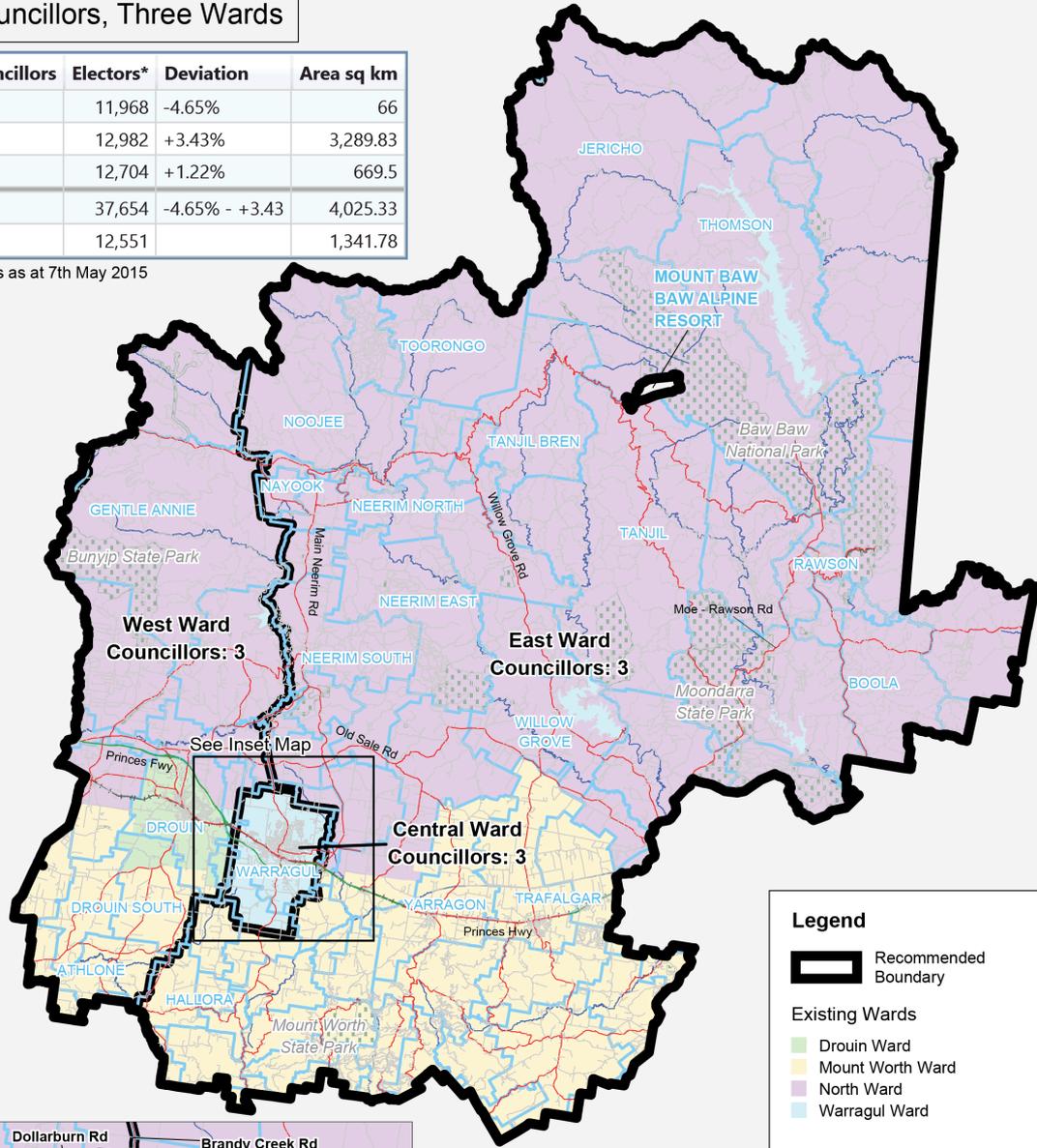
## Appendix 2: Map

### Baw Baw Shire Council

Map of Recommended Option  
Nine Councillors, Three Wards

Ward	Councillors	Electors*	Deviation	Area sq km
Central	3	11,968	-4.65%	66
East	3	12,982	+3.43%	3,289.83
West	3	12,704	+1.22%	669.5
Total	9	37,654	-4.65% - +3.43	4,025.33
Average		12,551		1,341.78

\* Elector numbers as at 7th May 2015

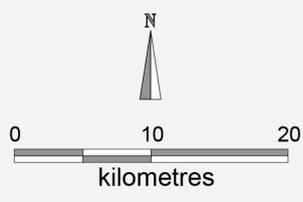


**Legend**

- Recommended Boundary
- Existing Wards
- Drouin Ward
- Mount Worth Ward
- North Ward
- Warragul Ward

**Map Symbols**

- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- Railway Line
- River/Creek
- Park/Reserve
- Lake
- Locality Boundary



Map prepared by the Victorian Electoral Commission  
 Vicmap spatial data provided by Department of Environment and Primary Industries  
 Parks digital data used with the permission of Parks Victoria  
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## Appendix 3: Public information program

### Advertising

In accordance with the Act, public notices of the review and the release of the preliminary report were placed in the following newspapers:

Newspaper	Notice of review	Notice of preliminary report
<i>Herald Sun</i>	Wednesday 15 July	Wednesday 9 September
<i>Latrobe Valley Express</i>	Monday 20 July	Monday 21 September
<i>Warragul and Drouin Gazette</i>	Tuesday 21 July	Tuesday 22 September
<i>Pakenham Gazette</i>	Wednesday 22 July	Wednesday 16 September

### Media releases

A media release was prepared and distributed to local media at the commencement of the review on Wednesday 22 July. A further release was distributed at the publication of the preliminary report on Wednesday 16 September. A final release was circulated on the publication date of this final report.

### Public information sessions

Public information sessions for people interested in the review process were held on:

- Wednesday 29 July at the Trafalgar Community Centre, 105 Princes Highway, Trafalgar
- Wednesday 29 July in the Parkview Room, West Gippsland Arts Centre, Corner of Smith & Albert Streets, Warragul.

### Helpline and email address

A telephone helpline and dedicated email address were established to assist members of the public with enquiries about the review process.

### VEC website

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

### Guide for Submissions

A *Guide for Submissions* was developed and distributed to those interested in making submissions. Copies of the *Guide* were available on the VEC website, in hardcopy on request and also provided to Council.

### **Council website and newsletter**

Information about the review was provided to Council for publication in council media, e.g. website and newsletter.

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