



2015-16

**Council
Representation
Reviews**

Final Report

2015 Alpine Shire Council Electoral Representation Review

Wednesday 17 June 2015

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Contents

1 Executive summary.....	4
2 Background.....	6
2.1 Legislative basis.....	6
2.2 The VEC’s approach.....	6
2.3 The VEC’s principles.....	8
2.4 The electoral representation review process.....	8
3 Alpine Shire Council representation review.....	10
3.1 Profile of Alpine Shire Council.....	10
3.2 Current electoral structure.....	11
3.3 Public information program.....	11
4 Preliminary report.....	13
4.1 Preliminary submissions.....	13
4.2 Preliminary report.....	15
5 Public response.....	16
5.1 Response submissions.....	16
5.2 Public hearing.....	16
6 Findings and recommendation.....	17
6.1 The VEC’s findings.....	17
6.2 The VEC’s recommendation.....	20
Appendix 1: Public involvement.....	21
Appendix 2: Map.....	22

1 Executive summary

The *Local Government Act 1989* (the Act) requires the Victorian Electoral Commission (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 Alpine Shire Council took place in 2004. The review recommended an increase in the number of councillors from five to seven and that the municipality retain an unsubdivided structure.

Preliminary submissions

Preliminary submissions opened at the commencement of the current review on Wednesday 25 February. The VEC received six submissions by the deadline for submissions at 5.00 pm on Wednesday 25 March.

Preliminary report

A preliminary report was released on Wednesday 22 April with the following preferred option for consideration:

Alpine Shire Council consist of seven councillors elected from an unsubdivided structure.

Response submissions

The VEC received one submission responding to the preliminary report by the deadline for submissions at 5.00 pm on Wednesday 20 May.

Public hearing

The VEC scheduled a public hearing for those wishing to speak about their response submission at 4.00 pm on Wednesday 27 May. There were no requests to speak so the hearing was not held.

Recommendation

The Victorian Electoral Commission (VEC) recommends Alpine Shire Council continue to consist of seven councillors elected from an unsubdivided municipality.

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

2 Background

2.1 Legislative basis

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

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

The Act requires the VEC to consider:

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

If a municipality should be subdivided, the VEC must ensure that the number of voters represented by each councillor is within 10 per cent of the average number of voters per councillor for that municipality.² 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.

2.2 The VEC’s approach

Deciding on the number of councillors

The Act allows for a municipality to have between 5 and 12 councillors, but does not specify how to decide the appropriate number.³ 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.

¹ Section 219D of the *Local Government Act 1989*.

² *ibid.*

³ 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.

2.3 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.

2.4 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 data⁴; 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

⁴ .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.

3 Alpine Shire Council representation review

3.1 Profile of Alpine Shire Council

Alpine Shire is located in the north-east region of Victoria, adjoining the municipalities of Indigo Shire to the north, Towong Shire to the north-east, the Rural City of Wangaratta to the west, East Gippsland Shire to the south-east and Wellington Shire to the south. Around 90 per cent of Alpine Shire is characterised by mountainous terrain. Tourism is a major driver of economic activity in the Shire, with over one million visitors to the area every year. It is a tourist destination in its own right, but also shares close proximity to the resort areas of Falls Creek, Mount Hotham and Dinner Plain.

The Shire is well connected through major transport corridors—including Great Alpine Road, Kiewa Valley Highway and Bogong High Plains Road.⁵ In 2013, the estimated resident population of Alpine Shire was 12,044 people. The median age of the population was 48, significantly older than the rural and regional Victorian median age of 41. Population forecasts for Alpine Shire indicate that the population is set to increase to approximately 12,900 people in 2031, providing an annual growth rate of only 0.3 per cent. This is significantly lower than the rural/regional average growth rate of 1.3 per cent.

The major industries in Alpine Shire include construction (14.5 per cent), manufacturing (13 per cent), agriculture, forestry and fishing (13 per cent), and accommodation and food services (10.8 per cent). The workforce participation rate in Alpine Shire is 58 per cent, which is the same as the rural/regional Victorian average (also 58 per cent). Unemployment is low (4.6 per cent) when compared with the rural/regional Victorian average (5.2 per cent).

Communities of interest

Communities of interest in Alpine Shire are largely contained within geographic areas, including Kiewa Valley and the Ovens Valley (Upper and Lower Ovens). The Kiewa Valley area includes Mt Beauty, Tawonga, Tawonga South, Bogong and Dederang, representing about 30 percent of the resident population in the Shire. Industry in the area includes intensive dairying and chestnut farming. The Ovens Valley area is in the north-west of the Shire and can be divided into the Upper and Lower Ovens areas. Farming in the Ovens Valley has more intensive patterns of land use including softwood timber and livestock production, with an increasing number of vineyards. The Upper Ovens area includes the towns of Bright, Wandiligong, Porepunkah and Harrietville, which have a marked tourist element. The Lower Ovens area includes the town of Myrtleford, which has a significant saw milling facility that processes timber from the plantations across the Shire and the surrounding region.

⁵ Alpine Planning Scheme, available at planningschemes.dpcd.vic.gov.au/schemes/alpine

3.2 Current electoral structure

The last electoral representation review for Alpine Shire Council occurred in 2004. The review recommended increasing the number of councillors from five to seven and retaining an unsubdivided electoral structure for the following reasons:

- Increasing the number of councillors from five to seven would be appropriate for managing population growth and, combined with the mountainous terrain of the Shire and distinct population centres, would ensure greater representation.
- Dividing the municipality into wards along geographical and demographic communities of interest, while recommended by some submitters, did not comply with legislative requirements.

3.3 Public information program

Public involvement is an important part of the representation review process. The Alpine Shire Council representation review commenced on Wednesday 25 February and the VEC conducted a public information program to inform the community.

Advertising

In accordance with the Act, public notices of the review and the release of the preliminary report were placed in the newspapers listed in Table 1.

Table 1: Public notices

Newspaper	Notice of review	Notice of preliminary report
<i>Herald Sun</i>	Wednesday 4 February	Wednesday 1 April
<i>Myrtleford Times / Alpine Observer</i>	Saturday 25 February	Wednesday 22 April
<i>Albury Border Mail</i>	Saturday 25 February	Wednesday 22 April

Media releases

A media release was prepared and distributed to local media at the commencement of the review on Wednesday 25 February. A further release was distributed at the publication of the preliminary report on Wednesday 22 April.

Public information sessions

Public information sessions for people interested in the review process were held on Wednesday 4 March at:

- 3.00 pm at the Mount Beauty Visitor Information Centre, 31 Bogong High Plains Road, Tawonga South
- 5.30 pm at the Council Offices, Cnr Churchill Avenue & Hawthorn Lane, Bright and
- 7.30 pm at the Former Council Chambers (adjacent Myrtleford Library), Cnr Standish Street & O'Donnell Avenue, Myrtleford.

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.

4 Preliminary report

4.1 Preliminary submissions

The VEC received six preliminary submissions by the deadline for submissions at 5.00 pm on Wednesday 25 March. A list of people who made a preliminary submission can be found in Appendix 1.

Number of councillors

The preliminary submissions diverged on the appropriate number of councillors for Alpine Shire Council, with submitters favouring both seven and nine councillors.

Alpine Shire Council submitted in favour of retaining seven councillors, arguing that councillor workloads are manageable and the community have good access to councillors. The Proportional Representation Society of Australia (PRSA) also supported seven councillors, although if there was an increase, the PRSA submitted that it should be increased to an odd number.

Three submissions recommended increasing the number of councillors to nine. The submissions from Jim Bates and Kevin Black, both members of the Bright and District Ratepayers Association, primarily recommended nine councillors to allow the implementation of a ward-based structure while meeting legislative requirements of voter-to-councillor ratios.

Mr Black recommended nine councillors, but conceded that seven councillors would be sufficient if wards could be formed within legislative requirements. Mr Bates argued that apart from meeting legislative requirements, nine councillors would also prevent the council being 'hijacked' when some councillors were absent on council business, and prevent 'stacking' of councillors from one particular area. Population growth and increased tourism were cited in the submission from Graeme Abraham as a key argument for increasing councillor numbers to nine.

Electoral structure

Submitters at the preliminary report stage recommended a number of possible structures for Alpine Shire Council, including both subdivided and unsubdivided structures.

Seven councillors elected from an unsubdivided structure

Alpine Shire Council and Allan Marsland both submitted in favour of retaining the current unsubdivided structure. The Council's submission argued that the current electoral structure served the community well and provided fair representation, unified decision making, good community access to councillors and councillor accountability.

Subdivided: nine councillors elected from one two-councillor ward, one three-councillor ward and one four-councillor ward

The submissions made by Mr Bates and Mr Black favoured subdivision of the Shire into three wards comprised of one four-councillor ward, one three-councillor ward and one two-councillor ward. Mr Bates recommended wards be created along similar boundaries to the old Shires around Bright, Mount Beauty and Myrtleford.

- Ward One (Bright and environs—four councillors): including the towns of Bright, Harrietville, Mt Hotham, Porepunkah, Wandiligong and Freeburgh
- Ward Two (Myrtleford and environs—three councillors): including the towns of Myrtleford, Barwidgee Creek, Mudgegonga, Buffalo River, Whorouly and Eurobin and
- Ward Three (Kiewa Valley—two councillors): including the towns of Mt Beauty, Falls Creek, Tawonga, Tawonga South, Dederang and Gundowring.

The submission from Mr Black recommended the Shire be subdivided into three wards:

- Upper Ovens Ward (four councillors): including the towns of Bright, Wandiligong, Porepunkah and Harrietville
- Lower Ovens Ward (three councillors): including the towns of Myrtleford, Mudgegonga, Kancoona, Rosewhite, Eurobin and Buffalo River
- Kiewa Ward (two councillors): including the towns of Mount Beauty, Tawonga, Dederang and Tawonga South.

Mr Black highlighted minimal connections between the communities of interest as a primary reason for introducing wards, indicating it is unreasonable for a councillor in the north of the Shire (e.g. Gundowring or Dederang) to have the interest or knowledge to make a reasoned decision on a local issue in a geographically distant place (e.g. Harrietville).

Subdivided: nine councillors elected from three three-councillor wards

The submission from Mr Abraham recommended subdividing the Shire into three three-councillor wards—a north ward, central ward and southern ward, although specific ward boundaries were not provided.

The PRSA submission did not specifically submit in favour of one model, but recommended that either an unsubdivided structure or a three three-councillor ward structure would be appropriate should the numbers increase to nine.

4.2 Preliminary report

A preliminary report was released on Wednesday 22 April. The VEC considered public submissions and research findings when formulating the option presented in the preliminary report.

Number of councillors

The VEC considered seven the appropriate number of councillors for Alpine Shire Council. Currently, the number of voters per councillor is 1,653, which is in the average range for comparable rural councils with seven councillors. Apart from the voter-to-councillor ratio, it was determined the Shire did not have significant demographic communities of interest, rapid growth or other special circumstances that would increase the complexity of council business to warrant an increase in councillor representation.

Electoral structure

The VEC considered that an unsubdivided model is the preferred option for Alpine Shire Council, on the basis that the structure continues to support fair and equitable representation of voters across the municipality. This is evidenced by the range of candidates standing for election, and the current residential location of councillors. Elections have also seen high voter participation (78.5% at the last election).

The VEC noted that a subdivided structure was preferred in three submissions. Modelling of a three-ward structure was undertaken, based on ward boundaries recommended in the submissions by Mr Bates and Mr Black. However, the model was not able to fully capture communities of interest while meeting legislative requirements of voter-to-councillor ratios. This is discussed in further detail in section 6.1.

Preferred option

After careful consideration, the VEC put forward the following preferred option:

Alpine Shire Council consist of seven councillors elected from an unsubdivided structure.

5 Public response

5.1 Response submissions

The VEC accepted submissions responding to the preliminary report from Wednesday 22 April until 5.00 pm on Wednesday 20 May. The VEC received one response submission from the Proportional Representation Society of Australia, supporting the preferred option of an unsubdivided structure on the basis proportional representation worked better under that structure.

5.2 Public hearing

The VEC scheduled a public hearing for those wishing to speak about their response submission at 4.00 pm on Wednesday 27 May at the Council Offices, Cnr Churchill Avenue & Hawthorn Lane, Bright. There were no requests to speak so the hearing was not held.

6 Findings and recommendation

6.1 The VEC's findings

The VEC consulted on one option for Alpine Shire Council—seven councillors elected from an unsubdivided structure. This report has summarised the process the VEC completed to gather information, including public submissions, to develop and report on the model under consideration.

Number of councillors

The VEC considers that seven councillors is the appropriate number for Alpine Shire Council. Appropriate councillor numbers are derived through comparison with similar councils and consideration of special circumstances that may impact on councillor workloads. As Table 2 indicates, the voter-to-councillor ratio in Alpine Shire Council is average when compared with other seven-councillor rural councils, with 1,653 voters per councillor.

Table 2: Comparable rural councils to Alpine

Municipality	Population (2011 Census)	Number of voters at last review	Current estimate of voters [#]	Number of councillors	Number of voters per councillor
Northern Grampians	11,799	10,540	10,925	7	1,561
Central Goldfields	12,602	11,017	11,114	7	1,588
Alpine*	12,044	11,198	11,569	7	1,653
Indigo*	15,372	11,553	13,032	7	1,862
Southern Grampians	16,145	13,151	13,213	7	1,888

* The municipality is currently undergoing an electoral representation review by the VEC during 2015–16.

Voter estimate calculated after the January 2015 merge of the State electoral roll and Council-only electors as at the 2012 council elections.

The VEC noted that three of the preliminary submissions recommended increasing the number of councillors to nine. However, analysis indicated that this would reduce the number of voters per councillor to 1,285⁶, which is significantly lower than in South Gippsland—the nine-councillor council with the lowest voter to councillor ratio (3,139). Furthermore, while the population is set to increase to approximately 12,900 people in 2031 (0.3 per cent annual growth rate), this is a significantly lower population growth rate than the average across rural and regional Victoria.

Apart from voter-to-councillor ratios, the VEC takes into account special circumstances that may potentially increase councillor workloads, such as cultural and linguistic diversity within the community, major socio-economic disparity, an ageing population, and large geographic areas within the municipality. While Alpine Shire has significant areas of mountainous terrain which

⁶ Based on the current estimate of voters.

naturally divides the Shire, current councillor workloads have been identified as manageable and do not require an increase in councillors. Similarly, the municipality has low unemployment and no complex social needs in the broader population that warrant an increase in the number of councillors.

Electoral structure

The VEC considers that an unsubdivided structure is the most appropriate for Alpine Shire Council, providing fair and equitable representation for voters. One way of determining if voters have the opportunity to elect a representative council is candidate participation in elections. In the last three council elections, Alpine Shire Council attracted a sufficient number of candidates for voters to choose from, with 13 candidates in 2012, 15 candidates in 2008, and 14 candidates in 2005.

The residential location of councillors across the municipality was also considered. The VEC noted that the current distribution of councillors elected in 2012, as seen in Diagram 1, resided relatively equitably across the Shire, with three councillors in the north-west (Myrtleford and Buffalo River), two in the Kiewa Valley (Tawonga), and two in the central area of the Shire near Bright (Wandiligong).

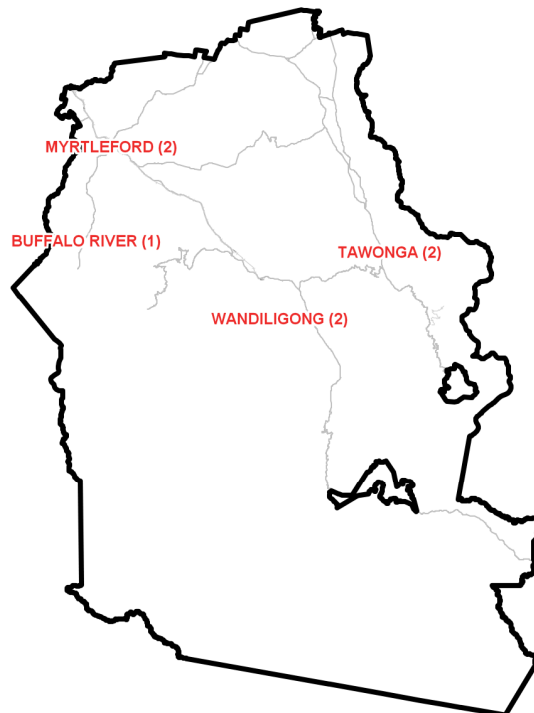


Diagram 1: distribution of councillors elected in 2012.

Similarly, the election in 2008 returned councillors with a similar distribution across the Shire, demonstrating the current structure is providing fair geographic representation for voters.⁷

The VEC considered that, while it is possible in an unsubdivided structure for candidates to be elected from a concentration of one or two areas, there were three well-defined geographic communities of interest in Alpine Shire, each with a strong local identity. The likelihood of candidates only being elected from one area of the Shire was considered to be small.

However, the VEC noted the desire among some submitters for the introduction of a subdivided structure, with wards based on the three distinct geographies in the municipality: Upper Ovens, Lower Ovens and Kiewa Valley. In response, a seven-councillor three-ward structure was modelled by the VEC to determine feasibility, as seen in Diagram 2.

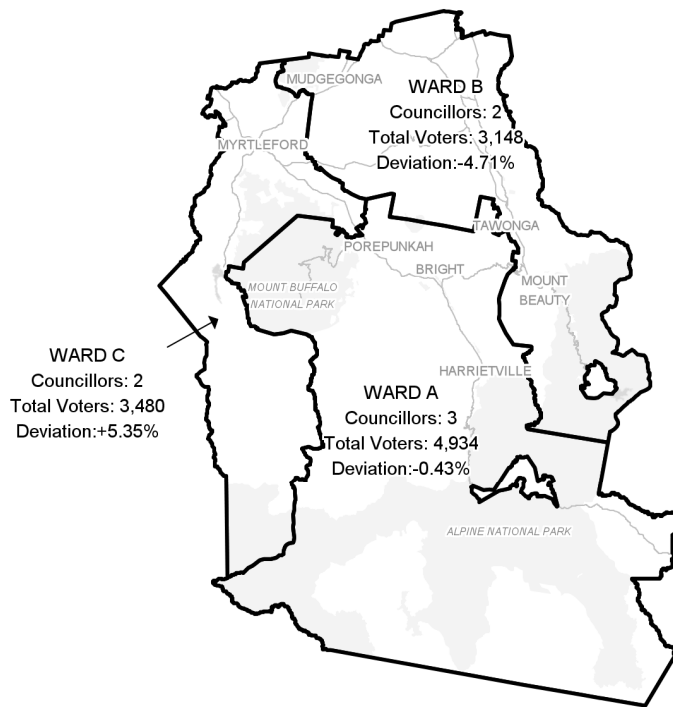


Diagram 2: three ward structure.

While the model fitted the Shire’s geographic communities of interest in many areas, the townships of Mudgegonga, Rosewhite, Havilah and Kancoona would need to be included in a north-east ward (‘Ward B’ in Diagram 2) to meet the numbers requirements of the Act.

Geographically, this is not a logical ward boundary as the people in those areas have much stronger geographical links with Myrtleford, but are separated by State forest from the Kiewa Valley, which contains the bulk of ‘Ward B’ (see Diagram 3). For this reason, the VEC concluded

⁷ At the 2008 election, two councillors were from the north-east (Tawonga), two councillors were from the south (Bright, Wandiligong) and three councillors were from the north-west (Eurobin, Myrtleford).

that a ward-based structure was not as viable as an unsubdivided model, which has delivered representation for voters proportionate to the population.

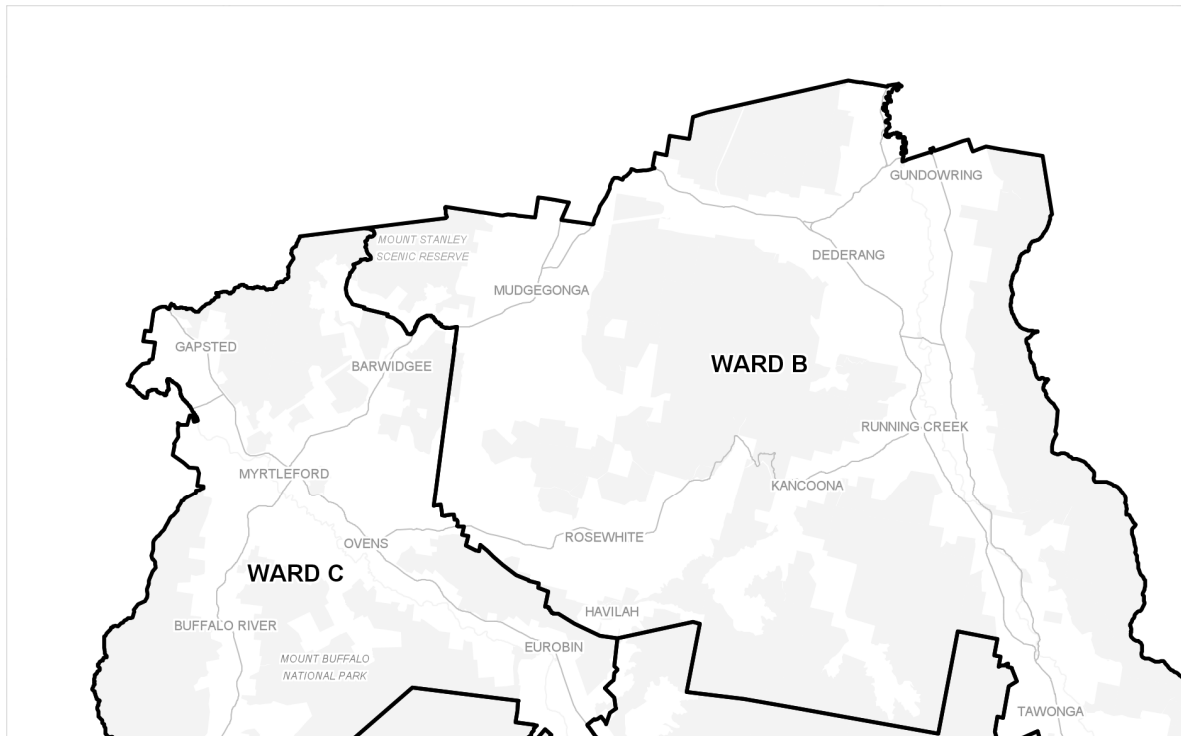


Diagram 3: Mudgegonga and surrounds in the subdivided model.

Overall, the VEC considers the current unsubdivided structure is providing fair and equitable representation for voters in Alpine Shire Council and seven councillors is appropriate, despite the mountainous terrain that characterises the municipality.

6.2 The VEC's recommendation

The Victorian Electoral Commission (VEC) recommends Alpine Shire Council continue to consist of seven councillors elected from an unsubdivided municipality.

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

Appendix 1: Public involvement

Preliminary submissions

Preliminary submissions were received from:

Graeme Abraham

Alpine Shire Council

Jim Bates

Kevin Black

Allan Marsland

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

Response submissions

Response submissions were received from:

Proportional Representation Society of Australia (Victoria-Tasmania) Inc

Appendix 2: Map

Alpine Shire Council

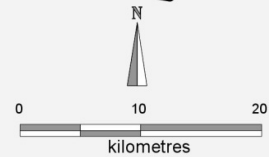
Map of Recommended Option
Seven Councillors, Unsubdivided

Ward	Councillors	Electors	Area sq km
Unsubdivided	7	11,562	4,790.54
Total for all Electorates	7	11,562	4,790.54
Electors per councillor		1,652	



Legend

- Proposed Boundary
- Existing Wards**
- Unsubdivided
- 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
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