Local council ward boundary review

Final Report

Bass Coast Shire Council
April 2024





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1	8 April 2024	Acting Electoral Commissioner	Final approval

Acknowledgement of Country

The Victorian Electoral Commission (VEC) acknowledges the Bunurong people as the Traditional Custodians of the lands and waters for which it is holding this review and pays respects to ancestors and Elders past, present and emerging. The VEC acknowledges their custodianship for many thousands of years and their continuing living culture.

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Executive summary

Under section 17 of the *Local Government Act 2020* (Vic) (the Act), the Minister for Local Government asked the Victorian Electoral Commission (VEC) to conduct ward boundary reviews for 10 local council areas prior to the next general local council elections in October 2024.

For these 10 councils, the number of voters per councillor is forecast to be out of balance by October 2024, with the number of voters per councillor in one or more wards forecast to vary from the average number of voters per councillor for all of the wards by more than 10 per cent.

Bass Coast Shire Council was one of the 10 local council areas under review. The purpose of this review was to correct this forecast imbalance for the October 2024 local council election.

During its review, the VEC looked at:

- the number of currently enrolled voters in each ward
- the forecast number of enrolled voters at the next election
- adjustments to the locations of existing ward boundaries.

This report presents the VEC's final advice to the minister on the recommended ward boundary adjustments for Bass Coast Shire Council to meet the requirements of the Act.

More information about the background to the review is available on page 7 of this report.

Recommendation

The VEC recommends adjustments to the boundaries of the following wards within Bass Coast Shire Council:

- Bunurong Ward
- Island Ward
- Western Port Ward

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

Detailed maps of the ward boundary adjustments are provided as Appendix 1 of this report.

Summary of review steps

Developing ward adjustment models

The VEC considered a range of factors when deciding on appropriate ward boundary adjustments:

- research and analysis
- voter growth or decline over time
- public submissions (see below).

More information on the way the VEC decided on ward adjustments is available on page 8.

Preliminary report

The VEC published a preliminary report on Wednesday 14 February 2024. The following 2 models were presented for community consideration:

- Model 1, which proposed changes to the boundaries of all wards.
- Model 2, which proposed changes to the boundaries of all wards but with different ward boundaries to Model 1.

A summary of the models presented can be found on page 13.

The full preliminary report is available on the Victorian Electoral Commission (VEC) website at wec.vic.gov.au

Response submissions

The VEC received 7 submissions responding to the preliminary report. Of these, no submissions included maps.

A full analysis of response submissions received can be found on page 14.

Public hearing

The VEC held an online public hearing for those wishing to speak about their response submission at 2 pm on Thursday 14 March 2024. One person spoke at the hearing.

Background

About the 2024 ward boundary reviews

Under section 15(2) of the *Local Government Act 2020* (Vic), for a council that is divided into wards:

- a) each ward should have an approximately equal number of voters per councillor; and
- b) the number of voters per councillor in a ward should not vary from the average number of voters per councillor for all of the wards by more than 10 per cent.

On 22 February 2023, the VEC provided advice to the Minister for Local Government on councils that were projected to have at least one ward with the number of voters per councillor outside this +/-10% range at the time of the October 2024 local council elections.

This advice was based on:

- current enrolment and enrolment trends
- future population projections
- legislated changes to council entitlements for council-enrolled voters.

On 20 April 2023, in response to this advice and under section 17 of the Act, the minister asked the VEC to conduct ward boundary reviews for 10 local council areas before the October 2024 local council elections. These reviews aimed to balance the number of voters per councillor for the wards of these 10 councils in time for the 2024 elections. At the end of each review, the VEC must provide a report to the minister containing recommended ward boundary adjustments for the council.

Bass Coast Shire Council was one of the 10 local council areas under review.

During its review, the VEC looked at:

- the number of currently enrolled voters in each ward
- the forecast number of enrolled voters at the next election
- adjustments to the locations of existing ward boundaries.

A ward boundary review does not change a council's electoral structure, number of councillors, or ward names. A ward boundary review also cannot change the external boundaries of a local council, divide local councils, or amalgamate local councils.

The VEC ward boundary review team

The VEC ward boundary review panel provides a recommended structure to the Electoral Commissioner. The Electoral Commissioner will review the panel's recommendation and then decide on the final recommendation for provision to the Minister for Local Government. The VEC panel is made up of 2 senior VEC members including the program sponsor. Administrative and technical support for the program is provided by VEC electoral structure and boundary review experts as well as specialists from across the VEC.

Public engagement

Public information program

The VEC conducted a public information and awareness program about the Bass Coast Shire Council ward boundary review. This included:

- printed public notices in state-wide newspapers
- public information sessions to outline the review process and respond to questions from the community
- a media release to announce the start of the review
- information on social media channels
- website content on vec.vic.gov.au, including:
 - current information on the review process
 - fact sheets for each council under review and a submission guide.

Bass Coast Shire Council was also offered 2 optional methods to promote the reviews:

- printed public notices in local newspapers
- targeted social media advertisements for the council area.

Bass Coast Shire Council took up the option for targeted social media but not the option for local newspaper notices.

Public consultation

The VEC encouraged input to the ward boundary review of Bass Coast Shire Council via:

- response submissions to the preliminary report
- an online public hearing for those who made a response submission and wished to speak to VEC to expand on their submission.

Public submissions are an important part of the review process and were considered alongside other factors during the review. These factors are outlined below.

Developing recommendations

The VEC's final recommendations comply with the Act and were developed through careful consideration of:

- research and analysis conducted by the VEC, including geospatial, electoral and demographic data
- rates or patterns of population and voter change over time, and relevant forecasts of growth or decline based on forecast information provided by .id (informed decisions, a company specialising in demographics and forecasting).

When developing the final recommendation, the VEC considered:

 whether the adjusted wards would comply with section 15(2) of the Act (see below), and how long they are likely to comply

- whether meaningful and effective ward boundaries could be established and whether these would be easily identifiable to local communities
- the representation of communities of interest
- the voter distribution and physical features of the area, and the impact these may have on the shape and size of wards
- the scale of ward boundary changes, aiming for minimal change (where possible)
- other matters raised in public submissions not already listed above.

Under section 15(2) of the Act, subdivided structures must aim for an approximately equal number of voters per councillor across all wards. This means the number of voters represented by each councillor in a ward should be within +/-10% of the average number of voters per councillor for all wards of that council.

During this review, the VEC aimed to recommend ward boundary adjustments that help ensure a council's wards comply with section 15(2) at the time of the 2024 local council elections and, if possible, also comply based on voter numbers at the time the review is conducted. The VEC used forecasts of population and voter change to assess compliance at the 2024 elections with as much accuracy as possible.

In some cases, population change and other factors impacting voter numbers meant it was not possible to adjust the ward boundaries of a council so that both 'current' (at the time of the review) and 'forecast' (at October 2024) voter numbers were within the legislated +/-10% tolerance. Where this happened, the VEC prioritised compliance at the October 2024 elections to ensure each vote would have approximately equal value at the 2024 elections. In some cases, the VEC's recommended model may set the current ward deviations outside the +/-10% tolerance. This was because the ward deviations were forecast to change over a short period of time and move within the +/-10% tolerance by the time of the 2024 local council elections.

One of the factors that may impact compliance with section 15(2) is the number of current and forecast voters with ratepayer-based voting entitlements, also known as council-enrolled electors. Voters' rolls include both state-enrolled electors (the majority of the roll) and a smaller number of council-enrolled electors. The Act introduced changes to ratepayer-based entitlement categories, which come into full effect at the 2024 local council elections. The VEC took this change to the makeup of voters' rolls, and therefore compliance with section 15(2) of the Act, into consideration during this review.

About Bass Coast Shire Council Profile

Bass Coast Shire Council is located about 130 km south-east of Melbourne and covers an area of 865 km². The landscape is defined by large rural areas and extensive coastal regions.

The council area stretches from Jam Jerup in the north, south to Phillip Island, and east to major residential and holiday locations in Wonthaggi, Cape Paterson, and Inverloch. It is bordered by Westernport Bay in the north-west, Cardinia Shire Council in the north-east, South Gippsland Shire Council to the east and Bass Strait to the south.

In 2021 the population of the council was 40,789 (ABS 2022a), residing across the major towns of Wonthaggi, Cowes, Inverloch, San Remo, and Grantville along with numerous smaller townships and rural areas.

The Traditional Custodians of the council area are the Bunurong people (VAHC 2023).

Landscape

Bass Coast Shire Council has many different landscapes and natural features. Coastal communities feature along the Western Port shoreline leading to Phillip Island and the Bass Strait. Cowes is the major population centre on Phillip Island with numerous smaller towns also on the island.

Located 5 km from the southern coast, Wonthaggi is the regional centre of the shire. It provides important services to residents and is home to the historical Victorian State Coal Mine.

Moving away from the coastline to the interior, the beaches, cliffsides, and coastal vegetation transition to a mixture of rolling hills and farmlands. Small townships and homesteads dot the area, reflecting the character of a region known for its agriculture and rural landscapes. Further north and east, the land slowly rises leading into the foothills of the Strzelecki Ranges.

Seal Rocks, the Penguin Parade, and Maru Koala and Animal Park are some of the nature and wildlife attractions in the council (.id 2023). It also features the Phillip Island Grand Prix circuit and the Wonthaggi State Coal Mine Heritage Area.

The Bass and South Gippsland highways are the major transport routes within the council.

Community

The population of the council grew from 33,464 to 41,798 between 2016 to 2022 (.id 2023). The annual growth rate was 3.8% (2016-2022), higher than the average of 1.13% for regional Victorian (.id 2023). Towns such as Wonthaggi, Dalyston, and Grantville have relatively affordable house prices and expect to continue growing as younger residents and families move to these areas from Melbourne (.id 2023).

A significant feature of Bass Coast Shire is the high number of seasonal residents. Coastal communities experience significant population surges over the warmer months and school holidays.

Nearly 40% of homes were unoccupied at the 2021 census. This rate was as high as 50% in holiday areas like Cowes (the biggest town on Phillip Island) (ABS 2022a). In comparison, the overall rate of unoccupied homes in Victoria at the 2021 census was 11.1% (ABS 2022a). Nearly 47% of occupied private dwellings are owned outright, compared to about 39% for the rest of Victoria, while fewer are owned with a mortgage (28.7% compared to 33.2% for the rest of Victoria). Rented occupied private dwellings account for 20.6% of the housing tenure type, compared to 23.6% across the rest of Victoria (ABS 2022a, ABS 2022b).

The median age across Bass Coast is 51, compared to 43 across regional Victoria (.id 2023). In 2021, 22.7% of residents were born outside Australia, compared with 35% across Victoria. The main countries of origin were England, New Zealand, the Netherlands, Italy, and Scotland. 6.8% of households spoke a language other than English at home.

Nearly half (49.5%) of the population participate in the workforce, lower than the Victorian average of 62.4%. The biggest industries are health care (4.6%), retail (3.6%), education (2.8%), aged care residential services (2.6%), and other social assistance services (2.4%) (ABS 2022a). The median weekly household income is \$1,163, about \$220 less than the rest of Victoria (ABS 2022a, ABS 2022b).

Current electoral structure

Bass Coast Shire Council has a total of 9 councillors and is divided into 3 wards with 3 councillors per ward (Bunurong Ward, Island Ward, and Western Port Ward).



Figure 1: Diagram of current electoral structure of Bass Coast Shire Council.

There are an estimated 41,245 voters in Bass Coast Shire Council, with an estimated ratio of 4,583 voters per councillor.

By October 2024, the voter-to-councillor ratio of Bunurong Ward is forecast to be outside +10%, and the voter-to-councillor ratio of Island Ward is forecast to be outside -10%.

Visit the VEC website at vec.vic.gov.au for more information on Bass Coast Shire Council.

Last electoral structure review

The VEC conducted an electoral representation review of Bass Coast Shire Council in 2015. That review was carried out under the *Local Government Act 1989* (Vic), which was replaced by the *Local Government Act 2020* (Vic).

After conducting the review, the VEC recommended that Bass Coast Shire Council adopt a structure of 9 councillors elected from 3 wards (3 wards with 3 councillors each).

Visit the VEC website at vec.vic.gov.au to read the 2015 representation review final report.

Preliminary findings and response

The current ward boundary review of Bass Coast Shire Council was required due to the voter-to-councillor ratios in Bunurong and Island wards, which were projected to be outside of the legislated +/-10% range at the October 2024 local council election. Adjustments to the boundaries of these wards meant that Western Port Ward would also be impacted.

Preliminary report

The VEC's ward boundary review of Bass Coast Shire Council began with the release of a preliminary report on Wednesday 14 February 2024.

The full preliminary report is available on the VEC website at vec.vic.gov.au

When preparing the preliminary report, the VEC considered a range of ward boundary adjustments for Bass Coast Shire Council and chose the strongest 2 models for public consultation. The following 2 models were presented for community consideration:

- Model 1, which proposed changes to the boundaries of all wards.
- Model 2, which proposed changes to the boundaries of all wards but with different ward boundaries to Model 1.

Model 1

Model 1 proposed 3 changes to the current ward boundaries. First, it incorporated all of Phillip Island into a single ward. Second, the entire Wonthaggi North locality was situated in Western Port Ward. The third change involved moving the ward boundary that is currently east of Wonthaggi. In Model 1, this boundary was moved north to follow the Powlett River.

Model 2

Model 2 was identical to Model 1, except for the boundary between Island and Western Port wards. In Model 2, part of Newhaven remains included in Western Port Ward.

Response submissions

The VEC received 7 response submissions to the preliminary report from the public by the deadline of 5 pm on Wednesday 6 March 2024. You can find a list of people or organisations who made a response submission in Appendix 2. Six submitters were from Phillip Island and one from Harmers Haven.

The table below provides an overview of preferences in response submissions. You can read an analysis of submissions below this table.

Table 1: Preferences expressed in response submissions							
Model 1	Model 2	No preferred model indicated	Other				
5	0	2	5*				

^{* 3} of 5 submitters in the 'Other' category indicated support for more than one option.

Five submitters supported Model 1. No submissions supported Model 2, and 2 submissions did not state a preference for either model.

Five submitters expressed a preference for the council to move to a different electoral structure, which is out of scope for this review.

Model 1

In total, 5 submitters were in support of Island Ward encompassing the whole of Phillip Island. Submitters generally perceived Western Port Ward as having an agricultural focus while Island Ward was described as having a tourism focus. On that basis they felt common interests were stronger inside the proposed wards. However, some submitters also felt Island Ward should encompass San Remo due to its strong linkages to Phillip Island.

Natasha Crestani from Sunderland Bay and Melissa O'Loughlin of Surf Beach described in their respective submissions how the issues of Sunderland Bay and Surf Beach were distinct to those of Grantville. They each felt it was inappropriate for these areas to be grouped together in Western Port Ward. It was also suggested that Western Port Ward councillors typically did not reside on Phillip Island, and consequently had a poor understanding of Phillip Island issues. Phillip Davy from Surf Beach, Peter McMahon from Cowes, and Island Voice each submitted a preference for an alternative electoral structure but supported Model 1 as a second preference.

Some submitters from Phillip Island shared the sentiment that both models disadvantage Phillip Island residents and believed the ratio of voters to councillors was unbalanced across wards. For instance, the Island Voice submission asserted models 1 and 2 would result in inequitable representation for Island Ward.

Model 2

No submissions were made in support of Model 2.

The submitters opposed to Model 2 did so because it continues to split Phillip Island between Island Ward and Western Port Ward. Phillip Davy pointed out that, currently, some residents mistakenly think all of Phillip Island is in Island Ward, due in part to the ward name. They felt it would be less confusing to have the whole island in Island Ward. Davy was also concerned that Model 2 would cut Newhaven off from Cape Woolamai. It is worth noting that in Model 2 part of the Newhaven locality was in Western Port Ward, and Cape Woolamai was in Island Ward.

Other options

Some submitters preferred options that were out of scope of a ward boundary review. Four submitters argued for mixed multi-councillor wards, typically with Island Ward expanding to include San Remo and the ward increasing to 4 councillors. This necessitated Western Port Ward reducing to 2 councillors and Bunurong Ward retaining 3. Other variations of mixed multi-councillor structures were suggested, with Island Ward having 4 councillors. Graham Jolly from Cape Woolamai preferred a mixed multi-councillor structure but did not state a preference for either of the preliminary models. Island Voice, Philip Davy, and Peter McMahon also preferred a mixed multi-councillor ward structure. However, they each stated if their preferred suggestion would not be accommodated then they supported Model 1.

One submitter, Western Port Ward councillor Geoff Ellis from Harmers Haven, did not support either model, preferring instead an unsubdivided structure.

Public hearing

The VEC held an online public hearing for those wishing to speak about their response submission at 2 pm on Thursday 14 March 2024. One person spoke at the hearing.

You can find a list of people who spoke at the hearing in Appendix 2.

Councillor Geoff Ellis reiterated the main point made in his written submission, that the intent of the review is to achieve equity by adhering to the one vote, one value principle. He argued the geography of the council makes it hard to divide it evenly. He also commented that the +/-10% range from the average means that there could be up to a 20% difference in the number of voters between 2 wards. In his view, deviations need to be as close to 0% as possible.

Councillor Ellis also argued that geography can make equity difficult to achieve, particularly in the delivery of services and resources. He noted there is an unequal distribution of council assets between wards, due largely to geography, but that resources are not always allocated to reflect this.

The VEC public hearing panel was interested to understand if Councillor Ellis had a preference towards either of the models in the preliminary report. Councillor Ellis did not have a view on the best division of wards under a structure of 3 wards with 3 councillors in each ward, but believed the current structure generally worked well. Councillor Ellis reiterated from his submission that he believed an unsubdivided structure would be the fairest electoral structure for Bass Coast Shire Council. He also noted that the name Island Ward gave people the impression the ward took up all of Phillip Island.

Findings and recommendation

As outlined in the submission guide for this review, the VEC is committed to the principle of 'one vote, one value', which is a requirement for subdivided electoral structures under the Act. This is to ensure that every person's vote counts equally. When undertaking a ward boundary review, the VEC must adhere to the Act's legislated equality requirement to seek to ensure the number of voters per councillor in a ward is within +/-10% of the average number of voters per councillor for all wards in the council area.

The VEC also notes that some submitters proposed changes to the electoral structure of Bass Coast Shire Council. It is beyond the scope of a ward boundary review to consider changes to a council's electoral structure. As such, the VEC could not consider proposals for unsubdivided or mixed multi-councillor electoral structures.

The recommended model

The VEC recognises the presence of multiple, distinct communities and townships within the council. As was reflected in submissions, there is a strong desire for these communities and townships to remain intact within the one ward. Public submissions were mainly in favour of Model 1, and the VEC received no public submissions in favour of Model 2.

After considering the models presented in the preliminary report, the requirements of the Act and public submissions, the VEC has chosen to put forward Model 1, with no further adjustments, as the VEC's recommended model.

The model makes 3 ward boundary changes.

- 1. Island Ward is adjusted to capture all of Phillip Island, including Churchill Island.
- The boundary between Western Port and Bunurong wards currently cutting through the North Wonthaggi locality is moved to the south, bringing the entire North Wonthaggi locality into Western Port Ward.
- 3. The boundary between Western Port and Bunurong wards to the east of Korumburra Wonthaggi Road is moved north to the Powlett River, leading to a modest reduction in the size of Western Port Ward, and an expansion in the size of Bunurong Ward.

These adjustments are forecast to bring the deviations of all wards within the legislated +/-10% range by the October 2024 local council elections, with the expectation they will remain within this range though to 2028. As a result of the changes, 17% of currently enrolled voters (6,838 voters) would be moved to another ward.

The only difference between the 2 models put forward for public comment were that Model 1 encompassed all of Phillip Island in Island Ward, while in Model 2 part of Newhaven remained in Western Port Ward. Taking into consideration research and public submissions to the review, the VEC felt that uniting all of Phillip Island in Island Ward would be an improvement on the current ward boundaries. Submissions from Phillip Island indicated that community members see Phillip Island as a strong community of interest, and the boundaries of Phillip Island

presented a particularly strong and recognisable ward boundary. In Model 1 creating a ward solely comprising the island is a sensible solution to match the existing Island Ward name.

In addition, bringing all of North Wonthaggi into Western Port Ward was also viewed as a positive outcome as it made for clearer and more easily identifiable ward boundaries and united the entire North Wonthaggi locality within one ward. In addition, the use of the Powlett River as a ward boundary was also deemed a strong and recognisable boundary.

Model 1 would affect 560 more voters than Model 2 (based on voter numbers at the time of the review). However, on balance the improvements of Model 1 are considered to outweigh this drawback.

At the public hearing, Councillor Geoff Ellis raised concerns about the +/-10% range permitted for ward deviations. The VEC acknowledges that if wards within a council are close to the top and bottom ends of the +/-10% range this can result in a variation in voter numbers of almost 20% between wards. However, this variance is permitted under the Act and allows the necessary flexibility to maintain communities of interest within wards, use clear and sensible features for ward boundaries, and critically, accommodate population change over time.

The VEC notes that some submitters raised concerns that some ward deviations of the preliminary models were outside the +/-10% range. As outlined in both the preliminary report and submission guide, this review aims to recommend ward boundary adjustments that help ensure all ward deviations are within the +/-10% range at the time of the October 2024 local council elections. The VEC used forecasts of population and voter change to assess compliance at the 2024 elections with as much accuracy as possible. For this review, population change and other factors impacting voter numbers meant it was not possible to adjust the ward boundaries so that both 'current' (at the time of the review) and 'forecast' (at October 2024) voter numbers for each ward was within the legislated +/-10% tolerance. Because of this, the VEC prioritised compliance at the October 2024 elections to ensure each vote would have approximately equal value at the 2024 election. In the recommended model, the 'current deviations' of Island Ward and Western Port Ward have been set outside the +/-10% tolerance, because the deviation of these wards are forecast to change over a short period of time and move within the +/-10% tolerance by the time of the 2024 local council elections.

While the VEC acknowledges there are both potential benefits and drawbacks of Model 1, it considers the boundary adjustments of this model to have the best potential to promote fair and equitable representation for voters in Bass Coast Shire Council while also complying with the requirements of the Act.

The VEC's recommendation

The VEC recommends adjustments to the boundaries of the following wards within Bass Coast Shire Council:

- Bunurong Ward
- Island Ward
- Western Port Ward

The recommended adjustments were presented as Model 1 in the preliminary report.

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

Please see Appendix 1 for detailed maps of the recommended ward boundaries.

References

ABS (Australian Bureau of Statistics) (2022a) <u>Census All persons QuickStats, Bass Coast</u> (<u>LGA</u>), ABS, accessed 22 January 2024.

—(2022b) <u>2021 Census All Persons QuickStats, Rest of Vic. (greater capital city statistical areas)</u>, ABS, accessed 22 January 2024.

Geographic Place Names Act 1998 (Vic)

.id (Informed Decisions) (2023) Bass Coast Shire, accessed 22 January 2024.

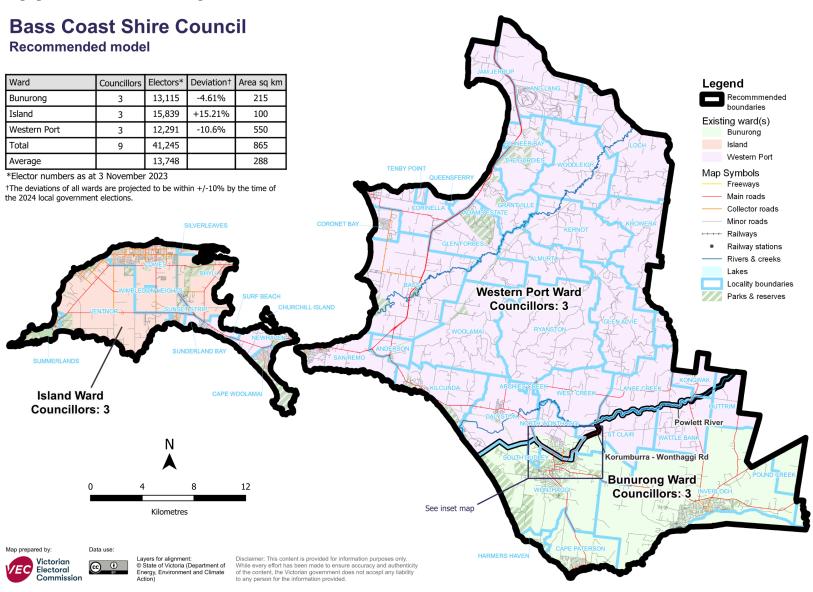
Local Government Act 1989 (Vic)

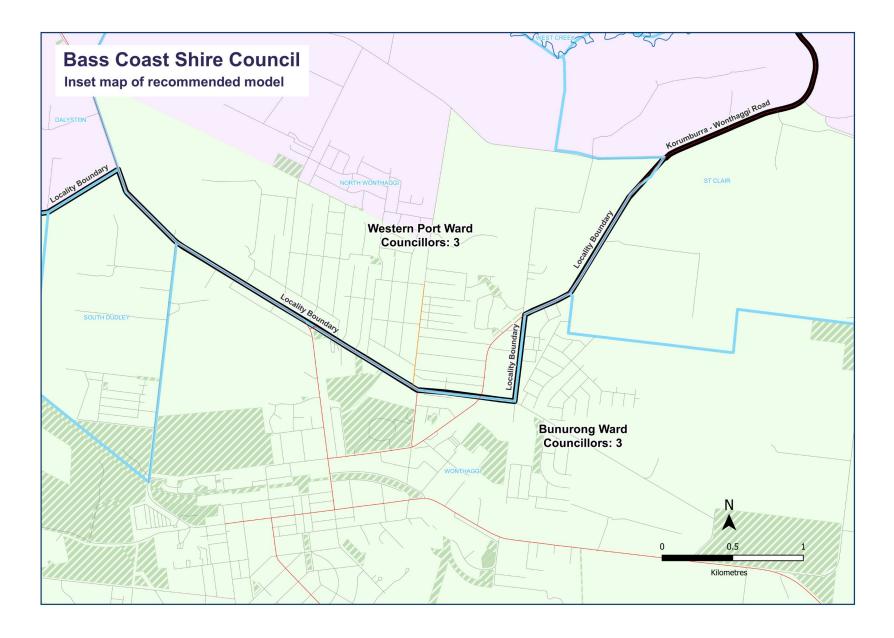
Local Government Act 2020 (Vic)

Local Government (Electoral) Regulations 2020 (Vic)

Victorian Aboriginal Heritage Council (VAHC) (2023) <u>Registered Aboriginal Parties in Victoria</u>, Aboriginal Cultural Heritage Council, accessed 29 January 2024.

Appendix 1: Map of recommended model





Data for recommended model

Ward	Electors*	Deviation†	Area [#] (square km)
Bunurong	13,115	-4.61%	215
Island	15,839	+15.21%	100
Western Port	12,291	-10.6%	550
Total	41,245	n/a	865
Average	13,748	n/a	288

^{*} Elector numbers at 3 November 2023.

[†] The deviations of all wards are projected to be within +/-10% at the time of the 2024 local council elections.

^{*} Ward area (square km) and total council area is measured at a level of accuracy required for electoral boundaries. This may vary slightly from other data sources (e.g. ABS).

Appendix 2: Public involvement

The VEC wishes to thank all submitters to the review and speakers at the public hearing for their participation in the review process.

Response submissions

Response submissions were made by:

Crestani, Natasha

Davy, Philip

Ellis, Geoff (Western Port Ward councillor, Bass Coast Shire Council)

Island Voice

Jolly, Graham

McMahon, Peter

O'Loughlin, Melissa

Public hearing

The following people spoke at the public hearing:

Ellis, Geoff (Western Port Ward councillor, Bass Coast Shire Council)

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