

Local council electoral structure review

Final Report

Hepburn Shire Council

May 2023

Revised July 2023

Acknowledgement of Country

The electoral representation advisory panel acknowledges the Dja Dja Wurrung 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 panel acknowledges their custodianship for many thousands of years and their continuing living culture.

Document history and version control

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1	19 May 2023	Acting Deputy Electoral Commissioner	Final version
2	24 July 2023	Program Sponsor	Revised version with inclusion of good governance wording

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Executive summary

An independent electoral structure review panel appointed by the Minister for Local Government has reviewed the electoral structure of Hepburn Shire Council.

The purpose of the review is to advise the Minister on the appropriate number of councillors and electoral structure for the council.

The panel looked at:

- whether the council had an appropriate number of councillors
- whether it should be unsubdivided or subdivided
- appropriate ward names.

This report presents the panel's final advice to the Minister on the recommended new electoral structure of Hepburn Shire Council to meet the requirements of Victoria's *Local Government Act 2020* (the Act).

More information about the background to the reviews is available on [page 6](#).

Recommendation

The electoral representation advisory panel recommends that Hepburn adopt an unsubdivided electoral structure, represented by 7 councillors.

This advice is submitted to the Minister for Local Government as required by the Terms of Reference of the electoral representation advisory panel and the Act.

Please see [Appendix 1](#) for a detailed map of this recommended electoral structure.

Summary of approach

Developing electoral structure models

The panel considered a range of factors when deciding on its final recommendation including:

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

More information on the way the panel decided on the models is available on [page 7](#).

Preliminary submissions

The panel received 18 preliminary submissions. Of these, 3 submissions included maps.

A summary of the preliminary submissions is contained in the preliminary report, available on the VEC website at vec.vic.gov.au

Preliminary report

The panel published a preliminary report on Wednesday 29 March 2023 with the following electoral structure models for public consultation:

- Model 1: an unsubdivided electoral structure with 7 councillors.
- Model 2: a subdivided electoral structure with a total of 8 councillors, 4 wards and 2 councillors per ward.
- Model 3: a subdivided electoral structure with a total of 7 councillors, 7 wards and 1 councillor per ward.

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

Response submissions

The panel received 34 submissions responding to the preliminary report. Of these, one submission included maps.

A full analysis of response submissions received can be found on [page 15](#).

Public hearing

The panel held an online public hearing for those wishing to speak about their response submission at 10 am on Wednesday 26 April 2023. Three people spoke at the hearing.

Background

About the 2023–24 electoral structure reviews

In October 2022, the Minister for Local Government formed 2 electoral representation advisory panels to review and provide advice on the electoral structures of 39 local councils, under section 16 of the Act. If the Minister accepts the electoral structure recommended by the panel, any changes will take effect at the October 2024 elections.

The Act introduced several changes to local government representation, including the types of electoral structures local councils may have. Large and small rural shire councils (including Hepburn Shire Council) can have one of 3 electoral structures:

- unsubdivided (entire council area with no wards)
- single-councillor wards
- multi-councillor wards with the same number of councillors per ward.

For Hepburn Shire Council, the electoral representation advisory panel examined:

- the number of councillors
- whether the council should be subdivided into wards or unsubdivided.

For subdivided structures, it also examined:

- the number of wards
- where the ward boundaries should be
- the names of each ward
- how many councillors should be elected for each ward.

The Act requires electoral structures to provide fair and equitable representation and facilitate good governance. For subdivided structures, each ward must have an approximately equal number of voters per councillor (within +/-10% of the average). While conducting the review, the panel also noted the role of a councillor as specified under section 28 of the Act.

The electoral representation advisory panel

The panel that conducted the electoral structure review of Hepburn Shire Council had 3 members:

- The Honourable Frank Vincent AO KC (Chairperson)
- Ms Liz Williams PSM
- Electoral Commissioner Mr Warwick Gately AM (January to March 2023)

Upon Warwick Gately's retirement as Victoria's Electoral Commissioner, the following representatives of the Victorian Electoral Commission (VEC) were nominated as panel members:

- Director, Electoral Integrity and Regulation Mr Keegan Bartlett (April 2023)

- Acting Deputy Electoral Commissioner Ms Máiréad Doyle (May 2023).

The panel is independent of councils and the Victorian State government.

Under the Act, the VEC is not responsible for reviewing council electoral structures but must provide administrative and technical support to the panel. The Electoral Commissioner (or their delegate) must be a member of each panel.

Public engagement

Public information program

To inform the public about the Hepburn Shire Council electoral structure review, the VEC supported a public information and awareness program, which included:

- printing public notices in state-wide, and some local, newspapers
- holding public information sessions to outline the review process and respond to questions from the community
- sending out media releases announcing the start of the review and the release of the preliminary report
- publishing information on social media channels
- notifying voters in the council area subscribed to the VEC's VoterAlert service about the release of the preliminary report
- regularly updating the VEC website content on vec.vic.gov.au, with:
 - current information on the review process
 - submission guides and fact sheets for each council under review with background information
 - preliminary and response submissions from the public.

Public consultation

The panel encouraged public input to the review of Hepburn Shire Council via:

- preliminary submissions at the start of the review
- response submissions to the preliminary report
- an online public hearing for anyone who made a response submission to speak to the panel and expand on their submission.

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

Developing recommendations

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

- research and analysis conducted by the VEC support team, including geospatial 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)
- input received during public consultation.

Deciding on the number of councillors

The Act allows local councils to have between 5 and 12 councillors, but neither the Act nor the Local Government (Electoral) Regulations 2020 specify how the number of councillors is to be determined. As such, the recommendation put forward by the panel in this report is guided by the Act's intention for fairness and equity in voter representation and the consequent facilitation of good governance.

In examining the appropriate number of councillors for Hepburn Shire Council, the panel considered the following criteria:

- the population and number of voters in the council area compared to other councils with a similar population size and number of voters in the same category (for example, other comparable rural shire councils)
- patterns of population change and voter growth or decline in the council area over time
- the current and past numbers of councillors
- the representation needs of communities of interest in the council area
- whether a particular type of electoral structure requiring a certain number of councillors would best suit the council (see 'Deciding the electoral structure' below)
- any matter raised in public submissions not already listed above.

Generally, local councils with a larger number of voters will have a higher number of councillors. Large populations are often more likely to have greater diversity, both in the type and number of communities of interest and issues relating to representation. However, the ideal number of councillors can also be influenced by the particular circumstances of a council, such as the:

- nature and complexity of services the council provides
- geographic size and topography of the area
- forecast population and voter growth or decline
- social diversity.

Deciding the electoral structure

The electoral structure of large and small rural shire councils can be:

- unsubdivided (entire council area with no wards)
 - made up of single-councillor wards
- or
- made up of multi-councillor wards with the same number of councillors per ward.

When developing electoral structure models for Hepburn Shire Council, the panel considered these criteria:

- whether the structure would comply with section 15(2) of the Act (see below), and for how long it would likely comply
- the appropriate number of councillors, as outlined above
- whether meaningful and effective ward boundaries can be established and whether these would be easily identifiable to local communities
- 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 any wards
- past elections for the council, including:
 - numbers of candidates nominating
 - incidences of uncontested elections
 - rates of informal voting.
- 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 in each ward. 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.

During this review, the panel aimed to recommend a structure that would comply with section 15(2) at the time of the 2024 local government elections and, if possible, also comply based on voter numbers at the time the review was conducted. The panel 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 mean it is not always possible to create a subdivided structure that complies with section 15(2) based on voter numbers that were current at the time of the review as well as forecast voter numbers. In these instances, the panel prioritised compliance at the 2024 local government elections to ensure each vote will have approximately equal value at the 2024 election.

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. Voters' rolls are a combination of state electors (making up the majority of a voters' roll) and a smaller number of ratepayer-based voting entitlements. The Act introduced changes to ratepayer-based entitlement categories, which come into full effect at the 2024 local government elections. As this will change the makeup of voters' rolls, and therefore compliance with section 15(2) of the Act, this is a consideration of the panel during this review.

Deciding on ward names

The panel has taken the following approach to naming wards.

1. Existing ward names were retained where possible and appropriate (if the name was still relevant to the area covered by a ward).
2. Where a new name was required, the panel based this on features such as:
 - places (registered under the *Geographic Place Names Act 1998*) located in the ward
 - compass directions
 - native flora or fauna.

Use of Aboriginal language

The panel recognises that there should first be meaningful consultation with local Aboriginal communities and groups before a ward be named using Aboriginal language. Meaningful consultation is a significant and important process which the panel is not able to undertake within the timeframes of the current review program.

At the same time, the panel also recognises that many of the place names in current use across Victoria are based on Aboriginal language. As such, the panel has in some cases put forward new ward names using Aboriginal language, but only where this is the name of a place within a ward, it is currently in common use, and this name is registered under the *Geographic Place Names Act 1998* (Vic). This is a practical solution to the reality that many of Victoria's geographic features are named using Aboriginal language.

Unregistered names using Aboriginal language have not been put forward by the panel as new ward names. While the panel supports the adoption of names based on Aboriginal language, an appropriate consultation process should be followed before doing so.

About Hepburn Shire Council

Profile

Hepburn Shire Council is in the Central Highlands region of Victoria, about 110 km north west of Melbourne. It covers an area of 1,473 km² and shares its border with Central Goldfields Shire Council and Mount Alexander Shire Council in the north, and with Macedon Ranges Shire Council in the east. Moorabool Shire Council is in the south and Ballarat City Council and Pyrenees Shire Council in the west.

The Traditional Custodians of the Hepburn area are the Dja Dja Wurrung people.

Landscape

The shire is a popular tourist destination known for its natural landscapes, volcanic plains, forests and mineral springs. Within the shire is Lalgambook (Mt Franklin), one of the sites of significance for the Dja Dja Wurrung people (Department of Transport and Planning, 2021a).

At the 2021 Census, the shire's population was 16,604 (ABS, 2021d), almost half lived in one of the 4 main urban centres of Daylesford – Hepburn Springs, Creswick, Clunes and Trentham.

The Daylesford – Hepburn Springs area is home to 22.5% of the shire's population (ABS, 2021c) and boasts the highest concentration of mineral springs in Australia (Department of Transport and Planning, 2021a). The Swiss-Italian architecture throughout reflects the heritage of mining immigrants (Hepburn Shire Council, 2023b). The area is well known for its spas, and health and wellness services.

Creswick, about 15 minutes drive north of Ballarat, is a historic gold mining town. With a population of 2,794 (ABS, 2021b) it is the second largest town and serves as a regional service hub for the shire.

Clunes (population 886) (ABS, 2021a) is in the west of the shire and is known historically as the site of Victoria's first gold strike (Clunes Tourist & Development Association, 2023). In the east of the shire by the Wombat Forest is Trentham with a population of 827 (ABS, 2021e).

Trentham is known for its rich volcanic soil and potato production (Hepburn Shire Council, 2023b).

The Midland Highway crosses through the shire connecting major towns throughout the shire, and to Ballarat in the south west and Castlemaine in the north. Hepburn Shire is serviced by the Maryborough V/line train with stations in Creswick and Clunes. There are several V/line bus services connecting major towns in and out of the shire.

Community

Hepburn Shire's economy is largely built around agriculture and activities linked to tourism – accommodation, wellness services and cafes/restaurants. (Department of Transport and Planning, 2021b). Health Care and Social Assistance is the main industry of employment, making up 14.5% of the shire's workforce (Remplan, 2021).

The profile of the shire is older than the overall state and regional averages: 53% of the population are aged 50 years or older and 60 to 69 year olds are the largest age group, comprising 18.6% of the shire's population (Remplan, 2021). It is projected that by 2036 there will be 2,790 more people aged over 60 years living in the shire (Department of Transport and Planning, 2021b).

Almost 78% of residents living in the shire were born in Australia and 1.1% identified as Aboriginal and/or Torres Strait Islander people, which is slightly less than the 2% in regional Victoria (ABS, 2021d). English is the only language spoken at home for 87.4% of residents, compared to 86.4% for regional Victoria (ABS, 2021d).

Most people in the shire own their home, either outright or with a mortgage (81.5%), and the median weekly household income is \$1,281 (ABS, 2021d).

Over the last decade the population has increased from 14,367 in 2011 (ABS, 2011) to 16,604 in 2021 (ABS, 2021d). This trend is expected to continue with an estimated annual growth rate of 0.8%.

Current number of councillors and electoral structure

Hepburn Shire Council is currently divided into 5 wards with a total of 7 councillors:

- 2 wards with 2 councillors (Birch and Creswick wards)
- 3 wards with one councillor each (Cameron, Coliban and Holcombe wards).



Figure 1: Diagram of current electoral structure of Hepburn Shire Council.

There are approximately 16,283 voters in Hepburn Shire Council, with a ratio of 2,326 voters per councillor.

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

Last electoral structure review

The VEC conducted an electoral representation review of Hepburn Shire Council in 2020. This 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 Hepburn Shire Council continue to consist of 7 councillors elected from 5 wards (2 wards with 2 councillors and 3 wards with one councillor each).

Visit the VEC website at vec.vic.gov.au to access a copy of the 2020 representation review final report.

Before the 2020 review, a representation review of Hepburn Shire Council was completed in 2007. This resulted in the current electoral structure being implemented. Before the 2007 representation review, Hepburn Shire Council had a total of 5 councillors elected from 5 single-councillor wards.

Preliminary submissions

At the close of submissions on Wednesday 1 March 2023, the panel had received 18 submissions for the electoral structure review of Hepburn Shire Council. You can find a list of people who made a preliminary submission in [Appendix 2](#).

The panel received submissions from a range of stakeholders including individuals and 4 current councillors. Submissions were published on the VEC website.

A summary of the preliminary submissions is contained in the preliminary report, available on the VEC website at vec.vic.gov.au

Preliminary report

A preliminary report was released on Wednesday 29 March 2023. The panel considered public submissions and research findings when formulating the models presented in the preliminary report.

After careful consideration, the following electoral structure models were put forward for public consultation:

- Model 1: an unsubdivided electoral structure with 7 councillors.
- Model 2: a subdivided electoral structure with a total of 8 councillors, 4 wards and 2 councillors per ward.
- Model 3: a subdivided electoral structure with a total of 7 councillors, 7 wards and 1 councillor per ward.

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

Response submissions

The panel received 34 response submissions to the preliminary report from the public by the deadline of 5 pm on Wednesday 19 April 2023. You can find a list of people or organisations who made a response submission in [Appendix 2](#).

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 (unsubdivided, 7 councillors)	Model 2 (4 wards with 2 councillors per ward)	Model 3 (7 single-councillor wards)	Other
6*	6*	23	2

*4 submitters indicated support for more than one option.

Submitters put forward a range of arguments in support of their favoured models, which were similar to those presented in preliminary submissions. Most submissions supported Model 3, a subdivided electoral structure with 7 single-councillor wards.

Two submissions preferred other structures not put forward in the preliminary report (see [Other options](#) below) and one submitter addressed matters considered out of scope for this review.

Model 1

There were 6 submissions in support of Model 1, most because an unsubdivided structure was felt to be more equitable than the current subdivided ward structure. Some also suggested that an unsubdivided structure would help reduce parochialism amongst councillors and the council itself, by making councillors accountable to voters in all areas of the shire and encourage councillors to adopt a shire-wide approach to council business. Some felt this would work to improve council decision-making.

The Victorian Pride Lobby's submission supported the model's potential to increase the diversity of candidates and elected councillors. The submission quoted Councillor Tim Drylie's preliminary submission, and the suggestion the council would include a wider and more diverse range of voices when councillors were elected according to their policies and appeal to all voters instead of their location or ward area.

David Moore suggested much the same, arguing that an unsubdivided electoral structure would require candidates to develop more inclusive policies and platforms, and that councillors would better understand the interest and needs of the whole shire as a result. Moore felt this would encourage councillors and the council to develop a more cooperative mindset and approach to representation, with improved outcomes for the shire as a whole.

Jennifer Beacham also saw value in councillors being accountable to voters from across the shire, contrasted with the negative impacts of promoting parochial interests as is the case under

the current structure and ward divisions. Beacham highlighted low levels of community satisfaction with the shire to suggest community perceptions of the council and its performance were influenced by the shire's ward structure.

Submissions not in favour of Model 1 felt an unsubdivided electoral structure would not reflect or capture the shire's distinct communities of interest, its geography or the location of communities in different areas of the shire. Several submitters from Trentham felt that without a ward structure, their community would be overshadowed by towns with larger populations. Graeme Bertrand took this view to raise concerns about the dominance of councillors from the main towns deterring candidates from smaller towns standing for election. Bertrand also suggested there would be a financial burden on candidates having to campaign in an unsubdivided electoral structure.

Councillor Brian Hood suggested an unsubdivided structure would result in the election of councillors who were unaware the issues and interests of communities if they were not from the local area. Hood felt this would have a negative impact on the Trentham communities of interest in particular and identified the possible impacts on councillor workloads when having to travel throughout the shire.

Model 2

Six submissions supported Model 2, with most of the view the multi-councillor ward structure would better provide for effective and equitable representation.

Richard Leeder outlined the importance of local representation and considered Model 2 best able to provide the kind of local representation residents preferred. Leeder also suggested the ward boundaries of Model 2 would ensure the provision of local representation for the 4 main communities in the shire. The Victorian Pride Lobby similarly agreed the ward boundaries were suitable as they kept for the most part communities of interest together and did not divide major towns across different wards. They did, however, express some concerns about the model supporting greater diversity in candidates and councillors and felt an unsubdivided structure might prove more effective on this issue.

Those not in support of Model 2 voiced two main concerns. That the proposed wards grouped together towns with no community or shared interest, and that an even number of councillors would impact on council decision-making. For example, Laraine Toose viewed the geographic boundaries did not reflect communities of interest and felt that having 8 councillors could result in tied votes in council and prove problematic.

Hepburn Shire Council suggested there to be no compelling reason to increase the number of councillors to 8 and like Toose, took the view that having an even number of councillors would increase the likelihood of voting deadlocks and the subsequent need to rely on a casting vote.

Model 3

There were 23 submitters who favoured Model 3, most of whom resided in Trentham, and viewed single-councillor wards as better able to provide representation for the Trentham

community. Submitters expressed a desire for local representation, and the benefits of having one councillor that the community can identify with and hold accountable to their needs.

Fay Magee felt single-councillor wards would enable the community to have a more direct connection to their councillor and that having a councillor aware of, and part of local networks would enhance local representation by helping residents and the community understand local council structure and mechanisms.

Matthew Nickson suggested localised knowledge was an important factor for effective council decision-making. Nickson felt local knowledge across the diverse geographical areas of the shire could enhance council planning decisions and ensure there are no negative impacts, both short-term and long-term, on local communities.

Councillor Lesley Hewitt, in support of Model 3, suggested having councillors that understand local issues enables better council decision-making for residents and the shire. Hewitt was opposed to the use of Raglan Street as a boundary between Hepburn Springs Ward and Daylesford Ward stating it did not capture how the towns are divided at a local level.

Vicki Steggall stated the importance of maintaining diversity of the shire and its communities noting the benefit this has for tourism and residents. Steggall felt a single-councillor ward structure best supported this.

Those not in support of Model 3, held concerns that a single-councillor ward structure could entrench views of councillors only being responsible for their ward at the expense of whole of shire community issues. Submitters also felt the proposed boundaries split communities of interest or grouped towns together with no common interests. Louise Johnson and Daniel McDiarmid argued a single-councillor ward structure would not necessarily foster cohesion between councillors or communities as other submitters had proposed. They continued by suggesting ward structures can easily be influenced by parochial interests, and that single-councillor wards may prevent effective decision-making on shire-wide issues. Furthermore, Johnson and McDiarmid felt the boundary dividing Daylesford and Hepburn Springs townships did not reflect an appropriate the division of community assets and services between the towns.

Edwin Beacham was also critical of the proposed boundaries in Model 3, suggesting they do not reflect communities of interest, and arbitrarily split towns and communities in the interests of balancing the numbers. Beacham identified Creswick, Daylesford and Hepburn Springs as particularly impacted by the proposed boundaries and that under the boundaries of Model 3 their communities of interest would not be retained. Beacham also noted the potential for more boundary changes in future to balance voter numbers, which may further divide communities of interest.

Other options

There were 2 submissions that preferred other options, which were the same as first proposed at the preliminary submission stage.

Mark Rak preferred a 3-ward structure with 3 councillors per ward. Rak encouraged the panel to re-examine a 3 multi-councillor ward model given the support in preliminary submissions for such a structure. However, Rak indicated support for Model 3 as an alternative. Johnson and McDiarmid favoured a 3-ward structure with 2 councillors per ward. They felt that 6 councillors would be more beneficial through reduced costs and provided sufficient diversity in candidates could be achieved. As an alternative preference, Johnson and McDiarmid supported Model 2.

During the preparation of the preliminary report, the panel had examined these options but found them unsuitable for Hepburn Shire. Reducing councillor numbers would not provide the shire's communities with an appropriate level of representation, and the panel could not justify increasing councillors to 9 when comparing the council to other rural shires with a similar number of voters.

Public hearing

The panel held an online public hearing for those wishing to speak about their response submission at 10 am on Wednesday 26 April 2023. Three people spoke at the hearing.

You can find a list of people who spoke at the hearing in [Appendix 2](#).

John Goudie commenced by outlining the importance of voters knowing the candidates they must choose to elect at elections. Goudie felt Model 3 (single-councillor wards) provided the best opportunity for voters to confidently elect candidates of their choosing. Using personal experience of the most recent local council elections (2020), Goudie felt that reading a candidate statement did not provide sufficient information for voters to make an informed choice, and that only by knowing the candidate personally as well as their policy platforms can a voter be suitably informed about who to vote for.

Under an unsubdivided structure, Goudie was of the view that that a vote would have little to no value as most would expect most candidates to come from Daylesford. According to Goudie this situation would make it challenging for residents from other parts of the shire to be informed about who the candidates are.

Goudie expressed uncertainty about Model 2 and felt unable to comment on the benefits of a multi-councillor ward structure without first hearing about the experience of councillors operating under such a structure. As such, Goudie preferred and was more comfortable with a structure consisting of single-councillor wards rather than the multi-councillor wards of Model 2.

Viesha Lewand spoke first about her connection as a local resident for 25 years to Hepburn Shire and the area. Lewand stated a preference for Model 2, mainly due to the addition of an extra councillor under the multi-councillor structure, which was felt would benefit residents and strengthen the council.

The final speaker was Bradley Thomas, CEO of Hepburn Shire Council, who spoke on behalf of the council. Thomas expressed the council's reservations changing the current electoral structure, which it felt had worked very well, and noted councillors were divided in their support of Model 1 and Model 3.

Thomas indicated there was no support from within the council for Model 2 and that all councillors had rejected the model on the grounds that increasing councillor numbers to an even 8 could create some imbalance in council decision-making processes, adding there to be potential risks of voting blocs developing within the council, and issues with the mayor having to resort to a casting vote to resolve deadlocks or tied votes. Thomas felt these risks outweighed the benefits of having an additional councillor, which would also involve additional costs.

Commenting on Model 3, Thomas advocated for clearer boundary division, noting that some of the boundaries of this model would be problematic. For example, it was suggested the proposed boundary separating Daylesford and Hepburn Springs wards should be moved further north (beyond Raglan Street) to better contain the Daylesford locality within the Daylesford Ward. Moving Franklinford out of Holcombe Ward and into Hepburn Springs Ward was also proposed by the council to better preserve links between these communities.

Disagreement with some ward names was also raised with the suggestion that the names of small towns such as Newlyn should not be adopted as ward names where the town is not representative of the larger ward area.

Thomas provided commentary on Model 1, and the various views concerning the benefits and drawbacks of unsubdivided structures. Concerns were raised that some councillors felt in an unsubdivided structure candidates might only come from the larger towns leaving smaller towns without representation. However, views on the benefits of an unsubdivided structure were also addressed, including the idea of councillors being accountable for the entire shire. Nonetheless, Thomas pointed out the various processes and activities already in place to support a shire-wide approach, such as councillors being encouraged to attend events in all areas of the shire, invitations for councillors to attend listening posts in various locations, and that council funding is not allocated at a ward level.

It was suggested the mechanics of representation and the practicalities of residents seeking councillor support in an unsubdivided structure may cause confusion for residents, as well as a double up of councillors attending community events.

Thomas concluded by reiterating that the current structure had and continues to work well for the shire, particularly in the representation of smaller hamlets outside of the 4 main towns of Daylesford and Hepburn Springs, Creswick, Trentham and Clunes. While there was not unanimous support for any particular model, the council and councillors recognised the positives and negatives of different electoral structures and considered the key requirement for all communities was to have equitable representation regardless of location.

Findings and recommendation

Number of councillors

After considering the requirements of the Act, public submissions and the agreed criteria, the panel found 7 or 8 councillors to be an appropriate number for Hepburn Shire Council.

The panel considered the characteristics of Hepburn Shire Council in relation to similar rural shire councils, including its size and geography, population and the number and distribution of voters across the shire.

Hepburn Shire Council currently has 16,283 voters represented by 7 councillors and covers an area of 1,473 km². Other rural shires with a similar number of voters generally also have 7 councillors.

The panel recognised that the geographic features and uneven distribution of voters across the shire make developing a satisfactory subdivided electoral structure for Hepburn Shire Council challenging. The Act's requirement for multi-councillor ward structures to have the same number of councillors per ward also poses difficulties, as multi-councillor ward structures are not possible with the current number of councillors. Because of this, the panel also considered subdivided electoral structures with fewer or more councillors. The panel explored increasing or decreasing the number of councillors and found that reducing the number was not appropriate given the size and voter population of the shire. The panel considered an increase to 8 could be justified considering the modest population growth occurring in the council, combined with the increase enabling the creation of a favourable structure and consequently facilitate good governance. As a result, the panel put forward one option with an increased number of councillors: Model 2.

Electoral structure

After considering the requirements of the Act, public submissions and the agreed criteria, the panel found that Model 1 is the best model for promoting fair and equitable representation for voters in Hepburn Shire Council and consequently facilitate good governance.

In forming its final recommendation, the panel considered all arguments for and against each of the 3 models as well as voter and electoral information to determine Model 1 as the most appropriate structure to provide effective and equitable representation to all communities in the shire. Recognising the shire's various distinct and diverse communities the panel considers a key benefit of Model 1 as no risk or possibility of ward boundaries dividing towns and communities. The absence of wards also removes the challenges of uneven population growth, including any requirement to adjust ward boundaries to balance voter numbers across wards. The panel felt that under an unsubdivided electoral structure the proportional voting system may better reflect the interests of the many and diverse communities that comprise the shire and possibly provide voters in the smaller hamlets an effective voice at election time. The panel did not see the structure as preventing or deterring candidates from these smaller towns standing for election. The wide distribution of voters across the shire and in multiple townships of varying

size, as opposed to mostly gathered in a single large town, means candidates from all areas of the shire have, with good levels of local support, a reasonable chance of being elected.

On balance, the panel determined the benefits of Model 1 outweighed the drawbacks, including any perceived loss of local representation.

The panel considered the arguments presented by the council for a single-councillor ward structure (Model 3). While recognising some wards in the model were able to capture smaller communities of interest, some communities were not adequately captured particularly those in the townships of Creswick, Daylesford and Hepburn Springs.

The current interests and focus of the shire's many different towns and communities reflect clear geographic divisions. This was evident in submissions and in demographics of the shire. This presented challenges balancing voter numbers across wards in subdivided structures, particularly single-councillor ward structures, resulting in what sometimes appeared arbitrary lines carving up of communities of interest. Indeed, the council's suggested boundary changes, sensible from a community of interest perspective, were determined not to be viable as the resulting ward deviations were not within the legislated +/-10% tolerance.

There were concerns about arbitrarily dividing towns and communities in order to ensure voter numbers in each ward complied with the +/-10% requirement. Considering the one-vote one-value principle, the panel questioned the suitability of a single-councillor ward structure to enable good representation for voters and communities in the shire.

This was a contributing factor in the panel's decision to recommend Model 1 as more appropriate than Model 3 in providing fair and equitable representation in Hepburn Shire.

The panel did not consider there to be enough benefits warranting the additional councillor in Model 2. The panel initially felt Model 2 might be received more positively by those who supported a multi-councillor structure in preliminary submissions. However, the limited level of public support for the model in response submissions confirmed the panel's view of Model 2 being the least favourable of all preliminary models.

There are arguments both in favour of and against the various unsubdivided and subdivided electoral structures examined in this review, as each have their own benefits and drawbacks. While it is not possible for an electoral structure to address all the issues at play in the shire, the panel considers that, on balance, Model 1 is the best model for promoting fair and equitable representation for voters in Hepburn Shire Council and consequently facilitate good governance under the requirements of the Act.

The panel's recommendation

The electoral representation advisory panel recommends that Hepburn Shire Council adopt an unsubdivided electoral structure, represented by 7 councillors.

This advice is submitted to the Minister for Local Government as required by the Terms of Reference of the electoral representation advisory panel and the *Local Government Act 2020* (Vic). This electoral structure was designated as Model 1 in the preliminary report.

Please see [Appendix 1](#) for a detailed map of this recommended electoral structure.

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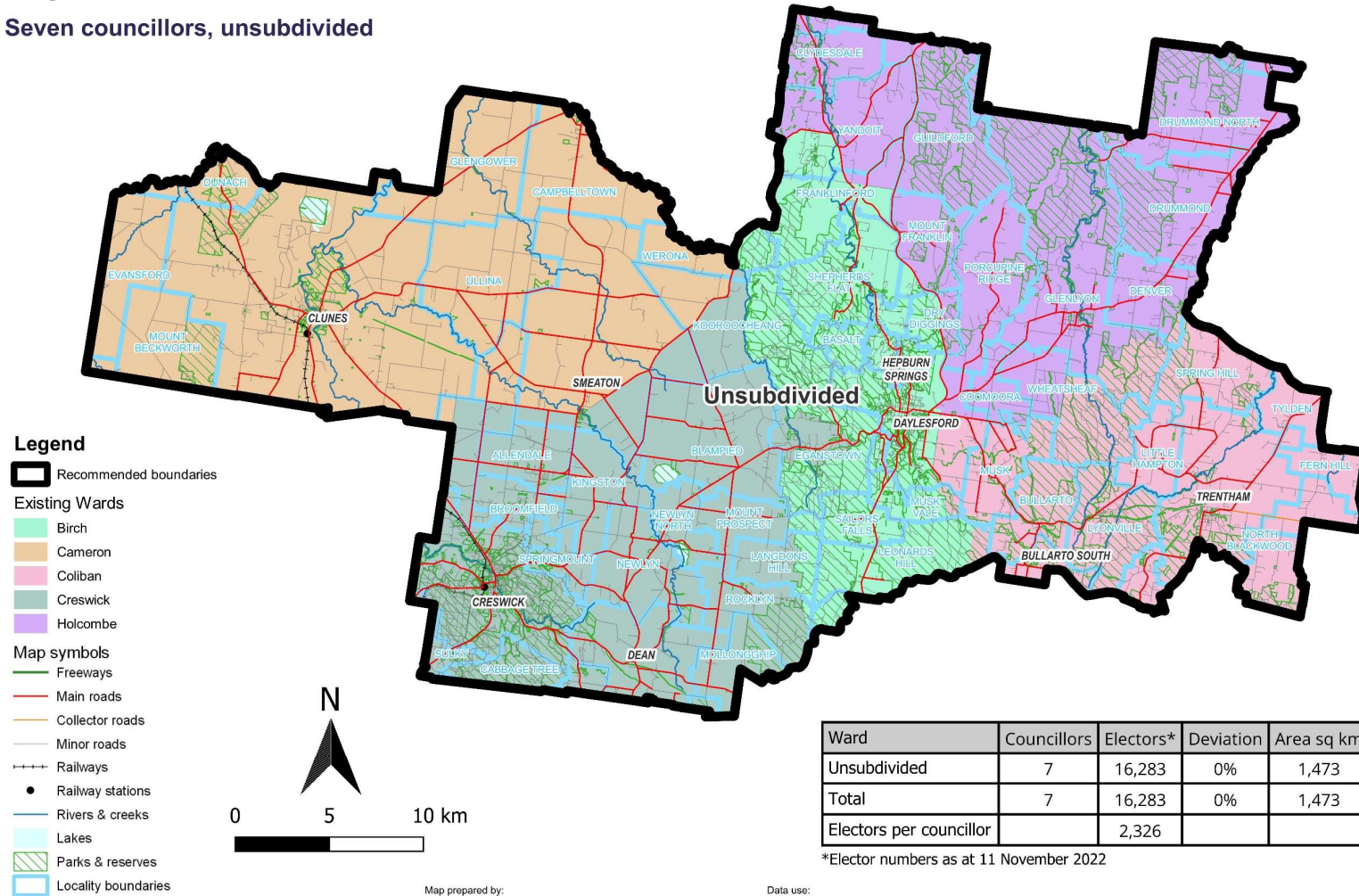
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Appendix 1: Map of recommended structure

Hepburn Shire Council

Seven councillors, unsubdivided



Ward	Councillors	Electors*	Deviation	Area sq km
Unsubdivided	7	16,283	0%	1,473
Total	7	16,283	0%	1,473
Electors per councillor		2,326		

*Elector numbers as at 11 November 2022

Map prepared by:



Data use:



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Appendix 2: Public involvement

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

Preliminary submissions

Preliminary submissions were made by:	Bray, Ruth	Johnson, Louise (and McDiarmid, Daniel and Bartak, David)
Anderson, Jonathan	Dickenson, Mark	MacBean, Ian
Armstrong, Trevor	Drylie, Tim (Councillor)	Maloney, Warren
Beacham, Jenny	Granger, Janine	Rak, Mark
Bertrand, Graeme	Hewitt, Lesley (Councillor)	Sherlock, Charles
Bray, Jen (Councillor)	Hood, Brian (Councillor)	
Bray, Malcolm	Irwin-Schutze, Anna	

Response submissions

Response submissions were made by:	Hepburn Shire Council	Mogic, Emily
Beacham, Edwin	Hewitt, Lesley (Councillor)	Moore, David
Beacham, Jennifer	Hood, Brian (Councillor)	Nickson, Matthew
Bertrand, Graeme	Jackson, Vicki	Permezel, Toby
Bremner, Anne	Johnson, Louise (and McDiarmid, Daniel)	Rak, Mark
Downes, Cheryl	Keaney, Michael	Robertson, Andrew (and Janice)
Goudie, Cynthia	Leeder, Richard	Snashall, Donna
Goudie, John	Lewand, Viesha	Steggall, Vicki
Gould, Sandipa	MacBean, Ian	Toose, Lairaine
Gray, Lisa	Magee, Fay	Trevis, Simon
Hall, Peter	McDonald, Julien	Victorian Pride Lobby
Hepburn Matters Inc.	Mitchell, Heather	

Public hearing

The following people spoke at the public hearing:

Goudie, John

Lewand, Viesha

Thomas, Bradley (CEO) (on behalf of Hepburn Shire Council)

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