

Local council electoral structure review

# Final Report

Surf Coast Shire Council

May 2023

Revised July 2023

### Acknowledgement of Country

The electoral representation advisory panel acknowledges the Wadawurrung, the Gulidjan and the Gadubanud peoples 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

Version	Date approved	Submission approved by	Brief description
1	13 May 2023	Acting Electoral Commissioner	Final version
2	21 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 Surf Coast 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 Surf Coast 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 Surf Coast Shire Council adopt a multi-councillor ward structure, with a total of 9 councillors, 3 wards and 3 councillors per ward.

The recommended names for the 3 wards in this electoral structure are Otway Range Ward, Torquay Ward and Winchelsea Ward.

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 62 preliminary submissions. Of these, 9 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](http://vec.vic.gov.au).

### Preliminary report

The panel published a preliminary report on Wednesday 22 March 2023 with the following electoral structure models for public consultation:

- Model 1: an unsubdivided electoral structure with 9 councillors.
- Model 2: a subdivided electoral structure with a total of 8 councillors, 2 wards and 4 councillors per ward.
- Model 3: a subdivided electoral structure with a total of 9 councillors, 3 wards and 3 councillors per ward.

The full preliminary report is available on the VEC website at [vec.vic.gov.au](http://vec.vic.gov.au).

### Response submissions

The panel received 5 submissions responding to the preliminary report. Of these, 1 submission included a map.

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 2 pm on Wednesday 19 April 2023. Two 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 Surf Coast 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 Surf Coast 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 Surf Coast Shire Council had 3 members:

- Ms Julie Eisenbise (Chairperson)
- Mr Tim Presnell
- Acting Electoral Commissioner Ms Dana Fleming.

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 Surf Coast Shire Council electoral structure review, the VEC supported a public information and awareness program, which included:

- printing public notices in state-wide 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 and final reports
- publishing information on social media channels
- regularly updating the VEC website content on [vec.vic.gov.au](http://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 Surf Coast 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 Surf Coast 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 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 Surf Coast 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 is 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 Surf Coast Shire Council

## Profile

Surf Coast Shire Council is in the Barwon South West region of Victoria, about 100 km from Melbourne. It borders Colac Otway Shire Council to the west and Golden Plains Shire and Greater Geelong City councils to the north.

The Traditional Custodians of the land within Surf Coast Shire are the Wadawurrung, the Gulidjan and the Gadubanud peoples.

## Landscape

The shire covers an area of 1,553 km<sup>2</sup> and includes an iconic stretch of coastline, part of the Otway Ranges and a large rural hinterland. The shire is a major tourist destination, registering over 2.4 million visitors each year. Attractions include the Great Ocean Road, Great Otway National Park, Erskine Falls and the world-famous Bells Beach. It is a popular holiday destination for those living in Melbourne and surrounds.

The shire's current population is 37,694. Torquay, 21 km south of Geelong, is the shire's largest town, with just under half of the total population. Along the Great Ocean Road, Anglesea, Aireys Inlet and Lorne are the most populous coastal towns. Winchelsea, situated on the Barwon River, is the largest inland town and is an important service base for the surrounding rural communities (REMPPLAN, 2022b).

The main transport corridor is the Princes Highway, which passes through the northern towns of Mount Moriac and Winchelsea. The Surf Coast Highway connects the city of Geelong with Torquay. The Great Ocean Road extends along the entire coast of the shire, linking the urban centre of the Torquay-Jan Juc region with coastal towns as far south as Lorne.

## Community

The population of the shire has increased rapidly over the past decade, at a rate significantly higher than other rural Victorian councils. From 2011 to 2021 the population grew by over 10,000 people (from 26,666 to 37,694). This pattern is expected to continue at a rate of 2.2% each year to reach around 43,100 by 2026. Most of the growth has and will continue to occur in the urban centres of Torquay and Jan Juc. Torquay alone is forecast to grow by more than 3,900 people by 2026 and account for over 70% of total population growth during this period (ABS, 2021a; REMPLAN, 2022c).

At the 2021 Census, around 32% of all homes in the shire were unoccupied, with significantly higher vacancy rates recorded for Lorne (68.6%), Aireys Inlet (59.5%) and Anglesea (55.5%). These coastal towns swell in population significantly during the peak summer holiday period (ABS, 2021a; ABS, 2021c; ABS, 2021d; ABS, 2021e).

At 42 years, the median age of the population has remained unchanged from the 2016 Census, though this varies across different areas of the shire. Torquay has a median age of 39 years,

while Winchelsea and Lorne have median ages of 41 years and 56 years respectively (ABS, 2021a; ABS, 2021b; ABS, 2021d; ABS, 2021f).

People born in Australia make up 82.9% of the population, and 90.7% speak only English at home. Both rates are above the regional Victoria averages (ABS, 2021a; ABS, 2021g). People of Aboriginal or Torres Strait Islander heritage make up 0.6% of the shire's population, below the regional Victoria average of 2.0% (ABS, 2021a; ABS, 2021g).

The unemployment rate across the shire sits at 2.8%, which is lower than the regional Victoria average. Almost 64% of the population participates in the labour force, mostly as professionals (27.6%), followed by managers (18.1%) and technicians and trade workers (13.7%). In contrast, the main employment sectors throughout the shire are construction (15.0%), accommodation and food services (14.4%) and retail trade (12.8%) (ABS, 2021a; ABS, 2021g; REMPLAN, 2023a).

Across the shire the median weekly household income is \$2,088, higher than the regional Victoria average. Home ownership is widespread, with 78.2% of homes owned outright or owned with a mortgage, while fewer people rent (18.1%) than in regional and rural Victoria overall (23.6%). Both the median weekly rent (\$461) and median monthly mortgage repayment (\$2,145) are well above the averages for regional Victoria (ABS, 2021a; ABS, 2021g; REMPLAN, 2023a).

## Current number of councillors and electoral structure

Surf Coast Shire Council is currently divided into 4 wards with a total of 9 councillors:

- one ward with 4 councillors (Torquay)
- 2 wards with 2 councillors each (Anglesea and Winchelsea)
- one single-councillor ward (Lorne).



**Figure 1:** Diagram of current electoral structure of Surf Coast Shire Council

There are approximately 35,330 voters in Surf Coast Shire, with a ratio of 3,926 voters per councillor.

Visit the VEC website at [vec.vic.gov.au](http://vec.vic.gov.au) for more information on Surf Coast Shire Council.

## **Last electoral structure review**

The VEC conducted an electoral representation review of Surf Coast Shire Council in 2012. This review was carried out under the *Local Government Act 1989*, which was replaced by the *Local Government Act 2020*.

After conducting the review, the VEC recommended that the Surf Coast Shire Council consist of 9 councillors elected from 4 wards (1 ward with 4 councillors, 1 ward with 1 councillor and 2 wards with 2 councillors). Before the 2012 review, Surf Coast Shire Council had 9 councillors in an unsubdivided electoral structure.

### **Subdivision review**

Since the 2012 representation review, the VEC also conducted a subdivision review of Surf Coast Shire Council in 2020.

Subdivision reviews conducted under the *Local Government Act 1989* (Vic) adjusted the internal ward boundaries of a council but did not change the electoral structure or number of councillors. Subdivision reviews were conducted in situations where the voter-to-councillor ratios in one or more wards of a council were forecast to move outside the legislated +/-10% tolerance before the council's next election and aimed to ensure voter-to-councillor ratios for all wards were within tolerance at the election.

The 2020 review of Surf Coast Shire Council aimed to return the Anglesea and Lorne Wards to within the permitted +/-10% tolerance before the 2020 local government elections. Visit the [Surf Coast Shire Council profile](#) on the VEC website to access a copy of the 2020 subdivision review final report.

## Preliminary submissions

At the close of submissions on Wednesday 22 February 2023, the panel had received 62 submissions for the electoral structure review of Surf Coast 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, community organisations and 5 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](http://vec.vic.gov.au).

## Preliminary report

A preliminary report was released on Wednesday 22 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 9 councillors.
- Model 2: a subdivided electoral structure with a total of 8 councillors, 2 wards and 4 councillors per ward.
- Model 3: a subdivided electoral structure with a total of 9 councillors, 3 wards and 3 councillors per ward.

The full preliminary report is available on the VEC website at [vec.vic.gov.au](http://vec.vic.gov.au).

## Response submissions

The panel received 5 response submissions to the preliminary report from the public by the deadline of 5 pm on Wednesday 12 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, 9 councillors)	Model 2 (2 wards with 4 councillors per ward)	Model 3 (3 wards with 3 councillors per ward)	Other
1	-	2	2

### Model 1

Mat Hines argued that an unsubdivided structure would deliver the most democratic model by allowing diverse community views to be represented from across the shire. Hines also suggested an unsubdivided electoral structure would create a 'level playing field' for all candidates, be they from Torquay, Lorne, Barrabool or Ombersley. Hines argued that an unsubdivided structure would allow a candidate from any area of the shire to be elected provided they attracted sufficient support from across the shire. This is because the number of votes to be elected would be less than that required under a multi-councillor ward structure.

Other submitters opposed to Model 1 pointed out Surf Coast Shire Council operated under this structure before the 2012 representation review. They held the view that Lorne, along with the other coastal and small communities of interest, were not well represented during that time.

### Model 2

There were no submissions supporting Model 2, but several submissions argued against this model. Submitters believed:

- this structure would not support proper representation for the diverse communities of interest
- this model would see 50% of the councillors representing only Torquay
- an even number of councillors could present challenges in council decision making. Councillor Gary Allen believed this may result in the mayor using their casting vote, giving their ward 2 votes and an unfair advantage.

### **Model 3**

Two submissions supported Model 3. Juliet Beatty, a long-term resident of the current Lorne Ward, emphasised the need for local representation for Lorne. Beatty wanted the support and understanding the community had experienced under the current electoral structure to continue for the proposed Otway Range Ward, by having at least one of the 3 councillors be a resident of Lorne.

Aireys Inlet and District Association (AIDA), who provided detailed preliminary and response submissions, argued in support of Model 3. It believed that the 3 distinct communities of interest (urban, coastal and rural hinterland) made it logical and sensible for the electoral structure to be divided into these 3 wards. It also believed this structure would reduce the possibility the shire could become Torquay-centric. The AIDA also proposed some minor boundary changes to Model 3.

The association felt the proposed Otway Range Ward reflected the many strong community links existing in and between the current Anglesea and Lorne Wards.

An argument against this model was that separating Torquay and Jan Juc across separate wards did not reflect the local communities of interest. Submitters also suggested Torquay West had no common geographic interest with the rural hinterland of Winchelsea Ward.

### **Other options**

Two submissions supported a model with 9 single-councillor wards. This was not an option presented for public comment in the preliminary report.

The Committee for Lorne continued its support for this structure and commented that most submissions favoured a subdivided ward structure. The committee believed previous experience had shown single-councillor wards provided better outcomes than multi-councillor wards or an unsubdivided electoral structure. Councillor Gary Allen felt a 9 single-councillor ward structure would be the most democratic structure for Surf Coast Shire and argued that the list of projects secured for the Lorne community under the current single-councillor ward (Lorne Ward) demonstrated how a councillor was able to act in the interests of both the residents of a ward and the shire as a whole.



## Public hearing

The panel held an online public hearing for those wishing to speak about their response submission at 2 pm on Wednesday 19 April 2023. Two people spoke at the hearing. Each speaker was given 10 minutes to explain their response, followed by 5 minutes for the panel to ask questions of the speaker.

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

Charlotte Allen spoke on behalf of the Aireys Inlet and District Association. The association supported combining the current Anglesea and Lorne Wards to reunite the communities of Eastern View, Moggs Creek, Fairhaven and Aireys Inlet in the proposed Otway Range Ward. It also felt many community groups would benefit by the creation of this larger ward. Allen referenced the work of the Great Ocean Road Communities Network in linking the smaller coastal towns (as far south as Port Campbell in the Corangamite Shire) as areas with common communities of interest.

Responding to a question from the panel regarding the northern boundary of the proposed Otway Range Ward, Allen highlighted having the communities of Lorne and Deans Marsh united in one ward as a positive change that justified the proposed northern boundary. Allen commented that the association is aware residents from the Otway Ranges area work and socialise in the Aireys Inlet locality.

The second speaker, Peter Spring, spoke on behalf of the Committee for Lorne. Spring stated the committee supported keeping a subdivided ward structure for the shire. The committee reinforced its support of a 9 single-councillor ward model, which the panel did not present as an option for feedback. The committee felt it would best represent and reflect the shire's diverse communities of interest. Having been involved in the community of Lorne for over 20 years, Spring explained he had experienced representation under both unsubdivided and subdivided electoral structures. Spring felt the relationship between the local community and the council was more positive when there was a local representative living in the community who understood the needs of all residents. Spring noted the committee preferred Model 3 over Model 2 but did not believe the wards of either model properly reflected all communities of interest.

The panel asked Spring if having Lorne in a ward with other coastal communities was workable. Spring responded that the Otway Range Ward in Model 3 does adequately group the coastal communities. The closer to Torquay you are, the more the needs and aspirations of the communities differ, but in the committee's opinion the Otway Range Ward broadly represents the coastal communities of interest. Spring responded to a further panel question and stated that the committee would be able to work with Model 3, although reluctantly.

## Findings and recommendation

The panel is committed to the principle of 'one vote, one value', which is a requirement for subdivided electoral structures under the Act. This is to make sure that every person's vote counts equally and consequently facilitate good governance. When conducting an electoral structure review, the panel must follow the Act's legislated equality requirement. This requirement seeks to make sure the number of voters per councillor in a ward is within +/-10% of the average number of voters per councillor in any other ward. The panel cannot make exceptions to this legislated requirement.

The panel's final recommendation is based on the models put forward for public comment in the preliminary report. This report also featured the panel's reasoning behind why those models were proposed. While there was strong support for a single-councillor ward structure in preliminary submissions (17 written and 5 mapped) the panel did not put forward a single-councillor ward model for public comment for several reasons.

Having 9 single-councillor wards in areas with such high growth forecasts means it is very likely that the voter-to-councillor ratios in multiple wards would move outside the legislated +/-10% tolerance before the 2024 local government elections. The panel acknowledges that this reason could have been outlined in more detail in the preliminary report. Nonetheless, the very uneven distribution and projected changes in population mean any single-councillor ward structure would be fundamentally unstable. In addition, uncertainty around how many ratepayer entitlement voters will enrol and vote at the 2024 local government elections further contributed to this instability, meaning the panel could not be confident voter-to-councillor ratios would remain within the legislated requirements for the 2024 local government elections.

Modelling multi-councillor ward structures proved challenging for the same reasons. However, the panel's confidence in the viability of models 2 and 3 through to the 2024 local council elections, combined with other factors, was significantly greater than for any single-councillor ward model.

Given the legislated requirements, combined with very uneven and shifting changes in population and voter numbers, the panel could not recommend any single-councillor ward model for Surf Coast Shire.

## Number of councillors

After considering the requirements of the Act, public submissions and the agreed criteria, the panel found 8 or 9 councillors to be an appropriate number for Surf Coast Shire Council.

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

Surf Coast Shire Council covers an area of 1,553 km<sup>2</sup> and currently has approximately 35,330 voters. With 9 councillors representing the shire, this equates to a ratio of 3,926 voters per

councillor. Other rural shires with a comparable number of voters per councillor generally have between 7 to 9 councillors.

In some cases, a local council may have special circumstances that support a recommendation for fewer or more councillors. The panel did not identify any special circumstances that were new to Surf Coast Shire Council since the representation review in 2012. It did recognise that the geographic features, uneven distribution of voters across the shire, and uneven population growth make developing a satisfactory subdivided electoral structure for Surf Coast Shire Council challenging.

The Act's requirement for multi-councillor ward structures to have the same number of councillors per ward can pose issues, as multi-councillor ward structures are extremely difficult to build with an uneven number of councillors. Because of this, the panel also considered wards with 2 or 4 councillors.

The panel explored if a change to the total number of councillors would mean better ward structures could be created to give better representation to the community.

As a result, the panel proposed one option with less councillors: Model 2 – a subdivided electoral structure with a total of 8 councillors, 2 wards and 4 councillors per ward.

## **Electoral structure**

After considering the requirements of the Act, public submissions and the agreed criteria, the panel found that Model 3 is the best model for fair and equitable representation for voters in Surf Coast Shire Council and consequently facilitate good governance.

Model 1 may offer voters greater choice of candidates at an election than a ward-based structure and removes the likely need for future ward boundary reviews to accommodate population change. However, the panel recognised the community's convincing rejection of such a structure during the 2012 representation review. It felt such a structure was unlikely to be accepted by the majority of the Surf Coast community.

In the preliminary report the panel had put forward Model 2 on the basis that it was the most stable of the multi-councillor ward structures that could be created for the shire. However, the panel did have concerns about the reduction to 8 councillors. It also factored in the risk of creating a division between the Torquay community and the rest of the shire under a 2-ward model. There was no support for Model 2 in the response submissions, confirming the panel's reservations about the model's suitability for the Surf Coast Shire community.

The panel felt Model 3 was the strongest option for the shire for a variety of reasons. This model means no change to councillor numbers, and keeps a multi-councillor ward structure similar to the current structure. The new Otway Range Ward closely follows the current Anglesea Ward and Lorne Ward boundaries while uniting those two communities of interest. It also reflects community feedback that the strong connection between Lorne and Deans Marsh is maintained by keeping these communities in the same ward.

The panel acknowledged the feedback in numerous preliminary and response submissions that Surf Coast Shire is built around 3 distinct and separate communities – urban, coastal, and rural hinterland. A subdivided electoral structure also had strong support in preliminary and response submissions. Because of this, the panel viewed Model 3 as meeting the needs of the Surf Coast Shire communities and as the best option for the foreseeable future. The panel believes the proposed Otway Range Ward could allow for a Lorne resident to be elected if a strong candidate from the town nominated and had enough community support.

The panel also considered the proposed boundary adjustments to the Otway Range Ward in Model 3 suggested in the response submission from the Aireys Inlet and District Association. The panel agreed that some of the proposed boundary suggestions improved the model. In addition, most of these changes could be included while making sure the voter-to-councillor ratios would be within the legislated +/-10% tolerance at the 2024 local council elections.

As such, the panel has included the following changes to the proposed Otway Range Ward as part of the final recommended electoral structure:

- The ward boundary above Jan Juc is shifted north to include all of the Jan Juc locality.
- The western boundary is shifted to follow Wormbete Station Road and the eastern side of Knights Track and moved south to intersect with the current Anglesea Ward boundary west of Peters Hill Firetower.
- The northern boundary is moved further north to include all Deans Marsh in the Otway Range Ward. The adjusted boundary follows Winchelsea-Deans Marsh Road, Fulton Lane, then west across Yan Yan Gurt Creek to the shire boundary along Salt Creek Lane.

This modified Otway Range Ward covers 85% of the combined current Anglesea and Lorne wards. Overall, the panel considers Model 3 to effectively respond to the community's desire for representation under a ward-based electoral structure, along with recognising the major geographic communities of the shire.

The model also delivers a structure that is compliant with the need under the Act for there to be an approximately equal number of voters represented by each councillor. While the proposed Otway Range and Winchelsea ward deviations currently sit outside +/-10% (based on a snapshot of voter numbers taken at November 2022) voter projections indicate that all 3 wards are forecast to be within the +/-10% tolerance for both the 2024 and 2028 local government elections.

There are valid arguments both in favour of and against the electoral structures examined in this review, as each have their own benefits and drawbacks. It is not possible for any electoral structure to address all the issues at play in the shire. However, the panel considers that Model 3 presents the least amount of change for the community and is the best model for promoting fair and equitable representation for voters in Surf Coast Shire Council and consequently facilitate good governance while complying with the Act.

## Ward names

The ward names for the panel's recommended electoral structure were based on the following:

- Torquay Ward and Winchelsea Ward: The existing ward names under the current electoral structure. The new wards cover much of the same area as the existing wards.
- Otway Range Ward: New name based on the low coastal mountain range which runs through the south-western part of the shire. The name of this geographic feature is registered in the [VICNAMES](#) register.

## The panel's recommendation

The electoral representation advisory panel recommends that Surf Coast Shire Council adopt a multi-councillor ward structure, with a total of 9 councillors, 3 wards and 3 councillors per ward.

The recommended names for the 3 wards in this electoral structure are Otway Range Ward, Torquay Ward and Winchelsea Ward.

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. This electoral structure was designated as Model 3 in the preliminary report and incorporates boundary adjustments as described on [page 20](#) in this final report.

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

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# Appendix 1: Map of recommended structure

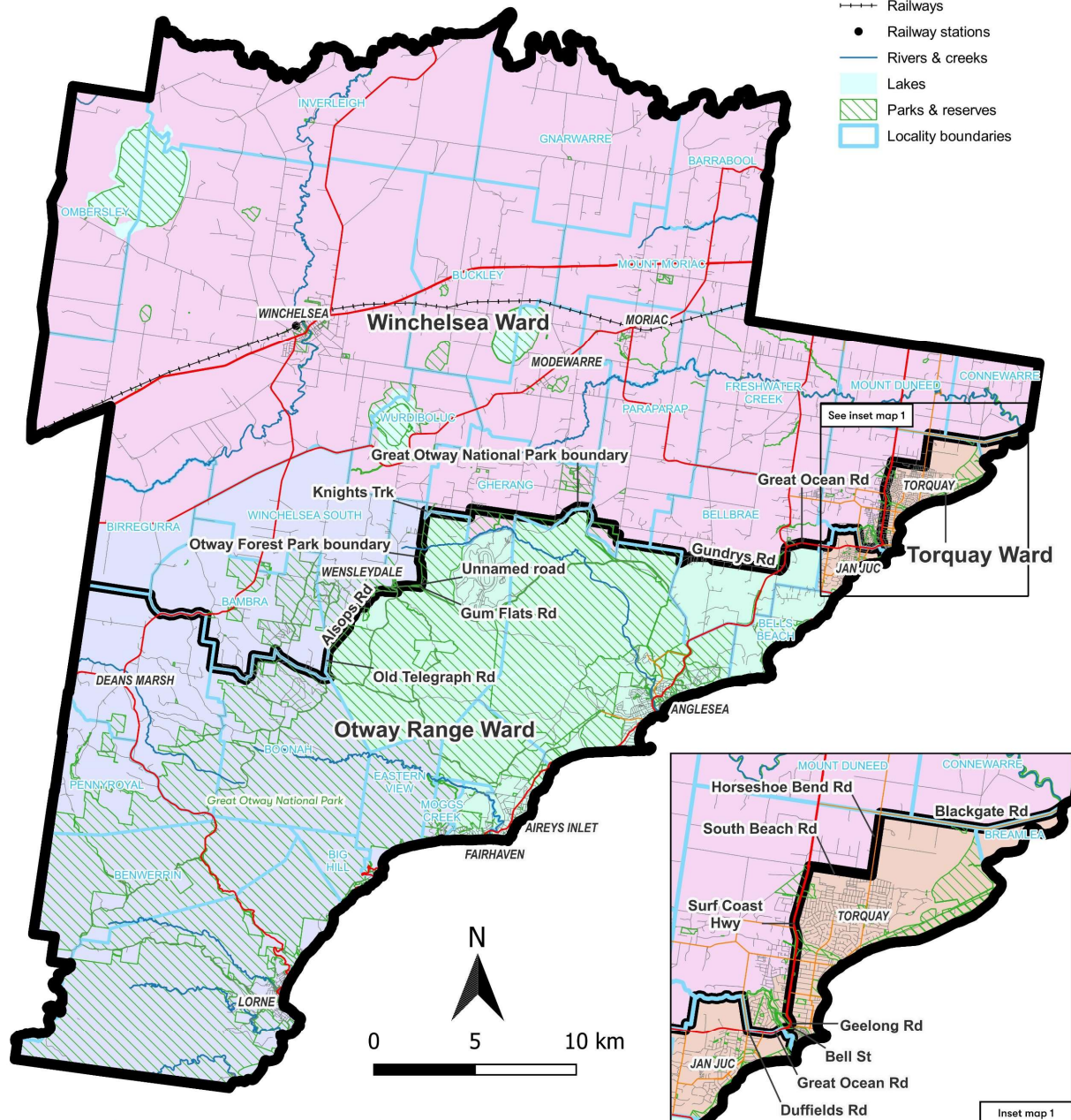
## Surf Coast Shire Council

Nine councillors, three wards

Ward	Councillors	Electors*	Deviation†	Area sq km
Otway Range	3	13,683	+16.19%	560
Torquay	3	11,503	-2.32%	16
Winchelsea	3	10,144	-13.86%	980
Total	9	35,330		1,556
Average		3,926		173

\*Elector numbers as at 11 November 2022

†The deviation of all wards are projected to be within +/-10% by the time of the 2024 local government election



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:

Agar, John	Laird, Andrew
Aireys Inlet and District Association	Lamont, Gretel
Allen, Gary (Councillor)	Lawson, Heather
Baldwin, Don	Lorne & District Men's Shed
Barber, John	Lorne Community Connect Inc
Bloomfield, Ellison	MacDonald, Robert
Bodsworth, Mike (Councillor)	Mathison, Jenny & Stewart
Breen, Kevin	McDonald, Ken
Burns, Angela	Mitchell, Eathorne
Butler, Jeanette	Mitchell-Taverner, Amanda
Cameron, Judy and Webb, Graeme	Phelps, Anthony
Clements, Helen	Pitt, Karen
Cole, Susan	Positive Aging Advisory Committee
Collins, Michael	Rice, Heather
Committee for Lorne	Robertson, Douglas
Cope, Kim	Rosson, Stuart
Cotter, Mary	Ryan, Chris
Davidson, Beth (OAM)	Schonfelder, Adrian (Councillor)
Einsiedel, Emma	Shaw, Simone
Falk, James	Smith, Margery and Trevor
Friends of Lorne	Smith, Rodney
Gaffney, David	Stapleton, Elizabeth (Councillor)
Gardener, Gisela	Stribling, David
Goldsworthy, Clive (first submission)	Tehan, Maureen
Goldsworthy, Clive (second submission)	Tucker, Rod
Greater Torquay Alliance Inc and 3228	Tutt, James
Residents Association Inc	Walls, Allan
Hammond, Barbara	Wilson, Joh Cunningham
Hines, Mat	Wood, Liz
Hodge, Rose (Councillor)	Youl, Eva Janice
Jarvis, Lisa	
Jelbart, Meredith	
Kennelly, Adrian	

## **Response submissions**

Response submissions were made by:

Aireys Inlet and District Association

Allen, Gary (Councillor)

Beatty, Juliet

Committee for Lorne

Hines, Mat

## **Public hearing**

The following people spoke at the public hearing:

Allen, Charlotte (on behalf of Aireys Inlet and District Association)

Spring, Peter (on behalf of Committee for Lorne)

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