

Local council electoral structure review

Final Report

Gannawarra Shire Council

May 2023

Revised July 2023

Acknowledgement of Country

The electoral representation advisory panel acknowledges the Barapa Barapa, Wamba Wamba, and Yorta Yorta 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	Publication approved by	Brief description
1	5 May 2023	Acting Deputy Electoral Commissioner	Final version for publication
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 Gannawarra 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 Gannawarra 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 Gannawarra 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 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 4 preliminary submissions. Of these, one submission 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 15 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 6 councillors, 2 wards and 3 councillors per ward.

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

Response submissions

The panel received 4 submissions responding to the preliminary report. Of these, no submissions 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 Thursday 13 April 2023. One person 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 Gannawarra 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 Gannawarra 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 Gannawarra 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 Gannawarra 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, 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 Gannawarra 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 Gannawarra 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 Gannawarra 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 Gannawarra Shire Council

Profile

Gannawarra Shire Council is in north-western Victoria and has an area of 3,738 km². It is bounded by Swan Hill Rural City Council in the north, Campaspe Shire Council and Loddon Shire Council in the south, Buloke Shire Council in the west, and the Murray River in the north-east.

The Traditional Custodians of the Gannawarra area are the Barapa Barapa, Wamba Wamba, and Yorta Yorta people.

Landscape

Major geographic features of the shire are the Loddon River, which runs north to south, the Murray River, Gunbower Creek, Gunbower National Park, and the Kerang wetlands.

Gannawarra Shire is serviced by the Murray Valley Highway and the Loddon Valley Highway. In addition, 2 railway lines pass through the shire, moving freight (Robinvale and Swan Hill lines) and passengers (Swan Hill line).

Gannawarra Shire has 2 major service towns. Located on the Loddon River, Kerang operates as the main retail and administrative hub for the shire and caters for the farming and rural west. Cohuna operates as an agricultural and livestock service town in the north-east and services Gunbower Creek and Murray River tourism activities. Smaller settlements of Koondrook, Leitchville, Murrabit and Quambatook make up the remaining urban population.

Community

At the 2021 census, the shire's population was 10,683 (ABS, 2021a), an increase of 317 over the past decade (ABS, 2011). From 2022 to 2028, the shire's population is projected to decline slightly at a rate of -0.3% per year. The shire's median age is 51, higher than the median of 43 found in regional Victoria (ABS, 2021b).

Of the population, 85.7% were born in Australia, and 89.59% speak only English at home. This is compared to 81% and 86.4% respectively for regional Victoria (ABS, 2021b). The number of Aboriginal and Torres Strait Islander people at the 2021 census was 268 or 2.6%, slightly higher than the 2% for regional Victoria overall (ABS, 2021b).

The major industry in Gannawarra Shire is agriculture, with the western half of the shire dominated by dryland farming, and the eastern by irrigated agriculture and dairy farming (Department of Transport and Planning, 2022). Dairy and cropping are the most prominent agricultural activities, consisting of 39% and 38% of the industry respectively, while other major agricultural activities in the shire are livestock (13%) and horticulture (10%) (Gannawarra Shire Council, 2021). Agriculture, forestry and fishing made up 22.2% of employment, with health care and social assistance (12.1%), retail trade (9.5%), construction (8.2%), and manufacturing (6.7%) representing other major areas of employment in the shire (ABS, 2021a).

Home ownership is common in Gannawarra, with 51.3% owning their property outright, and a further 24.8% owning with a mortgage. This contrasts to the regional Victoria rate of 39.3% outright ownership, and 33.2% owned with a mortgage, with fewer people renting (18%) in Gannawarra than in regional and rural Victoria (23.6%) (ABS, 2021b).

The weekly median income of Gannawarra shire is \$1,071, less than the weekly median of \$1,386 for regional Victoria (ABS, 2021b).

Current number of councillors and electoral structure

Gannawarra Shire Council is currently divided into 4 wards with a total of 7 councillors:

- One ward with 3 councillors (Patchell)
- One ward with 2 councillors (Yarran)
- 2 wards with one councillor each (Murray and Avoca).

There are currently approximately 9,449 voters in Gannawarra Shire Council, with a ratio of 1,350 voters per councillor.

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

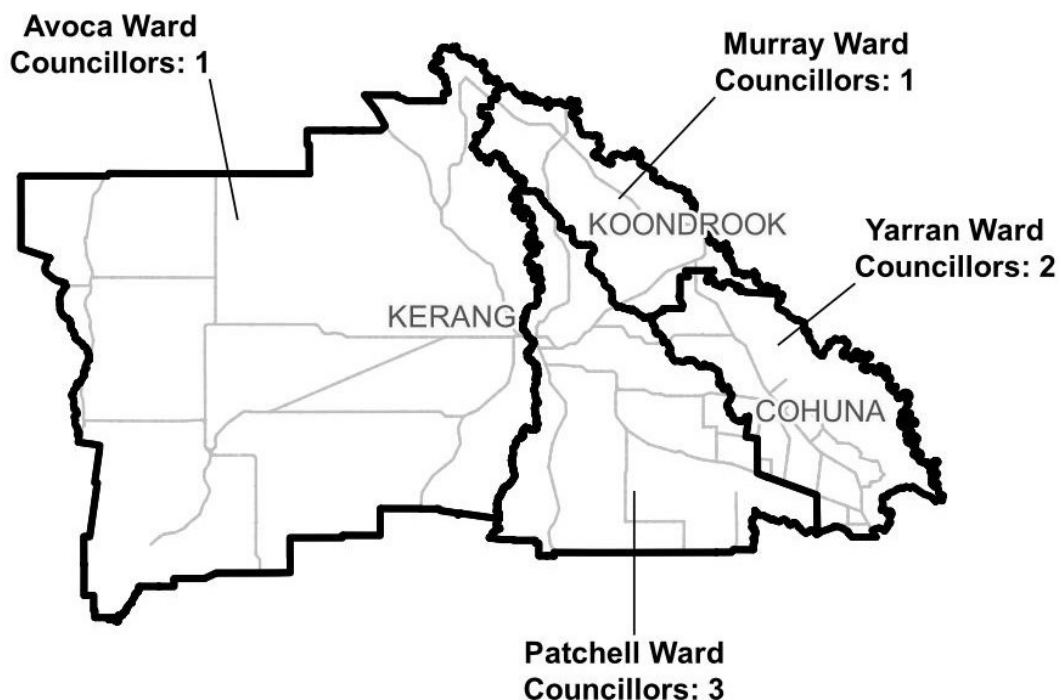


Figure 1: Diagram of current electoral structure of Gannawarra Shire Council.

Last electoral structure review

The VEC conducted an electoral representation review of Gannawarra Shire Council in 2015. 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 Gannawarra Shire Council continue to consist of 7 councillors elected from 4 wards (2 wards with one councillor each, one ward with 2 councillors and one ward with 3 councillors).

Visit the VEC website at vec.vic.gov.au to access a copy of the 2015 representation review final report.

Preliminary submissions

At the close of submissions on Wednesday 15 February 2023, the panel had received 4 submissions for the electoral structure review of Gannawarra 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 one current councillor. 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 15 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 6 councillors – 2 wards with 3 councillors per ward.

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

The panel acknowledges a minor error in the Model 2 diagram in that report (page 24). The 'Area sq km' column in the table has the land areas for the proposed Gunbower and Wandella Wards incorrectly swapped. The land areas should have been 1,017.5 km² for the proposed Gunbower Ward and 2,718.9 km² for the proposed Wandella Ward.

Response submissions

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

Most submissions supported Model 1, an unsubdivided electoral structure with 7 councillors. One submission supported Model 2, a subdivided electoral structure with 2 wards with 3 councillors in each ward. Submitters put forward a range of arguments in favour of the 2 models, which were similar to those in the preliminary submissions.

Model 1

Three submitters supported Model 1, based largely on the view it would promote a shire-wide perspective in council business. Indeed, there was a perception in the submissions that parochialism was a problem in the council, and that an unsubdivided structure would help address this dynamic. Councillor Ross Stanton from Cohuna suggested Model 1 would attract stronger candidates and counter an 'us vs them' mentality that might be created if the 2-ward arrangement of Model 2 was adopted. Stanton also had reservations about there being 6 councillors in Model 2, contending that this would increase the likelihood of tied council votes, and in turn place greater pressure on the mayor when required to cast a deciding vote.

Model 2

Councillor Garner Smith from Cohuna argued that a subdivided structure would better cater for the shire's communities of interest and create better accountability in council. Smith contended that the 2-ward split found in Model 2 was sensible considering the land use and resource allocation in the shire, and that grouping like-minded groups together would create a common bond and purpose. Speaking about the potential drawback of tied votes in a 6-councillor structure, Smith argued that there are effective mechanisms in place to deal with these, and that council at times already operates with 6 councillors when a councillor is absent from a council meeting.

Public hearing

The panel held an online public hearing for those wishing to speak about their response submission at 10 am on Thursday 13 April 2023. One person spoke at the hearing. This was Councillor Garner Smith from Cohuna, speaking in support of Model 2.

Echoing the arguments presented in his written submission, Smith argued that the subdivided structure presented in Model 2 was the best option to achieve local representation, and therefore better local outcomes for electors. Smith further contended that ward-based council structures foster better accountability, as local electors are more likely to know who their representative is.

When the panel asked if Model 2 could encourage parochialism within council business, Smith responded that locality-based divides would occur regardless of the electoral structure. When asked about the potential for councillor workloads increasing under Model 2, Smith stated that this would not be a problem and that engaged and motivated councillors would take on the workload they want. When the panel asked which local issues Smith felt would not be addressed under an unsubdivided structure (Model 1), he responded that no particular issues would remain unaddressed. However, he emphasised the need to consider community, their representatives, and the need for accountability in council representation.

Findings and recommendation

Number of councillors

After considering the requirements of the Act, public submissions and the agreed criteria, the panel found either 6 or 7 councillors to be an appropriate number for Gannawarra Shire Council.

The panel considered the characteristics of Gannawarra 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.

Gannawarra Shire Council currently has 9,449 voters represented by 7 councillors and covers an area of 3,738 km². Other rural shires with a similar number of voters generally also have between 5 and 7 councillors. Comparable shires with 7 councillors, at the time of writing, are Central Goldfields, Strathbogie, Northern Grampians and Yarriambiack. When deciding the appropriate number of councillors, the panel considers comparable councils and the proposed structure, but also councillor workload, including travel burden. In some cases, a local council may have special circumstances that support a recommendation for fewer or more councillors.

While the panel did not identify any special circumstances that were new to Gannawarra Shire Council since the representation review in 2015, the panel recognised that the geographic features and uneven distribution of voters across the shire make developing a satisfactory subdivided electoral structure for Gannawarra Shire Council challenging. The Act's requirement for multi-councillor ward structures to have the same number of councillors per ward poses difficulties, as multi-councillor ward structures are not possible with the current number of councillors (7). Because of this, the panel considered subdivided electoral structures with fewer or more councillors. The panel explored whether an increase or decrease in the number of councillors would enable multi- or single-councillor ward structures to be created that may provide more favourable representation for the community and consequently facilitate good governance. As a result, the panel put forward one option with fewer councillors: Model 2.

Ultimately, the panel chose Model 1 which consists of 7 councillors but acknowledged that 6 councillors would have also been appropriate.

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 Gannawarra Shire Council and consequently facilitate good governance.

The panel considered arguments for and against each model but found on balance the arguments for Model 1 to be more convincing. Of the 2 options, it was felt Model 1 would better foster a shire-wide perspective among councillors and that it would offer a greater choice of candidates at an election compared to options with fewer or limited numbers in wards. Model 1 also removes the need to define internal ward boundaries or conduct ward boundary reviews in the future should population changes demand it. While elections in councils with unsubdivided

electoral structures may sometimes have higher informality rates as a result of longer ballot papers, the panel did not consider this a major concern when considering the total number of candidates who nominated in each previous council election.

While the panel acknowledged diverse communities of interest in Gannawarra Shire, it was not convinced that these communities could not achieve favourable representation under an unsubdivided structure and found certain drawbacks of Model 2 outweighed the positives. A particular concern with Model 2 was the reduction to 6 councillors, with 3 councillors across 2 wards. The panel noted that submitters expressed concern that this model might either exacerbate an existing divide across the shire community or even foster an east-west divide in council business. While the panel did not see the potential for increased tied council votes as a serious issue, it acknowledged that this may cause discord and increase pressure on the mayor, as the tie breaking vote. The panel's main concern was the risk of potentially fostering division across the community under Model 2.

Ultimately, the panel noted that valid arguments exist both in favour and against the electoral structures examined in this review, and that 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 considered, on balance, Model 1 to be the best model for promoting fair and equitable representation for voters in Gannawarra Shire Council and consequently facilitate good governance under the requirements of the Act.

The panel's recommendation

The electoral representation advisory panel recommends that Gannawarra 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.

References

- Australian Bureau of Statistics (2021a). <https://www.abs.gov.au/census/find-census-data/quickstats/2021/LGA22250> accessed 28 February 2023.
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- Geographic Place Names Act 1998* (Vic)
- Local Government Act 1989* (Vic)
- Local Government Act 2020* (Vic)
- Local Government (Electoral) Regulations 2020* (Vic)

Appendix 1: Map of recommended structure

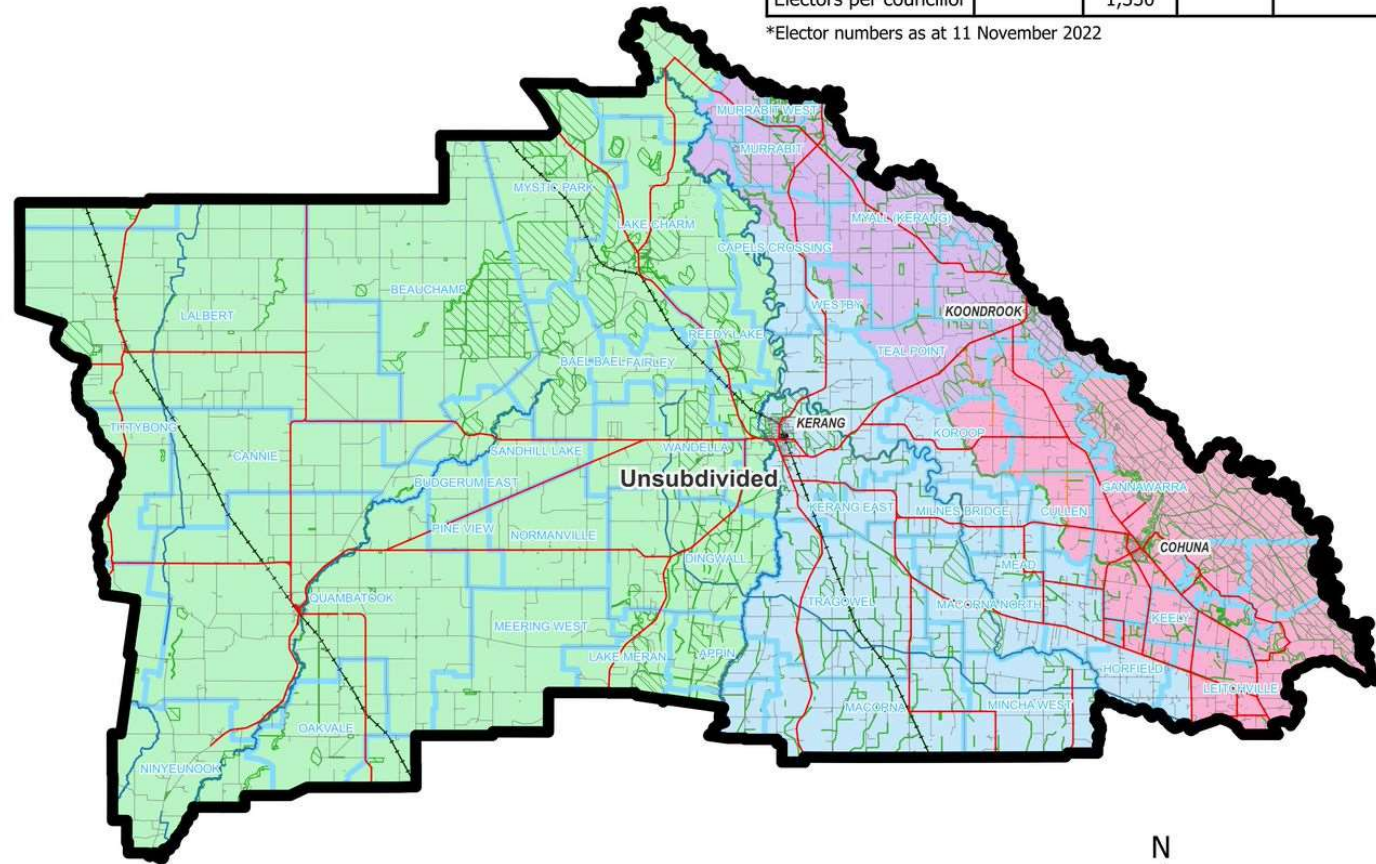
Gannawarra Shire Council
 Seven councillors, unsubdivided

Ward	Councillors	Electors*	Deviation	Area sq km
Unsubdivided	7	9,449	0%	3,736
Total	7	9,449	0%	3,736
Electors per councillor		1,350		


*Elector numbers as at 11 November 2022

Legend

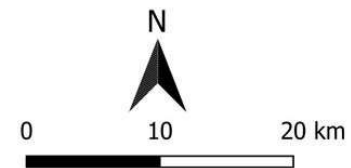
-  Recommended boundaries
- Existing wards**
-  Avoca
-  Murray
-  Patchell
-  Yarran
- Map symbols**
-  Freeways
-  Main roads
-  Collector roads
-  Minor roads
-  Railways
-  Railway stations
-  Rivers & creeks
-  Lakes
-  Parks & reserves
-  Locality boundaries



Map prepared by:
 Victorian Electoral Commission

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:

Leitchville and District Progress Association

O'Dwyer, Laura

Ogden, Jane (Councillor, Gannawarra Shire Council)

Troy, Anthony

Response submissions

Response submissions were made by:

Ogden, Jane (Councillor, Gannawarra Shire Council)

Smith, Garner (Councillor, Gannawarra Shire Council)

Stanton, Ross (Councillor, Gannawarra Shire Council)

Thompson, David

Public hearing

The following people spoke at the public hearing:

Smith, Garner (Councillor, Gannawarra Shire Council)

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