



Preliminary Submission to Electoral Representation Review, Greater Shepparton City Council

This submission, with active hyperlinks, is also at www.prsa.org.au/2015_prelim_greater_shepparton.pdf

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2. SUMMARY:

Proportional Representation Society of Australia (Victoria-Tasmania) Inc. recommends that **proportional representation** continues for elections to [Greater Shepparton City Council](#). That would result if Greater Shepparton City Council continues to be elected from an undivided municipality.

If it is desired that the council consist of other than seven councillors, the number should still be an **odd number**. If the number of councillors is to be increased to nine, PRSAV-T Inc. recommends that the municipality continue to be undivided, or else be divided into three 3-councillor wards.

PRSAV-T Inc. opposes the use of single-councillor wards, either for all members of the Council, or as part of a mixed system of single and multi-councillor wards.

3. KEY RECOMMENDATIONS:

This submission makes the following key recommendations:

- Greater Shepparton City elections should continue to use **proportional representation**.
- Greater Shepparton City should continue to have an odd number of councillors as at present.
- All councillors of Greater Shepparton City should be elected from an undivided municipality, although three 3-councillor wards would be an acceptable alternative to an undivided municipality.

4. WHY MULTI-COUNCILLOR WARDS ARE BETTER THAN SINGLE-COUNCILLOR WARDS:

4.1 Single-councillor wards maximize the number and percentage of ineffective votes per district:

Under single-councillor systems, in any individual ward, each councillor is elected with just over 50% of the vote. The remaining votes, which often amount to just under 50% of the vote, have no effect on the outcome. Where the results are close, it is possible for the votes of just under 50% of the voters to not be counted towards the election of a candidate. These votes are usually termed *wasted* votes.

4.2 Single-councillor wards minimize voters' choices, yet maximize candidates' choice of voters:

With single-councillor systems, voters' choice of candidates to vote for is reduced to the minimum possible, for a given total number of candidates overall, but the candidates' choice of which ward to contest is maximized. With multi-councillor electoral districts, the voters' choice of candidates, for a given total number of candidates overall, is enlarged by comparison with single-councillor wards, and the candidates' choice of which ward to contest is reduced, as is their ability to **avoid scrutiny** by a wider electorate.

The electoral system should emphasize as much as practicable the importance of letting all voters choose their candidates, as Greater Shepparton City does now, rather than of letting candidates choose who will be their voters, by choosing a ward where they can be most easily elected. The choice of candidates open to voters should be arranged so it is the maximum practicable, and candidates should face, and be electorally assessed by, a wider cross-section of the municipality they each make decisions for.

4.3 Comparison between the models in regard to the minimum percentage of effective votes:

Table 1 below shows how the models PRSAV-T Inc. suggests above rank quantitatively against the present good arrangement for Greater Shepparton City Council in regard to this important measure of the effectiveness of democratic representation, which is the percentage of overall votes that actually comprise part of the bare majority, or the quota, as the case may be, that actually results in a candidate's election. Table 1 shows the fractional calculations from which the various percentages were determined.

The formula for calculating the minimum fraction, **m**, of effective votes for the council as a whole contributed by the electoral districts having a particular number of councillors, if there are **d** electoral districts with **n** councillors per electoral district in a council with **c** councillors, is where an asterisk "*" indicates multiplication and a solidus "/" indicates division:

$$m = (d * n * n) / (c * (n+1))$$

Table 1: Minimum percentage of effective votes, showing fractions from which it is calculated

No. of councillors per electoral district in relevant model	Minimum percentage of effective votes	Fractions from which minimum percentage of effective votes is calculated (No. of councillors for each ward size is shown in bold magenta)
Seven 1 -Cr wards	50.0%	$(7*1*1)/(7*(1+1))$
Nine 1 -Cr wards	50.0%	$(9*1*1)/(9*(1+1))$
Three 3 -Cr wards	75.0%	$(3*3*3)/(9*(3+1))$
One 7 -Cr undivided district	87.5%	$(1*7*7)/(7*(7+1))$
One 9 -Cr undivided district	90.0%	$(1*9*9)/(9*(9+1))$

A common erroneous claim by advocates of single-councillor wards in rural municipalities with one or more large towns is that such wards enable the electors in less-populated non-urban areas to be represented as well as the much more numerous electors in those towns. It is falsely claimed that an undivided municipality using a proportional representation electoral system does not provide such rural representation. The correct position is the opposite of that claim, as one 7-councillor undivided municipal district using proportional representation results in 87.5% of votes cast electing the 7 councillors, leaving just under 12.5% of votes cast not electing anybody. Each authentic rural candidate that gains a quota (12.5% of the vote plus one vote) must be elected.

By contrast, in each of 7 single-councillor wards only 50.0%, plus one, of the votes cast elects a candidate, leaving the remaining 50.0%, minus one, of the votes cast not electing anybody. It can be impossible to identify enough non-urban electors to form a single contiguous ward with the [statutory one-seventh](#) (14.3%) of the municipality's electors, given the often geographically unavoidable inclusion of many urban fringe electors, and small urban pockets, that can reach 50%.

Voters in any such single-councillor ward or wards will have much less choice of candidates than if they were voting in a single undivided municipality where the transferable vote system enables rural voters to have their votes transferred so that their highest preferences remain within a group of recognized candidates with genuine rural, as opposed to urban, priorities and background. In a supposedly rural ward, the limited choice and the inevitable inclusion of voters with non-rural priorities - such as those residents with discreetly concealed land speculation ambitions ultimately harmful to rural qualities - can easily result in an uncontested election, or the ward's sole representative really being the opposite of what he or she purports to be.

4.4 Warning of minimum vote percentage for an organized group to control Greater Shepparton Council:

Just as the single-councillor ward system leads to a large proportion of **wasted votes**, it also allows for minority groupings to control a council with much less than 50% support. Since 50% of the vote in just 4 of 7 single-councillor wards in such a Greater Shepparton City Council is all that would be needed to gain control of the Council, and those 4 wards would nominally represent just over 57.1% of the voters, it is theoretically possible for a minority with just **28.6%** support of voters overall to achieve control of the Council. In practice, the support for such a grouping would usually be higher than that but, with single-councillor wards, minorities are regularly gaining control of elected bodies at the expense of majorities.

Table 2 below shows how the two models suggested rank quantitatively against the present good arrangement for Greater Shepparton City Council in regard to this important measure of the safety and integrity of democratic representation. The fractional calculations from which the various percentages were determined are shown in Table 2. It is obviously desirable that the percentage should be near 50%.

Table 2: Minimum percentage of vote needed to control Council, showing fractions it is calculated from

No. of councillors per electoral district in relevant model	Minimum percentage of vote to control Council	Fractions from which minimum percentage of overall municipal vote required to control a bare majority of Greater Shepparton seats is calculated
Nine 1 -Cr wards	27.8%	$(5*1)/((1+1)*9)$
Seven 1 -Cr wards	28.6%	$(4*1)/((1+1)*7)$
Three 3 -Cr wards	41.7%	$(5*3)/((3+1)*9)$
One 9 -Cr undivided district	50.0%	$(5*9)/((9+1)*9)$
One 7 -Cr undivided district	50.0%	$(4*7)/((7+1)*7)$

A change to single-councillor wards would allow a dangerously low minimum percentage of the overall public vote to cosily deliver control of the Council to an organized and determined group of candidates.

4.5 Multi-councillor wards minimize number and percentage of councillors elected unopposed:

As explained below, uncontested elections are more likely in future if single-councillor wards are recommended rather than one or more multi-councillor electoral districts.

For it to be possible at a general election that a poll is required in every ward, the excess of the number of candidates over the full number of seats on the Council must be at least equal to the number of individual electoral districts. The more wards there are, the more likely it is one or more are uncontested.

Thus, when the number of wards is set at the maximum possible for the prescribed number of councillors overall, which is the case with single-councillor wards, it requires at least twice as many candidates as there are council seats (100% higher number) for it to be possible for each ward to be contested at a poll.

It is therefore much more likely with an undivided municipal district that all voters will be involved in choosing between candidates, that council seats in such districts will be far less likely to be taken for granted by their occupants than in single-councillor districts, and that local issues will be aired and publicly assessed electorally every four years, in each part of the municipality.

4.6 Single-councillor wards with incumbents elected unopposed facilitate unopposed succession:

Once a councillor has been able to be elected unopposed, particularly if consecutive unopposed elections have been involved, a notorious weakness of the single-councillor ward system can be utilized by that councillor when he or she eventually chooses not to contest the next election.

Such retiring councillors do not have to give, and often do not give, any public notice or even suggestion, prior to the nomination deadline, of their private decision that they will not be maintaining their past practice of nominating for another term. The public is lulled into the misconception that the councillor will probably be nominating again. What happens is that the retiring councillor discreetly chooses not to nominate, and quietly encourages a protégé to nominate at a few minutes before the deadline. That scenario is far less likely in a multi-councillor ward as explained in the point just above.

*Once that surreptitious unopposed transition is a **fait accompli**, the ward in question soon finds to its surprise that it has a new councillor that hardly anybody realized would be so effortlessly installed.*

4.7 Single-councillor ward boundary location has an undue influence on representation:

Setting and adjusting the intricate and cumulatively long boundaries for seven single-councillor wards is a contentious, time-consuming and expensive task. Few electors know the boundaries of their ward, and few councillors, including Mayors, remember ward boundaries other than their own. Simpler and fewer boundaries, or an undivided shire with no internal boundaries, is a concept more readily grasped.

It has long been recognized, as the excellent U.S. on-line adaptation of the Proportional Representation Society of Australia's "[Gerrymander Wheel](#)" demonstrates, that with single-councillor wards, even where the number of electors in each is as equal as possible, variations in the positioning of boundaries between wards can alter the overall result of polls without any change having taken place in the way electors vote. The reason for that is that boundaries between single-councillor wards of a particular shape can in many circumstances just manage to amalgamate a bare majority where a different configuration would not. It has long been called "gerrymandering" when done deliberately, but it is just as effective when it happens as a by-product of impartial boundary-setting. The remedy is to have fewer unnecessary boundaries, as multi-councillor arrangements facilitate.

4.8 Communities of interest need not be rigidly set as geographic - let voters choose to combine:

Some people's desire to divide municipalities into the smallest wards possible (single-councillor wards) seems to rely on a perception that allowance must be made for what are called 'communities of interest'. However, Parliament has wisely allowed voters a wider choice, and voters do choose sometimes to elect somebody from outside their ward in preference to a resident of that ward, based on other priorities.

The idea that a system of single-councillor wards protects communities of interest is entirely false. Firstly, the only 'community of interest' that is favoured by single-councillor ward systems is a geographical community of interest, but there are also important non-geographical communities of interest. Secondly, the drawing of ward boundaries often arbitrarily divides geographical communities of interest, particularly as each small ward does rightly [need to contain](#) very close to the same number of electors.

However, people might have, and should be entitled to have, higher or other priorities than always voting for a 'local identity', because in the 21st Century there are many different 'communities of interest'. With the internet and social media, and better communications both in the form of personal transport, mobile telephones etc, communities of interest are no longer as rigidly geographic as they used to be.

People living in quite separated locations do have considerable points in common, and may decide they have much less in common with people that are physically their immediate neighbours.

For example, like most Victorian municipalities, Greater Shepparton City has its fair share of younger families. These families might share an interest in the provision of services such as playgrounds and infant welfare centres that is far more important to them than a focus on their particular geographic area, and might be numerous enough to amount to a quota of votes. If there is a division of the municipality into five smaller electoral districts, their preferred 'community of interest' could be split so that neither of the two components is large enough to elect a councillor, and they languish in the 'wasted vote' category, which is 49.9% of all votes cast in a single-councillor ward system, but only 12.5% of votes cast in Greater Shepparton City's undivided municipality.

What can be termed ‘geographically-diverse communities of interest’ can also include communities of electors with environmental concerns, business interests, electors wanting to keep rates low, and so on.

Under proportional representation (PR), both these geographically diverse communities of interest, and the geographically based communities of interest can be served. It will be up to the voters to decide what community of interest they belong to, whether it be geographical – where electors in more urban areas, for instance, predominantly vote for an ‘identity’ from their immediate area – or some other community of interest – where people supportive of wider environmental concerns and practices in Greater Shepparton City predominantly vote for ‘green’ candidates, and those rejecting those views vote for their opponents, with each gaining a representative if they can muster a quota of votes. Voters need the flexibility to aggregate as they wish.

If they can each gain a quota, which requires each to gain nearly 50% more votes than would be required in a single-councillor ward, they can, on the basis of that larger backing alone, each be regarded as more substantial representatives than their single-councillor ward counterparts would be. The strength of representation that the more dominant viewpoint gains can vary from just one of the seven councillors in an undivided city to all seven, whereas the hegemonic *winner-take-all* system fails to give any graded response, and can all too often hand all the representation of a ward to a candidate that is purely negative.

A [recent news item on Indigo Shire Council to the north-east](#) shows how varied its present representation is, as 87.5% of votes there cast elect somebody, compared with only 50% in single-councillor ward systems, yet also how its councillors can agree - in this case unanimously - on matters of Shire-wide importance.

PR does not reduce geographically-based communities of interest, but single-councillor ward systems arbitrarily and unnecessarily destroy any non-geographical communities of interest.

4.9 PR works far better in wards with an odd, rather than an even number of councillors:

PRSAV-T Inc. strongly urges the Review **not** to recommend any electoral districts with an **even number** of councillors to be elected. Wards electing an even number of councillors are most unsatisfactory, as that flouts the important democratic principle that a majority view should be represented by a majority of elected councillors.

Were a two-councillor ward to be recommended, for example, the serious anomaly may arise that, in that ward, one candidate or group might win 65% of the vote and another just 35%, yet the two groups still have equal representation under that poor use of proportional representation. Unfortunately four-councillor wards have been recommended for several municipalities in the earlier round of representation reviews. In those wards, a minority group with just on 40% of the vote will be able to achieve equal representation with a majority group achieving just under 60% of the vote.

Only by having an odd number of councillors elected in each ward can the important democratic principle that majority support should lead to majority representation be maintained.

4.10 The wards to be used should be multi-councillor, each with the same number of councillors:

Arrangements of wards with differing numbers of councillors are intrinsically anti-democratic, as they have very different quotas for election in their distinct components, and will result in too much attention being given to where various boundaries are set out, at the expense of a community-oriented spirit. They are also very confusing to electors, and have led to considerable inconsistency across the State.

[Recommendation 43](#) of the Georgiou *Local Government Electoral Review Panel* is that all wards for a given Council should have the same number of councillors.

Lack of parity in the quotas for election makes it easier to be elected in some wards than others. That is a bad feature that can induce candidates to stand in a particular ward just for their convenience.

4.11 ‘Dummy candidates’ are a single-councillor ward device that is far less effective in PR wards:

Single-councillor wards using preferential voting are very much more vulnerable to manipulation by the use of so-called ‘dummy candidates’, i.e. candidates that do not expect or wish to be elected, but that have a greater appeal to a certain few voters than the serious candidates do, and that are encouraged to stand for election by more serious candidates in the hope that they will garner some first preference votes the more serious candidate might not expect to get, with the outcome that those votes will, on the exclusion of the ‘dummy candidates’, be transferred to the serious candidate, and that there will be enough of such votes to produce an absolute majority for the serious candidate, and thus achieve his or her election.

The reason that quota-preferential proportional representation is far less conducive to the fielding of ‘dummy candidates’ is that, unlike preferential voting in single-councillor wards, where the only type of vote transfer that can occur is the exclusion of minor candidates, there is an extra stage in the transfer process at the vote count, which takes priority over the transfer of votes from excluded candidates.

That extra, prior stage is the transfer of surplus votes from candidates that gain more than a quota of first preference votes. Transfer of votes from excluded candidates has to occur in proportional representation counts, but it is not the only transfer, and it only occurs after transfer of surplus votes, or if there are no surplus votes.

With several councillors to be elected in a proportional representation count, it is much more likely that at least one will gain a quota and initiate the transfer of surplus votes before transfers arising from exclusion than it is that a single candidate in a single-councillor ward will gain an absolute majority of first preference votes and be elected forthwith, without the count having to proceed instead to the transfer of the votes of the lowest-polling candidates, often ‘dummy candidates’.

It is most significant that transfers of surplus votes are, by definition, from candidates that have secured election early in the count, before it is completed, i.e. serious candidates rather than ‘dummy candidates’.

Such transfers of surplus votes come into operation in the positive circumstance of a candidate being elected, and are derived from that candidate’s total parcel of ballot-papers, whereas the only transfers available in single-councillor counts are necessarily those transfers arising from exclusions of candidates, which are initiated in the negative circumstance of no candidate being elected, and are derived from the ballot-papers of the candidate with the lowest prospect of being elected, viz. the candidate with the lowest progress total in the poll, which is where ‘dummy candidates’ usually appear.

Transfers of surplus votes are positive in outcome as they give effect to the support for a particular point of view that is large enough to have already achieved at least one elected representative and to contribute towards the election of another, whereas transfers arising from exclusions of candidates, although necessary and justified, are of lower priority, but not value, as reflected in the rules for a quota-preferential proportional representation count, because they are derived from the smallest aggregations of opinion, rather than the larger aggregations represented by parcels of votes exceeding a quota.

5. THE CASE FOR AN UNDIVIDED MUNICIPALITY:

5.1 PR ensures a major increase in percentage of effective votes, making minority control harder:

With an undivided municipal area as a single electoral district for the election of all seven councillors, the quota of votes for the election of each councillor is one-eighth (12.5%) of the overall first preference vote plus one vote. Each quota of votes represents a different 12.5% of voters, so 87.5% of voters, anywhere in the rural city, have the benefit of the full value of their vote actually electing a representative of their choice to a seat on the Council. If the VEC were to recommend converting to seven single-councillor wards, that 87.5% of effective votes would instead be just barely above one half (50.0%) of the voters casting *effective* votes, which are the votes that have effect in deciding which candidates are elected.

PRSAV-T Inc. does recognize that [Greater Shepparton City Council](#) polls for 7 councillors in an undivided municipality have entailed what some people see as the disadvantage of relatively large ballot-papers but, from 2000 onwards, Greater Shepparton City has never had more than 26 candidates on a ballot paper, with the median number for those five fully-contested elections being 18. If the voters at that 2012 election, which had those 26 candidates, were compartmentalized into 7 single-councillor wards, those 26 candidates would have been distributed over 7 different wards with the most even possible distribution being 4 in each of five wards and only 3 in each of the other two wards, which does not offer a very wide choice in any ward. A less even distribution, particularly in those other elections with fewer candidates, could have seen some wards having uncontested elections, which provide no choice to electors.

Having an undivided municipality, without any wards, and with an odd number of members in a Council produces the following advantages:

- It is the best way in which proportional representation can be applied in a symmetrical, even-handed manner; the only alternative similar in that respect is a municipality divided into an odd number of wards, with each ward comprising the same odd number of councillors,
- It is the only system that ensures that the majority of councillors have been elected by the affirmative votes of an absolute majority of voters over the entire municipal area.
- As councillors are required to vote on all issues before the Council, they are thus given a compelling motive to become equally informed about all such issues rather than tending to confine their knowledge to their own ward.
- Citizens have the maximum choice of councillors to approach in order to discuss concerns.
- Ward boundary decisions, which can be, or be perceived to be, invidious, are no longer required, and boundaries do not require the expense of periodic re-adjustment, which can be quite contentious, to cater for changes in relative enrolment numbers.
- Citizens do not become uncertain or confused about which ward they are in.

Unopposed returns are less likely so a more active democratic culture develops in the municipality. PRSAV-T Inc. is very pleased that previous Reviews have recommended proportional representation systems in a majority of the councils reviewed. PRSAV-T Inc. remains of the view that it would be highly desirable for local government in Victoria to move towards a more consistent electoral system.

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APPENDIX: Victoria's single-councillor ward experiment and resulting evolution of multi-councillor wards

A1. The long and generally widespread wisdom of avoiding single-councillor wards:

Single-councillor wards are, and have been, very little used world-wide, certainly in the English-speaking democracies. The first election in Australia for any level of government, preceding elections for parliaments, was a municipal election, which was for Adelaide City Council in 1840. That [pioneering Australian election](#) used the multi-councillor electoral district principle, and it was also the first use of proportional representation for the election of a public body anywhere in the world. Since then, consistent with long-standing and continuing world practice, multi-councillor wards have always applied for all municipal elections in all States and Territories of Australia, except for the gratuitous introduction – only in Victoria and only for some councils – of single-councillor wards in the mid-1990s.

A2. Victoria's clumsy introduction of triennial elections without proportional representation:

Until Victoria's neighbouring states – [New South Wales](#), [South Australia](#), and [Tasmania](#) – adopted proportional representation as the prevalent system in their municipal electoral districts, which were, and still are, all multi-councillor districts, they generally conducted *winner-take-all* elections for one of the three councillor positions in each ward annually in rotation. Those neighbouring states all abandoned such annual elections in the 20th Century by changing to a system of general elections with multi-councillor districts with proportional representation being the prevailing system. When [Victoria](#) abandoned such annual elections, it not only failed to retain multi-councillor districts throughout, resulting in many single-councillor wards, but it also retained for its remaining multi-councillor wards – by default owing to opposition to proportional representation by the then Opposition-dominated Legislative Council – the *winner-take-all* system that had been used for counting Senate elections from 1919 until it was discredited and replaced by the present quota-preferential system of proportional representation in 1948.

A3. Unable to choose PR, Victoria's unelected commissioners generally chose the lesser of two evils:

Because that *winner-take-all* multi-councillor system was as unrepresentative and lopsided as its [1919-46 Senate counterpart](#), many amalgamated councils had little choice but to seek some slightly improved diversity by preferring the newly-imposed single-councillor wards. The abhorrently unrepresentative nature of both the *winner-take-all* Senate systems used prior to 1949 is demonstrated by the extraordinary fact of each of the 5 Senate elections, of [1910](#), [1917](#), [1925](#), [1934](#) and [1943](#), where **100%** of the senators elected for **all** States were of the same party. Of course such a silly outcome has not occurred since 1948.

Since that bleak and short-lived period when all that was available was a choice between two *winner-take-all* systems, with one distinctly worse than the other - with only 3 unelected commissioners making the choice - Victoria now has the far more representative system of multi-councillor wards with quota-preferential proportional representation. That undesirable *winner-take-all* system for multi-councillor wards is no longer available under the [Local Government Act 1989](#), which fortunately now requires that polls in multi-councillor districts must be counted on a proportional representation basis only. The same system, which Victoria [discontinued in 2003](#), remained for the [Northern Territory](#) and the [City of Botany Bay](#) in NSW, but it has now been discontinued in both of those jurisdictions.

Some people's [lingering memory](#) of that undesirable *winner-take-all* system seems to have unfortunately given them the false impression that the present proportional representation option - the only option that now applies in an undivided municipality - might also lead to a bare majority of voters electing all the councillors, but that does not happen under the proportional representation option, as each councillor is elected by a completely separate quota of votes, cast by different electors, so that there is no *winner-take-all* element at all.

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