

Submission for the 2023 City of Casey Electoral Structure Review

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Introduction

This is the final revision of earlier documents that were submitted to assist other people preparing their submissions. The City of Casey Council did not finalise their submission until Tuesday 21st November, the evening day before submissions close on Wednesday 22nd November. Therefore the finalisation of this document was not possible until the final day for submissions.

The Minister for Local Government appointed the Electoral Representation Advisory Panel (ERAP) under the [Local Government Act 2020](#)ⁱ to conduct an Electoral Structure Review of the [City of Casey Council](#)ⁱⁱ. In the following order, this is a submission addressing:

- ◆ **Appropriate number of Councillors.**
 1. **Reduction in the number of Councillors**
 2. **Keeping the number of Councillors unchanged**
 3. **Increasing the number of Councillors**
- ◆ **Location of Ward boundaries.**
- ◆ **Naming of Wards.**
- ◆ **Other Issues**

Additional submissions:

- ◆ VEC Online
12 Ward variant of Model 3 that provides minor adjustments of Ward Boundaries and a new set of Ward Names.

The statistical analysis of election data is based on techniques provided by an appropriately qualified person (PhD with published research papers). While this author is responsible for any and all calculation, statistical, interpretation and typographical errors. Data is extracted from the 2008 - 21, Local Government General Election results published by the Victorian Electoral Commission. The author is also responsible for any errors or discrepancies created when calculation results were rounded for publication and manually copied into this document. Best efforts have been made to ensure accurate references and statistics have been provided. Although everyone should seek their own legal advice and not rely on anything in this submission.

Related submission:

- ◆ VEC Online
12 Ward map variation of ERAP's Model 3. Minor modifications to Ward Boundaries with new Ward Names based upon the set of Casey Council's draft Ward Names.

Please accept this submission and provide access to the public hearing to make a presentation.

Regards,
Garry Page
Hampton Park

Appropriate Number of Councillors

The 2015-16 Representation Review of the City of Casey established the currently approved boundaries for six multi-member Wards electing 11 Councillors. Unfortunately, the final report of that review has been removed from the [Victorian Electoral Commissionⁱⁱⁱ](#) (VEC) web site. Currently the VEC only makes available the unapproved [Local Council Representation Review - Final Report – Casey City Council – 2019-20^{iv}](#) which recommended 12 Councillors with an average of 18,660 electors per Councillor from six, multi-member Wards when the Casey City roll was 223,917^v electors.

The 2015-16 Representation Review Final Report was approved recommending multi-member Wards but under the Local Government Act 2020 the City of Casey is now required to be constituted with single Councillor wards. This change is one of the reasons for this current Electoral Structure Review.

Obviously there are three options available for determining the appropriate number of Councillors. These will be discussed in turn:

- (1) Reduction in the number of Councillors.
- (2) Keeping the number of Councillors unchanged.
- (3) Increasing the number of Councillors.

(1) Reduction in the number of Councillors

I oppose any reduction in the number of Councillors.

A reduction in the number of Councillors has the side effect of increasing the workload which increases the difficulty of the role. Casey Councillors are not full-time employees paid a salary. They provide a voluntary service for the community and only have limited time to fulfil their obligations as a Councillor. Given the ERAP's [Fact sheet – Casey City Council^{vi}](#), decreasing the number of Councillors has a significant impact on the ratio of electors to Councillors.

Nine Councillors

The Local Government Act permits any number of Councillors in the range of 5 to 12 Councillors. Recent Final Reports from Victorian reviews have only recommended 5, 7, 9 or 11 Councillors. Over the last two decades virtually all Councils have been constituted with an odd number of Councillors. Presumably to reduce conflict or the introduction of bias in decisions from the casting vote resolving a tied vote in a Council meeting.

An assumption for the discussion in this section is 11 Councillors is the initial number of Councillors for the City of Casey. The estimate number of electors is 252,670. Therefore the next step down is to nine Councillors. If there were only nine Casey Councillors, on average each would have to represent 29,074 electors. This represent a 21% increase in the average number of electors per Councillor when compared to the average of 22,970 for 11 Councillors.

With an average of 29,074 electors it would be starting to approach double the number of the 16,326 electors per Councillor of Melbourne City Council. The Victorian Council with the second highest elector ratio after Casey is the Greater Geelong City Council of 11 Councillors with an average of 19,306 electors per Councillor. The lowest ratio for a Metropolitan Council with 11 Councillors is Whitehorse City with an average 10,292 electors per Councillor. Increasing the Casey City elector ratio to approximately three times Whitehorse City is an unacceptable burden on Councillors, disadvantages electors and residents, significantly greater than any other Council, and unjustified.

Councillors are not paid a salary, they receive an allowance to cover their costs. A Whitehorse City Councillor receives \$38,316 to represent 10,292 electors which is \$3.72 per elector to cover their costs for representing their electors. A Casey City Councillor would also be receiving \$38,316 but required to represent 29,074 electors with \$1.32 per elector to cover their costs for representing their electors.

The area of Whitehorse City is 64.3km² therefore the average Ward size for 11 Councillors is 5.85km² or \$6,554.84 per km² to cover their costs for representing their electors. The area of Casey City is 407km² therefore the average Ward size for nine Councillors is 45.22km² or \$847.28 per km² to cover their cost for representing their electors. For approximately the nine times the Ward area to represent electors the Casey City Councillor would receive about one third of the funding of a Whitehorse City Councillor.

With such differences the City of Casey Councillors cannot provide their residents with the same quality of representation as residents receive in Whitehorse City.

A Casey City Councillor receives \$38,316 while responsible for managing a 2023-2024 confirmed budget of \$542,250,000. Therefore each Councillor represents approximately 0.0071% of this budget. Any reduction in the number of Councillors represents such an insignificant percentage change that such a saving can not justify a reduction in the number of Councillors.

Casey Council services the largest population of any Interface Council with an associated increase in the number and complexity of decisions. As individuals, Councillors have life experiences and expertise that they bring to the Council. A reduction in the number of Councillors reduces that pool of life experiences and expertise from Council decisions. Any reduction in the number of Casey Councillors is a false saving.

For the above reasons a reduction in the number of Councillors is strongly opposed.

(2) Keeping the number of Councillors unchanged

Any change for an increase or decrease in the number of Councillors must provide a satisfactorily strong argument to succeed. There appears to be some confusion as to the actual number of Councillors that is the starting point for a discussion on keeping the number of Councillors unchanged.

The VEC only publishes the Representation Review Final Report that currently applies to a Council on their web site. All superseded Representation Review Final Reports are not published. For the City of Casey, the VEC has determined the appropriate review is the 2019-20 Representation Review Final Report. This documents that the number of Casey City Councillors should be 12.

2015-16 for 11, or 2019-20 for 12 Councillors?

Up to the point the Casey Council was dismissed on the 19th February 2020, there had been 11 Councillors i.e. the approved number from the 2015-16 review. Prior to the dismissal, the Minister of Local Government directed a review panel to deliver a report on the appropriate number of Councillors and the Ward structure. This 2019-20 review panel submitted a Final Report with their findings to the Minister. The ERAP has ignored this report when creating their Fact Sheet – Casey City Council, Resulting in their calculations being based on 11 Councillors. This adds complexity to any discussion on keeping the number of Councillors unchanged.

Casey City Council was dismissed following recommendations in the Municipal Monitor's [report^{vii}](#) in 2020 and will continue to be run by the Administrators until the 2024 General Elections. The City of Casey 2019-20 Representation Review Final Report was not delivered until after the Council was dismissed. This Final Report, Page 27, also contained a proposal not to proceed with the implementation of the report due to the dismissal of the Council. Population growth alone would always force another review before the 2024 General Elections. Due to the elector deviation limits in the Act, the uneven distribution of new electors within Casey would always force holding another review (i.e. this review) prior to the 2024 elections. It was a pointless exercise to complete the approval of the 2019-20 report. It could never be used as a council could never be elected before the scheduled 2024 General Elections. Approval of a restructure would have been a pointless paper exercise wasting money and resources to formally implement recommendations that could never be used.

Although the review had been overtaken by the dismissal of the Council it did not invalidate the findings and recommendations of the panel. This appears to have been accepted by the VEC as only the 2019-20 Representation Review Final Report is available on the VEC website. The earlier, superceded 2014-15 report is not published on the VEC web site. Therefore the starting point for the current review must include the findings of that 2019-20 review.

The City of Casey 2019-20 Representation review found 12 Councillors was required to represent 223,917 electors or an average 18,660 electors per Councillor. Since that report the number of electors has continued to increase. Therefore the current position for the City of Casey should actually be 12 Councillors for 252,670 electors or an average 21,056 electors per Councillor. While downgrading to 11 Councillors represents a step backwards with an increase to an average of 22,970 electors per Councillor.

If 18,660 electors per Councillor was sufficient justification to recommend 12 Councillors then a 23.1% increase to 22,970 electors per Councillor is not a sufficient reason to downgrade to 11 Councillors.

Councillors are not paid a salary, they receive an allowance to cover their costs. With 12 Casey City Councillors, they would each receive \$38,316 to represent an average the 21,056 electors which is \$1.82 per elector to cover their costs for representing their electors. With 11 Councillors, they would represent 22,970 electors which is \$1.67 per elector to cover their costs for representing their electors. Both these are just a fraction of the support provided to a Whitehorse City Councillor who receives \$3.72 per elector to cover their costs for representing their electors. In this case downgrading to 11 Councillors increases the disparity with the Whitehorse City. Therefore the appropriate number of Councillors is not 11 for the City of Casey.

The area of Casey City is 407km² therefore the average Ward size for 12 Councillors is 33.92km². For 11 Councillors the average Ward size is 37km². While the Whitehorse City Councillors support an average area of 4.85km². Under these conditions Casey residents are being penalised and the only reasonable response is to reject consideration of 11 Councillors.

IBAC's [Operation Sandon Special Report](#)^{viii} recommended changes that reduces the workload of Councillors while Section 7.3.2.3 Lack of preparedness for meetings, Page 247 includes:

In Operation Sandon, IBAC identified shortcomings in councillors' general levels of preparedness for Casey Council meetings. This was not limited to the councillors under direct investigation. The lack of preparation by councillors and its implications were highlighted in the CEO's examination:

Mr Patterson:

It's not up to me to determine the level or quality of debate, but I would agree ... that there were a number of councillors who didn't engage very thoroughly with some of the items that were listed on the council meeting agendas.

Counsel Assisting:

And does it follow then that there was, in your observation, at times a lack of analysis of the issues?

Mr Patterson:

Yes.

Counsel Assisting:

And you would agree then, wouldn't you, that if that was the case, councillors are not engaging with the issues and debating them appropriately, they are not necessarily fulfilling their obligations under the Local Government Act [1989], are they?

Mr Patterson:

Correct.

It is not appropriate for the ERAP to comment on the performance of any individual but it is appropriate to comment on changes to the average workload on Councillors resulting from the ERAP recommendations. Maintaining the same number of Councillors by itself will not address any workload issues that were highlighted by IBAC, or any other issues found by IBAC. Increasing the workload on Councillors by increasing the average number of electors per Councillor is counterproductive and works against good governance if it impacts on the preparation of Councillors for meetings of Council.

With a lower population in 2020 the VEC review recommended 12 Councillors was the most appropriate number for the City Of Casey. The report, Page 29 included:

There was overwhelming support in submissions for the number of councillors to be increased to 12, mainly as a means to reduce the very high voter-councillor-ratio and accommodate current and projected population growth.

It was disappointing to see with an even higher City of Casey population that the ERAP has chosen to now examine a decrease i.e. reduction to 11 Councillors. If the ERAP wished to consider downgrading the Councillor numbers they should only have provided one Model of 11 Councillors with two models of 12 Councillors.

It should be noted that the 2019-20 review proposed three different Ward Models of 12 Councillors.

If the ERAP accepts 11 Councillors as the starting point for this discussion of the number Councillors then it is not acceptable to keep that number of Councillors unchanged.

If the ERAP accepts 12 Councillors as the starting point for this discussion then it is acceptable to keep that number of Councillors unchanged.

(3) Increasing the number of Councillors

Twelve Councillors is the upper limit on the number of Councillors for any Council in the Local Government Act 2020. If 12 Councillors has already been accepted in the previous section then there is no option to increase the number of Councillors.

If the starting point from the previous section is 11 Councillors then the following discussion in this section will apply.

Donkey Voting

At first sight this may seem a very strange starting point. Generally the influence of Donkey Votes in Australian elections is dismissed as inconsequential in the 1% to 2% region. Analysis will show Donkey Vote variations can have a significant impact on City of Casey election results and that this directly impacts on the determination of the appropriate number of Councillors.

Major considerations for this review includes:

2023-24 Local council electoral structural review – Submission Guide-Round 3 One vote, one value

The 'one vote, one value' democratic principle is built into legislation to make sure every person's vote counts equally.

Electoral structure reviews aim to meet this principle so all voters in a local council are represented fairly.

Analysis of Victorian, Local Government General Elections provides a case study on how unidentified Donkey Vote variations corrupt the 'one vote, one value' principle. Unfortunately, the current implementation of elections under the Local Government Act 2020 does not conform to best practice when compared to the ACT and Tasmania with their variations on a [Robson Rotation](#)^{ix}. The problem is indirectly related to Ward population size.

The operation of Victorian Local Government elections favours the candidates at the top of the ballot-paper. A voter who has cast a considered preference for a candidate placed in the 6th decile of a ballot-paper can find their vote is only worth a fraction of the vote of a person who selects a candidate at the top of the ballot paper. Voters who have cast a considered preference for a candidate at the top of the ballot paper are receiving an advantage that is unavailable to others. If voters for one cohort of candidates receives an election advantage then voters for other candidates have their votes devalued. Therefore the principle of 'one vote, one value' would not be met.

Probability of Election of Candidates at the Top of Ballot Papers

Observed Probability (p) for election of the Candidate at the top of ballot-papers can be calculated from the number of successful elections by the top candidate (**Candidate#1**) on the ballot-papers. Calculations did include all **Candidate<field size - 41>** ranges but not all calculations will be reliable, therefore not all results will be presented.

The probability of an individual candidate being elected was calculated for every election. **Expected Probability [Ep]** for the Candidate Ranges was then calculated as the average of each Candidate’s Expected Probability.

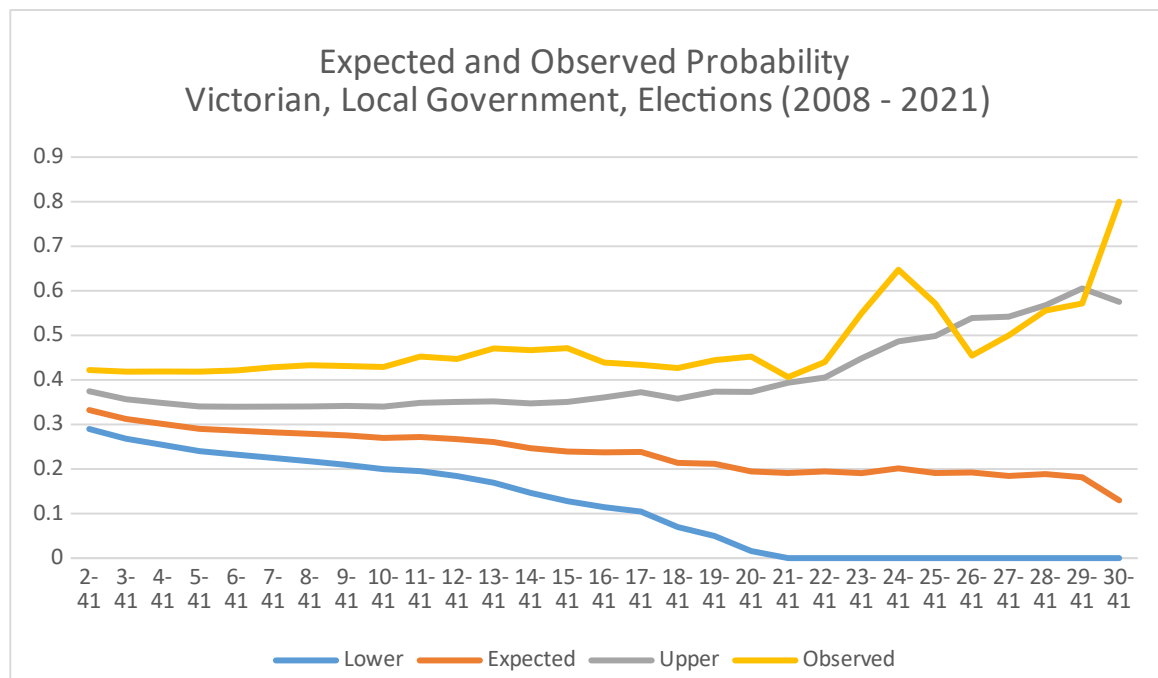


Figure 1 - Expected and Observed Probability Local Government Elections (2008 - 2021)

From **Candidate Range <2 - 41>** to **<25 - 41>** the Observed Probabilities are more than three (3) Standard Errors above the Expected Probabilities. Given these results are above three (3) Standard Errors (i.e. the upper marker) the difference has been calculated in Table 1 as **Delta Standard Errors** using the formula $(\text{Observed} - \text{Expected}) / \text{Standard Error}$.

As the number of available election results for a range decreases, the reliability of the calculation results can also decrease. The **Candidate Range<21 – 41>** and higher are greyed out in Table 1 as they are not reliable. Higher, even less reliable Candidate Ranges are not presented. **Candidate Range<20 – 41>** uses the results for 1023 candidates standing in 42 elections and has been selected as the highest Candidate Range with reliable result calculations for discussion.

Table 1 - Expected and Observed Probability for Election of Candidate#1 (2008 – 2021)

Candidate Range	Elections	Candidates	Elected (Candidate#1)	Observed Probability [p]	Expected Probability [Ep]	Standard Error	Lower Marker	Upper Marker	Delta Standard Errors
30 – 41	5	183	4	0.8000	0.1296	0.1485	0.0000	0.5749	4.5
29 – 41	7	241	4	0.5714	0.1812	0.1414	0.0000	0.6053	2.8
28 – 41	9	297	5	0.5556	0.1886	0.1263	0.0000	0.5676	2.9
27 – 41	10	324	5	0.5000	0.1845	0.1911	0.0000	0.5419	2.6
26 – 41	11	350	5	0.4545	0.1922	0.1156	0.0000	0.5389	2.3
25 – 41	14	425	8	0.5714	0.1910	0.1025	0.0000	0.4984	3.7
24 – 41	17	497	11	0.6471	0.2014	0.0950	0.0000	0.4865	4.7
23 – 41	20	566	11	0.5500	0.1908	0.0859	0.0000	0.4484	4.2
22 – 41	25	676	11	0.4400	0.1944	0.0752	0.0000	0.4054	3.5
21 – 41	32	823	13	0.4063	0.1911	0.0676	0.0000	0.3938	3.2
20 – 41	42	1023	19	0.4524	0.1944	0.0595	0.0160	0.3729	4.3
19 – 41	54	1251	24	0.4444	0.2117	0.0540	0.0497	0.3736	4.3
18 – 41	68	1503	29	0.4265	0.2138	0.0480	0.0697	0.3579	4.4
17 – 41	83	1758	36	0.4337	0.2383	0.0446	0.1044	0.3722	4.4
16 – 41	98	1998	43	0.4388	0.2375	0.0411	0.1142	0.3608	4.9
15 – 41	121	2343	57	0.4711	0.2392	0.0371	0.1280	0.3504	6.3
14 – 41	150	2749	70	0.4667	0.2468	0.0335	0.1462	0.3473	6.6
13 – 41	187	3230	88	0.4706	0.2605	0.0304	0.1692	0.3517	6.9
12 – 41	226	3698	101	0.4469	0.2671	0.0278	0.1839	0.3504	6.5
11 – 41	272	4204	123	0.4522	0.2718	0.0255	0.1951	0.3484	7.1
10 – 41	324	4724	139	0.4290	0.2698	0.0234	0.1995	0.3401	6.8
9 – 41	369	5129	159	0.4309	0.2754	0.0220	0.2094	0.3415	7.1
8 – 41	432	5633	187	0.4329	0.2790	0.0205	0.2175	0.3404	7.5
7 – 41	495	6074	212	0.4283	0.2824	0.0192	0.2248	0.3400	7.6
6 – 41	572	6536	241	0.4213	0.2861	0.0179	0.2324	0.3397	7.6
5 – 41	657	6961	275	0.4186	0.2902	0.0167	0.2400	0.3403	7.7
4 – 41	757	7361	317	0.4188	0.3010	0.0157	0.2540	0.3480	7.5
3 – 41	879	7727	368	0.4187	0.3123	0.0147	0.2681	0.3566	7.2
2 – 41	983	7935	415	0.4222	0.3322	0.0142	0.2897	0.3747	6.4

This analysis does rely on the distribution of election results for each Candidate Range approximating a Normal Distribution. The results for **Candidate Range<21 – 41>** and above are just indicative of a trend and more election results from future General Elections will be required to improve the reliability in these ranges. The selection of the **Candidate Range<20 – 41>** as the highest candidate range providing reliable results is in many ways arbitrarily too low and a higher candidate range could have been selected. For example, **Candidate Range<2 - 41>** through to **Candidate Range<21 - 41>** all have 32 or more election results, For example, a total of 823 Candidates stood in the 32 elections for the **Candidate Range<21 - 41>**.

When the Observed Probability is above the Upper marker line of three (3) Standard Errors it can be difficult to appreciate its significance. Just for illustration purposes and simplicity the following [Normal distribution approximations](#)^x are provided. The column for daily events is based on an event that occurs once per day (1 in 1). If the event frequency was one (1) event in seven (7) then it would occur once per week, etc.

Table 2 - Normal Distribution

	Expected percentage of population inside range	Approximate expected frequency outside range	Approximate frequency for daily event
$\mu \pm 2.0\sigma$	95.4%	1 in 22	Once every three (3) weeks
$\mu \pm 2.5\sigma$	98.7%	1 in 81	Quarterly
$\mu \pm 3.0\sigma$	99.7%	1 in 370	Yearly
$\mu \pm 3.5\sigma$	99.95%	1 in 2,149	Every 6 years
$\mu \pm 4.0\sigma$	99.994%	1 in 15,787	Every 43 years (twice in a lifetime)
$\mu \pm 4.5\sigma$	99.999,3%	1 in 147,160	Every 403 years (once in the modern era)
$\mu \pm 5.0\sigma$	99.999,94%	1 in 1,744,278	Every 4,776 years (once in recorded history)
$\mu \pm 5.5\sigma$	99.999,996%	1 in 26,330,254	Every 72,090 years (thrice in history of modern humankind)
$\mu \pm 6.0\sigma$	99.999,999,8%	1 in 506,797,346	Every 1.38 million years (twice in history of humankind)
$\mu \pm 6.5\sigma$	99.999,999,992%	1 in 12,450,197,393	Every 34 million years (twice since the extinction of dinosaurs)
$\mu \pm 7.0\sigma$	99.9999999997%	1 in 390,682,215,445	Every 1.07 billion years (four occurrences in history of earth)

Given **Candidate Ranges**<2 – 41> through <15 – 41> are 6.0 Standard Errors or higher than the Expected Probability. As can be seen by Table 2 with 1 chance in 1.38 million years or less frequently, basically there is virtually zero possibility these election results occurred by chance. Given ballot-box stuffing and other corrupt practices are not a feature of Australian elections then Donkey Vote variations are the only reasonable explanation for the **Observed Probability** for Candidate#1.

100 Elections Using Observed and Expected Probabilities

An alternative presentation is to calculate the result for 100 elections using the Observed and Expected Probabilities. With field sizes of 15 or more candidates nearly twice as many candidates at the top of ballot-papers are elected.

The results for the **Candidate Range**<25 – 41> are only included in Table 3 to show the trend line for the Observed Probability is likely to continue above the Expected Probability. Therefore the **Candidate Range**<25 – 41> in Table 8 is greyed out to highlight its status.

Table 3 - Estimation of Donkey Vote Bias

Candidate Range	Ep	p	100 x Ep	100 x p	Additional Candidates #1	Additional Candidates (%)
<25 – 41>	0.1910	0.5714	19	57	38	200%
<20 – 41>	0.1944	0.4524	19	45	26	137%
<15 – 41>	0.2392	0.4711	24	47	23	96%
<10 – 41>	0.2698	0.4290	27	43	16	59%
<5 – 41>	0.2902	0.4186	29	42	13	45%
<2 – 41>	0.3322	0.4222	33	42	9	27%

The larger the field of Candidates, the greater the impact of Donkey Votes. Therefore increasing the number of Wards has the effect of distributing Candidates across this higher number of Wards. This change on average reduces the field of Candidates standing in a single Ward at a General Election. Reducing the Candidate fields on average has the positive impact of lowering the impact of Donkey Votes.

As Administrators have been appointed in Casey the advantage of Councillor incumbency is eliminated. As there are no incumbent Councillors it may encourage a larger field of Candidates to stand in the 2024 Casey General Elections.

Increasing the number of Councillors for 2024 to reduce the impact of a Donkey Vote provides a direct benefit to achieving a result closer to the 'one vote, one value' principle.

Data Validation

For the purposes of analysis here, only elections (i.e. General Elections) that elected a whole Council are included. In this analysis any single ward Council elections (i.e. by-elections) have been excluded. By-elections are typically held in isolation and may not be representative of a General Election for all the Councillors. This ensures these elections will not introduce any distortion or outliers due to variations in the composition of the field of Candidates, local issues, etc.

All election results for Melbourne City Council are excluded. Under the [City of Melbourne Act 2001^{xi}](#), [City of Melbourne \(Electoral\) Regulations 2022^{xii}](#) the Melbourne City Council General Elections have group tickets, direct election of the Mayor with Deputy Mayor, and other election practices such as optional preferential voting that are not applicable to any other Victorian council.

Countbacks use the election results from a General Election to fill casual vacancies that occur during the four year term of a Council. These do not trigger a new By-election or generate a fresh set of election results. Therefore the original election results include any Countbacks.

Analysis does not include Wards where the number of candidates was less than or equal to the number of vacancies. In these cases the candidates are automatically appointed without the requirement of a poll. Obviously failed elections where there are no candidates nominated for an election do not appear in the analysis.

After validation, calculations were performed for 983 elections with 7,935 Candidates standing for 2,318 vacancies. Results reported in this submission have been rounded and this should cause an insignificant loss of precision for results.

Standard Error is not Standard Deviation

Please note Standard Error is not to be confused with Standard Deviation. A simple mistake is to assume that functions like Standard Deviation in applications like Microsoft Excel are appropriate for the analysis of this binomial population data.

Analysis By Deciles

On the basis that the Observed Probability does indicate the election of additional candidates above the **Expected Probability** for **Candidate#1**, then it needs to be shown which Candidates are being disadvantaged. The **Candidate Range<21 – 41>** and higher are greyed out in Table 4 as they are only providing a likely trend line.

Table 4 - Results by Deciles for Victorian Local Government General Elections (2008 – 2021)

Candidate Range	Vacancies	Candidates	Decile #1	Decile #2	Decile #3	Decile #4	Decile #5	Decile #6	Decile #7	Decile #8	Decile #9	Decile #10
30 – 41	24	183	5.0	5.6	1.7	2.7	1.0	0.8	1.2	1.0	3.0	2.0
29 – 41	42	241	7.9	8.5	1.9	4.3	2.9	2.7	2.1	2.7	4.1	4.9
28 – 41	54	269	9.9	9.1	3.3	5.5	4.7	2.7	3.7	4.1	5.1	5.9
27 – 41	58	324	9.9	9.1	4.3	5.5	4.7	2.9	5.5	4.1	6.1	5.9
26 – 41	65	350	10.9	9.1	5.1	5.7	4.7	3.5	6.9	5.9	6.7	6.5
25 – 41	79	425	13.9	10.1	5.1	6.7	5.7	4.5	7.9	8.9	7.7	8.5
24 – 41	97	497	17.9	11.7	6.5	7.3	7.1	5.5	10.3	11.5	8.3	10.9
23 – 41	106	543	18.9	12.7	8.5	8.5	9.4	6.0	10.3	11.9	8.9	10.9
22 – 41	121	676	19.3	15.5	12.3	10.3	9.6	7.2	12.5	12.5	8.9	12.9
21 – 41	155	823	22.7	20.3	16.7	14.1	12.2	8.8	15.6	17.4	11.3	15.9
20 – 41	196	1023	31.7	23.3	20.7	19.1	14.2	10.8	18.6	20.4	14.3	22.9
19 – 41	258	1251	38.5	32.9	29.1	22.5	21.0	16.0	23.6	26.8	18.1	29.5
18 – 41	314	1503	45.1	37.1	33.5	26.9	28.4	20.4	30.0	30.4	24.3	37.9
17 – 41	403	1758	55.6	45.2	43.6	37.2	38.4	29.0	36.0	38.4	33.5	46.1
16 – 41	459	1998	64.4	55.6	50.0	40.4	45.6	32.2	41.8	40.0	38.1	50.9
15 – 41	544	2343	79.9	62.1	59.5	49.9	52.6	38.2	50.8	46.0	44.1	60.9
14 – 41	657	2749	96.1	74.1	78.1	62.5	62.2	45.2	60.0	57.4	50.7	70.7
13 – 41	809	3230	115.9	83.7	92.5	76.1	76.8	58.2	76.2	72.2	67.2	90.2
12 – 41	949	3698	131.5	100.9	111.7	87.7	92.2	68.8	88.2	87.2	78.8	102.0
11 – 41	1098	4204	155.0	119.0	133.4	99.8	106.3	81.7	100.9	99.1	89.8	113.0
10 – 41	1233	4724	171.0	132.0	151.4	112.8	121.3	94.7	113.9	109.1	102.8	124.0
9 – 41	1361	5129	189.0	144.4	163.8	126.0	131.3	103.9	127.7	125.1	112.3	137.5
8 – 41	1512	5633	211.4	164.4	177.0	134.8	144.9	118.3	142.7	138.3	125.1	155.1
7 – 41	1647	6074	228.9	180.3	191.4	147.4	157.5	130.7	154.6	152.0	137.9	166.3
6 – 41	1790	6536	246.3	196.3	204.6	153.4	174.9	145.7	168.8	164.6	148.9	176.5
5 – 41	1925	6961	263.3	213.3	217.6	176.4	190.9	161.7	178.8	174.6	160.4	188.0
4 – 41	2074	7361	280.1	230.1	233.6	191.6	206.1	176.1	193.2	188.4	173.6	201.2
3 – 41	2214	7727	295.4	245.4	248.9	206.1	220.2	190.2	206.8	201.0	186.2	213.8
2 – 41	2318	7935	304.8	254.8	258.3	215.5	229.6	201.6	218.2	212.4	197.6	225.2

In Table 4 for all Candidate Ranges except <29-41> the candidates randomly allocated by the VEC to Decile #6 have the lowest chance to be elected.

In Table 5 for each row the results from Table 4 are scaled by the results of Decile #6. The **Candidate Range <21 – 41>** and higher are greyed out in Table 5 as they are only providing a likely trend line.

Table 5 - Scaled Results by Deciles for Local Government General Elections (2008 – 2021)

Candidate Range	Decile #1	Decile #2	Decile #3	Decile #4	Decile #5	Decile #6	Decile #7	Decile #8	Decile #9	Decile #10
30 – 41	6.25	7.00	2.13	3.38	1.25	1.00	1.50	1.25	3.75	2.50
29 – 41	2.93	3.15	0.70	1.59	1.07	1.00	0.78	1.00	1.52	1.81
28 – 41	3.67	3.37	1.22	2.04	1.74	1.00	1.37	1.52	1.89	2.19
27 – 41	3.41	3.14	1.48	1.90	1.62	1.00	1.90	1.41	2.10	2.03
26 – 41	3.11	2.60	1.46	1.63	1.34	1.00	1.97	1.69	1.91	1.86
25 – 41	3.09	2.24	1.13	1.49	1.27	1.00	1.76	1.98	1.71	1.89
24 – 41	3.25	2.13	1.18	1.33	1.29	1.00	1.87	2.09	1.51	1.98
23 – 41	3.15	2.12	1.42	1.42	1.57	1.00	1.72	1.98	1.48	1.82
22 – 41	2.68	2.15	1.71	1.43	1.33	1.00	1.74	1.74	1.24	1.79
21 – 41	2.58	2.31	1.90	1.60	1.39	1.00	1.77	1.98	1.28	1.81
20 – 41	2.94	2.16	1.92	1.77	1.31	1.00	1.72	1.89	1.32	2.12
19 – 41	2.41	2.06	1.82	1.41	1.31	1.00	1.48	1.68	1.13	1.84
18 – 41	2.21	1.82	1.64	1.32	1.39	1.00	1.47	1.49	1.19	1.86
17 – 41	1.92	1.56	1.50	1.28	1.32	1.00	1.24	1.32	1.16	1.59
16 – 41	2.00	1.73	1.55	1.25	1.42	1.00	1.30	1.24	1.18	1.58
15 – 41	2.09	1.63	1.56	1.31	1.38	1.00	1.33	1.20	1.15	1.59
14 – 41	2.13	1.64	1.73	1.38	1.38	1.00	1.33	1.27	1.12	1.56
13 – 41	1.99	1.44	1.59	1.31	1.32	1.00	1.31	1.24	1.15	1.55
12 – 41	1.91	1.47	1.62	1.27	1.34	1.00	1.28	1.27	1.15	1.48
11 – 41	1.90	1.46	1.63	1.22	1.30	1.00	1.24	1.21	1.10	1.38
10 – 41	1.81	1.39	1.60	1.19	1.28	1.00	1.20	1.15	1.09	1.31
9 – 41	1.82	1.39	1.58	1.21	1.26	1.00	1.23	1.20	1.08	1.32
8 – 41	1.79	1.39	1.50	1.14	1.22	1.00	1.21	1.17	1.06	1.31
7 – 41	1.75	1.38	1.46	1.13	1.21	1.00	1.18	1.16	1.06	1.27
6 – 41	1.69	1.35	1.40	1.12	1.20	1.00	1.16	1.13	1.02	1.21
5 – 41	1.63	1.32	1.35	1.09	1.18	1.00	1.11	1.08	0.99	1.16
4 – 41	1.59	1.31	1.33	1.09	1.17	1.00	1.10	1.07	0.99	1.14
3 – 41	1.55	1.29	1.31	1.08	1.16	1.00	1.09	1.06	0.98	1.12
2 – 41	1.51	1.26	1.28	1.07	1.14	1.00	1.08	1.05	0.98	1.12

As an example, for elections with a field of 10 or more candidates, candidates in the 1st Decile were 1.81 times more likely to be elected than the candidates the Victorian Electoral Commission (VEC) had randomly allocated to the 6th decile on the ballot-paper. While for elections with a field of 20 or more candidates, the candidates in the first decile are 2.94 time more likely to be elected.

Recommendation for a Referral to the VEC

The VEC is required:

Local Government Act 2020
Part 2—Councils
16 Electoral structure review

(5) The VEC must provide administrative and technical support to an electoral representation advisory panel.

The ERAP should request VEC to report on their analysis of the calculations of Observed and Expected probabilities in this submission as these have a direct impact when considering the number of Councillors and other recommendations of the ERAP.

The techniques used in calculations to produce the results in this submission were provided by a person who was a researcher with a Monash University PhD. They have published papers on the techniques used for the analysis of data, statistic methods to be employed, etc. Unfortunately, identification of any person is not permitted in this

document. The techniques employed are beyond my limited knowledge of statistics. It may be possible to refer the VEC to that person.

Corruption of the 'One Vote, One Value' Principle

Fewer electors casting their first preference vote for the candidate at the top of the ballot-paper are required to elect that candidate compared to electors who prefer a candidate relegated by the VEC to the 6th Decile. When the difference between these Deciles is electing candidates at a greater than 2:1 advantage the 'one vote, one value' principle has been shredded. Electoral reform maybe outside the control of the ERAP but the ERAP recommendation on the number of Councillors directly changes the average number of Candidates standing in a Ward therefore indirectly changing the impact of the Donkey Vote.

An increase to 12 Councillors is required to minimise this distortion to the 'One Vote, One Value' principle

What is a Donkey Vote?

The Wikipedia free encyclopaedia, [Donkey Vote^{xiii}](#) article provides an overview explaining the meaning and impact of a Donkey Vote. Including the following text:

In electoral systems which use ranked voting, a **donkey vote** is a cast ballot where the voter ranks the candidates based on the order they appear on the ballot itself. The voter that votes in this manner is referred to as a **donkey voter**.

Typically, this involves numbering the candidates in the order they appear on the ballot paper: first preference for the first-listed candidate, second preference for the second-listed candidate, and so on. However, donkey votes can also occur in reverse, such that someone numbers the candidates from the bottom up the ballot paper. In systems where a voter is required to place a number against each candidate for the vote to be valid, the voter may give the first preference to the candidate they prefer, then run all the other numbers donkey fashion.

These definitions of **Linear** and **Reverse Linear** variants of a **Donkey Vote** form the basis of the definitions already used by various Australian authorities and other sources. Refer to references listed in Table 1, plus Table 4. Although variations in the wording of these definitions exist, they consistently describe the Linear Donkey Vote variant. By extension some definitions include the reverse direction of the Linear variant.

Table 6 - Donkey Vote Definitions from Various Australian Sources

Definition	Source
a vote where a voter appears to make no choice among the candidates, but numbers preferences for candidates in the order in which they are listed on the ballot-paper	Parliament of Australia, Glossary^{xiv} , Donkey Vote
A ballot paper marked 1, 2, 3, 4 straight down (or up) a ballot paper.	Australian Electoral Commission, Glossary^{xv} , Donkey Vote
A donkey vote is a vote cast by a voter who numbers the squares down (or more rarely up) the ballot paper, without caring about the nature of the candidates on offer.	Victorian Electoral Commission, Report to Parliament on the 2018 Victorian State Election^{xvi} , Section 15 Statistical overview of the election, Donkey Votes, Page 99.
A donkey vote occurs when an elector simply numbers the ballot paper from top to bottom (or bottom to top) without regard to the logic of the preference allocation.	AustralianPolitics.com website, Donkey Votes^{xvii}

These current Australian definitions do not include all voting patterns that has a Donkey Vote component. Using these limited definitions causes the majority of Donkey Vote variations to be ignored and results in an underestimation of the severity of the impact of Donkey Votes on election results.

Eight Donkey Vote Variants

Other than **Linear** and **Reverse Linear**, there are no consistent naming conventions for Donkey Vote variations. Listed below are eight Donkey Vote variants:

- **Linear** - a voter appears to make no choice among the candidates, but numbers preferences for candidates in the order in which they are listed down the ballot-paper. A 'classic' definition of a Donkey Vote.
- **Reverse Linear** - a voter appears to make no choice among the candidates, but numbers preferences for candidates in the reverse order in which they are listed on the ballot-paper.
- **Circular** - a voter appears to cast a **considered first preference** among the candidates, then appears to make no further choice among the remaining candidates i.e. starting at the next candidate immediately below the considered first preference they number preferences for the other candidates in the order in which they are listed on the ballot-paper.
- **Reverse Circular** - a voter appears to cast a **considered first preference** among the candidates, then appears to make no choice among the remaining candidates i.e. starting at the next candidate immediately above the considered first preference they number preferences for the other candidates in the **reverse order** in which they are listed on the ballot-paper.
- **Partial Linear** - a voter appears to cast **considered votes** for a number of candidates, then appears to make no choice among the remaining candidates i.e. numbers preferences for the other candidates in the **order** in which they are listed on the ballot-paper.
- **Reverse Partial Linear** - a voter appears to cast **considered votes** for a number of candidates, then appears to make no choice among the remaining candidates i.e. numbers preferences for the other candidates in the **reverse order** in which they are listed on the ballot-paper.
- **Partial Circular** - a voter appears to cast **considered votes** for a number of candidates, then appears to make no choice among the remaining candidates i.e. starting at the next candidate below the last considered preference then numbers preferences for the other candidates in the order in which they are listed on the ballot-paper.
- **Reverse Partial Circular** - a voter appears to cast considered votes for a number of candidates, then appears to make no choice among the remaining candidates i.e. starting at the next candidate above the last considered preference then numbers preferences for the other candidates in the **reverse order** in which they are listed on the ballot-paper.

To illustrate these Donkey Vote variants, Table 7 has been constructed with:

- **Linear** and **Reverse Linear** – No considered votes by the elector.
- **Circular** and **Reverse Circular** One (1) considered vote.
- Four (4) **Partial** variants – Using more than one (1) considered vote with the **Linear** and **Circular** Donkey Vote variants yields the **Partial** Donkey Vote variants. For demonstration purposes three (3), consistent, considered votes will be highlighted. A Donkey Vote pattern will then be used to complete the balance on all ballot-papers.

Illustration of Donkey Vote Variants

Examples with zero, one and three considered votes are presented. Considered votes are highlighted in Table 7.

Table 7- Illustration of Donkey Vote Variants

Ballot Position	Linear	Reverse Linear	Circular	Reverse Circular	Partial Linear	Partial Reverse Linear	Partial Circular	Partial Reverse Circular
#1	1	10	4	8	4	10	8	6
#2	2	9	5	7	2	2	2	2
#3	3	8	6	6	5	9	9	5
#4	4	7	7	5	6	8	10	4
#5	5	6	8	4	3	3	3	3
#6	6	5	9	3	7	7	4	10
#7	7	4	10	2	8	6	5	9
#8	8	3	1	1	1	1	1	1
#9	9	2	2	10	9	5	6	8
#10	10	1	3	9	10	4	7	7

When assessing the impact of a Donkey Vote on election results only Linear and Reverse linear Donkey Votes are defined by the Parliament of Australia, the AEC and the VEC. Therefore, when Donkey Votes are included in Reports to Parliament by the Electoral Commissions (AEC and VEC) typically only the Linear and possibly the Reverse Linear variations are calculated and/or discussed.

In some circumstances a voter may reject one or more candidates and disrupt their voting pattern to penalise those candidates.

In Table 8 this is illustrated by adjusting the Table 7 voting patterns and casting last place preferences to Candidates #3 and #4. This rejection of candidates is shown by a strike-through of those preferences. Again, examples with zero, or three considered votes plus two rejected candidates are given. The same considered votes highlighted in Table 7 are shown in Table 8. The more complex Donkey Vote variants such as the Partial Circular variants begin to take on the appearance of a random or considered distribution of preferences.

Table 8- Illustration of Donkey Vote Variants with Rejected Candidates

Ballot Position	Linear	Reverse Linear	Circular	Reverse Circular	Partial Linear	Partial Reverse Linear	Partial Circular	Partial Reverse Circular
#1	1	8	4	6	4	8	8	4
#2	2	7	5	5	2	2	2	2
#3	10	10	10	10	10	10	10	10
#4	9	9	9	9	9	9	9	9
#5	3	6	6	4	3	3	3	3
#6	4	5	7	3	5	7	4	8
#7	5	4	8	2	6	6	5	7
#8	6	3	1	1	1	1	1	1
#9	7	2	2	8	7	5	6	6
#10	8	1	3	7	8	4	7	5

A human scanning ballot-papers to identify Donkey Votes will easily recognise the first 2 patterns and probably the next 2 patterns as Donkey Vote variants (i.e. Linear through to Reverse Circular). The Partial Donkey Vote variants would be much more difficult for a human to identify and could be rejected from a Donkey Vote Variant survey of ballot-papers. It is understandable that past surveys of Donkey Votes have concentrated on the two simplest variations as only manual counting methods would have been available. If the current definitions used by Australian Parliaments and Electoral Commissions listed in Table 6 were applied then 6 out of 8 Donkey Vote variants described above are rejected.

When conducting a survey of Donkey Vote patterns then recognition by a computer program should be employed as the appropriate method to successfully analyse, identify and categorise Donkey Vote variants. Unfortunately the VEC does not release the data to permit analysis of votes cast in historic elections (e.g. 2012, 2016, etc.). Additionally the VEC has not performed appropriate analysis when they have had access to the vote data at Local Government General Elections.

Donkey Vote Bias in Local Government Elections

For Postal Voting each candidate can submit a 300 word statement (up from 250 words in 2016) plus a photograph for inclusion in the election package sent to every elector. The submitted Candidate Statement is formatted without paragraph breaks. Under the Act it is not permitted to include How-to-Vote cards in election packages.

The largest field of candidates in a Victorian Local Government election in the 2008 to 2021 period was 41. In theory, the worst case for a voter reading a ballot information pack could have been 12,300 words (41 x 300 words), a word length for a Novella. Leaf letting, corflutes^{xviii}, door knocking, local newspaper advertising, social media, etc., can garner support for individual candidates for electors, especially those who choose to ignore or overlook the contents of the information pack distributed to electors.

As a candidate in past Casey General Elections I have never meet or talked to all other candidates standing in my Ward. Therefore a voter is unlikely to personally know every candidate in their Ward of a large suburban Council. In the worst case, electors may only have the information pack to determine their preference order. Voting is compulsory and an elector must provide an indication of preferences for all candidates standing for election. Any incomplete ballot-papers or those where an indication of preferences for all candidates cannot be established are discarded as informal.

Typically electors will have an informed opinion on a subset of candidates that will receive their highest preferences, maybe some candidates will be penalised and preferenced last on the ballot paper. A voter forced to allocate preferences for the balance of candidates maybe unable to make an informed choice about the remaining candidates on their ballot paper. It is not surprising that an individual could then cast preferences in one of the variations of a Donkey Vote pattern to complete their ballot-paper.

Table 9 illustrates preference flows to a candidate that is not Candidate#1. This is not attempting to show all possible combinations, just a simple subset to show the imbalance created in the distribution of preferences by a Donkey Vote variant. Two Candidates (#3 and #6) are vying for one councillor position when preferences from **Partial Linear** donkey votes are distributed.

In this example every voter has cast their first 2 votes with care for different candidate pairs to give every candidate an equal chance of being successful. Each candidate will receive one first preference and one second preference vote to generate an equal number of first and second preferences. For each voter their second preference is two candidates positions above (circular) their first preference candidate number. Then all perform a **Partial Linear** Donkey Vote for the balance. Shading in Table 9 highlights the final preference distribution to either Candidate#3 or #6.

The preference numbers that are not required have been blanked for clarity. For example the Elector#1 preferences 5, 6, 7, 8, 9, and 10 were not required therefore these are not displayed in Table 9.

Table 9 - Example Distribution of Donkey Vote Variant Preferences

Ballot Position	Elector #1	Elector #2	Elector #3	Elector #4	Elector #5	Elector #6	Elector #7	Elector #8	Elector #9	Elector #10
#1	1	3		3			3		3	3
#2	3	1		2			4		4	4
#3	4	4	1	4	2		5		5	5
#4				1						
#5					1		2			
#6						1		2		
#7							1		2	
#8								1		2
#9	2								1	
#10		2								1

Candidate#3 receives one primary vote (Elector #3) and one second preference vote (Elector #5). On distribution of preferences Candidate#3 then receives seven (7) distributed preferences (Electors #1, #2, #4, #5, #7, #9 and #10).

Candidate#6 receives 1 primary vote (Elector #6) and one second preference vote (Elector #8). On distribution of preferences Candidate#6 receives zero distributed preferences. In an actual election a Donkey Vote variant could bias the election of other Candidates near the top of the Ballot-Paper to unfairly elect those candidates. See results in Table 5 with Scaled Results by Deciles.

Victorian, Local Government General Elections provides a worst-case implementation of Australian election practices. Strange as it may seem a [Chook Raffle](#)^{xix} would deliver fairer results than some Victorian, Local Government elections. The public cannot have confidence all Australian elections will deliver the expected standard of results i.e. have a 'fair result' that is reasonable, right and just.

Past analysis and literature concerning Donkey Vote bias in Australia is not applicable to current Victorian, Local Government General Election practices. Previously reported [Victorian Electoral Commission^{xx}](#) (VEC) analysis has similar conventions and techniques adopted by the [Australian Electoral Commission^{xxi}](#) (AEC) for federal elections. Because there are significant differences between Federal, State and Local Government election practices past analysis has underestimated the Donkey Vote bias in Victorian, Local Government elections.

As always, the negative outcomes that should have been addressed in the legislation are now perfectly obvious in hindsight. Victorian legislation is not current best practice. Other jurisdictions have addressed Donkey Vote bias and introduced other reforms that address other deficient or outdated sections of Victorian Local Government legislation.

It is not the role of the ERAP to suggest the form of legislative changes required to address the Donkey Vote in Local Government elections. The ERAP has to outline how they reached their conclusions and recommendations. If mitigation of the impact of Donkey Votes is one of the drivers for a recommendation on the number of Councillors then the ERAP has a duty to inform the Minister of Local Government.

Analysis Of Bias In Elections

Analysis of the 2012, 2016, 2017 and 2020 Victorian, Local Government, General Elections has shown the public can not be confident all elections are 'fair' as clearly some candidates have received a significant, unfair advantage.

In the analysis Melbourne City Council, plus all By-elections and Countbacks were excluded. Melbourne City has group tickets, direct election of the Mayor with Deputy Mayor, and other characteristics that are not typical of any other Victorian council. The analysis does not include wards where the number of candidates was less than or equal to the number of vacancies. In these cases the candidates were automatically appointed without the requirement of a poll.

Based on data from Table three and Table five the Observed and Expected Probabilities for Victorian, Local Government General Elections (2008 – 2021) can be used to generate estimates for the election of candidates at the top of ballot-papers. With fields of five or more candidates it is estimate 45% more candidates at the top of ballot-papers would be elected compared to the expected results from fair elections. With fields of 15 or more candidates it is estimated that nearly twice as many candidates at the top of ballot-papers would be elected compared to the expected results from fair elections.

Figure 1 highlights how the Observed Probability for the election of candidates on the top of ballot papers is significantly higher than the Upper Marker line (i.e. three Standard Errors above the Expected Probability). Table 1 with Table 2 implies the results can be greater than one chance in 12,450,197,393. Or if it was to be equivalent to a daily occurrence it would happen once every 34 million years (twice since the extinction of dinosaurs).

The operation of these Local Government elections favour the candidates at the top of the ballot-paper then electors who have cast a considered preference for such a successful candidate are receiving an advantage that is unavailable to a voter who has cast a considered preference for an unsuccessful candidate placed in the 6th decile of the ballot-paper. If voters for one cohort of candidates receives an election advantage then voters for other candidates have their votes devalued. Therefore the principle of 'one vote, one value' is not met.

Flaws of the inforce Victorian Local Government Act 2020 and Local Government (Electoral) Regulations 2020 have been addressed by the ACT and Tasmania legislation variants of the Robson Rotation used in the Australian Capital Territory (ACT) and Tasmania to ensure Donkey Vote variants do not cause these outcomes. It is not the role of the ERAP to solve these issues in Victoria but these shortcomings need to be taken into account when deciding on the number of Wards and Councillors.

Previous Estimations of the Impact of Donkey Votes

Detailed analysis of the election results of Australian, Local Government elections is virtually non-existent with most commentary limited to State and Federal elections. The Wikipedia article included a comment on the Australian House of Representatives and stated:

The donkey vote has been estimated at between 1% and 2% of the vote, which could be critical in a marginal seat.

In relation to the Donkey Vote, the VEC included in the 2010 Victorian State Parliament Election Report, **Section 11 Statistical Overview Of The Election**, Page 73, **Donkey Votes** entry:

A donkey vote is a vote cast by a voter who numbers the squares down the ballot paper, without caring about the nature of the candidates on offer. Candidates are pleased if they get the top spot on the ballot paper when the draw for position takes place, because they will have the advantage of the donkey vote. The size of the donkey vote has been a matter for discussion. The VEC counted the donkey votes as part of its survey of ballot papers. To measure real donkey votes, it is necessary to distinguish them from votes following party advice and from votes that were logically in this order given the nature of the candidates.

...

Figure 64: Proportion of donkey votes minus proportion attributable to random variation on Page 73 demonstrated how minuscule impact of the Donkey Vote had on the election. In Figure 64, the proportion attributable to random variation has been subtracted. ...

In the Districts surveyed, the median donkey vote was 1% of the total formal vote. The donkey vote varied widely, from 0.07% in Rodney to 2.59% in Shepparton.

Given the results from the analysis of election results it is not surprising that the VEC reported “Candidates are pleased if they get the top spot on the ballot paper when the draw for position takes place, because they will have the advantage of the donkey vote”. The VEC does not provide the size or impact of that Donkey Vote advantage.

The VEC also stated in 2018 that “The size of the donkey vote has been a matter for discussion”. Unfortunately in 2023 it is still not apparent the results of those VEC’s discussions nor their calculation for the Donkey Vote impacts on Local Government General Elections. Hopefully the VEC’s technical support role will provide the ERAP with their current calculations on these Local Government Donkey Vote impacts.

In relation to Donkey Votes in the 2018 Victorian State Parliament Election Report, Section 15 Statistical Overview Of The Election, page 99, Donkey Votes entry:

In Melbourne District, there were 253 donkey votes and 22 reverse donkey votes. Donkey votes comprised only 0.68% of total formal votes for Melbourne, and 1.6% of the votes for the Greens. These figures are consistent with the VEC’s 2010 survey of donkey votes in eight districts.

The above highlights the minimal impact Donkey Votes have on State elections where there are political parties, plus group voting, How-To-Vote cards, voter education, also above the line voting available for Senate elections where routinely there are a large number of candidates. State elections always generate extensive media coverage, etc. But the analysis of State and Federal elections does not inform the impact of donkey votes on Local Government elections which have none of these characteristics.

Tied Votes With 12 Councillors

The Act does not prohibit an even number of Councillors and includes provisions for dealing with tied votes. Even with an odd number of Councillors there is no guarantee that there will always be an odd number voting due to absences such as failures to attend meetings, leaves of absence, conflicts of interest, etc. During past City of Casey Council meetings when there was an even number of Councillors the occurrence of tied votes was rare.

Issues Related to Population

After the City of Casey the next most populous Interface Council is Wyndham City. For Wyndham the [2023-2024 Local council electoral structure reviews – Submission Guide – Round 3^{xxii}](#) estimates 17,903 electors per Councillor.

While the second highest ratio for a Victorian Council after Casey is Greater Geelong City Council of 11 Councillors with an average of 19,306 electors per Councillor. The lowest ratio for a Metropolitan Council with 11 Councillors is Whitehorse City with an average 10,292 electors per Councillor.

For Casey the total number of estimated electors is 252,670^{xxiii}. If there remained 11 Councillors from the Submission Guide the estimates are 22,970 electors per Councillor. This is more than double the ratio of Whitehorse and the highest in the State.

With 12 Councillors the ratio for Casey improves to an average of 21,056 electors per Councillor. Although an improvement this is still significantly higher than any other Victorian Council.

Over the 4 year term of the next Council population growth will further increase the number of electors per Councillor. The current population of the City of Casey is 365,239 with a forecast population growth of 2.8% per annum. Given this growth of population the workload of Councillors can only increase over the life of the Council.

As the Council with largest population in Victoria it is appropriate for Casey to have the highest number of Councillors. Therefore 12 Councillors is not an inappropriate recommendation. It is not a case of the ratio being high, it should be classed as very high, bordering on ridiculous.

Unfortunately the Local Government Act 2020 has a hard limit of 12 Councillors. Even with this increase Casey will continue to have substantially more electors per Councillor than any other Council in Victoria.

As reported in the 2019-20 Representation Review their recommendation for the City of Casey Council was 12 Councillors to better manage the high rate of growth expected in the local council area and reduce the high voter-to-Councillor ratio.

For population reasons alone the recommendation of this submission must remain 12 Councillors.

Comments Regarding Published Submissions (21/11/2023)

A number of the submissions published up to 21/11/2023 have expressed a preference for a Ward layout aligned around existing suburbs. These submissions state this preference with one of the following texts:

- (1) Option 1 and Option 3 don't reflect communities of interest, splitting suburbs in illogical ways.
- (2) On the other hand, Option 1 and Option 3 do not reflect communities of interest and divide suburbs in questionable methods.
- (3) On the other hand, Option 1 and Option 3 don't reflect communities of interests, splitting suburbs in illogical and unusual ways.
- (4) Conversely, Options 1 and 3 fail to adequately represent community interests, resulting in arbitrary subdivision of suburbs.
- (5) It is not good to split suburbs if it can be avoided. Options 1 and 3 seem to do this.

The following people included one of the above statements in their submissions:

- (1) Jesse Barnet
- (2) Nathan Cornell
- (3) Khoa Dao
- (4) Isabelle Do
- (5) Tani Finlay
- (6) Rhonda Garad
- (7) Maryann Lambert
- (8) Heather Louis
- (9) Hajah Nafisi
- (10) Pamela Naylor
- (11) Karen Rees
- (12) Louisa Willoughby

Unfortunately none of these submissions explicitly stated their preferred number of Councillors. The ERAP only provided one map based on suburbs. Therefore it is not known if a 12 Councillor map based on suburbs would be accepted or rejected. From these submissions it cannot be concluded how many Councillors are supported by these people.

There were exceptions such as Stuart Chalmers who expressed a preference for the Ward structure of Model 2 but stated they preferred a 12 Ward structure with 12 Councillors.

While some other submissions explicitly expressed a preference for 11 or 12 Councillors.

The ERAP's failure to provide a 12 Ward Model based upon City of Casey suburbs can be addressed by making minor changes to Model 2. The most significant Ward boundary changes can be limited to the outer circle of Wards. I had mapped these changes but lost them when I closed the online mapping application. I don't have the time today to recreate this map and will leave this as an exercise for the ERAP.

It will not be possible to comment on any other submissions published after the 21st November..

Location of Ward Boundaries

Discussion of population growth naturally leads into discussion of Ward boundaries.

The Ward population distribution proposed in the 2019-20 Review is based on different Ward boundaries to the 2015-16 boundaries presented in the Submission Report. Therefore the 2020 data can not be used to calculate changes in individual Ward populations but it does provide the data for the total population of Casey City. Therefore the data from the 2016 elections must be used and it reports the number of electors on Entitlement Day, 57 days before the election day 22nd October 2016. The 2023 data is based on 25th July 2023. The 2024 Entitlement day is 57 days before the election day 26th October 2024.

The starting point for an examination of changes in individual Ward Populations must be the 2015-16 population data. The final Column provides an estimate of the population growth between the date the estimates of population and election day.

Ward	Electors 2016	Electors 2023	Change	Days 2016-2023	Change (per day)	Days 2023-24	Change 2023-24
Balla Balla	18,669	34,945	16,276	2,525	6.45	403	2,599
Edrington	38,355	59,831	21,476	2,525	8.51	403	3,430
Four Oaks	33,933	34,524	591	2,525	0.23	403	93
Mayfield	38,451	47,107	8,656	2,525	3.43	403	1,382
River Gum	34,897	37,579	2,682	2,525	1.06	403	427
Springfield	33,569	38,584	5,015	2,525	1.99	403	802
Totals	197,874	252,570	54,696				

With 12 Councillors and an average of 21,056 electors per Councillor the allowed 10% tolerance is 2,105 electors. The permitted variation between the lower and upper limits is 4,210 electors. The projected change for Edrington Ward of 3,430 electors is 81% of the permitted $\pm 10\%$ variation. Both Balla Balla and Edrington Wards areas will exceed the growth of other Wards i.e. the growth rate will not be uniform across the Wards. This projected growth could result in a new Ward that will exceed the $\pm 10\%$ allowance. Therefore care must be taken to ensure the areas undergoing the highest population growth are identified and Ward boundaries adjusted to accommodate the growth up to the 2024 election.

The centre of Casey's growth area is concentrated in the South-East region and over time continues to move further Southwards. Therefore the balance between Grices and Tooradin Wards is not correct. This balance problem can be simply corrected with a minor adjustment of the Ward boundaries. An adjusted version of Model 3 has been submitted as an online submission. If a further minor balance adjustment is required for more or fewer areas of Tooradin Ward, the model can be modified using the same general location. To compensate Grices Ward when too much population has been relocated then changes would have to be made to another Ward border.

Summary

In summary, the required number of Councillors is 12. Therefore Models 1 and 2 should be rejected. Model 3 is the appropriate number of Councillors and basically has an acceptable Ward layout. There can be a minor improvement to Model 3 with a minor change of boundaries to transfer a small number of residents from Tooradin to Grices Ward. This change is mapped on the online submitted map. The two earlier submitted online maps have been superseded and are now irrelevant and should have been deleted. Only the very latest submitted map is relevant.

Naming of Wards

The Minister provided instructions on the conduct of this review that included:-

[Terms of Reference](#)^{xxiv}

2. Advise, subject to section 13 of the Act, on—
 - c. If the municipal district of the Council should be subdivided into a specified number of wards —
 - iv. the names of the wards of the municipal district of the Council, having regard to local Traditional Owner groups' interests.

Unfortunately, the ERAP does not appropriately regard local Traditional Owner groups' interests as required by Clause 2(c)iv.

The ERAP published a submission guide that includes:-

[2023–24 Local council electoral structure reviews – Submission guide – Round 3](#)^{xxv}

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 process that the panel is not able to undertake within the timeframes of the current review program.

The Minister for Local Government [announced](#)^{xxvi} on 10th October 2022 the establishment of the two ERAPs to conduct electoral structure reviews for 39 Local Government Councils. The Terms of Reference requires all advice must be provided to the Minister by 1st March 2024. For the ERAPs this is a 16 month period within which it is possible to undertake a meaningful consultation with local Aboriginal communities.

The ERAPs did not make a decision to actively engage in meaningful consultation with local Aboriginal communities. Strange as it may seem, not making a decision is in fact considered to be making a decision. In this case the ERAPs have made the decision not to comply with the Terms of Reference, 2(c)iv. The community should have an opportunity to ensure there was an acceptable bank of Aboriginal Language names relevant for Wards of their Council.

The [Geographic Place Names Act 1998](#)^{xxvii} provides guidelines that include a consultation process. The [Department of Transport and Planning](#) publishes [The Naming Rules](#)^{xxviii} web page which provides a link to the current edition of the guidelines as the [Official Naming Rules for places in Victoria 2022](#)^{xxix}.

A link under 'Services and resources' provides access to the [VICNAMES register](#)^{xxx} web page. This web page under 'Related Links' provides access to the [VICNAMES – The Register of Geographic Names](#)^{xxxi} database which can be used to download every Registered Name entry for localities, etc. in Victoria for subsequent access in a spreadsheet. The VICNAMES register web page also provides a link to the [Australian National Placenames Survey \(ANPS\)](#)^{xxxii}.

Access to copies of the Geographic Place Names Act's guidelines can also be found on many Council websites but not the City of Casey. On the City of Casey web site there is a [Naming of Places and Property Policy](#)^{xxxiii} version 2.2, dated 2014 which refers to a 2010 revision of the guidelines.

[Geographic Place Names Act 1998](#)^{xxxiv}

Authorised Version incorporating amendments as at 1 December 2013

Part 2 – Guidelines for Geographic Names

6 Guidelines to be reviewed

The Registrar must ensure that the guidelines are reviewed at least once every 5 years and that a report on any review is given to the Minister.

The latest revision of the guidelines is dated 2022. Given the guidelines have been revised multiple time since 2010, Casey's Naming of Places and Property Policy document is probably dated and possibly contains obsolete or erroneous policy.

Under the Geographic Place Names Act's Guidelines, 'Section 1.9 How long is the naming process?' a consultation period is 30 to 90 days. In the 16 month window for the ERAP a consultation period of 30 to 90 days is trivial. It is unreasonable for the ERAP to then claim there is insufficient time to engage in meaningful consultation with local Aboriginal communities.

Local Government Act 2020

16 Electoral structure review

(9) An electoral representation advisory panel—

(a) may conduct the review in any manner that the electoral representation advisory panel considers appropriate; and

The ERAP has the total freedom in the manner it conducts reviews under the Act and that includes timetabling sufficient time in the 16 month window for community consultations regarding suitable Aboriginal language names. The Geographic Place Names Act's Guidelines also state that a consultation timeline can be reduced:

The process can be reduced if the naming authority has a bank of pre-approved names. Councils will often have a bank of names relevant to an area.

Hopefully the City of Casey has previously engaged with the local Aboriginal community. This would have enabled the Council to create an extensive bank of Aboriginal language names relevant to the municipality. I suspect the Council has not engaged with the local Aboriginal community to create such a comprehensive bank of pre-approved names.

An ERAP is not a permanent body as its lifetime is determined from their appointment date to the submission date of their final reports. For every Electoral Structure Review there may not be continuity of ERAP membership with appointment of a new set of members. Each freshly constituted ERAP could just take the same approach and say it is too hard to have regard to local Traditional Owner groups' interests, or undertake appropriate consideration of unregistered Aboriginal language ward names.

The Submission Guide also includes:-

2023 -2024 Local Council Electoral Structure Review Submission Guide – Round 3

Use of Aboriginal Language

As such, the panel may put forward new ward names using Aboriginal language if:

- it is the name of a place within a ward
- it is currently in common use

and

- the name is registered under the Geographic Place Names Act 1998.

Plus the restriction on public submissions:-

Any Aboriginal Language ward name you suggest in a public submission must comply with the above guidelines.

Note the ERAP statement that a public submission "must comply" with these guidelines.

The Geographic Place Names Act guidelines enforce additional restrictions on Aboriginal language submissions:-

Official Naming Rules for places in Victoria 2022

5 Localities

5.2 Statutory requirements applied to localities

5.2.5 Hyphens

Hyphens are not to be used in a locality's name.

A number of Aboriginal Language names/words have been recorded with a hyphen and the guidelines appear to suggest they can not be Registered Locality Names under the Geographic Place Names Act.

Another side-effect of the ERAP imposed restrictions under their Submission Guide is the Aboriginal Language words for flowers, plants, trees and any other word that does not explicitly name a place cannot comply. Therefore these categories of Aboriginal language can not be submitted by the community. Under other

circumstances these categories of Aboriginal language words may be reasonable and possibly appropriate Ward names even though unregistered under the Geographic Place Names Act for the Council area.

The Submission Guide also includes:-

2023 -2024 Local Council Electoral Structure Review Submission Guide – Round 3

Use of Aboriginal Language

Unregistered names using Aboriginal language have not been put forward by the panel as new ward names.

Given all the Aboriginal language restrictions that the ERAP states a submission with which it "must comply", it is appropriate to examine the basis for these restrictions under the Acts. There are no restrictions on the use of Aboriginal Language under the Local Government Act 2020 or [Local Government \(Electoral\) Regulations 2020^{xxxv}](#). The only reference in the Act is:-

Local Government Act 2020

Authorised Version incorporating amendments as at 26 April 2023

Part 2 – Councils

15 Electoral Structure of a Council

(1)(b) specify –

(iv) the name of, or alter the name of, a ward of the municipal district of the Council;

The Act makes no reference to, nor places any limitations on the language of ward names. The ERAP has introduced restrictions on submissions by Traditional Owners and other members of the public that are not requirements of this Act. Therefore the ERAP is failing to adhere to the Terms of Reference, Clause 2(c)iv from the Minister.

Examination of existing Council and Ward names in the published Preliminary Reports on the [Victorian Electoral Commission^{xxxvi}](#) (VEC) web site indicates unregistered Aboriginal Language names are in use, or have been applied by the ERAPs. For example:-

- The Moorland City Council was renamed in 2022 as the [Merri-bek City Council^{xxxvii}](#). This Aboriginal Language name has a hyphen and should not be a Registered Name for a Locality under the guidelines for the Geographic Place Names Act. Merri-bek, meaning 'rocky country', Woi-wurrung language and was one of three options presented to Council by Wurundjeri Woi-wurrung elders. It was supported by a majority of participants in Council's community engagement process.
- In the Monash City Council, Electoral Structure Review, Preliminary Report the ERAP has proposed an Aboriginal Language word from the Dharug language, meaning "wild". The names Dharug and Eora were given by linguists to refer to the inland and coastal dialects of the language. Dharug (also Dharuk, Darug, Daruk) is the traditional language of the Australian Aboriginal people in the inland areas of greater Sydney. Reference is [The Sydney Language \(Dharug and Eora\)^{xxxviii}](#).

There is no Registered Locality under the Geographic Place Names Act in Monash City Council for this Aboriginal language word, and it may not be a word in a local Aboriginal language.

If anybody was to submit an unregistered Aboriginal language word for 'wild' only on the basis it appeared to them to be a reasonable name for a Ward then the word would be rejected as it does not meet the ERAP's restrictions on submission of Aboriginal Language names.

In fact the word for this Monash Ward appears to have been derived from a plant name. The Wikipedia entry details the [Tetragonia tetragonioides^{xxxix}](#) plant. As Tetragonia tetragonioides is not an Aboriginal Language name it would automatically be acceptable for consideration under the ERAP's restrictions on submission of Ward names. While this Aboriginal language word without a plant context in a submission would be rejected as it doesn't appear as a Registered Location Name under the Geographic Place Names Act for the Council area.

How can these unregistered names under the Geographic Place Names Act be used for a Council or Ward when they conflict with the ERAP’s restrictions on the submission of Aboriginal language words?

[Geographic Place Names Act 1998^{xl}](#)

Authorised Version incorporating amendments as at 1 December 2013

Part 1 – Preliminary

4 Restriction on operation of Act

This Act—

- (a) does not apply to the naming of—
 - (ii) a municipal district or a ward of a municipal district; and
- (b) does not affect the powers and authorities conferred by or under any other Act on the Governor in Council or on any person to assign or amend the name of a place.

It is unreasonable for an ERAP to enforce Registered status under an Act that explicitly states that it does not apply to Ward names. Additionally, this Act doesn’t limit the ability of an ERAP under the Local Government Act from assigning Aboriginal Language names to Wards.

The ERAP’s stated “must require” restriction are only applicable to Aboriginal language place names for submission as Ward names. Any requirement to limit consideration to those registered under the Geographic Place Names Act appears to conflict with the intent of the Local Government Act 2020 and the Terms of Reference 2(c)iv.

Returning to consideration of the consultation process. Under the Geographic Place Names Act the guidelines document four stages for registration. The Guidelines, **Section 1.9 How long is the naming process?** provides a timetable that includes:-

Proposal	Proposal initiation	Consultation	Compliance checks and reporting	GNV audit, gazette and notification
Naming a locality	3–4 weeks	30–90 days	30–60 days	30–60 days

The process can be reduced if the naming authority has a bank of pre-approved names. Councils will often have a bank of names relevant to an area.

As Ward names are explicitly restricted from operation under this Act the ‘Compliance Checks and reporting’ plus the ‘GNV audit, gazette and notification’ phases do not apply under this Act. This trims the timetable to 51 to 118 days. If any of the Aboriginal elders, members of the Aboriginal community or the Casey Council already has names then the ‘Proposal initiation’ phase need not apply, then the timeline for consultation is reduced to 30 to 90 days.

Geographic Place Names Act 1998

Authorised Version incorporating amendments as at 1 December 2013

Part 1 – Preliminary

7 Consultation

7.3 Developing a Traditional Owner language naming proposal

7.3.6 Feedback from the community

The community can provide feedback in a number of ways including letters, phone calls, a website and/or email or at public meetings. This should be coordinated by the naming authority.

Feedback should be provided within 30 days.

Naming authorities should give consideration to any feedback from the community, and whether a response is an objection or submission, refer to Section 8. It should be noted that names that initially appear complex will, over time, become familiar and easy to use.

In this case feedback from the community is limited to 30 days i.e. decreases from 30 to 90 days. In a 16 month window available to the ERAP a 30 day consultation period could always be accommodated. There is even enough time before the 1st March 2024 deadline to have consideration of Aboriginal language words for Round 3. Alternatively the Minister may require additional advice before the Governor in Council may, on the recommendation of the Minister, make an Order in Council under the Local Government Act.

At a minimum the ERAP should invite the appropriate Traditional Owner group for this Council to submit Ward names without restrictions. Additionally the ward names suggested by the public should not be restricted. Compared to the construction of the ward boundaries to meet the requirements of the Act the workload to consider suitable Ward names has to be trivial.

A final Electoral Structural Review Report should include all submitted Aboriginal Language names as well as including an appropriate discussion regarding the implementation of the Terms of Reference 2(c)iv. Maybe none of the suggested Aboriginal Language words will be acceptable in this round of Electoral Structure Reviews but at a minimum they should be recorded for consideration in subsequent electoral structure reviews by the next ERAP and the community. In addition to the above restrictions on Traditional Owners use of Aboriginal language words the ERAPs also stated in their Submission Guide the following general restrictions on ward names:-

Deciding on ward names

The panel has taken the following approach to naming wards.

1. Retaining existing ward names if these are still relevant to the area covered by the ward.
2. When a new name is required, the panel bases this on features such as:
 - places (registered under the Geographic Place Names Act 1998) in the ward
 - compass directions
 - native flora or fauna.

For non-Aboriginal Language words there are no stated language restrictions. All the Round 2 Preliminary Reports (e.g. Frankston City Council [Preliminary Report^{xii}](#)) stated:

Unregistered names using Aboriginal language have not been put forward by the panel as new ward names.

In the Local Government Act there is no requirement to limit ward names only to those Aboriginal language names registered under the Geographic Place Names Act. At a minimum the unregistered words using an Aboriginal language should be put forward for the Minister, any future ERAP and the community.

Registered Names In The VICNAMES Database

Given the restrictions on Aboriginal language words imposed by the ERAP a search was conducted to determine the available Registered Names under the Geographic Place Names Act. This should not be considered the only possibilities as the community may have an expanded set of Aboriginal language words that maybe more appropriate as Ward names. If the ERAP did have regard to local Traditional Owner groups' interests this could be a relatively straightforward process to have the most appropriate set of Ward names

Ward Name Recommendations

Ward names have been fixed since 2008. As the six existing Wards will be divided into 12, new, single member Wards there will be additional confusion if old Ward names are retained for only some areas. Electors allocated to a new Ward name will be seeing media, advertising, cornflutes, etc., for candidates in the name of their old Ward. Electors may then fail to have a considered vote for their ward when they ignore information that uses their new ward name. It will be less complex and confusing to create a new set of Ward names to go with the new boundaries.

I would like to propose an exception, and that one exception is the name of Edrington for historic reasons.

Edrington Ward

[Lord Casey^{xlii}](#) and [Lady Maie Casey^{xliii}](#) lived on the property 'Edrington' in Berwick. Lord Casey was Governor-General of Australia and Lady Casey was an artist, author and aviator. Of the existing Ward names, only retaining 'Edrington' is recommended. No matter which model or Ward boundaries are finally adopted by the ERAP it is appropriate for the Ward that contains the 'Edrington' house (Melville Park Drive, Berwick) should be named Edrington Ward. This is based on

Rename River Gum Ward

For the remaining eleven Wards, they should all be given new Ward Names to minimise confusion. It is not appropriate to retain the name of River Gum Ward due to the confusion this will cause. See the previous discussion above. Every other Ward had been published with new names.

City of Casey Council's Recommendations

Relatively late in this consultation process the City of Casey Council at their meeting on Tuesday 21st November recommended a new set of Ward names for Model 3. The Council did not provide a map or translation table for their suggested Ward Names and the ERAP's Model 3 Ward names.

It is not appropriate to retain River Gum Ward therefore I have proposed an alternative set based on a search of Registered Names plus the Council's recommendations. A possible translation table is:

Recommended Ward Names	Council Abbreviations	Council Description	Council Set	ERAP Model 3
Alkira	Hpark Lynb	Hampton Park Lynbrook	River Gum	River Gum
Booring	CranW CranS Cran JV BotR DevM Pdale CC BB Warn	Cranbourne West Cranbourne South Cranbourne Junction Village Botanic Ridge Devon Meadows Pearcedale Cannons Creek Blind Bight Warneet	Booring	Cranbourne Gardens
Bungarlook	Lynd CranW Cran	Lyndhurst Cranbourne West Cranbourne	Bungarlook	Quarters
Casuarina	NW NWS Cran N	Narre Warren Narre Warren South Cranbourne North	Casuarina	Brechin
Kalora	Lyst Ehills NWN	Lysterfield Endeavour Hills Narre Warren North	Kalora	Churchill
Correa	CranN Cran CranE ClydeN	Cranbourne North Cranbourne Cranbourne East Clyde North	Correa	Selandra
Dillwynia	Ber ClydeN	Berwick Clyde North	Dillwynia	Grices
Edrington	Ber Beac	Berwick Beaconsfield	Akoonah	Grasmere
Grevillea	NWN Hark NW Ber	Narre Warren North Harkaway Narre Warren Berwick	Grevillea	Maramba
Kowan	NWS CranN Ber	Narre Warren South Cranbourne North Berwick	Kowan	Berwick Springs
Myuna¹	Dov Eum Hall HPark	Doveton Eumemmerring Hallam Hampton Park	Myuna	Waratah
Pelican Point	CranE ClydeN Clyde Toor	Crannbourne East Clyde North Clyde Tooradin	Pelican Point	Tooradin

¹ Myuna Wetlands crosses the border of Casey and Dandenong Councils. In 1990, the City of Berwick purchased Myuna Farm to support the local community, to preserve and promote the agricultural history of the municipality. The City of Casey continued the management of the farm when the Berwick and Cranbourne councils amalgamated in 1994. Myuna is a Registered Name but not in the Casey locality.

If my recommendation set of Ward Names is not acceptable then I would recommend the City of Casey Council's set as a whole be adopted.

If the Model 3 is not adopted then the City of Casey Council set of names should be applied upon the area outlined in the Council's submission.

In the event the ERAP final recommendation is to adopt suburb names as the Ward Names then I would suggest the current River Gum Ward area be named after the larger more central suburb of Hampton Park and not the smaller area that is Lynbrook.

The City of Casey lies within the boundary of the Mayone Bulluk Bunurong/Boonwurrung and the Bunurong Land Council Aboriginal Corporation should be consulted by the ERAP. Hopefully the ERAP will make the effort to have regard for Aboriginal community members.

A large number of people have suggested the Bunerong Ward name instead of Pelican Point. Although I would have much preferred this name to have been included in my set of recommended names, it was not possible under the very restrictive ERAP guide lines. As this was not a Registered Name I was not permitted to have used this name in my recommended set of Ward Names.

Other Matters

The following sections cover points that do not neatly sit under the three main topics for this review.

Electoral Structure

The Electoral Structure Review of Casey Council is directed by the Local Government Act 2020 and the Terms of Reference. These include:

TERMS OF REFERENCE

For the purposes of Clause 1 of the instrument and Schedule 1, and without limiting the electoral representation advisory panels' functions and powers under section 16 of the Act, the panels are to:

1. Conduct reviews in relation to the electoral structure of Councils specified in Schedule 1 to this instrument.

Local Government Act 2020

Part 2—Councils

16 Electoral structure review

- (8) An electoral structure recommended by an electoral representation advisory panel must—
 - (a) provide fair and equitable representation; and
 - (b) facilitate good governance; and

The governance failures of the dismissed Casey Council illustrates that the current model of appointing part-time Councillors as a part-time Mayor and Deputy Mayor overseeing a Council with a confirmed budget of over half a billion dollars can be prone to governance failures. In making their recommendation to the Minister the ERAP should have regard to the findings of the Special Report of the IBAC's Operation Sandon investigation into Casey City Council. Also the City of Casey Municipal Monitor Report, February 2020.

The [Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources, April 2008^{xiv}](#) provides the method for calculating the allowances a Council can adopt from three allowance bands. Due to their historic population size and complexity the Mayoral allowances for Greater Geelong and Melbourne were considered outside these three Categories. The population of the City of Casey has now grown larger than Greater Geelong and Melbourne. Councillors are now required to support an even greater number of electors and residents oversee over a half billion dollar budget. Due to the relatively high population growth rate of the City of Casey this difference of population and budget are going to continue to expand over the life of the next Council. The population growth will drive budget increase in excess of the inflation rate.

The Policy statement on Allowances and Resources includes:

Change of Category processes and timeliness

There are three processes for Category Change:

3. The result of a review of a Council requested by a Minister for Local Government.

In normal circumstances an Electoral Structure Review would not need to directly address the governance requirements of Section 16 of the Act. Casey Council is currently under Administrators and good governance needs to be seen to be facilitated by this current review.

It is appropriate for the ERAP to advise the Minister of Local Government to give consideration to a category change for the City of Casey Council after receiving advice on the appropriate category of the Mayor and Deputy Mayor to attract a full-time professionals to the role of Mayor.

VEC Publishing Submitted Maps

The VEC is only providing access to the KML files for directly submitted maps and that does not assist the general public or the less technically adept. When the VEC is publishing submissions from the online tool it should publish the accompanying text in a pdf file i.e. the kml file as an attachment plus an image of the kml file as a picture within the pdf file.

Endnotes

Any hyperlink or Uniform Resource Locator (URL) referencing Internet located documents or websites were correct at the time they were embedded or initially referenced in this document. Due to changes beyond the control of the author all hyperlinks and URLs are not guaranteed to remain valid or usable.

- ⁱ Local Government Act 2020 as at 26 April 2023:- <https://content.legislation.vic.gov.au/sites/default/files/2023-04/20-9aa019-authorized.pdf>
- ⁱⁱ City of Casey Council home page:- <https://www.casey.vic.gov.au/>
- ⁱⁱⁱ Victorian Electoral Commission home page:- <https://www.vec.vic.gov.au/>
- ^{iv} Casey City Council representation review – final report, 2020:-
<https://www.vec.vic.gov.au/-/media/74cdaa4ee57a436091b9c56b3388d442.ashx>
- ^v As at 3rd September 2019
- ^{vi} Fact sheet – Casey City Council:- <https://www.vec.vic.gov.au/electoral-boundaries/council-reviews/electoral-structure-reviews/casey>
- ^{vii} City of Casey Municipal Monitor Report, February 2020:-
https://www.parliament.vic.gov.au/file_uploads/City_of_Casey_Municipal_Monitor_Report_February_2020_5wBjm4Lb.pdf
- ^{viii} IBAC, Operation Sandon Special Report:- <https://www.ibac.vic.gov.au/media/1178/download>
- ^{ix} Wikipedia, Robson Rotation:- https://en.wikipedia.org/wiki/Robson_Rotation
- ^x Wikipedia entry:- https://en.wikipedia.org/wiki/68%E2%80%939395%E2%80%939399.7_ru10.3le
- ^{xi} City of Melbourne Act 2001, Authorised version 34, 6th April 2020:-
<https://www.legislation.vic.gov.au/in-force/acts/city-melbourne-act-2001/034>
- ^{xii} City of Melbourne (Electoral) Regulations 2022, Authorised Version No. 1, 7th May 2022:-
<https://www.legislation.vic.gov.au/in-force/statutory-rules/city-melbourne-electoral-regulations-2022/001>
- ^{xiii} Wikipedia, Donkey vote:- https://en.wikipedia.org/wiki/Donkey_vote
- ^{xiv} Extract from Parliament of Australia, Glossary, Donkey Vote entry, 21st September 2022:-
<https://www.aph.gov.au/Help/Glossary#D>
- ^{xv} Extract from Australian Electoral Commission, Glossary, Donkey Vote entry, 21st September 2020:-
<https://www.aec.gov.au/footer/Glossary.htm#d>
- ^{xvi} Extract from Victorian Electoral Commission, Report To Parliament on the 2018 Victorian State Election:-
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