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'Scandalous': council voting change could hit 700,000 ratepayers this year

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Updated June 5 2024 - 5:51pm, first published 4:30pm

Hundreds of thousands of eligible voters could miss out on casting a ballot in Victoria's council elections in October.

A tweak to Victoria's Local Government Act could see 700,000 eligible voters miss out on casting a ballot in October's statewide council elections.

The change - which was introduced in the state's 2020 local government legislative reforms - could cause "electoral chaos", according to Small Business Australia executive director Bill Lang, while individual councils have been left to warn nearly 1 million potential voters.

Are you state-enrolled or council-enrolled?

In Victoria, council elections are different to state or federal elections because some people can vote in more than one area.

Everyone has the right to vote in the election for the council where they live. These are called "state-enrolled voters" because eligibility is based on their enrolment on the state electoral roll.

From building developments and parks to waste disposal, local councils are responsible for making decisions that have significant impacts on their community.

But there's a second group, known as "council-enrolled voters" who also have the right to vote in a council election even though they don't live in the area.

Council-enrolled voters are people who don't live in the area, but are still ratepayers because they either own property, occupy property, or have a business in the area.

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No voter can have more than one vote in a particular council election, but one person could potentially vote in many different elections if they met the criteria as a council-enrolled voter.

What's the change?

Council-enrolled voters had always been automatically enrolled to vote in council elections, although it wasn't compulsory for them.

Under the 2020 legislative changes, these voters now have to apply to the council where they pay rates to be included on the roll.

If they do enrol, they have to vote, and face fines if they don't.

This is scandalous and has the potential to alter the results of council elections across the state.

- Bill Lang

A spokesperson for the Victorian Electoral Commission (VEC) said only 260,000 council-enrolled voters cast a ballot in the 2020 statewide council elections, but the number affected by the change was much higher.

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"We anticipate that the number of voters potentially affected is approximately 700,000," they said.

Councils carrying the can

With hundreds of thousands of voters potentially unaware they could lose their ability to vote, councils have had to step in and warn ratepayers.

Ballarat City Council has sent out about 13,000 letters to "non-resident property owners" to warn them about the change, as well as including the VEC enrolment application form.

Moyne Shire Council in Victoria's south-west has made a similar move, writing to more than 2600 people, a council spokesperson said.

A letter from Horsham Rural City Council advising a non-resident ratepayer they need to apply if they want to vote in the council election.

Horsham resident Ann Sprague said her son just received a similar letter from the Horsham Rural City Council. But she felt the change was an unnecessary burden for under-resourced local governments.

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"It's made a huge amount of extra work for councils," Ms Sprague said. "They're having to contact 700,000 people, send them the form and then handle and process the form when it comes back."

A 'scandalous' change

Mr Lang said the government needed to "remove" the change as soon as possible.

"[The government] should return to the way it's worked in the past. It's simpler, it's fairer and it's much lower costs for everybody involved," Mr Lang said.

"This is scandalous and has the potential to alter the results of council elections across the state, and poses the question of who stands to benefit from excluding business and property owners from the ballot."

Mr Lang said when Small Business Australia contacted local councils in late May to find out how they were warning ratepayers, 90 per cent lacked any systems to deal with the change.

"When those who are responsible for ensuring your right to vote is protected have no idea how to do that, then what hope does the voter have in having their democratic right to vote protected," Mr Lang said.