

**Frankston City Council
Subdivision Review**

Subdivision Review Report

A large, light gray watermark of the Victorian Electoral Commission (VEC) logo is centered on the page. The logo consists of the letters 'VEC' in a bold, sans-serif font, with the 'V' and 'E' being slanted. The letters are white and set against a light gray background that forms a large, rounded shape.

21 April 2008

1 Summary of recommendation

The Victorian Electoral Commission (VEC) recommends that no changes are made to the current ward boundaries.

2 Background

2.1 Legislative basis

Subdivision reviews are allowed for by the *Local Government Act 1989* (the Act). Their purpose is to consider the location of a municipality's ward boundaries to ensure the number of electors represented by each councillor is within 10% of the average number of electors represented by all councillors (compliance may be determined by reference to the number of electors at the time of the review or the projected number electors as at the entitlement date for the next general election).

Subdivision review provisions only apply to councils:

- that are not scheduled to conduct an electoral representation review before the next general election; and
- where, two years before the council is to hold a general election, the VEC considers that the boundaries for the wards of the Council are unlikely to meet the equality requirements of the legislation as at the time of their next general election.

(Based on projected enrolment estimates as at 31 October 2006, the VEC considered that the City of Frankston would have one ward (East) that was unlikely to conform with the equality requirements of the legislation).

A subdivision review is only required where the Minister for Local Government directs a Council to which the subdivision provisions apply to appoint an electoral commission to conduct a review.

The Frankston City Council received notice in January 2007 pursuant to section 219K of the Act from the Minister for Local Government that the Council must appoint an electoral commission to conduct an independent subdivision review. The Frankston City Council appointed the VEC to conduct the review.

2.2 Scope of the review

Subdivision reviews can **only** look at the location of ward boundaries. They **cannot** look at the total number of councillors, the number of councillors in a ward, ward names, the external boundaries of a municipality, whether a municipality should be divided into two municipalities or amalgamated or any other such matters.

Electoral representation reviews (as opposed to subdivision reviews) consider a broader range of topics, including the number of councillors, whether or not there should be wards, how many councillors there should be in a ward and how many wards there should be (if any). The Frankston City Council will undergo an electoral representation review considering these matters in 2011 or 2012.

2.3 The VEC's experience

The VEC has over ten years' experience in developing municipal ward boundaries, being contracted by councils to prepare options for their consideration and conducting independent electoral representation reviews of most of Victoria's

municipalities. VEC staff have also worked for the Electoral Boundaries Commission during State redivisions. The VEC uses sophisticated mapping software, and has developed expertise in preparing electoral boundaries that both comply with legislative equality requirements and respect communities of interest.

2.4 Electoral structure

The Frankston City Council currently has nine councillors elected from three wards (three councillors from each ward). The table below shows the number of current and projected electors in the existing wards as at 2 January 2008.

Ward	Councillors	Current Electors	Current Deviation	Projected Electors	Projected Deviation	Area (km ²)
East	3	32,061	+6.59%	33,799	+9.54%	78.04
North-West	3	30,115	+0.12%	30,412	-1.44%	25.40
South West	3	28,059	-6.71%	28,357	-8.10%	25.98
Totals for all Wards	9	90,235		92,568		129.42
Average per Councillor		10,026		10,285		14.38

Current Electors is derived from the number of legislative assembly electors enrolled on the State roll for the City of Frankston and the number of electors from council records that have a council entitlement to be enrolled.

Projected Electors is based on the number of current electors plus the estimated number of electors likely to be enrolled as at 3 October 2008 (entitlement date for the 2008 Frankston City Council elections). The VEC uses information from Department of Planning and Community Development and Council regarding housing developments, recent trends in enrolment and population estimates from the Department of Sustainability and Environment to determine its projected estimates (refer Section 4.2 for more information on elector projections).

3 Subdivision review process

3.1 Steps in subdivision review process

- 3.1.1 An up-to-date voters roll is prepared to determine the number of electors currently enrolled as at the time of the review and the projected number of electors likely to be enrolled at the time of the next general election.
- 3.1.2 If necessary, changes are modelled to the location of ward boundaries to achieve the equality requirements (referred to in Section 2.1 above) using the number of electors projected to be electors on the entitlement date for the next general election.
- 3.1.3 Where possible, a “minimal change” approach is used when moving the location of ward boundaries to ensure that changes affect as few electors as possible. (It should be noted that changes to the boundaries of wards that do not conform to the equal enrolment principles generally have a flow-on effect and changes may need to be made to the boundaries of other wards, even though they may

currently conform to the equal enrolment principles.)

- 3.1.4 When modelling changes to ward boundaries, due consideration is given to the following factors:
- relevant issues that were considered as part of the preceding representation review;
 - area and physical features of terrain;
 - means of travel, traffic arteries, and communications and any special difficulties in connection therewith;
 - clear boundary delineators;
 - community or diversity of interests; and
 - the likelihood of changes in the number of electors in the various localities before the next general election.
- 3.1.5 A map of the proposed boundaries is published in the newspapers used by Council circulating within the municipality informing the community of the changes and inviting written suggestions or objections about the proposed changes.
- 3.1.6 A report containing a detailed map of the proposed boundaries together with the rationale for the boundary changes and information about the process is made available for inspection at the offices of the VEC and Council. Alternatively, the report can be downloaded from the VEC's website or hard copies can be requested by contacting the VEC.
- 3.1.7 Written suggestions and objections are considered and if necessary, a public hearing is held where submitters who request to make an oral submission in support of their written submission can be heard.
- 3.1.8 The VEC prepare a Report containing its final recommendation, which is lodged with the Minister for Local Government not later than six months before the general election in respect of which the subdivision review is to be implemented. Copies of the Subdivision Review Report are sent to Council and made available on the VEC website.

4 Findings and recommendation

4.1 Background

Section 219J of the Act requires the VEC to inform the Minister for Local Government, not later than two years before the next general election, which Councils it considers will have wards, at the time of the election, that are unlikely to meet the legislative equality requirements referred to in Section 2.1 above.

On 31 October 2006, the VEC made an estimate of how many electors were likely to be in each ward at the 2008 elections. At that time enrolment trends indicated that it was unlikely that the boundaries of East Ward would meet the legislative equality requirements and the VEC informed the Minister accordingly.

Trends in enrolment can change in the period between the VEC advising the Minister and the time the subdivision review is due to be conducted. Prior to modelling any changes to ward boundaries, the VEC accesses the latest enrolment figures.

4.2 Findings

An up-to-date voters roll for the Frankston City Council was prepared as part of the Subdivision Review process. Electors enrolled on the State roll who resided within the municipality as at 2 January 2008 were merged with an updated list of electors who qualify through other entitlements provided by Frankston City Council

The table of elector numbers in Section 2.4 was derived from the up-to-date voters roll. The table shows that all wards currently conform with the legislative equality requirements in the terms of the number of electors represented by each councillor. The projected elector numbers included in this table also show that at the time of the November elections, the wards will still conform with the equality requirements.

Based on the projected number of electors (as allowed by Section 219D(2) of the Act), the VEC considers the current ward boundaries meet the equality requirements set out in the Act (s.219D(1)(c)).

The VEC notes that the projected elector estimates are subject to variation as they are dependant upon many factors, some of which may or may not occur. The projected elector estimates are at the high end of the projection scale to allow for a "worst case" scenario situation. The VEC is confident that the number of electors in each of the existing wards at the time of the next election will be no more than that projected in the table under Section 2.4.

As an added precautionary measure, the VEC deferred making a final recommendation on the Frankston City Council subdivision review so it could monitor current enrolments happening within the municipality. The latest enrolment statistics available at time of preparing this report show that all wards are still well within the legislative tolerance: East Ward +7.02%; North-West Ward -0.05%; and South-West Ward -7.41%.

Based on the trends in enrolment since 2 January 2008, the projected deviations as at the close of roll for the 2008 general election are under those projected for a "worst case" scenario situation.

4.3 Recommendation

Having regard to the latest enrolment figures and the number of electors projected to be electors at the time of the next general election, the VEC recommends that no changes be made to the current ward boundaries for the City of Frankston .

Steve Tully
Electoral Commissioner