

ELECTORAL REPRESENTATION REVIEW
Melbourne City Council
Preliminary Report



23 January 2012

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Summary of Recommendations

The Victorian Electoral Commission (VEC) recommends:

Option A (Preferred Option) that Melbourne City Council consist of nine councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from an unsubdivided municipality.

Option B (Alternative Option) that Melbourne City Council consist of seven councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from an unsubdivided municipality.

Option C (Alternative Option) that Melbourne City Council consist of nine councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from one three-councillor ward and three two-councillor wards.

Option D (Alternative Option) that Melbourne City Council consist of nine councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from three three-councillor wards.

Option E (Alternative Option) that Melbourne City Council consist of nine councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from three three-councillor wards, with boundaries splitting Melbourne's Central Activities District.

Option F (Alternative Option) that Melbourne City Council consist of seven councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from two three-councillor wards and one single-councillor ward.

Background

Legislative basis

Unlike every other council in Victoria, the Melbourne City Council's electoral structure is set by legislation. Under the *City of Melbourne Act 2001*, the Melbourne City Council consists of nine councillors. The Lord Mayor and Deputy Lord Mayor are elected directly by the voters as a team, and the other seven councillors are elected in a separate election. The city is unsubdivided, which means that all voters vote for all the candidates in an election. There has been no provision for review of this structure, so Melbourne City Council has been unreviewed while all other councils in the State have undergone electoral representation reviews.

On 30 June 2011, Melbourne City Council resolved to have an electoral representation review under the terms offered by the Minister for Local Government. On 4 July 2011, the Hon Jeanette Powell, MP, Minister for Local Government, wrote to the Electoral Commissioner requesting that he conduct a review of the Melbourne City Council's electoral structure using the same framework for conduct of electoral representation reviews that applies to other councils. On 19 July 2011, the Electoral Commissioner replied to the Minister, undertaking to conduct the review.

The *Local Government Amendment (Electoral Matters) Act 2011* (which came into operation on 1 January 2012) made the City of Melbourne subject to regular electoral representation reviews. As for other councils, reviews will take place after every third general election. The *City of Melbourne Amendment Act 2011* (which will come into operation on 1 February 2012) allowed for the recommendations of the representation review to be implemented by order in council.

In a context of pressure for changes to many aspects of the City of Melbourne's electoral system, it is important to clarify the scope of the electoral representation review. The purpose of a representation review is to recommend the number of councillors and the electoral structure that provides 'fair and equitable representation for the persons who are entitled to vote at a general election of the Council'.¹ The VEC is considering:

- the number of councillors;
- whether the City of Melbourne should be unsubdivided or subdivided;

¹ Section 219D of the *Local Government Act 1989*.

- if it should be subdivided, the number of councillors for each ward, and the placement of ward boundaries.

The VEC cannot consider the following matters:

- the position of the Lord Mayor and Deputy Lord Mayor. These will continue to be directly elected as a leadership team;
- the provisions relating to the enrolment of representatives of corporations. There will continue to be two representatives for each corporation, and the Council will continue to deem corporation representatives to be on the roll if a corporation fails to appoint its own representatives;
- whether elections should be by post or attendance. This is a matter for Council to decide; and
- the external boundaries of the City of Melbourne.

Profile of Melbourne City Council

The City of Melbourne was formed in 1995 by the amalgamation of most of the former City of Melbourne and parts of the former Cities of Essendon, Port Melbourne and South Melbourne. The City includes Melbourne's Central Activities District (CAD) and parts or all of the suburbs of Carlton, Carlton North, Docklands, East Melbourne, Fishermans Bend, Flemington, Jolimont, Kensington, North Melbourne, Parkville, Port Melbourne, South Wharf, South Yarra, Southbank and West Melbourne.

At the 2006 census, the City recorded a population of 71,380 people. Over the next ten years, the population is projected to grow by 42.49 per cent. Growth will be concentrated in the inner city (projected to grow by 80.28 per cent) and Southbank/Docklands (with a projected growth of 74.17 per cent) while the remainder of the municipality is expected to grow by 20.74 per cent by 2021.

Electoral structure

Melbourne City Council's previous electoral structure comprised nine councillors, with four ward councillors each representing a single-councillor ward, and five district councillors each representing the municipal district as a whole. The current unsubdivided structure with direct election of the Lord Mayor and Deputy was instituted by the *City of Melbourne Act 2001*.

The VEC and Electoral Representation Reviews

The VEC has conducted electoral representation reviews since 2004 on appointment by local councils. The *Local Government Act 1989* was changed in 2010 to define the VEC as the only agency authorised to undertake the reviews.

The VEC draws on its experience in mapping and boundary modelling and also engages consultants with experience in local government to provide advice on specific local representation issues during the review.

The Electoral Representation Review process

The VEC proceeds on the basis of three main principles:

1. Ensuring the number of voters represented by each councillor is within 10 per cent of the average number of voters per councillor for that municipality.

Populations are continually changing. Over time these changes can lead to some wards having larger or smaller numbers of voters. As part of the review, the VEC corrects any imbalances and also takes into account likely population changes to ensure these boundaries provide equitable representation until the next review.

2. Taking a consistent, State-wide approach to the total number of councillors.

The VEC is guided by its comparisons of municipalities of a similar size and category to the council under review. The VEC also considers any special circumstances that may warrant the municipality having more or fewer councillors than similar municipalities.

3. Ensuring communities of interest are as fairly represented as possible.

Each municipality contains a number of communities of interest and, where practicable, the electoral structure should be designed to take these into account. This allows elected councillors to be more effective representatives of the people in their particular municipality or ward.

The VEC bases its recommendations on:

- internal research specifically relating to the municipality under review;
- VEC experience from its work with other municipalities and in similar reviews for State elections;
- VEC expertise in mapping, demography and local government;
- careful consideration of all input from the public in written and verbal submissions received during the review; and
- advice from consultants with wide experience in local government.

Public submissions are an important part of the process, but are not the only consideration during a review. The VEC's recommendations are formed through careful consideration of all submissions and analysis of other factors, such as the need to give representation to communities of interest.

VEC research

In addition to the information provided in submissions, the VEC creates a profile of the municipality based on population trends, development projections and demographic indicators. The VEC uses the Australian Bureau of Statistics 2006 census community profiles, the Department of Planning and Community Development's projections and voter statistics from the Victorian electoral roll. The VEC also undertakes field work, viewing current and possible boundaries for each of the options to evaluate their effectiveness.

The VEC's approach

The Act requires the VEC to consider two matters as part of an electoral representation review:

1. the number of councillors for the municipality; and,
2. the electoral structure of the municipality.

The VEC approaches each of these matters in a consistent way.

Number of councillors

The *Local Government Act 1989* allows for a municipality to have between five and 12 councillors² but does not specify how to decide the appropriate number. However, in considering the number of councillors for a municipality, the VEC is guided by the Victorian Parliament's intention for fairness and equity in the local representation of voters under the Act.

The VEC considers that there are three major factors that should be considered:

- the diversity of the population;
- councillors' workloads; and
- the desirability of preventing tied votes.

The VEC considers that municipalities with large populations are more likely to be diverse, both in the nature of their communities and the issues of representation factors. Geographic factors, particular in rural municipalities, can also affect diversity.

In addition, councillors' workloads may be affected by the nature and complexity of services provided by the Council, geographic size and topography, population growth or decline and the social diversity of the municipality, including social disadvantage and cultural mix.

To reduce the risk of tied votes, the VEC generally recommends an uneven number of councillors.

² Section 5B(1). The amended *City of Melbourne Act 2001* (section 6A(3)) provides that the number of councillors must be between 3 and 10, excluding the Lord Mayor and Deputy Lord Mayor.

Electoral structure

The Act allows for a municipality:

- to be unsubdivided — with all councillors elected ‘at large’ by all voters; or,
- to be subdivided into a number of wards.

If the municipality is subdivided into wards, there are a further three options available:

1. single-councillor wards;
2. multi-councillor wards; and,
3. a combination of single-councillor and multi-councillor wards.

A subdivided municipality must have internal boundaries that provide for a fair and equitable division of the municipality and the wards must ensure equality of representation through the number of voters represented by each councillor being within 10 per cent of the average number of voters per councillor for the municipality.

In considering the electoral structure of a municipality, the VEC considers the following matters:

- communities of interest where people share a range of common concerns, such as a common geographic, economic or cultural link;
- the longevity of the structure, aiming to keep voter numbers within the 10 per cent tolerance as long as possible;
- geographic factors, such as size and topography;
- the number of voters in potential wards (for example, a very large ward might have a large number of candidates, leading to unwieldy ballot papers);
- the logical identification of ward boundaries;
- models of representation; and,
- the application of proportional representation.

Public involvement

Public information

The public information program included:

- public notices printed in local and State-wide papers;
- three public information sessions to outline the review process and respond to questions from the community;
- a media release announcing the commencement of the review;
- coverage through the municipality's media, e.g. the council's website or newsletter;
- a helpline and dedicated email address to answer public enquiries;
- an information leaflet;
- ongoing information updates and availability of submissions on the VEC website; and,
- a Guide for Submissions to highlight the process and provide background information on the scope of the review.

Advertising

In accordance with section 219F(4) of the Act, the VEC ensured public notices were placed in *The Age*, the *Herald Sun*, the *Melbourne Yarra Leader* and the *Moonee Valley Leader* on Monday, 24 October 2011, the *Melbourne Times Weekly* on Wednesday, 26 October and the *City Weekly* on Thursday, 27 October. The notice detailed the process for the review and called for public submissions. A general notice covering several reviews was printed in *The Age* and the *Herald Sun* on Saturday, 22 October.

Media release

A media release was prepared and distributed to local media.

Public Information Sessions

The VEC held three public information sessions for people interested in the review process in the Council Meeting Room, Level 2, Town Hall Administration Building, 120 Swanston Street, Melbourne at the following times:

- 5.00 pm on Monday, 7 November 2011;
- 12.30 pm on Wednesday, 9 November; and;
- 7.00 pm on Thursday, 10 November.

Information brochure and poster

An information brochure was provided to the council to be distributed to residents through the council network, such as in libraries and service centres. A poster was provided to the council to be displayed in public spaces.

Helpline

A dedicated helpline was established to assist with public enquiries concerning the review process.

VEC website

The VEC website delivered up-to-date information to provide transparency during the first stages of the review process. All submissions were posted on the website and an online submission tool was created to facilitate the submission process.

Guide for Submissions

A Guide for Submissions was developed and distributed to those interested in making submissions. Copies of the Guide for Submissions were available electronically on the VEC website, in hardcopy on request and were provided to the council.

Preliminary Submissions

The VEC received 21 preliminary submissions, from all parts of the municipality. The deadline for submissions was 5.00pm on Thursday, 24 November.

	Submitter wanted unsubdivided structure to remain unchanged	Submitter wanted wards
Submitter wanted fewer councillors		
Submitter wanted the number of councillors to remain unchanged	1	
Submitter wanted more councillors	3	13
Submitter did not comment on the number of councillors		4

Analysis of Submissions

A majority of submissions supported an increase in the number of councillors to 11, to cater for the rapid growth of the City and the resulting increase in councillor workloads.

Four submissions supported the current unsubdivided structure. The Lord Mayor, Cr Robert Doyle, and Ms Elisabeth Haldane considered that this structure promoted a municipality-wide approach by councillors, which was desirable for

a capital city council. The Lord Mayor also argued that a move to wards would not reflect the business structure of the municipality, nor the fact that almost 77 per cent of the rate base comes from the business community. The Proportional Representation Society supported the current structure on the ground that this best expresses the principles of proportional representation. The Melbourne City Greens were not averse in principle to a '3 x 3' structure, but thought that the wards under such a structure would not match communities of interest.

Residents' groups and their associates, constituting a clear majority of submissions, advocated a return to a ward structure. In their view, councillors under the current structure are unapproachable and unaccountable, focussed on the 'brand' of the City of Melbourne and on strategy rather than on representation, and tending to obliterate the differences between the various precincts of Melbourne. They stated that most councillors (and Council staff) were not even residents of the municipality. These submitters believed that residents and small businesses needed local representatives, who would be aware of their concerns and issues and would convey them to Council. These submitters considered that the unsubdivided structure precluded candidates lacking wealth, organisational support or a high profile from being elected, while with wards local people would have a chance.

Submissions were generally not specific about ward structures, though they tended to assume that wards would have one or possibly two councillors. Cr Jackie Watts suggested that Docklands/Southbank, Carlton/Parkville and North Melbourne/West Melbourne/Kensington should have two councillors each, with single councillors for St Kilda Road/South Yarra/East Melbourne and for the corporate and residential sectors of the Central Business District (CBD). Residents 3000 proposed a three-councillor ward for the CBD, and other submitters envisaged that Docklands and South Yarra/East Melbourne should have their own wards.

Several submitters put forward ideas that were outside the scope of the review. The Carlton Alliance wanted Carlton North and Princes Hill to be included in the City of Melbourne; the East Melbourne Group proposed a mixture of ward and at-large councillors; and the Melbourne City Greens expressed their opposition to universal postal voting, two votes for businesses and deeming provisions.

A list of submitters, by name, is available in Appendix One. Copies of the submissions can be viewed on the VEC website vec.vic.gov.au.

Findings and Recommendations

Number of councillors

The *City of Melbourne Act 2001* provides that the Council consists of a Lord Mayor, a Deputy Lord Mayor and 7 Councillors, and that 'The Lord Mayor and Deputy Lord Mayor are Councillors of the Council'.³ The representation review does not include a review of the positions of the Lord Mayor and Deputy Lord Mayor. However, in setting the total number of councillors considered to be appropriate for Melbourne City Council, the VEC is including the Lord Mayor and Deputy Lord Mayor as part of that total.

The VEC considers that similar types of municipality of a similar size should have the same number of councillors, unless special circumstances justify a variation. The following table shows where the City of Melbourne fits among metropolitan municipalities. The municipalities are ranked by number of voters.

Table 1: Metropolitan Municipalities

Municipality	Estimated voters	Number of councillors	Voters per councillor	Area (km ²)
Brimbank	125,791	11	11,436	123
Boroondara	121,988	10	12,199	60
Monash	118,752	11	10,796	81
Knox	112,975	9	12,553	114
Kingston	110,769	9	12,308	92
Whitehorse	110,717	10	11,072	64
Moreland	107,359	11	9,760	51
Melbourne	104,929	9*	11,659	38
Darebin	99,639	9	11,071	53
Glen Eira	96,802	9	10,756	39
Frankston	93,967	9	10,441	129
Banyule	92,351	7	13,193	63
Greater Dandenong	91,524	11	8,320	129
Manningham	86,514	9	9,613	113
Moonee Valley	82,435	9	9,159	43

³ Section 6.

Municipality	Estimated voters	Number of councillors	Voters per councillor	Area (km ²)
Maroondah	78,961	9	8,773	61
Stonnington	77,452	9	8,606	26
Port Phillip	76,288	7	10,898	21
Bayside	70,390	7	10,056	37
Yarra	64,417	9	7,157	20
Hobsons Bay	62,705	7	8,958	65
Maribyrnong	51,541	7	7,363	31

* Includes Lord Mayor and Deputy Lord Mayor.

Melbourne sits near the top of the nine-councillor band, and has the fifth highest voter to councillor ratio of the metropolitan group of municipalities.

Even at the inauguration of the current structure, the Council thought that nine councillors was not enough.⁴ At the 2001 election, there were 63,760 voters on the roll. Since then the City of Melbourne has absorbed Docklands and parts of North Melbourne and Kensington, and the population has grown rapidly. Now there are 104,929 voters – a 65 per cent increase in ten years. Dramatic growth is expected to continue, particularly in the CBD, Docklands and Southbank. The number of voters is projected to increase to some 145,000 by 2020.

A number of submissions supported an increase in the number of councillors based on population growth and increased workload.

Cr Jackie Watts argued that:

Essentially an increase in the number of Councillors is warranted because of the increased municipal ‘growth’ – increased resident population; increased budget; increased breadth of operations increased levels and diversity of business and as a consequence of being the State Capital – greatly expanded events calendar... Councillors are part-time, and to stay abreast of the issues in order to serve the municipality properly and comprehensively, more work hours are needed. The number of work hours available from each part-time Councillor is limited. The growth will continue and the City is in surplus. Therefore it can afford more Councillors and this is the solution to better oversight.

The Lord Mayor observed that ‘Given the predicted increase in the voting population of the City of Melbourne over the next decade, an increase to a total

⁴ *Parliamentary Debates (Hansard)*, Legislative Council, 3 May 2001, p. 568 (Hon E.J. Powell, MLC).

of 9 from 7 councillors may be appropriate and in keeping with the VEC's preference for an odd number of councillors'.

The voter population of the City of Melbourne has an unusual composition, as shown below:

Table 2: Types of voters, City of Melbourne

Type of voter	Number	Percentage
State electors	41,749	39.79
Non-resident property owners (automatic enrolment)	43,948	41.88
Corporation representatives	19,232	18.33
TOTAL	104,929	100.00

Residents on the State electoral roll comprise less than two-fifths of the total. The largest group are people who own property in the City of Melbourne but who do not live in the municipality. Representatives of corporations, who are also not residents, are an important group but are significantly smaller than the first two. Thus, although there are more than 100,000 voters in total, only 42,000 of them are residents. It has been suggested during reviews that the VEC has conducted for other councils that non-resident voters do not have the same level of demands on their representatives as residents, which could mean that in the City of Melbourne councillors' representation workload might not be as great as in municipalities that have predominantly resident voters.

However, the particular demands of being a capital city councillor mean that councillors have to deal with issues that do not exist in other municipalities. Unlike other Victorian councils, Melbourne City Council has a Statewide, a national and even an international dimension. Besides the events mentioned by Cr Watts, councillors would have to make decisions on economic strategy, major developments and infrastructure. By its very nature, reflected in the *City of Melbourne Act 2001*, the Melbourne City Council has a unique status and role, and this in itself means that the focus of elected councillors will differ markedly from that of other councils.

In view of the growth of the City and the extra demands on councillors as a result of being a capital city municipality, the VEC considers it is appropriate to recommend an increase to 11 councillors (including the Lord Mayor and Deputy Lord Mayor) its preferred option for the review. This would reduce the number of voters per councillor to 9,539, which is comparable to many metropolitan councils. Because there have been indications that the Council is able to function effectively with the current number of councillors, the VEC has also included two nine-councillor options. This will further test the arguments as part of the review process.

Electoral structure

In the debate on the *City of Melbourne Bill 2001*, the Minister for Local Government stated that stakeholders consulted by the Government ‘Overwhelmingly ... stressed the importance of encouraging quality candidates, able to effectively represent their constituency with a whole-of-city focus.’⁵ The Government believed that ‘the best way to satisfy the expectations of the voters of the City of Melbourne was to provide for a whole-of-city electorate that is elected by proportional representation.’⁶ It was believed that this structure would facilitate representation of the various interests within the City who would be focussed on the good of the City as a whole.

Supporters of the current structure in the current representation review argue that the unsubdivided structure encourages a municipality-wide focus that represents the interests of the electors and the City in general, and that is essential given Melbourne’s particular circumstances. In contrast, advocates for a ward structure stress that residents and small businesses need local, accountable representation, which is not possible under the current structure.

These opposing views are based on different principles, or models, of how representation should work. The VEC’s report on the 2004–2008 representation reviews noted three relevant models, basing its discussion on academic literature and VEC’s own experience⁷:

Corporate representation

Under this model, the representative body is seen as authorised to act for the electorate as a whole, and to deliberate and make decisions on behalf of the voters. Decision making efficiency is seen as vital, and this attitude can lead to

⁵ *Parliamentary Debates (Hansard)*, Legislative Assembly, 22 March 2001, p. 436 (Hon. B Cameron, MP).

⁶ *Parliamentary Debates (Hansard)*, Legislative Council, 3 May 2001, pp. 585-6 (Hon. G.W. Jennings, MLC).

⁷ Victorian Electoral Commission: *Report of local government electoral activity 2008-09*, Part III, *Report of local government electoral representation reviews conducted by the VEC between 2004 and 2008*, pp 4-5.

support for smaller numbers of councillors. Supporters of this model will tend to favour an unsubdivided structure.

Interest representation

Under this model, councillors are seen as the representatives of their constituents, and their task is to pursue the particular interests of their area. Supporters of this model favour wards, particularly single-councillor wards.

Mirror representation

Mirror representation seeks to create a representative body whose composition reflects the make-up of the constituents, with groups represented on the council in proportion to their numbers in the community. Supporters of this model tend to favour proportional representation, which facilitates representation of not only majorities but also minorities.

Each of these models of representation is valid in its own terms, but they lead to differing electoral structures. The VEC has taken each of these models of representation into account while developing options that suit the particular characteristics of the City of Melbourne.

The outstanding feature of the Melbourne City Council is that it is a capital city council. Across Australia, there is a wide variety of structures for capital city councils, but what they have in common is that they are regarded as special, often with their own legislation or with unusual electoral structures. The closest equivalent to Melbourne is the City of Sydney, which like Melbourne is the centre of a major metropolitan area and is a business centre for the whole of Australia. The City of Sydney covers the CAD and a belt of inner suburbs; the municipality is unsubdivided, and voters elect nine councillors and vote in a separate election for the Lord Mayor.

Melbourne is the centre of business, government, administration, transport, the arts and entertainment for the entire State. The workforce for the CAD alone is some 250,000, or more than ten times the CAD's population.⁸ Melbourne is a national centre for finance and investment, second only to Sydney. A key part of the Council's role is to develop and implement strategies to further the interests of Melbourne and indirectly of the whole State. The risk of a reversion to a ward structure is that councillors may become preoccupied with local issues that they lose sight of capital city strategies, causing the Council to lose momentum.

⁸ Derived from Melbourne Small Area Economic and Demographic Profile, downloaded from City of Melbourne website 16 January 2012, http://www.melbourne.vic.gov.au/AboutMelbourne/PrecinctsandSuburbs/suburbprofiles/Documents/Economic_and_Demographic_Profile_Melbourne_2008.pdf

Melbourne is a council in which the corporate model of representation is particularly important. The current structure facilitates this model. The VEC regards the unique nature of the City of Melbourne as the main reason for making the current structure the preferred option for the Preliminary Report. As well, an unsubdivided structure means that there would be no subdivision reviews, which are at the Council's cost and which are quite possible given the municipality's rapid and uneven growth.

Advocates of a ward structure argue that the current structure is unrepresentative because only a minority of councillors are residents of the City, and because the system effectively excludes local candidates with few resources. For example, Cr Watts stated that 'Currently only 3 Councillors live in the municipality majority of our elected representatives do not – and this disengagement shows'. The Council website shows four councillors claiming residence in the City,⁹ As more than 60 per cent of the voters live outside the City of Melbourne, the fact that five of the nine councillors do so does not make them unrepresentative. The residents' groups maintain that the cost of campaigning across the entire municipality and reaching the 60 per cent of voters who live outside is prohibitive except for candidates who are independently wealthy, have a high profile, or are backed by an organisation, and that this is detrimental to local democracy. Financial and organisational resources are certainly an advantage. However, under the current system it is not difficult for two or more candidates to form a group on the ballot paper and to produce a statement that is distributed to all voters in the ballot pack. The operation of proportional representation means that if a local candidate has enough support in his or her own area, that candidate has a reasonable chance of being elected.

In the Council's 'Protocol supporting decision-making structures & city representation roles', a Councillor's role is to:

- provide civic leadership and contribute effectively to the interests and advancement of the Capital City and its community;
- contribute to the strategic vision for the City as a Capital City; and
- participate in deliberations of Council and its Committees.¹⁰

⁹ <http://www.melbourne.vic.gov.au/aboutcouncil/mayorcouncillors/Pages/Mayorandcouncillors.aspx>, downloaded 16 January 2012.

¹⁰ http://www.melbourne.vic.gov.au/AboutCouncil/CouncilProfile/Documents/PROTOCOL_SUPPORTING_DECISION_MAKING.pdf, downloaded 17 January 2012.

Representation of constituents' concerns does not appear in this document. The Council encourages residents to contact Council officers. The Council's website states that:

We run public consultations on any major strategy or plan which affects the public spaces of the city or the wellbeing of residents, businesses or visitors.

We advertise a period of consultation in newspapers, local community publications and on our website. We will tell you how you can get a copy of the document, how you can respond to it and about any public meeting held to discuss it.¹¹

For the residents' groups, this model of representation is unsatisfactory. Many submitters complained that they find councillors unapproachable and unwilling to deal with their concerns. In the absence of ward councillors, the residents' groups claimed that they have to act as de facto ward councillors. Mr Kevin Chamberlain of the North and West Melbourne Association wrote that the Council used to employ local area liaison officers, but that these have been withdrawn. He argued that the Council's Community Engagement Framework did not really engage with the community, and that there was increasing alienation of residents and small businesspeople from the Council, giving examples of four decisions where he believed the Council ignored ratepayers' views.

Several submitters felt that the Council tends to regard the various precincts within the City as a homogeneous blur at the edge of the CAD, and is trying to obliterate the differences between them. For these submitters, each precinct has its own unique character and issues, and should have its local representative.

The Carlton Residents Association stated that 'Despite sophisticated municipal operational strategies and customer service telephone help-lines, constituents need to discuss their concerns with their local councillor who is elected to represent them, and is well informed on their local precinct...Constituents need to feel adequately represented at the local level by a person, not by a policy or by a "master plan"'. Mr Henry Birner mentioned instances of such concerns: 'For South Yarra residents for example, there are a number of issues relating to the usage of the Royal Botanic Gardens and the sporting facilities at AAMI stadium and the MCG and we have no local representative to talk to'. The Docklands Community Association:

¹¹

<http://www.melbourne.vic.gov.au/AboutCouncil/financegovernance/Pages/Howweconsultwithyou.aspx>, downloaded 17 January 2012.

believe it is important to be represented by Councillor[s] who live in the area of a ward, because of having:-

- a close knowledge of the issues of the ward area
- an obligation and an interest to represent those issues at Council
- an obligation to follow up and keep the ward community informed
- Docklands in particular requires ward representation because of being a newly developing area, including unique waterways, with special planning and infrastructure needs.

This is a strong statement of the interest model of representation. This is a legitimate model of representation, though councillors always need to be primarily concerned with the welfare of the municipality as a whole. The suburb profiles on the Council website reveal marked differences between the suburbs, from young, student oriented, socially diverse Carlton to affluent high-rise dwelling Southbank and older, stable, homogeneous South Yarra.¹² Considering the concerns about lack of local representation and the clear variations between the precincts within the City of Melbourne, the VEC is putting forward several subdivided options in this Preliminary Report.

Residents' submissions tended to favour single-councillor wards, assuming one local councillor for each precinct. However, it is impossible to create wards along these lines. The suburbs vary enormously in numbers of voters, ranging from less than 4,000 in Parkville to more than 34,000 in Melbourne itself.¹³ Furthermore, the municipality's population is growing very rapidly, with growth concentrated in the CAD, Docklands and Southbank. Any ward boundaries have to allow for projected growth, to maximise their longevity and reduce the chances of the subdivision review before the next full representation review. Multi-councillor wards are less vulnerable to population shifts than single-councillor wards. The VEC is projecting voter numbers to 2016, to cover the next two elections.

Multi-councillor wards will necessarily group several suburbs. In drawing ward boundaries, the VEC takes communities of interest into account, and so needs to

¹² See

<http://www.melbourne.vic.gov.au/AboutMelbourne/PrecinctsandSuburbs/suburbprofiles/Pages/Economicanddemographicprofiles.aspx>

¹³ This range leaves out almost uninhabited fragments of suburbs, such as Carlton North (8 voters) and Flemington (182 voters).

know the linkages and commonalities between suburbs. The Council divides the municipality into four Districts:¹⁴

- District Central, comprising the CAD, East Melbourne and Jolimont;
- District North, including Carlton, Parkville, North and West Melbourne and Kensington;
- District South, covering the areas south of the Yarra, including St Kilda Road, South Yarra, Southbank, Fishermans Bend and Port Melbourne; and
- District West, comprising Docklands and the industrial part of West Melbourne.

It is useful to examine the characteristics of the various suburbs. The CAD is an area in itself – the commercial heart of the metropolitan area, with mushrooming high-rise apartments. The CAD has the highest proportions of both young people and older people in the municipality, and the most common household type is a person living alone. On the edge of the CAD are Docklands and Southbank, where rapidly increasing high-rise apartments are inhabited largely by affluent young couples without children. To the east and south-east of the CAD are East Melbourne, South Yarra and St Kilda Road, which share a stable, ethnically homogeneous population of older high-income earners. To the north and north-west of the CAD is a belt of old inner suburbs, growing relatively slowly and comprising a mixture of apartments and semi-detached housing. This area is largely gentrified, though it is still socially diverse and includes pockets of social disadvantage in the public housing towers in Carlton, North Melbourne and Kensington. Carlton and Parkville include large student populations and are focussed on the University of Melbourne. Downstream from the CAD are the industrial and transport areas of Fishermans Bend, Port Melbourne and the industrial part of West Melbourne. Although this area has no resident population, hundreds of non-resident voters are enrolled for addresses here.¹⁵

The VEC modelled several ward structures proposed by submitters. Cr Watts grouped suburbs to suggest four two-councillor wards and one single-councillor ward, as shown below.

¹⁴ See

<http://www.melbourne.vic.gov.au/AboutCouncil/grantssponsorship/Documents/DistrictPrecinctMap.PDF>

¹⁵ See

<http://www.melbourne.vic.gov.au/AboutMelbourne/PrecinctsandSuburbs/suburbprofiles/Pages/Economicanddemographicprofiles.aspx>

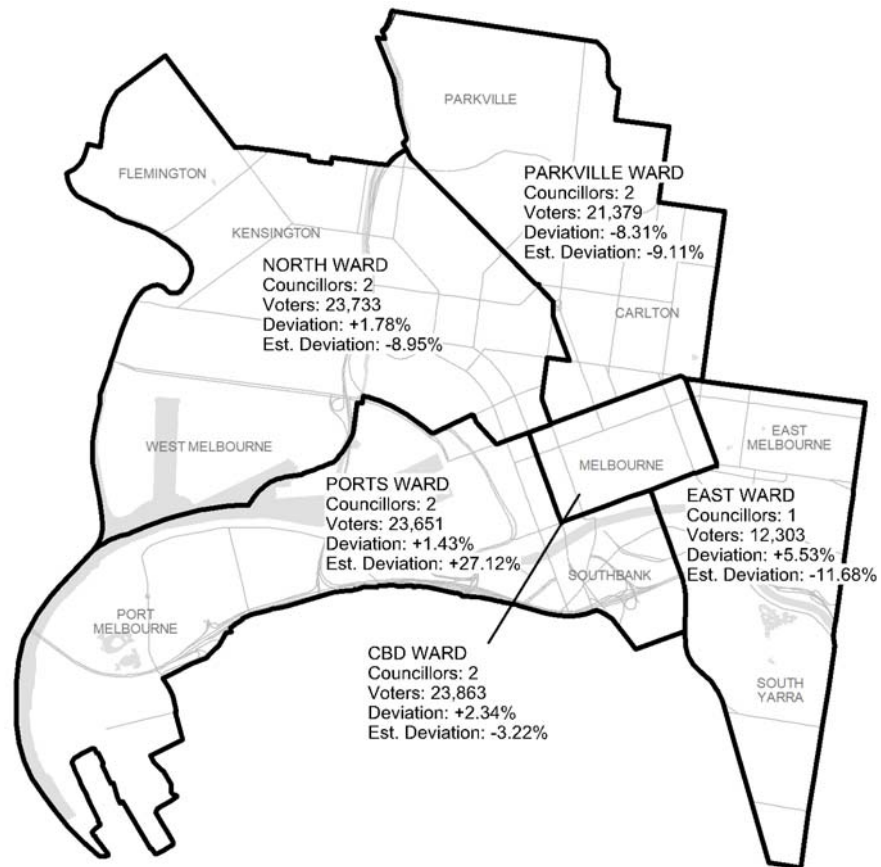


Diagram 1: Cr Watts model

Cr Watts’ model fits communities of interest well. However, the concentration of growth areas in the Ports Ward means that enrolment for this ward would be more than 27 per cent above the average by 2016, while East Ward would be more than 10 per cent below the average and two other wards would be approaching the 10 per cent threshold. Consequently the VEC was unable to include this model as an option.

A number of submissions wanted mostly single-councillor wards. Diagram 2 shows the VEC’s best endeavour to model such a structure, with a three-councillor ward covering the CAD and Southbank.

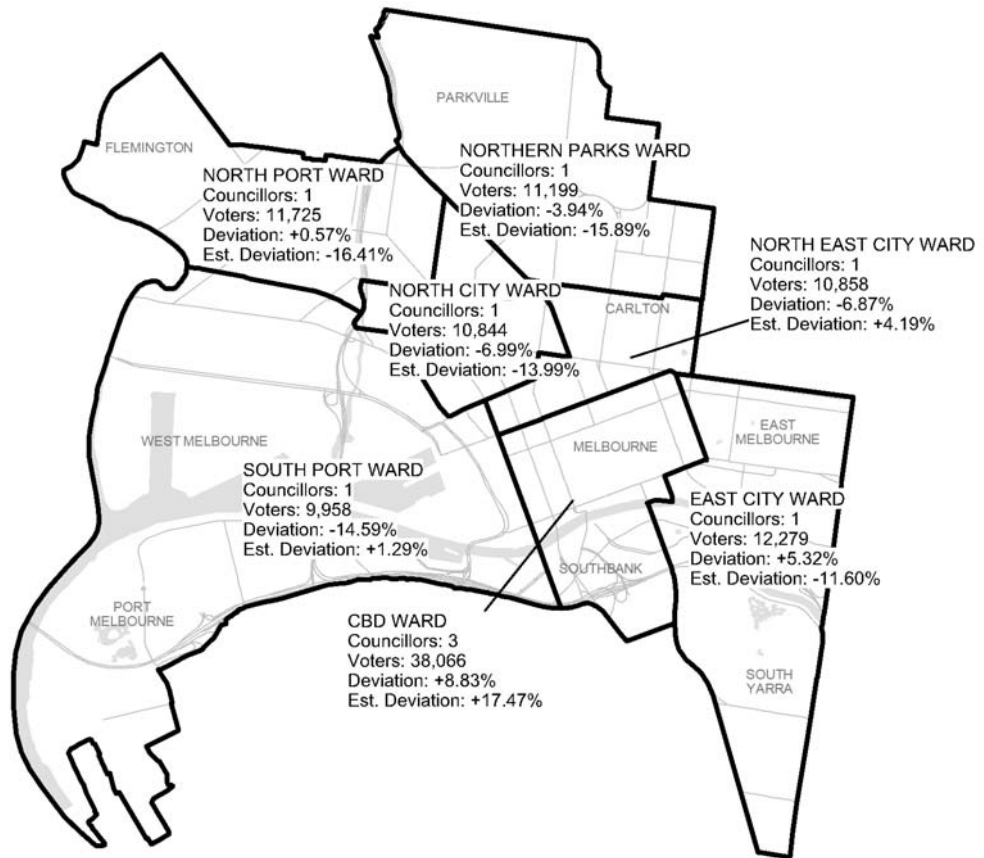


Diagram 2: Single-councillor wards, 9 councillors

It was impossible to keep wards neatly within suburbs, as proposed by the Parkville Association. The ward boundaries cut across communities of interest, especially north and north-west of the CAD. The number of voters in the South Port Ward is 14.59 per cent below the average, and five of the seven wards would be outside the 10 per cent tolerance by 2016.

Diagram 3 shows how mainly single-councillor wards might look with seven councillors. This model complies with communities of interest somewhat better than the previous one, but differing growth patterns mean that enrolments for four of the five wards would be outside tolerance by 2016.

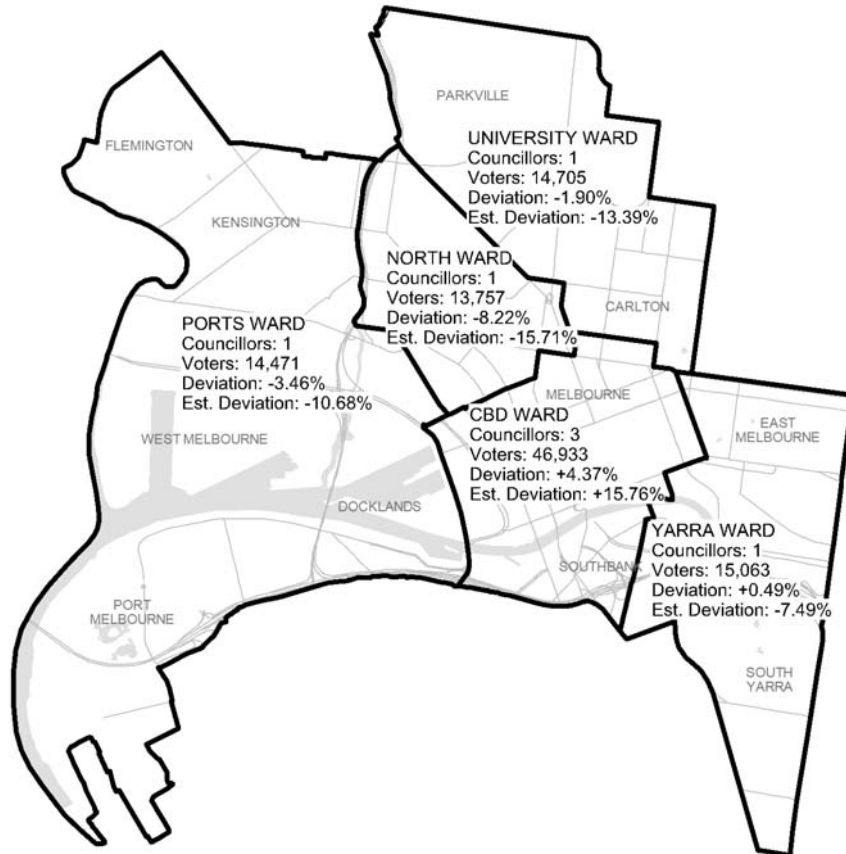


Diagram 3: Single-councillor wards, 7 councillors

Diagram 4 shows a multi-councillor ward model with seven councillors. Current and projected enrolments would stay within the 10 per cent tolerance, but two of the wards group very dissimilar areas. The East Ward is almost cut in two, and the area to the north of the CAD has little in common with the area to the east. Similarly, in the West Ward Kensington has nothing to do with Southbank. For these reasons, the VEC did not put this model forward for further consultation.

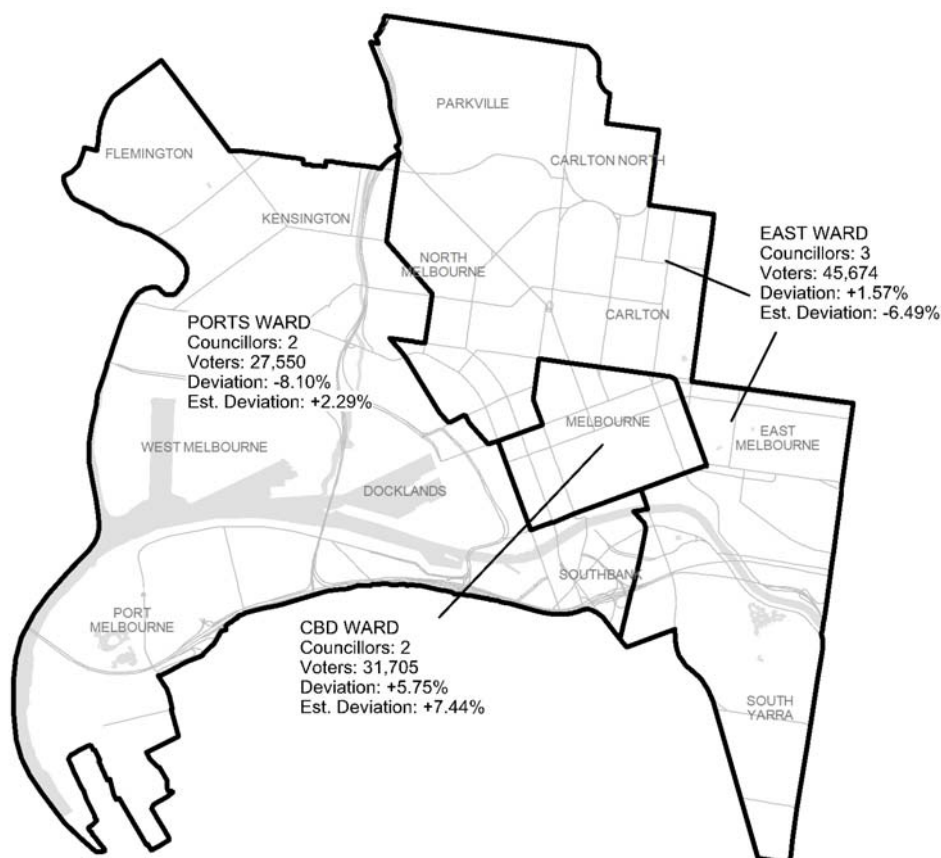


Diagram 4: One 3-councillor ward, two two-councillor wards

Options

The VEC is putting forward the following six options for public comment.

Option A: Unsubdivided, 9 councillors (plus Lord Mayor and Deputy Lord Mayor)

This is the VEC’s preferred option. It takes into account the importance of the Melbourne City Council’s capital city functions, which are best suited to an unsubdivided structure, and is also able to absorb Melbourne’s uneven growth patterns. The VEC prefers an increase to nine councillors in view of the rapid growth of the City and the consequent increase in councillor workloads.

Option B: Unsubdivided, 7 councillors (plus Lord Mayor and Deputy Lord Mayor)

This alternative option is for the current unsubdivided structure with seven councillors, because there have been indications that the Council is able to function effectively with the current number of councillors.

Option C: One 3-councillor ward, three 2-councillor wards (plus Lord Mayor and Deputy Lord Mayor)

Perceived advantages of multi-councillor wards are that they allow local representation, while giving voters a choice of councillors, facilitating the representation of diversity, and encouraging a broader focus than single-councillor wards. It should be noted that '*A Way Forward*', a December 2000 report by the Melbourne City Council Facilitation Panel that was a precursor to the *City of Melbourne Act 2001*, recommended the creation of multi-councillor wards with councillors elected by proportional representation.¹⁶

Option C creates a three-councillor ward covering the CAD, surrounded by three two-councillor wards. Voter numbers are well within tolerance both at present and in the future. The ward boundaries are clear, and mostly coincide with communities of interest, though North Melbourne and West Melbourne are split, and Kensington (in the north of the Ports Ward might be seen as having few links with Port Melbourne and Docklands, in the South of the ward.

The ward names in option C and the three following options are suggestions, and the VEC welcomes feedback on the names.

Option D: Three 3-councillor wards (plus Lord Mayor and Deputy Lord Mayor)

An advantage of Option D is that all the wards are equal, which means that there can be no grievance that one ward has better representation than another. Again, the voter numbers are within the 10 per cent tolerance, and the ward boundaries are clear. The Bearbrass Ward (an early name for colonial Melbourne) covers the CAD and the residential part of West Melbourne. The University Ward groups the other suburbs to the north and north-west of the CAD. The Yarra River unites the Waterways Ward, though East Melbourne seems cut off from the rest of the ward.

¹⁶ Pp 10-11.

Option E: Three 3-councillor wards splitting CAD (plus Lord Mayor and Deputy Lord Mayor)

Option E is another '3 x 3' configuration. Each ward contains a segment of the CAD. The argument for this model is that each councillor would represent a microcosm of the municipality as a whole, taking responsibility for CAD matters as well as a slice of the inner suburbs. On the other hand, it could be seen as undesirable to split the very distinct community of the CAD.

Option F: Two 3-councillor wards, one single-councillor ward (plus Lord Mayor and Deputy Lord Mayor)

Option F is a subdivided seven-councillor model. This option generally conforms well with communities of interest, with the Waterways Ward including nearly all of the CAD, Docklands, Southbank and the downstream industrial areas, Zoo Ward combining the suburbs to the north and north-west of the CAD, and Botanic Ward covering the suburbs to the east and south-east.

In summary, the VEC's recommended options for the preliminary report are as follows:

Recommendation — Option A (Preferred Option)

That Melbourne City Council consist of nine councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from an unsubdivided municipality.

Recommendation — Option B (Alternative Option)

That Melbourne City Council consist of seven councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from an unsubdivided municipality.

Recommendation — Option C (Alternative Option)

That Melbourne City Council consist of nine councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from one three-councillor ward and three two-councillor wards.

Recommendation — Option D (Alternative Option)

That Melbourne City Council consist of nine councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from three three-councillor wards.

Recommendation — Option E (Alternative Option)

That Melbourne City Council consist of nine councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from three three-councillor wards, with boundaries splitting Melbourne's Central Activities District.

Recommendation — Option F (Alternative Option)

That Melbourne City Council consist of seven councillors (plus the Lord Mayor and Deputy Lord Mayor) to be elected from two three-councillor wards and one single-councillor ward.

Next steps

Any person or group, including the Council, can make a submission to the VEC in response to the recommendations contained in this report.

Response submissions to the preliminary report should address the models proposed by the VEC within the preliminary report.

Response submissions must be received by the VEC by 5.00pm on Thursday, 23 February 2012. Late submissions will not be accepted.

There is an opportunity for people or organisations who have submitted a response submission to present at the public hearing. The public hearing will be held at 5.00 pm on Wednesday, 29 February 2012 at the Council Meeting Room, Level 2, Town Hall Administration Building, 120 Swanston Street, Melbourne. If you wish to speak at the public hearing, you will need to indicate this on your submission.

Where should I send my submission?

Submissions must include the name, address and contact telephone number of the submitter. Submissions without this information cannot be accepted.

Submissions can be submitted to the VEC via:

- online:
- vec.vic.gov.au/Reviews
- email:
- melbourne.review@vec.vic.gov.au
- fax:
- (03) 9629 8632
- post:
- Victorian Electoral Commission
Level 11, 530 Collins Street
Melbourne, Vic 3000.

Public access to submissions

To ensure transparency in the electoral representation review process, all submissions will be available for inspection by the public at:

- the VEC office at Level 11, 530 Collins Street, Melbourne, Vic 3000; and,
- the VEC website at vec.vic.gov.au.

The name and locality of the submitter will be published with the submission. The VEC will not publish the telephone number, street address and signature of the submitter.

Public access to reports

The final report will be available from Wednesday, 21 March 2012. Copies of the final Report will be available from the VEC website, vec.vic.gov.au, by contacting the VEC on 131 VEC (131 832) and at the Melbourne City Council offices.

Appendix One: List of preliminary submitters

Preliminary submissions were received from:

Name
Ian Bird
Henry Birner
Carlton Alliance
Carlton Residents Association Inc.
Coalition of Resident and Business Associations – Melbourne
Docklands Community Association
Robert Doyle
East Melbourne Group Inc.
Elisabeth Haldane
John Jackson
Jan Lacey
Colin Macnamara
Helen Macnamara
Melbourne City Greens
North and West Melbourne Association Inc.
Parkville Association Inc.
Nerrida Pohl
Proportional Representation Association of Australia (Victoria-Tasmania) Inc.
Residents 3000
Southbank Residents Group Inc.
Jackie Watts

Appendix Two: Options maps

The following maps are included in this report:

Map	Page
Option A (Preferred Option)	34
Option B (Alternative Option)	35
Option C (Alternative Option)	36
Option D (Alternative Option)	37
Option E (Alternative Option)	38
Option F (Alternative Option)	39

Melbourne City Council Map of Option A (Preferred Option)

LORD MAYOR, DEPUTY LORD MAYOR
PLUS NINE COUNCILLORS



Legend

- Proposed Boundary
- Locality Boundary

Map Symbols

- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- River/Creek
- Railway Line
- Lake
- Parks, reserves & other non-residential areas

Ward	Councillors	Voters	area_sqkm
Unsubdivided	9	104,929	37.64
Totals for all Electorates	9	104,929	37.64
Voters per Councillor		11,658	

Voters per Councillor including Lord Mayor and Deputy: 9,539



Map prepared by the Victorian Electoral Commission
Vicmap spatial data provided by Department of Sustainability and Environment
Parks digital data used with the permission of Parks Victoria
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Melbourne City Council Map of Option B (Alternative Option)

LORD MAYOR, DEPUTY LORD MAYOR
PLUS SEVEN COUNCILLORS



Legend

- Proposed Boundary
- Locality Boundary

Map Symbols

- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- River/Creek
- Railway Line
- Lake
- Parks, reserves & other non-residential areas

Ward	Councillors	Voters	area_sqkm
Unsubdivided	7	104,929	37.64
Totals for all Electorates	7	104,929	37.64
Voters per Councillor		14,989	

Voters per Councillor including Lord Mayor and Deputy: 11,658



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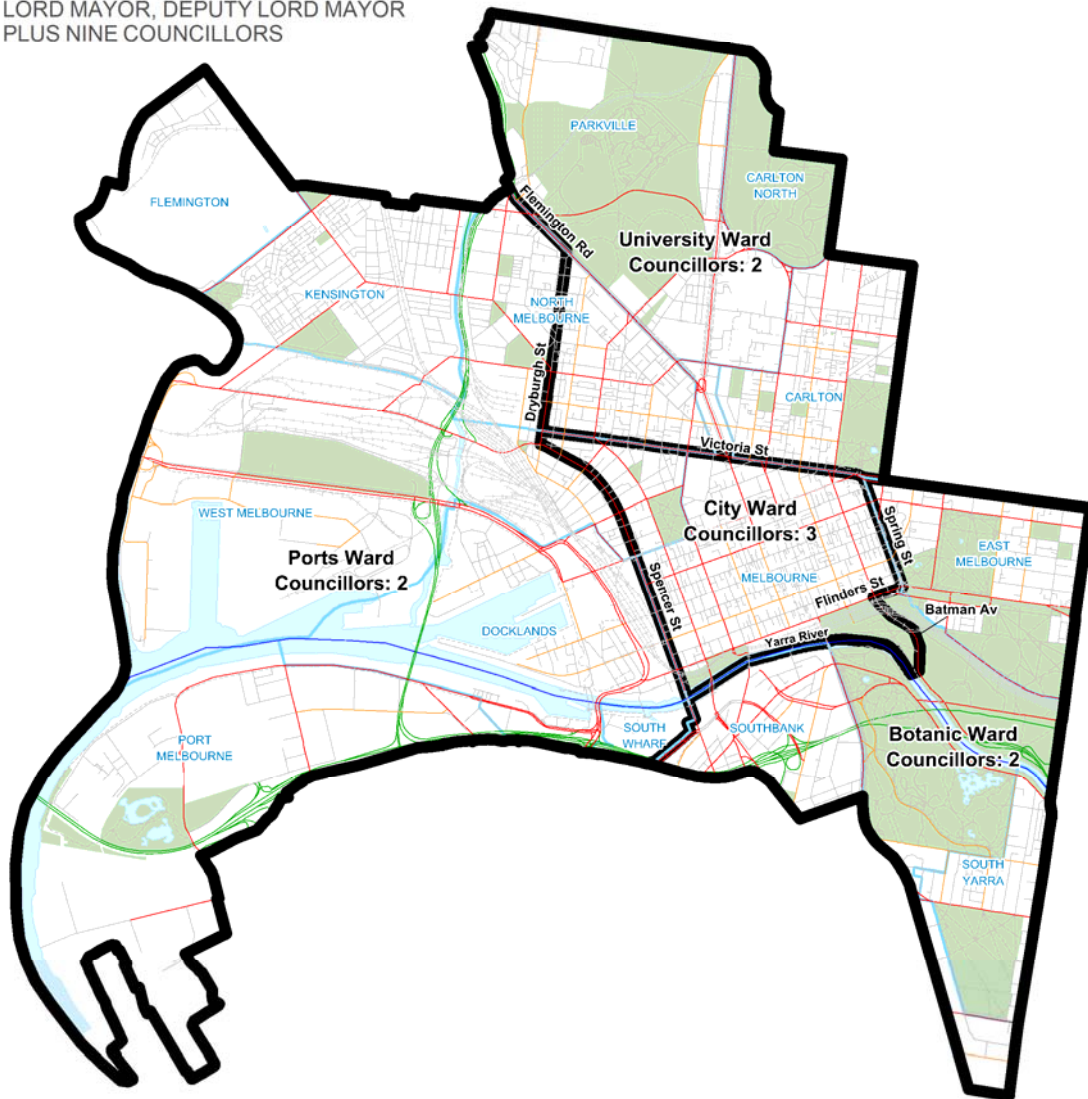


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Melbourne City Council

Map of Option C (Alternative Option)

LORD MAYOR, DEPUTY LORD MAYOR
PLUS NINE COUNCILLORS



Legend

- Proposed Boundary
- Locality Boundary

Map Symbols

- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- River/Creek
- Railway Line
- Lake
- Parks, reserves & other non-residential areas

Ward	Councillors	Voters	Deviation	Projected_Deviation	area_sqkm
Botanic	2	24,042	+3.11%	+5.44%	6.85
City	3	34,944	-0.09%	+0.98%	3.13
Ports	2	21,527	-7.68%	-3.65%	19.71
University	2	24,416	+4.71%	-3.25%	7.96
Totals for all Electorates	9	104,929	-7.68% to +4.71%		37.65
Average		11,658			9.41

Average voters per councillor including Lord Mayor and Deputy: 9,539



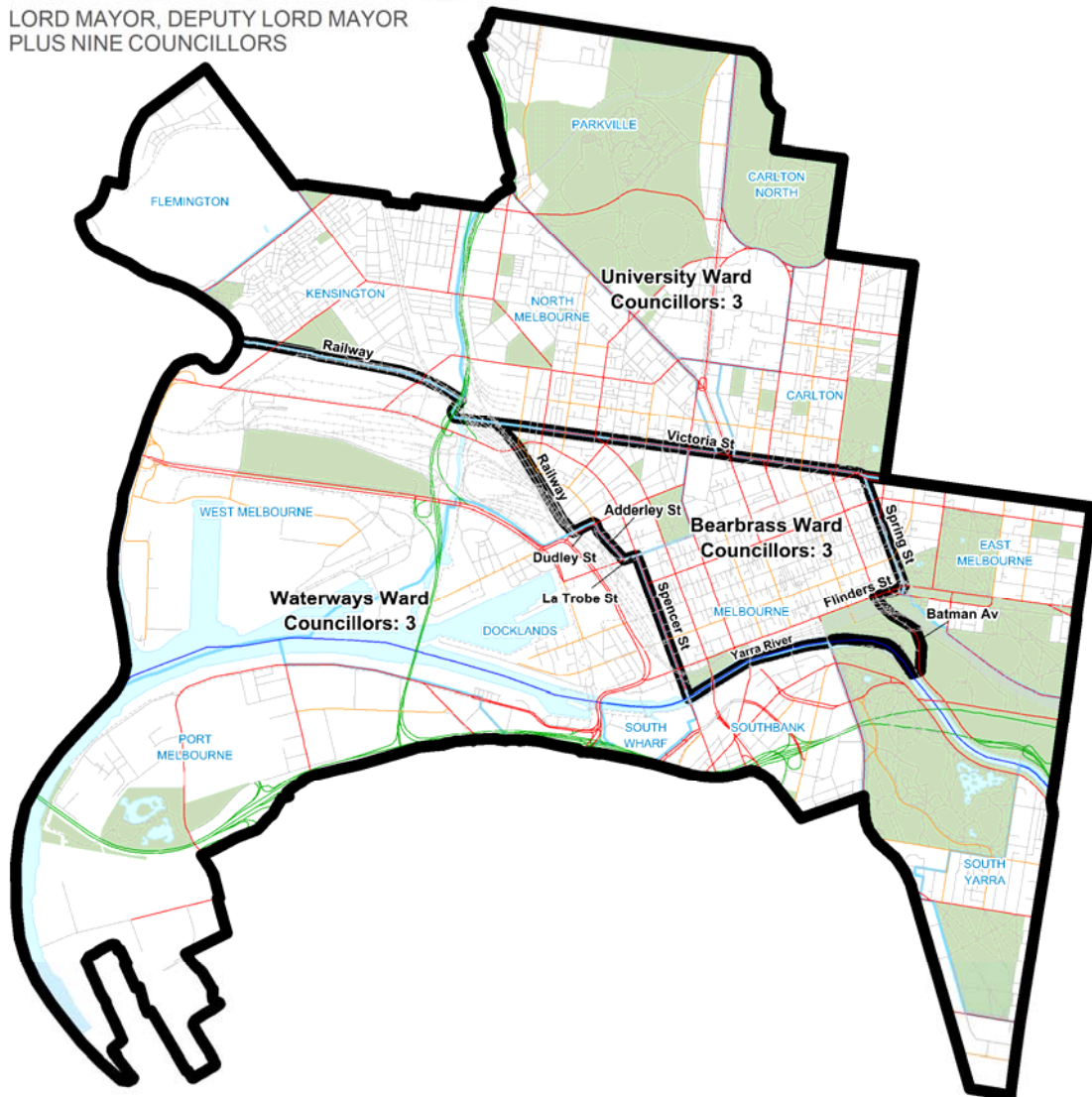
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Melbourne City Council Map of Option D (Alternative Option)

LORD MAYOR, DEPUTY LORD MAYOR
PLUS NINE COUNCILLORS



Legend

- Proposed Boundary
- Locality Boundary

Map Symbols

- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- River/Creek
- Railway Line
- Lake
- Parks, reserves & other non-residential areas

Ward	Councillors	Voters	Deviation	Projected_Deviation	area_sqkm
Bearbrass	3	36,102	+3.22%	+4.68%	3.48
University	3	36,423	+4.14%	-6.79%	13.02
Waterways	3	32,404	-7.35%	+2.11%	21.14
Totals for all Electorates	9	104,929	-7.35% to +4.14%		37.64
Average		11,658			12.55

Average voters per councillor including Lord Mayor and Deputy: 9,539



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Melbourne City Council Map of Option E (Alternative Option)

LORD MAYOR, DEPUTY LORD MAYOR
PLUS NINE COUNCILLORS



Legend

- Proposed Boundary
- Locality Boundary

Map Symbols

- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- River/Creek
- Railway Line
- Lake
- Parks, reserves & other non-residential areas

Ward	Councillors	Voters	Deviation	Projected_Deviation	area_sqkm
Jolimont	3	36,984	+5.74%	-1.39%	9.96
Ports	3	33,873	-3.15%	+8.33%	13.83
Zoo	3	34,072	-2.59%	-6.94%	13.85
Totals for all Electorates	9	104,929	-3.15% to +5.74%		37.64
Average		11,658			12.55

Average voters per councillor including Lord Mayor and Deputy: 9,539



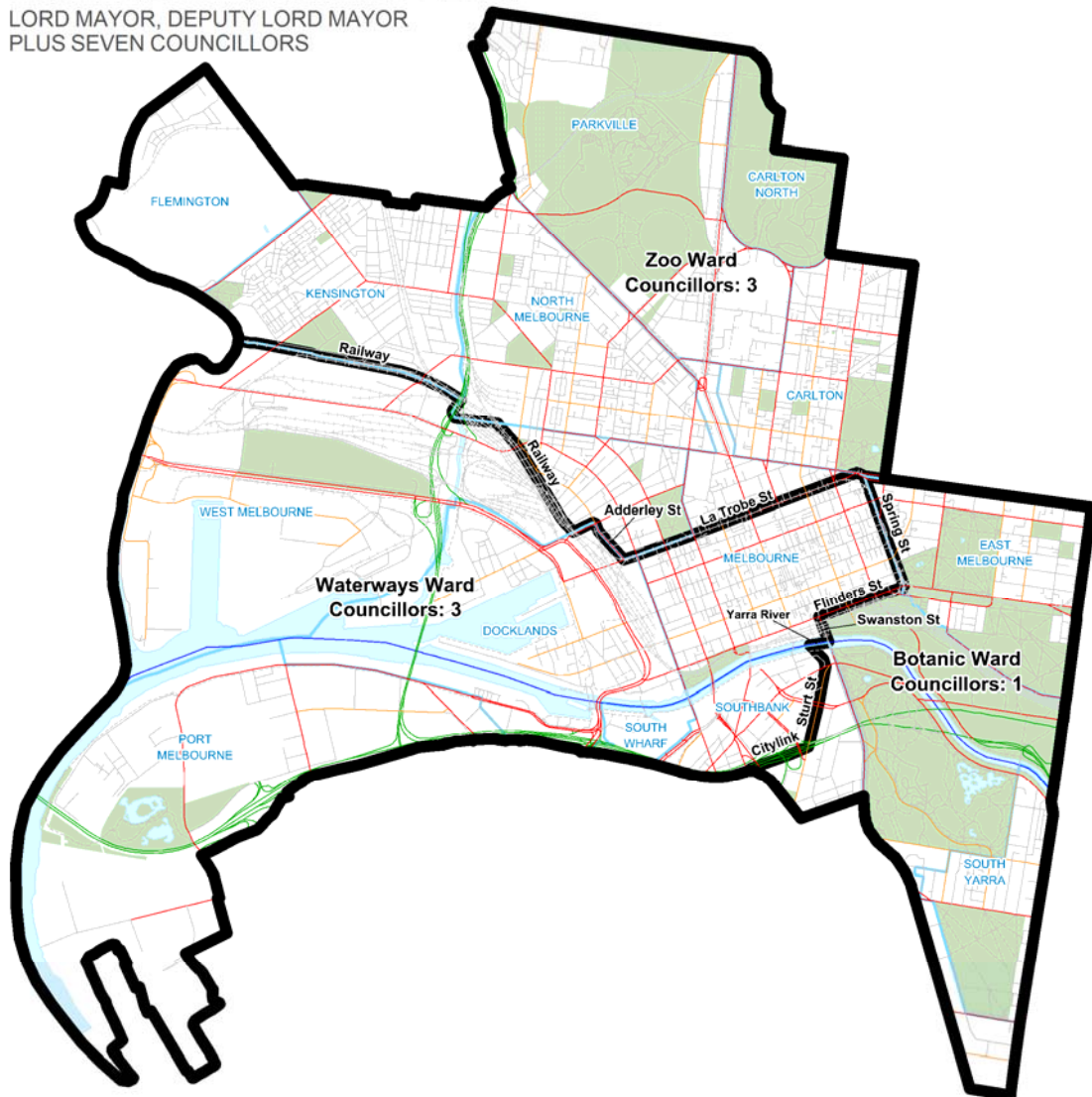
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Melbourne City Council Map of Option F (Alternative Option)

LORD MAYOR, DEPUTY LORD MAYOR
PLUS SEVEN COUNCILLORS



Legend

- Proposed Boundary
- Locality Boundary



Map Symbols

- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- River/Creek
- Railway Line
- Lake
- Parks, reserves & other non-residential areas

Ward	Councillors	Voters	Deviation	Projected_Deviation	area_sqkm
Botanic	1	15,097	+0.71%	-1.19%	6.25
Waterways	3	45,146	+0.39%	+6.98%	17.03
Zoo	3	44,686	-0.63%	-6.59%	14.36
Totals for all Electorates	7	104,929	-0.63% to +0.71%		37.64
Average		14,989			12.55

Average voters per councillor including Lord Mayor and Deputy: 11,658

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