

ELECTORAL REPRESENTATION REVIEW
Stonnington City Council

Final Report



17 May 2011

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Recommendation

The Victorian Electoral Commission (VEC) recommends that Stonnington City Council consists of nine councillors to be elected from three three-councillor wards, using the existing ward boundaries put in place following the review of the municipality in 2004.

Background

Legislative basis

The *Local Government Act 1989* (the Act) requires the VEC to conduct an Electoral Representation Review of each municipality in Victoria at least every 12 years. The Act specifies that the purpose of a representation review is to recommend to the Minister for Local Government the number of councillors and the electoral structure for a municipality, which will provide 'fair and equitable representation for the persons who are entitled to vote at a general election of the Council'.¹

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

- the number of councillors in a municipality;
- whether a municipality should be unsubdivided or subdivided;
- if it should be subdivided, whether ward boundaries:
 - provide for fair and equitable division of the municipality;
 - ensure equality of representation through the number of voters being represented by each councillor being within 10 per cent of the average number of voters represented by all councillors; and,
- if it should be subdivided, the number of councillors that should be elected for each ward.

The VEC and Electoral Representation Reviews

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

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

Profile of Stonnington City Council

The City of Stonnington was formed in 1994 by the amalgamation of the City of Malvern with most of the City of Prahran. The City includes the suburbs of Armadale, Malvern, Malvern East, Prahran, Toorak, Kooyong and parts of Glen Iris, South Yarra and Windsor.

At the 2006 census, the City recorded a population of 89,882 people. According to the Department of Planning and Community Development's *Victoria in Future* projections, the population of the City of Stonnington is projected to grow by 7.9 per cent over the next 10 years (2010–2020).

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

Current electoral structure

The last electoral representation review for Stonnington City Council took place in 2004. Following the review, the Minister for Local Government determined the structure of Stonnington City Council would be:

- nine councillors;
- divided into three wards — North Ward, South Ward and East Ward;
- with three councillors from each ward.

The electoral representation review process

The VEC proceeded 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 corrected any imbalances and also took 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 was guided by its comparisons of municipalities of a similar size and category to the Council under review. The VEC also considered any special circumstances that may warrant the municipality to have 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 recommendation is based 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 public input in the form of written and verbal submissions received during the review; and,
- advice received from consultants with wide experience in local government.

Public submissions were an important part of the process, but were not the only consideration during the review. The VEC seeks to combine the information gathered through public submissions with its own research and analysis of other factors, such as the need to give representation to communities of interest. The recommendation is not based on a 'straw poll' of the number of submissions supporting a particular option.

VEC research

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

Public involvement

The VEC values the local knowledge and perspectives presented by the public in written submissions. The public were given two opportunities to provide submissions during the review. Their input was considered by the panel in forming the options in the preliminary report and they were also invited to respond to these options. In addition, a public hearing was held to enable people to speak in support of their submissions and supplement it with information.

To ensure transparency in the process, all written submissions were published on the VEC website and all verbal submissions were heard in a public environment.

To raise awareness of the review and encourage the public to engage with the process, a full public information campaign was undertaken.

Advertising

In accordance with sections 219F(4) and 219F(7) of the Act, the VEC ensured public notices were placed in local newspapers.

Notification of the review appeared in the *Melbourne Weekly* on Wednesday, 26 January 2011 and the *Stonnington Leader* on Tuesday, 1 February 2011. 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 Tuesday, 1 February 2011. An article about the review was also included on page 5 of the January/February 2011 issue of the Council's bi-monthly community newsletter *In Stonnington*.

Notification of the release of the preliminary report appeared in the *Stonnington Leader* on Tuesday, 22 March 2011 and the *Melbourne Weekly* on Wednesday, 23 March 2011. The notice detailed the options contained in the preliminary report, including a map of

each option, instructions on how to access a copy of the preliminary report and how to make a submission in response to the report.

Media releases

The VEC produced two media releases for this review. The first release, distributed to local media through the Council, provided information on the review and overall process. A second release, distributed to local media by the VEC, detailed the options in the preliminary report and how to make a submission in response to the report.

Public information session

The VEC held a public information session for people interested in the review process on Wednesday, 16 February 2011 at the Malvern Banquet Hall, Corner of Glenferrie Road and High Street, Malvern.

Information brochure and poster

An information brochure was provided to the Council to be distributed to residents through the Council's 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 preliminary and response stages of the review process. All submissions were posted on the website and an online submission tool was created to facilitate the submission process. The preliminary report was available for electronic download on the website.

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 on the VEC website, in hardcopy on request, and were provided to the Council.

Preliminary report

In accordance with the Act, the VEC produced a preliminary report outlining its proposed options for Stonnington City Council. The report was released on Tuesday, 22 March 2011.

Preliminary submissions

The VEC received 10 preliminary submissions by the deadline of 5.00pm, Tuesday, 1 March 2011. Submissions were received from eight individual residents from the localities of Prahran, South Yarra, Toorak, Malvern and Malvern East, and from two organisations — Proportional Representation Society of Australia (Victoria-Tasmania) Inc. and Lara Barry Residents' Association.

Seven submissions requested a return to single-councillor wards, including four which specified nine councillors as the ideal number of councillors and, therefore, nine single-councillor wards. Generally, these submissions suggested that councillors with smaller wards would be more readily available to constituents, allowing for a greater sense of community. Many submitters felt there were issues with the current workload distribution and work practices of some councillors. Some also felt that election campaigns are more accessible for constituents with smaller single-councillor wards and that this structure would reduce the number of 'dummy' candidates.

One submitter suggested that single-councillor wards be drawn up using the general business/residential zones in the municipality, with communities of interest represented through the residential wards divided into low, medium and high-density housing areas. The submitter felt that if a multi-councillor ward structure were to remain, an additional ward would need to be added — raising the number of councillors to 11 or 12.

Another submitter expressed concerns over the boundary between South Ward and East Ward in the current structure. The submitter argued that the suburb of Malvern is split between the two wards and that the part of Malvern in the South Ward has fewer commonalities with the suburb of Windsor (at the other end of South Ward) than it does with the part of Malvern in the East Ward.

Two submitters felt the number of wards and number of councillors should remain unchanged. One submission argued that a plurality in representatives meant varied issues could be represented on Council by different councillors. The other submitter felt the current structure meets the needs of proportional representation and therefore no changes were sought.

A further submission highlighted process issues largely outside of the scope of this particular review, such as the tendering for the administration of the next local council elections. Related to electoral representation reviews, the submitter requested the VEC to conduct a plebiscite to test each option by attaching it to the Council's next rates notice. The submission was noted by the VEC.

A list of submitters, by name, is available in Appendix 1. Copies of the submissions can be viewed on the VEC website at vec.vic.gov.au.

Preliminary options

The VEC assessed a range of electoral representation models that may suit the City of Stonnington and considered the growth areas, the number of voters and number of councillors compared with other metropolitan municipalities, as well as the desire to maintain communities of interest. Four options were developed for public consultation.

Relative to other metropolitan councils, the City of Stonnington has fewer voters and sits at the lower end of the band of councils with nine councillors. In the preliminary report, the VEC provided options for seven and nine-member councils, but noted a small but significant preference for maintaining nine councillors due to the projected areas of development within the municipality.

Communities of interest were raised in submissions and several alternative options were presented in the preliminary report, which may have improved representation for the communities in the City. The preliminary report noted that the City has less cultural and ethnic diversity than its neighbouring councils, so communities of interest were primarily identified through their relationship with the number of commercial and retail hubs located in the municipality.

In determining possible boundaries, the VEC considered development projections provided by the Department of Planning and Community Development. The projections illustrate a concentrated pocket of high residential development in the locality of South Yarra, with smaller and less dense developments along Chapel Street to the south and others dotted through other areas of the municipality. The VEC noted in the preliminary report that the concentration of development made smaller wards much more vulnerable to a change in voter numbers. Consequently, despite modelling a number of options, the VEC could not construct a viable option for nine single-councillor wards.

The preliminary report detailed four options that were under consideration by the VEC. The options were:

- **Option A (Preferred Option)** that Stonnington City Council consist of nine councillors to be elected from three multi-councillor wards, with three councillors elected for each ward, and using the existing ward boundaries put in place following the 2004 review of the municipality.
- **Option B (Alternative Option)** that Stonnington City Council consist of nine councillors to be elected from three multi-councillor wards, with three councillors elected for each ward, and using ward boundaries that extend north-south.
- **Option C (Alternative Option)** that Stonnington City Council consist of seven councillors to be elected from three multi-councillor wards, with three councillors elected for one ward and two councillors elected for each of the remaining wards.
- **Option D (Alternative Option)** that Stonnington City Council consist of seven councillors to be elected from six wards, with two councillors elected for one ward and one councillor elected for each of the remaining wards.

Public response

Response submissions

Response submissions on the electoral representation review of Stonnington City Council opened on Tuesday, 22 March 2011 and closed at 5.00pm on Wednesday, 20 April 2011. The VEC received 17 response submissions. Table 1 shows the levels of support for each option based on the preferences expressed in each response submission.

Table 1: Preferences expressed in response submissions for each option.

Option A (Preferred Option)	Option B (Alternative Option)	Option C (Alternative Option)	Option D (Alternative Option)	Other
2	5	0	3	6
1				

Analysis of submissions

Two submissions directly supported Option A, which proposed nine councillors elected from three three-councillor wards using the current boundaries (the status quo model). One further submission, from the Proportional Representation Society, recommended either Option A or Option B, noting, along with the submission from the Stonnington branch of the Greens Party, that Option A achieved fair proportional representation across the municipality. One submitter supported Option A because it was the 'least worst' option from those the VEC put forward.

Five submissions directly supported Option B, which proposed nine councillors to be elected from three three-councillor wards, with boundaries that run in a north-south direction. As discussed above, the Proportional Representation Society believed this option also achieved fair proportional representation across the City, so submitted it equally to Option A. The submissions that directly supported Option B argued that communities of interest were better grouped using the north-south running boundaries than the east-west running boundaries in the status quo (and Option A). One submitter argued that Option B was preferable to Option A as it provides boundaries that are consistent with State and Federal electoral boundaries.

There were no submissions that supported Option C, although several submissions provided details as to why they did not agree with the option. These submissions argued that reducing the number of councillors would lessen their ability to effectively represent their constituents because of the increase in workload. One submitter felt the boundaries were 'clumsy' and 'not representative of the occupants of the areas in question'.

Three submissions supported Option D, which proposed seven councillors elected from one two-councillor ward and five single-councillor wards. The submissions argued that single-councillor wards were the best way to achieve accountability and accessibility in local representation. Several submissions noted a preference for nine councillors in a single-councillor ward structure but compromised due to the population considerations made by the VEC. Submissions argued that smaller wards allowed councillors to more accurately reflect their constituents and, in turn, allowed residents to monitor the representation by their councillor more closely. Several submissions believed that smaller wards would lead to greater accessibility for hopeful candidates who are currently put off by the expense of an election campaign covering the current large three-councillor wards.

A further six submissions did not support any of the options put forward by the VEC. Many of these submissions noted submitters' support for nine single-councillor wards. In addition, some submissions expressed dissatisfaction at the electoral representation review process overall and several felt the VEC had neglected the majority view put forward during preliminary submissions. Several submitters felt the review was poorly advertised and suggested this may be a reason why few submissions were received.

A list of submitters, by name, is available in Appendix 1. Copies of the submissions can be viewed on the VEC website at vec.vic.gov.au.

Public hearing

A public hearing was held in the Malvern Council Chamber at 6.30pm, Thursday, 28 April 2011. Everyone who made a submission in response to the report was invited to speak in support of their submissions and seven individuals accepted.

The speakers provided the VEC with a range of views on the options proposed in the preliminary report. The public hearing also provided the panel with an opportunity to ask questions of submitters and respond to some assertions made by speakers during their submission.

Two speakers spoke in favour of Option B. These speakers felt the boundaries in this option provide more 'appropriate' breaks and better represent communities of interest than the current boundaries, as the west of the municipality has more commercial activity and higher density housing compared to lower density residential and commercial activity as the boundaries proceed to the east. Both speakers argued that multi-member or proportional representation allowed minority views to be represented and protected against residents being excluded from representation when they hold a view that is not shared by the councillor, as may occur in single-councillor wards. One submitter outlined the importance of having multiple representatives and believed that

councillors working collaboratively and bringing each of their voices to the decision-making table would lead to good decision-making and governance.

A number of speakers noted their first preference was not one that the VEC had put forward as an option — nine single-councillor wards. The panel was able to explain to these speakers that, while the VEC investigated possible nine single-councillor ward options, none were able to be constructed that were likely to maintain the +/- 10 per cent tolerance on wards deviating from the average ratio of voters to each councillor across the municipality even in the short-term. This was due to the uneven growth projections at the west end of the municipality. As explained in this report and at the hearing, this cap is a requirement of the Act; so submitters were generally receptive to the VEC's unsuccessful efforts in modelling a workable nine single-councillor ward option. These speakers largely supported Option A as their second preference after single-councillor wards, as it meant retention of the status quo providing consistency for the residents of Stonnington. However, two submitters still expressed disappointment and felt the VEC had failed to provide appropriate options and had poorly advertised the review through the municipality.

One submitter, who was in favour of single-councillor wards, felt Option D satisfied his preference for single-councillor wards. However, the submitter questioned why a reduction to seven councillors was necessary and, recognising the issues with a nine single-councillor ward model, suggested the VEC look into a greater number of councillors (such as 11). The panel noted that due to the concentration of intensive development, smaller wards (as would occur in an 11-member Council) would be less likely to absorb population growth because of lower tolerances within each ward. In comparing the VEC's preferred option (Option A) with Option B, the submitter expressed a view that Option B worked better with boundaries that are aligned in a north-south direction.

In addition, several submitters highlighted the advantages and disadvantages of single-councillor wards compared to multi-councillor wards after varied experiences with particular councillors. One submitter found it difficult to get a response from her three representatives so believed a single-councillor ward would allow councillors to be more accessible and accountable for responding to residents' concerns. In contrast, another submitter had positive experiences working with her current three councillors and felt that multi-councillor wards allowed a range of issues and voices to be represented.

Findings and Recommendation

The VEC consulted on four options, including its preferred option of retaining the status quo. This report has summarised the process the VEC completed to gather information, including public submissions, and to develop and consult on the options under consideration. The VEC now provides its findings for recommendation to the Minister.

Number of councillors

As part of its electoral representation review, the Act requires the VEC to recommend the appropriate number of councillors for the City of Stonnington. The Act allows for a municipality to have between five and 12 councillors. Currently, the City of Stonnington, with nine councillors, sits at the lower end of the band of metropolitan councils with nine councillors. In the preliminary report, the VEC was conscious of the municipality's projected development and noted its preference was to maintain nine councillors; however, options that recommended a seven-member Council were also considered.

Throughout the review, the views provided by the public were consistent: a reduction in the number of councillors elected to Stonnington City Council would increase councillors' workloads and this would negatively impact on the ability of councillors to effectively represent their constituents. One submitter, as part of his argument for single-councillor wards, proposed increasing the number of councillors. However, the VEC feels an increase in the number of councillors above nine could not be justified as it would create inequities between the City of Stonnington and similar metropolitan councils.

The VEC recognises there is population growth and significant redevelopment within the City of Stonnington and this is likely to increase demand on councillors. There is strong public support for retaining a nine-member Council with little support expressed by submitters for a reduction in the number of councillors. On balance, the VEC recommends that the City of Stonnington retain nine councillors, which will best provide fair and equitable representation to the voters of the City of Stonnington.

Electoral structure

The Act also requires the VEC to recommend an appropriate electoral structure within the municipality. The VEC considers whether a municipality should be unsubdivided or subdivided into wards and, if subdivided, the positioning of ward boundaries and the number of councillors to be elected for each ward to provide fair and equitable division and ensure equality of representation. Currently, the municipality is divided into three wards with three councillors for each ward. The options put forward by the VEC included:

- retaining the current boundaries;
- shifting the east-west boundary dividing the current North and South Wards to have all internal ward boundaries running generally north-south;
- shifting all internal ward boundaries to create three wards divided by boundaries that entirely follow major thoroughfares in a north-south direction; and,
- creating six wards based around six major precincts.

All of the options were put forward in the preliminary report as they were considered to be most likely to meet the VEC's main electoral representation review principles. In addition, the VEC looked for longevity in the boundaries — with the objective for wards to carry through to the next scheduled electoral representation review without the need for a subdivision review in the interim. Of those options put forward, some were more effective than others in meeting these principles and, using development projections from the Department of Planning and Community Development, the desire for longevity. This was largely driven by the concentrated area of development in the locality of South Yarra and stretching south through the Chapel Street precinct. Any proposed boundary containing this area needed to be able to absorb the population growth projected by ongoing development while still keeping the number of voters per councillor in the ward within +/- 10 per cent of the average number of voters per councillor across the municipality, as allowable under the Act. In assessing the current structure, the VEC noted there is value in spreading the growth area in the Chapel Street precinct through the North and South Wards to mitigate the concentration of more intensive development in South Yarra (at the northern end of the Chapel Street precinct).

A number of submitters called for nine single-councillor wards and several submitters expressed disappointment in the options that were put forward. At the public hearing, the panel was able to explain that while the VEC modelled a number of single-councillor ward options, there were none that provided sensible boundaries and were likely to stay within the requirements of the Act even in the short-term. In the preliminary report, the VEC modelled the boundaries that were in place prior to 2004 (nine single-councillor wards) and a further model using similar boundaries. In both

instances, the models contained several wards that were either already outside of the allowable +/- 10 per cent deviation, or were likely to be by the Council's next general election in 2012. In fact, the former Chapel Ward from the structure before 2004 would start out (in 2011) with a deviation of +12.88 per cent and, according to development projections, would deviate to +45.63 per cent by 2017. The VEC is unable to consider options that exceed the allowable +/- 10 per cent deviation.

The preliminary report, however, did contain an option using six wards (Option D with five single-councillor wards through the municipality, except for the area of intensive development with a two-councillor ward). The reduced number of councillors in this option provided a higher tolerance level to absorb the growth projections and remain within the acceptable deviation. While some submitters felt this option was an acceptable compromise to nine single-councillor wards, it was generally less preferred to reduce the number of councillors. A change from the status quo to Option D would also have affected the greatest number of residents.

In preparing possible ward boundaries, the VEC also considered fair representation for communities of interest that have particular needs from local government. The VEC cannot consider models that disregard communities of interest as it is important that these particular needs are fairly represented on their local council. Although several submitters argued that the north-south running boundaries (in Option B) collected communities of interest more effectively than the current boundaries, the arguments presented in favour of this option did not outweigh the advantage of maintaining familiar boundaries in the existing structure put in place at the 2004 local council election. The current east-west boundaries spread the growth area in South Yarra and along Chapel Street through multiple wards to help balance the projected population growth and provide longevity to the ward structure. In addition, the current east-west boundary along Commercial and Malvern Roads largely aligns with suburban boundaries to take account of suburban communities. The VEC feels that a change in the boundary, which would affect two-thirds of voters within the municipality, for, arguably, slightly better geographical groupings does not outweigh the advantage of retaining the existing ward boundaries through Option A, which provide familiarity and greater longevity.

Summary

The VEC believes Option A (Preferred Option) with three three-councillor wards, using the existing ward boundaries, provides the most effective electoral structure for the residents of the City of Stonnington. According to development projections, Option A has longevity until the next scheduled electoral representation review, manages to absorb the area of concentrated development to keep wards within the +/- 10 per cent deviation allowable under the Act, and provides fair representation for existing

communities of interest. Option A also offers residents consistency with the existing boundaries and number of councillors.

Recommendation

The Victorian Electoral Commission (VEC) recommends that Stonnington City Council consists of nine councillors to be elected from three three-councillor wards using the existing ward boundaries put in place following the 2004 review of the municipality.

A handwritten signature in blue ink, appearing to read 'S. H. Tully', with a large, stylized flourish at the end.

S. H. Tully
Electoral Commissioner

Appendix 1: List of submitters

Preliminary submissions were received from:

Name
J Gourlay
Lara Barry Residents' Association
M Logan
B & J Magree
S Peake
Proportional Representation Society of Australia (Victoria-Tasmania) Inc.
A Reid
S Rose
S Samuel
B Wee

Response submissions were received from:

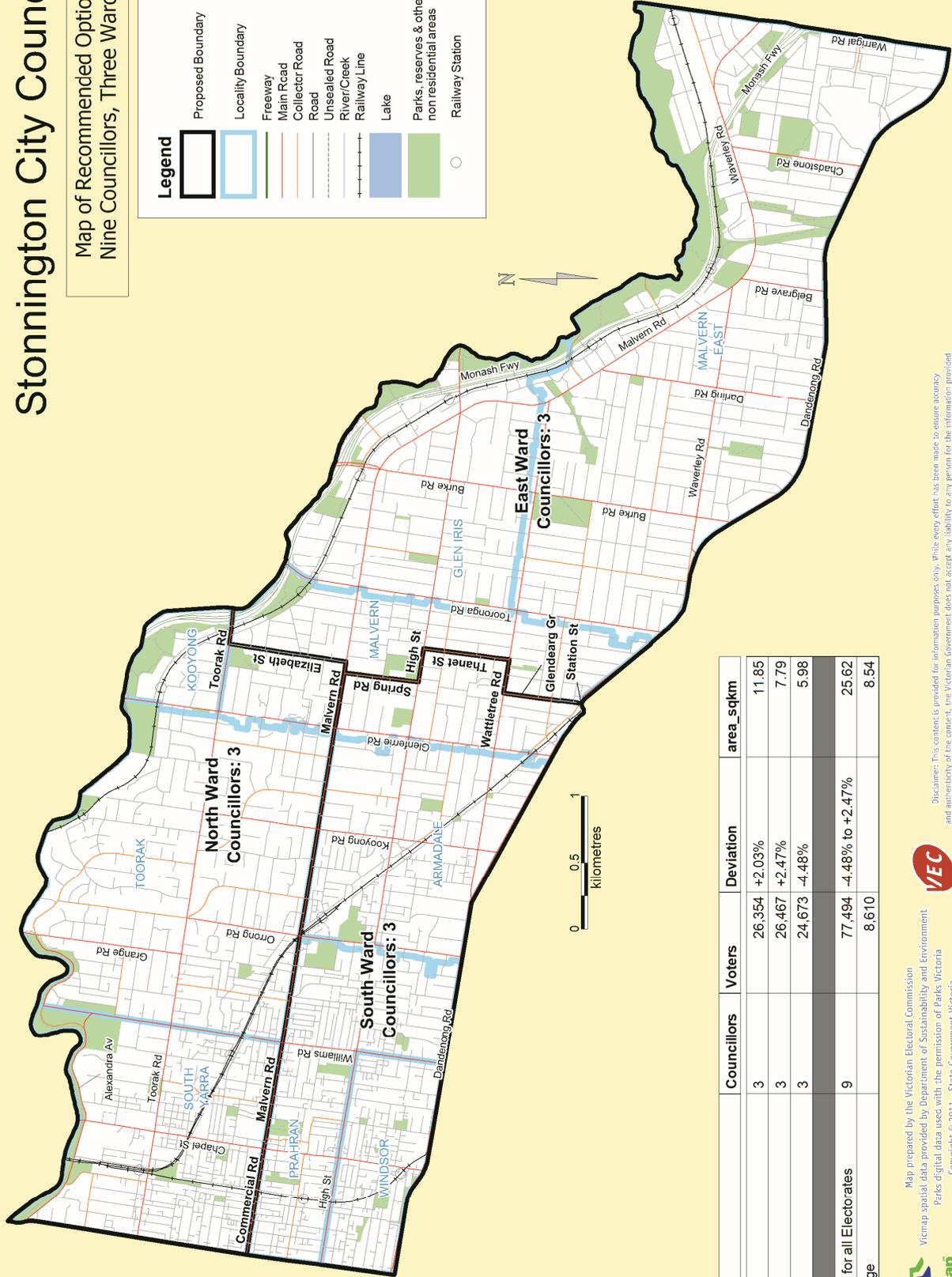
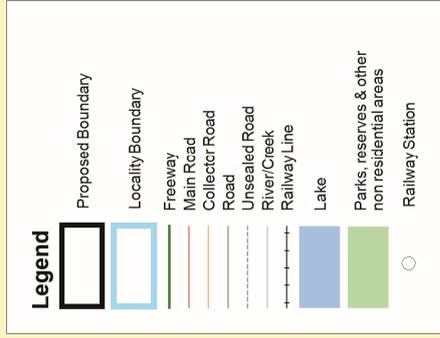
Name
D Dammary*
S Davies
J Gourlay*
J Halls
S Hibbins
B Lines*
S Luntz
G Mackey
B & J Magree*
S Peake
Proportional Representation Society of Australia (Victoria-Tasmania) Inc.
A Reid*
S Rose*
S Stefanopoulos
L Stewart
The Victorian Greens
B Wee*

* indicates those submitters who spoke in support of their submission at the public hearing on Thursday, 28 April 2011.

Appendix 2: Map

Stonnington City Council

Map of Recommended Option
Nine Councillors, Three Wards



Ward	Councillors	Voters	Deviation	area_sqkm
East	3	26,354	+2.03%	11.85
North	3	26,467	+2.47%	7.79
South	3	24,673	-4.48%	5.98
Totals for all Electorates	9	77,494	-4.48% to +2.47%	25.62
Average		8,610		8.54

Map prepared by the Victorian Electoral Commission
Vicmap spatial data provided by Department of Sustainability and Environment
PERIS digital data used with the permission of Parks Victoria
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VEC

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