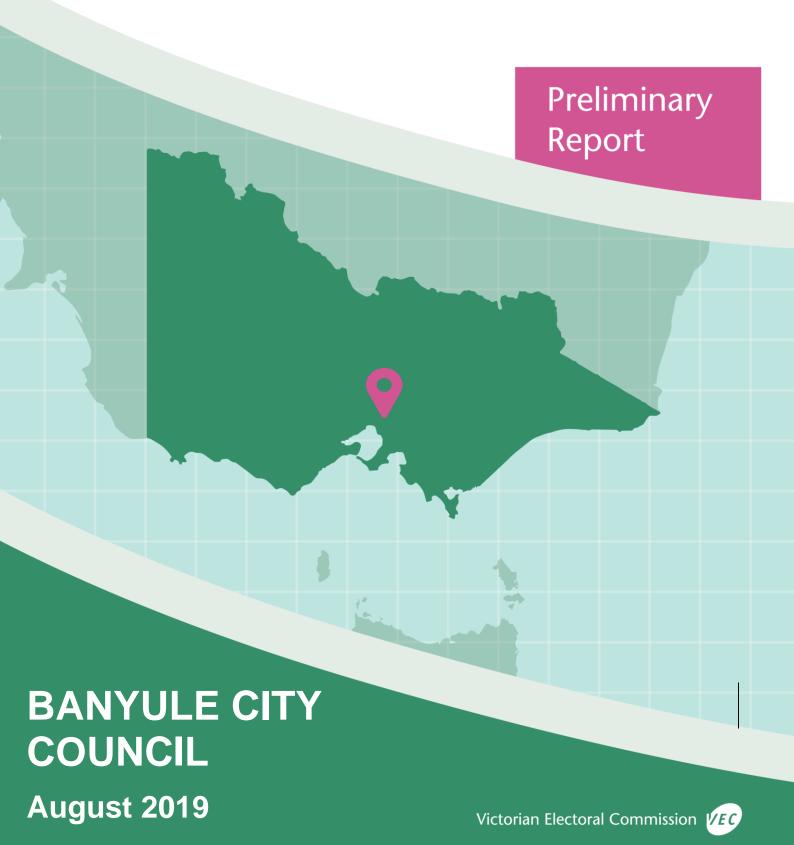
Local Council Representation Review



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Version 1



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Executive summary

The *Local Government Act 1989* (the Act) requires the Victorian Electoral Commission (VEC) to conduct an electoral representation review of each local council in Victoria at least before every third council general election.

The purpose of a representation review is to recommend an electoral structure that provides 'fair and equitable representation for the persons who are entitled to vote at a general election of the Council.' The matters considered by a review are:

- the number of councillors
- the electoral structure of the council (whether the council should be unsubdivided or divided into wards and, if subdivided, the ward boundaries and the number of councillors per ward).

The VEC conducts all reviews based on three main principles:

- 1. taking a consistent, State-wide approach to the total number of councillors
- 2. if subdivided, ensuring the number of voters represented by each councillor is within plus-or-minus 10% of the average number of voters per councillor for that local council
- 3. ensuring communities of interest are as fairly represented as possible.

Current electoral structure

Banyule City Council currently comprises seven councillors elected from seven single-councillor wards. More information on Banyule City Council and the current electoral structure is available in the council fact sheet on the VEC website at wec.vic.gov.au.

Prior to the last representation review in 2007, Banyule City Council was comprised of seven councillors elected from seven single-councillor wards. Visit the VEC website at vec.vic.gov.au to access a copy of the 2007 review final report.

Preliminary submissions

The VEC invited preliminary submissions from the commencement of the Banyule City Council review on Wednesday 26 June 2019. The VEC received 30 submissions by the deadline for submissions at 5.00 pm on Wednesday 24 July 2019. These submissions can be viewed on the VEC website at wec.vic.gov.au and a list of people or organisations who made a submission is available at Appendix 2.

¹ Section 219D of the Local Government Act 1989.

VEC options

The VEC is considering the following options for further consultation:

- Option A (preferred option)
 Banyule City Council consist of nine councillors elected from three three-councillor wards.
- Option B (alternative option)
 Banyule City Council consist of nine councillors elected from three three-councillor wards with different ward boundaries to Option A.
- Option C (alternative option)
 Banyule City Council consist of nine councillors elected from nine single-councillor wards.

Background

Legislative basis

The Act requires the VEC to conduct a representation review of each local council in Victoria before every third general council election, or earlier if gazetted by the Minister for Local Government.

The Act specifies that 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.'²

The Act requires the VEC to consider:

- the number of councillors in a local council
- whether a local council should be unsubdivided or subdivided.

If a local council should be subdivided, the VEC must ensure that the number of voters represented by each councillor is within plus-or-minus 10% of the average number of voters per councillor for that local council. ³ On this basis, the review must consider the:

- number of wards
- · ward boundaries
- number of councillors that should be elected for each ward.

Public engagement

Public information program

The VEC conducts a public information program to inform the community of the representation review, including:

- public notices printed in local and state-wide papers
- public information sessions to outline the review process and respond to questions from the community
- · a media release announcing the commencement of the review
- sponsored social media advertising geo-targeted to users within the local council area

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² Section 219D of the Local Government Act 1989.

³ Ibid.

- an information email campaign targeted at known community groups and communities of interest in the local council area
- a submission guide and fact sheet to explain the review process and provide background information on the scope of the review
- ongoing information updates and publication of submissions on the VEC website.

Public consultation

Public input is accepted by the VEC in:

- · preliminary submissions at the start of the review
- · response submissions to the preliminary report
- a public hearing that provides an opportunity for people who have made a response submission to expand on their submission.

Public submissions are an important part of the review process but are not the only factors considered during a review. The VEC ensures its recommendations comply with the Act and are formed through careful consideration of public submissions, independent research, and analysis of all relevant factors.

The VEC's principles

Three main principles underlie all the VEC's work on representation reviews:

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

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

2. If subdivided, ensuring the number of voters represented by each councillor is within plus-or-minus 10% of the average number of voters per councillor for that local council.

This is the principle of 'one vote, one value', which is enshrined in the Act. This means that every person's vote counts equally.

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

Each local council contains a number of communities of interest. Where practicable, the electoral structure should be designed to ensure they are fairly represented, and that geographic communities of interest are not split by ward boundaries. This allows elected councillors to be more effective representatives of the people and interests in their particular local council or ward.

Developing recommendations

The VEC bases its recommendations for particular electoral structures on the following information:

- internal research specifically relating to the local council under review, including
 Australian Bureau of Statistics and .id data⁴; voter statistics from the Victorian electoral roll; and other State and local government data sets
- small area forecasts provided by .id for relevant local council areas
- the VEC's experience conducting previous electoral representation reviews of local councils and similar reviews for State elections
- the VEC's expertise in mapping, demography and local government
- careful consideration of all input from the public in written submissions received during the review
- advice from consultants with extensive experience in local government.

Deciding on the number of councillors

The Act allows for a local council to have between five and 12 councillors but does not specify how the appropriate number of councillors is to be decided.⁵ In considering the number of councillors for a local council, the VEC is guided by the Victorian Parliament's intention for fairness and equity in the local representation of voters under the Act.

The starting point in deciding the appropriate number of councillors for a local council is comparing the local council under review to other local councils of a similar size and type (Principle 1). Generally, local councils that have a larger number of voters will have a higher number of councillors. Often large populations are more likely to be diverse, both in the nature and number of their communities of interest and the issues of representation.

However, the VEC also considers the particular circumstances of each local council which could justify more or fewer councillors, such as:

- the nature and complexity of services provided by the Council
- geographic size and topography
- population growth or decline
- the social diversity of the local council.

⁴ .id is a consulting company specialising in population and demographic analysis and prediction information products in most jurisdictions in Australia and New Zealand.

⁵ Section 5B(1) of the Local Government Act 1989.

Deciding the electoral structure

The Act allows for a local council to be unsubdivided, with all councillors elected 'at-large' by all voters or subdivided into a number of wards.

If the local council is to be subdivided into wards, there are three options available:

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

A subdivided electoral structure must be developed with internal ward boundaries that provide for a fair and equitable division of the local council.

The Act allows for wards with different numbers of councillors, as long as the number of voters represented by each councillor is within plus-or-minus 10% of the average number of voters per councillor for that local council (Principle 2). For example, a local council may have one three-councillor ward with 15,000 voters and two single-councillor wards each with 5,000 voters. In this case, the average number of voters per councillor would be 5,000.

Over time, population changes can lead to some wards in subdivided local councils having larger or smaller numbers of voters. As part of the review, the VEC corrects any imbalances and takes into account likely population changes to ensure ward boundaries provide equitable representation for as long as possible.

In considering which electoral structure is most appropriate, the VEC considers the following matters:

- the VEC's recommendation at the previous representation review and the reasons for that recommendation
- the longevity of the structure, with the aim of keeping voter numbers per councillor within the 10% tolerance for as long as possible (Principle 2)
- communities of interest, consisting of people who share a range of common concerns, such as geographic, economic or cultural associations (Principle 3)
- the number of candidates in previous elections, as outcomes from previous elections indicate that large numbers of candidates can lead to an increase in the number of informal (invalid) votes
- geographic factors, such as size and topography
- clear ward boundaries.

Public submissions (preliminary)

The VEC received 30 preliminary submissions by the deadline at 5.00 pm on Wednesday 24 July 2019. These submissions can be viewed on the VEC website at wec.vic.gov.au and a list of people or organisations who made a submission is available at Appendix 2.

The matrix below provides an overview of preferences in the preliminary submissions. Detailed analysis of the submissions follows.

	Submitter wanted fewer wards	Submitter wanted ward number to remain unchanged	Submitter wanted more wards	Submitter did not comment on number of wards
Submitter wanted fewer councillors	_		_	
Submitter wanted councillor number to remain unchanged	_	9	_	_
Submitter wanted more councillors	13*	_	7*	_
Submitter did not comment on number of councillors	1	_	_	2

^{*} Some submissions nominated a preference for more than one option.

Number of councillors

Two proposals for the appropriate number of councillors for Banyule City Council were put forward in preliminary submissions. One proposed retaining seven councillors and was supported by nine submitters, including Banyule City Council, two current councillors in their separate submissions, three community groups and three individuals. The other proposal was to increase the number of councillors to nine and was supported by 18 submitters, including six community groups, 11 individuals and one group from outside the local council area. Three submitters did not specify their preferred number of councillors.

Retaining seven councillors

Most of the submitters proposing to maintain the number of councillors at seven felt that the current structure was working well, provided adequate representation and was able to meet the

community's needs. Banyule City Council also argued that there was no requirement or evidence to support increasing the number of councillors and the current structure of seven councillors was the best option for Banyule City Council. In his separate submission, Councillor Craig Langdon suggested that the number of councillors or wards did not need to be increased for Banyule City Council and its voters to be better represented.

Banyule City Council argued in its submission that councillor workloads were not excessive under the current structure and were managed effectively by the seven councillors. In their respective submissions, Councillor Rick Garotti and Cr Langdon argued similarly. Referring to the Council's comparatively high voter-to-councillor ratio, Banyule City Council submitted that the relatively low rate of population growth (projected to increase by about 8% for the period 2019-31) meant that councillor workloads would not increase to the extent that additional councillors would be required.

Moreover, Banyule City Council argued that councillor workloads were not determined in proportion to the number of voters but by the complexity of issues the Council and councillors had to deal with. This was also the view put forward by Cr Garotti, who added that councillors had the support of the Chief Executive Officer and council officers to manage such issues. Likewise, Hesham Mobarek, a resident and business owner in the City of Banyule, suggested that councillors received the necessary support from council officers to manage complex situations and workloads and therefore saw no reason to increase the number of councillors.

Cr Langdon felt that Banyule City Council conducted itself well with seven councillors and did not have the same issues faced by local councils with a greater number of councillors, although he did not specify what these issues were.

According to the submission made by Olympic Adult Education (OAE), which provides educational services to disadvantaged people in Heidelberg West, increasing the number of councillors would add an operational burden to OAE as they would be required to keep a greater number of councillors informed of their activities in order to receive maximum support from Banyule City Council.

Four submitters, including Banyule City Council, commented on the cost that would be incurred if the number of councillors were to be increased. Two of these submitters suggested that the cost of increasing the number of councillors to nine would not deliver enough benefits to warrant such a change. OAE submitted that the cost of an additional two councillors would be better used to improve the facilities of their organisation.

The Banyule Ratepayers Action Group Inc. argued that increasing the number of councillors to nine would, under their preferred single-councillor ward structure, split communities of interests to a greater degree than the current electoral structure of seven single-councillor wards.

Increasing to nine councillors

Several submitters suggested increasing the number of councillors to nine, including one submitter who argued that even 10 or 11 councillors could also be justified. These submitters argued variously that nine councillors would be appropriate for the current and projected population of the City of Banyule, would assist with councillor workloads, and would provide broader representation for voters and residents.

A large number of these submitters suggested that increasing the number of councillors to nine was needed in response to population growth and to reduce the high voter-to-councillor ratio observed when comparing Banyule City Council to other metropolitan local council areas. Emily Bieber identified population growth as the main reason for needing to increase the number of councillors and suggested that having an additional two councillors would be prudent given that the population would continue to grow by the time of the next scheduled review. In arguing for nine councillors, Robert Carter referred to the population at the time of Banyule City Council's last representation review, suggesting that population growth had been significant since this time and, given the scale of residential developments in the local council area, would continue to increase. Other submissions, such as those made by David Gentle, Matthew Goodman and Gareth Moorhead, also felt that nine councillors were needed to better manage the pressures surrounding population growth, as well as major projects, including the North East Link. A number of submitters referred to population growth in particular suburbs or wards of the local council area to make similar arguments for increasing the number of councillors to nine.

In their respective submissions, Ms Bieber, Mr Moorhead, Tim Davis and Donald John Astbury argued that nine councillors would bring the voter-to-councillor ratio of Banyule City Council more into line with similar Metropolitan Melbourne local councils.

Many submitters in support of nine councillors raised concerns about what they felt were heavy councillor workloads under the current seven-councillor electoral structure. Sustainable Macleod Inc. asserted that the councillors in the three largest wards by voter population—Olympia, Griffin and Ibbott—were overworked. Transition 3081, a local environmental group, submitted that the Olympia Ward councillor carried an especially heavy workload for a part-time position. Likewise, Rowan Harrison felt that it was unreasonable for the Griffin Ward councillor to represent the many issues and activity centres contained within the ward, especially because of the part-time nature of a councillor's role. All of these submitters argued that increasing the number of councillors would reduce councillor workloads and improve representation for voters, residents and community groups.

Some submitters, such as Sustainable Macleod, Banyule Clean Energy Group and Ms Bieber, suggested that heavy councillor workloads discouraged some potential candidates from running for election, particularly those unable to commit to a full-time workload. For these and other

submitters, reducing councillor workloads by providing an additional two councillors would make the role of councillor more attractive and accessible, particularly for women and minority groups, and that this would potentially increase the diversity of councillors. Other submitters suggested that an additional two councillors would increase the pool of candidates voters could choose from more generally and that this would likewise broaden representation. The Somali Australian Council of Victoria felt that increasing the number of councillors to nine would provide a greater opportunity for community representation on the Council.

Some submitters suggested variously that an increase in councillor numbers would enhance the opportunity for the community to engage with their elected representatives, provide for a more representative Council and/or facilitate an electoral structure better aligned with communities of interest.

Mr Goodman, pre-empting arguments that increasing the number of councillors would occasion an increase in council rates, suggested that this would not necessarily be the case as there is a legislated cap on rates and he believed that Banyule City Council had increased its rates as much as was allowed by law.

The Proportional Representation Society of Australia (Victoria-Tasmania) Inc. (PRSA) proposed nine councillors because it preferred an odd number of councillors, which they argued would uphold the principle that a majority view should be represented by a majority of elected councillors and would avoid tied votes in the Council. The PRSA also suggested nine councillors in support of an electoral structure of three three-councillor wards.

Electoral structure

Three different electoral structures were supported by submitters. Two of them were an electoral structure of single-councillor wards, comprising either seven or nine councillors, and the other was an electoral structure of three three-councillor wards. Submissions were evenly split in their support for either a single-councillor or multi-councillor ward electoral structure.

Two of the submitters advocating for a multi-councillor electoral structure of three three-councillor wards supported nine single-councillor wards as their second preference. They suggested this model with reference to the additional reforms to the proposed Local Government Bill 2019, which would disallow multi-councillor wards if implemented as currently proposed.

Two further submitters did not propose a particular electoral structure but raised issues relevant to either their local ward or representation more generally. One of these submitters felt that the interests of voters in the suburb of Lower Plenty, which is contained within Hawdon Ward, could be better represented. The other submitter, Banyule Community Health, emphasised the importance of local representation, the value of residents knowing and having access to their local representatives, the need to avoid splitting communities in any electoral structure proposed,

representation of disadvantaged communities, and the value of the review process in strengthening community representation and ensuring appropriate leaders can represent the demographic changes currently occurring.

The VEC received six mapping submissions using the VEC's Boundary Builder tool, plus various written submissions detailing the composition of different electoral structures and/or ward boundary changes.

Single-councillor wards

Of the 14 submitters supporting a single-councillor ward structure, nine preferred the current structure of seven single-councillor wards while five preferred a structure of nine single-councillor wards. Those advocating for the latter did so in response to population growth and/or to increase the diversity on the Council. Similar arguments were presented for both options of seven or nine councillors elected from a single-councillor electoral structure. Most submitters felt that a structure of single-councillor wards was working well and would continue to effectively represent the voters of Banyule City Council.

Governance and councillor relationships

In its submission, Banyule City Council contended that the current structure remained most appropriate as evidenced by its history of good governance and positive community satisfaction ratings for the City. The Council quoted information from the Local Government Victoria website on the additional reforms proposed to the Local Government Bill 2019 to argue its case that single-councillor wards 'provide stronger local democracy with direct accountability to the community,' and 'are the best way to ensure representation is genuinely local.' The Council also argued that single-councillor wards made councillors more accountable to voters and residents.

Kevin Biaggini submitted that the current councillors worked well as a team. The Banyule City Council submission expanded on this point and suggested that single-councillor wards encouraged respectful and collaborative relationships among councillors. On the same point, Cr Garotti's separate submission argued that single-councillor wards fostered strong and supportive relationships between councillors and reduced the risk of competition arising between councillors in multi-councillor wards. Other submitters, including Watsonia Neighbourhood House and Mr Mobarek, believed that multi-councillor wards could lead to conflict or competition between councillors and that this would be detrimental to local representation.

Cr Langdon believed that, in his experience of different electoral structures, Banyule City Council conducted itself better under a single-councillor ward electoral structure. As with the argument made for retaining seven councillors, Cr Langdon felt the Council had not had the same issues

⁶ Department of Environment, Land, Water and Planning (DELWP), Local Government Victoria website https://www.localgovernment.vic.gov.au/our-programs/local-government-act-review, accessed 15 August 2019.

as councils with multi-councillor ward structures. Banyule City Council made a similar point, citing the Council's strong culture of governance, and suggested that inequitable councillor workloads and conflicts between councillors had not been major issues under the current structure.

Local representation and communities of interest

Many submitters felt that councillors in single-councillor wards were able to develop a good understanding of local issues and advocate for residents and other interests specific to their ward. This was the view presented by a number of community groups supporting the single-councillor ward structure. OAE noted that their ward councillor understood local issues and effectively advocated in the interests of the organisation's client base. Watsonia Neighbourhood House suggested that ward councillors had developed a good understanding of local issues and provided proactive support for the work that neighbourhood houses perform. The Somali Australian Council of Victoria felt that the Council had effectively represented people of multicultural and/or disadvantaged backgrounds, particularly local Somalis, and that a move to multi-councillor wards might dilute the representation of their views and aspirations.

Other submitters argued that a single-councillor ward structure was the most appropriate structure to represent the City of Banyule's various communities of interest. Banyule City Council submitted that single-councillor wards provide strong representation for communities of interest and encourage community confidence. In his separate submission, Cr Garotti identified communities based around suburbs, cultural identities and local trading, to suggest that single-councillor wards best represented these interests. In their respective submissions, Banyule Ratepayers Actions Group Inc. and Mr Carter identified diverse features of the City, such as those related to ethnicity, socio-economic status, economic activity and the environment, to suggest that this required an electoral structure capable of responding appropriately to the needs of different communities and geographic areas. Both submitters argued that single-councillor wards provided the optimal structure for such purposes.

Other submitters felt that single-councillor wards gave voters a single point of contact (though according to one submission this did not prevent residents contacting a councillor outside their ward where necessary), reduced the need for residents to connect with multiple councillors as might be more likely in multi-councillor wards, and gave voters greater access to their elected councillors.

Council-wide issues

Some submitters suggested that the current structure of single-councillor wards enabled councillors to effectively represent both ward-based and council-wide issues. Mr Mobarek felt that the single-councillor ward system balanced local representation and representation of the whole local council area. Similarly, Cr Garotti felt that the current structure had delivered local

representation and council-wide strategic initiatives, including major developments and long-term partnerships.

Ward boundaries

Some submitters, including Banyule City Council, felt that the current ward boundaries were appropriate and largely followed identified landmarks, such as natural features and main roads. They suggested that any change to the current structure or ward boundaries would split communities of interest. The Council's submission also pointed out that all wards were currently within +/- 10% of the average number of voters per councillor and there was therefore no need to adjust the boundaries.

Some submitters, including Cr Langdon, OAE, West Ivanhoe Sporting Club and the Banyule Ratepayers Action Group Inc., proposed changes to ward boundaries to make sure that particular wards did not deviate too far from the required +/- 10% of the average number of voters per councillor and in order to retain the current electoral structure of seven single-councillor wards. Other submitters, including Banyule Clean Energy Group, Mr Harrison and Mr Carter, proposed major changes to accommodate two additional wards in support of their preference for a nine single-councillor electoral structure. These submissions informed the development of the options provided at Appendix 1.

Multi-councillor wards

All but one of the submissions supporting a multi-councillor ward structure specified a preference for three three-councillor wards as the best option for Banyule City Council. The main concerns raised in these submissions were the diversity of councillors and the range of views represented on the Council, the benefits of proportional representation, representation of the City's various communities of interests and the degree of choice available to residents. Submitters felt all these would be improved under multi-councillor wards.

Representing diversity

The most pressing concern for submitters in support of multi-councillor wards was the diversity of councillors and the views represented on the Council. Many submitters argued that the current Council was not suitably diverse or did not adequately reflect the City's diverse social composition. Transition 3081 submitted that Banyule City Council was dominated by men and that this was not appropriate for representing the City of Banyule's various communities of interest. Sustainable Macleod Inc. pointed out that women had never held more than one councillor position at any one time and that this likewise left a large section of the community

under-represented.⁷ Both Don Stokes and Mr Moorhead in their respective submissions felt that Banyule City Council had a historically low level of diversity represented on the Council and that multi-councillor wards would assist to remedy this.

Many submitters felt that multi-councillor wards would improve the diversity of councillors. Helen Pereira felt that multi-councillor wards would provide more opportunity for women and minority groups to be elected. Rosemund Smith suggested that changing to a multi-councillor electoral structure would broaden representation, particularly for residents who had recently moved to the area. Good Governance Banyule argued that multi-councillor wards would make it easier for community members to stand for election, which they felt would make the Council more inclusive. Some submitters, including Ms Bieber and Mr Goodman, identified in their respective submissions the higher percentage of women elected under multi-councillor electoral structures when compared to single-councillor wards, as evidence to support the argument that multi-councillor wards would increase the number of women on the Council.

Proportional representation and proportional counting system

Many submitters supporting multi-councillor wards identified features of the proportional representation counting method as a means to increase diversity. Mr Stokes, for example, felt that multi-councillor wards would increase the pool of candidates voters could choose from at elections and would attract a more diverse range of councillors with broader skills and expertise. He felt that this would widen the range of views represented on the Council. Similarly, Transition 3081 suggested that including more diverse viewpoints would improve council debate.

Other submissions, including those from Andrew Conley, Mr Gentle, Mr Davis and Mr Stokes, argued that proportional representation counting was more democratic and representative of voters' wishes. Mr Conley suggested that under this system voters were provided with a greater chance of electing the candidate they most prefer. Other submitters argued that in single-councillor wards, preferential vote counting could possibly leave a large section of the voting population feeling unrepresented.

The PRSA identified the benefits of proportional representation in multi-councillor wards, such as maximising the value of effective votes and increased voter choice at election time. It submitted that a multi-councillor electoral structure better enabled the representation of non-geographical communities of interest and suggested that an electoral structure of three three-councillor wards was the fairest option, as it maintained parity between the different wards and upheld their preference for an odd number of councillors.

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⁷ According to VEC records, this statement is mostly correct. The 2016, 2012, 2005 and 2003 elections each had one woman elected; in both the 2008 and 2000 elections two women were elected. See: https://www.vec.vic.gov.au/ElectoralBoundaries/BanyuleProfile.html

Representing communities of interest

Some submitters identified particular communities of interest they felt were currently under-represented on the Council and believed multi-councillor wards would enable these communities to be more effectively represented. Sustainable Macleod Inc., Transition 3081, Ms Bieber and Mr Goodman all argued in their submissions that the representation of environmental interests and issues, many of which span the whole local council area, would be improved under multi-councillor wards. Mr Goodman also suggested that multi-councillor wards, by more effectively representing the different interests of residents, would better enable the Council to address the challenges of urban densification and major projects, such as the North East Link. Other submitters suggested that the representation of ethnic communities, such as Somalis, and the socially disadvantaged would also be improved through multi-councillor wards.

Other submitters, including Mr Astbury and Ms Pereira, felt that having three councillors representing a ward would provide voters the opportunity to connect with at least one councillor willing to represent them. Mr Goodman suggested that with multiple councillors representing the one ward, councillors would be more accessible and voters would be more likely to find a councillor sympathetic to their needs. Good Governance Banyule argued that councillor workloads in relation to connecting with and representing community and sporting groups could be shared more equitably with three councillors per ward and subsequently that councillors would be better able to keep the community informed about important issues.

Council-wide issues and decision-making

Mr Astbury believed that multi-councillor wards would encourage greater levels of strategic thinking across the Council. Similarly, Ms Bieber felt that multi-councillor wards would allow for larger initiatives to be undertaken by the Council, such as those related to environmental issues. Mr Goodman was of the view that multi-councillor wards would encourage candidates who have a vision for the whole community, while Sustainable Macleod Inc. felt that the same structure would limit the influence of parochial and political party interests.

Good Governance Banyule suggested that multi-councillor wards would improve the Council's governance processes and Mr Stokes argued that it would allow for higher quality decisions to be made by Council. Finally, Mr Conley pointed out that most Metropolitan Melbourne councils have multi-councillor electoral structures and that this in itself justified such a structure being put forward as an option in the representation review process. He also argued that the benefits of multi-councillor wards, would naturally apply to Banyule City Council.

Some submitters provided mapping submissions and/or written submissions detailing the composition of their preferred electoral structural. These suggestions were considered as part of the review process, and a number of these, including those provided by Mr Goodman and Mr Stokes, informed the development of the options provided at Appendix 1.

The VEC's findings and options

Preliminary report findings

Number of councillors

The VEC takes a consistent, state-wide approach to the total number of councillors and is guided in its recommendations by comparing local councils of a similar size and category to the council under review. As the table below indicates, Banyule City Council has the highest voter-to-councillor ratio of all Metropolitan Melbourne councils. This, combined with continued growth in population that is expected to occur, presents a strong case for increasing the number of councillors. Nonetheless, such considerations need to be balanced with the arguments presented in submissions, communities of interest and any special circumstances that might influence the appropriate number of councillors.

Comparable Metropolitan Melbourne councils to Banyule City Council

Local council	Area (km²)	Population (2016 Census)	Number of voters at last review	Current estimate of voters	Number of councillors	Number of voters per councillor
Darebin City *	53	146,719	96,334	117,261	9	13,029
Frankston City	131	134,143	95,979	109,662	9	12,184
Glen Eira City	38	140,875	97,582	106,440	9	11,826
Greater Dandenong City *	130	152,050	93,970	101,846	11	9,258
Banyule City *	63	121,865	90,094	99,158	7	14,165
Moonee Valley City	44	116,671	88,394	94,682	9	10,520
Stonnington City	25	103,832	77,494	93,754	9	10,417
Port Phillip City	20	100,863	85,439	93,106	9	10,345
Manningham City *	114	116,255	85,748	89,624	9	9,958
Maroondah City *	61	110,376	77,739	87,817	9	9,757
Yarra City	20	86,657	65,512	81,669	9	9,074
Bayside City *	36	97,087	67,702	78,937	7	11,277
Hobsons Bay City	65	88,778	63,363	69,683	7	9,954
Maribyrnong City	31	82,288	52,543	65,202	7	9,314

^{*} The local council is undergoing an electoral representation review by the VEC during 2019–20.

As the table indicates, Banyule City Council has the highest voter-to-councillor ratio of all Metropolitan Melbourne councils. The current voting population of Banyule City Council far exceeds the other three Metropolitan Melbourne councils that have seven councillors—Bayside City Council, Hobsons Bay City Council and Maribyrnong City Council. During the 2007 review, the VEC considered that Banyule's voting population justified an increase in the number of councillors to nine and put forward nine councillors elected from nine single-councillor wards as its preferred option during consultation.

The City of Banyule is located in the north-eastern suburbs of Melbourne, approximately 15 kilometres from Melbourne CBD. It covers an area of about 63 square kilometres, most of which (about 76%) is residential.⁸ There are, however, important areas of green space and parkland, particularly along and adjacent to the Yarra River, which makes up part of the local council's southern and eastern boundary.

The local council area includes significant health and education facilities, including Austin Hospital, Heidelberg Repatriation Hospital and Melbourne Polytechnic, as well as the Simpson Army barracks. There are a number of industrial precincts and commercial centres, including Greensborough Plaza, and the Heidelberg and Ivanhoe activity centres, all of which play an important part in the local economy and employment.

Healthcare and social assistance is the main employment industry within the City of Banyule and accounts for almost one-third of all employment in the local council area. This is primarily due to the location of major health institutions and facilities. Healthcare and social assistance is also the main employment industry for Banyule residents, followed by education and training, professional, scientific and technical services, and retail. About 30% of Banyule residents currently in the workforce are classed as 'professionals'.

The City of Banyule includes a variety of suburbs, from the well-established and relatively exclusive suburbs in the south—Eaglemont and Ivanhoe—to more recently established suburbs located throughout much of the north of the local council area, including Greensborough, Watsonia and Bundoora. It also includes the suburb of Heidelberg West, where the village was

⁸ Banyule City Council and Banyule Business, *Economic Profile 2018*, https://banyulebusiness.com.au/, accessed 15 August 2019.

id, 'City of Banyule: economic profile', https://economy.id.com.au/banyule, accessed 15 August 2019.
 Australian Bureau of Statistics, *Census of Population and Housing, Australia, 2016*, cat. no. 2001.0, 27 October 2017, www.abs.gov.au
 ABS, '2016 Quickstats: Banyule (C)',

https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/LGA20660?opendocument, accessed 15 August 2019.

built for the 1956 Summer Olympic Games in Melbourne and is now the location for a large number of social housing dwellings.¹²

Separate houses comprise 77.7% of all dwelling types in the local council area—significantly higher than the average for Greater Melbourne.¹³ Higher density living has increased, though, and is expected to continue to grow. Since 2006, medium-density dwellings have increased from 19.9% of the total housing stock to 21.8% while high-density dwellings have increased from 0.3% to 1.7%.¹⁴ Such developments are most evident in the south of the City in suburbs such as Heidelberg, Heidelberg Heights, Heidelberg West, Bellfield and Ivanhoe, and also in parts of the north, particularly around the Greensborough Activity Centre.¹⁵

Heidelberg and Ivanhoe are expected to accommodate much of the growth planned for the City of Banyule, and the increasing rate of higher density living in these areas will likely attract a younger demographic. ¹⁶ Ivanhoe East, Lower Plenty and Eaglemont have limited development opportunities, whereas some suburbs in the north, including Watsonia and Greensborough, are expected to grow at a moderate pace. ¹⁷ Some of these northern areas, including those within the vicinity of the Greensborough Activity Centre, are projected to absorb a higher rate of growth than the average for the City overall. ¹⁸ Major infrastructure projects will take place in the council area in coming years and large areas of the Council will be significantly impacted by construction of the North East Link, which is expected to commence in 2020. The social and environmental effects of the major project have prompted concerns and opposition from residents, community groups and the Council itself. ¹⁹

Overall, the population rates above the State and Greater Melbourne on various measures, including income and wealth, education attainment, home ownership and indices of relative socio-economic advantage/disadvantage.²⁰ However, some areas, including Heidelberg West

¹⁹ See Banyule City Council, *Shaping Banyule* website, https://shaping.banyule.vic.gov.au/, accessed 20 August 2019.

https://www.abs.gov.au/ausstats/abs@.nsf/mf/2033.0.55.001, accessed 15 August 2019.

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¹² For a history of Banyule City Council's suburbs, see Context, *Banyule Thematic Environmental History*, Final Report October 2018, prepared for Banyule City Council, https://shaping.banyule.vic.gov.au/heritagethemes, accessed 15 August 2019.

¹³ Australian Bureau of Statistics (ABS), '2016 Quickstats: Banyule (C)', https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/LGA20660?opendocument, accessed 15 August 2019.

¹⁴ id, 'City of Banyule: community profile', https://profile.id.com.au/banyule, accessed 15 August 2019.

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¹⁶ id, 'City of Banyule: population forecast', https://forecast.id.com.au/banyule, accessed 15 August 2019. ¹⁷ ibid

¹⁸ ibid.

²⁰ id, 'City of Banyule: community profile', https://profile.id.com.au/banyule, accessed 15 August 2019. See also ABS, Census of Population and Housing: Socio-Economic Indexes for Areas (SEIFA), Australia, 2016, 2033.0.55.001. Socio-Economic Indexes for Areas (SEIFA) is developed by the Australian Bureau of Statistics (ABS) to rank areas in Australia according to relative socio-economic advantage and disadvantage. The rankings use variables, such as income, education, employment, occupation and housing, derived from Census data to indicate relative socio-economic advantage and disadvantage for particular areas, including Local Government Areas.

and its surrounds are considered highly disadvantaged.²¹ Heidelberg West in particular rates as one of the most socially disadvantaged suburbs in Victoria. The suburb contains a large proportion of the City's social housing stock and has a high proportion of residents born overseas. The area is also home to one of the largest Somali communities in Victoria.

The percentage of the population born overseas is 23.6% in the City of Banyule, which is significantly lower than for Greater Melbourne (34%).²² However, this percentage has increased from about 20% in 2006.²³ Most significant has been the increasing numbers of individuals born in China and India, which have grown by 2,060 and 1,281 respectively since 2006.²⁴

Population growth has not been as pronounced in the City of Banyule as other Metropolitan Melbourne local councils. Between 2006 and 2016 the population of Banyule has increased by about 6% from 114.869 to 121.865.²⁵ On current projections, the population is forecast to increase by about 8% for the period 2019-31 to 143,366 around the time of the next scheduled representation review.²⁶ Such growth will be uneven, with the suburbs of Heidelberg, Heidelberg Heights and Ivanhoe, all of which are located in the south of the local council area, expected to grow at a significantly higher rate than the average across the City overall.²⁷

Given projected population growth, the high voter-to-councillor ratio of Banyule City Council compared with similar local councils, and the fact that the number of councillors has remained at seven since local council amalgamations in the 1990s, the VEC considers that increasing the number of councillors is justified and recommends nine councillors as appropriate for fair and equitable representation. Aside from its relatively modest population growth, the City of Banyule has changed significantly since the last representation review in 2007, as indicated by an increasingly diverse population, growth in higher density living and, in some areas, high rates of social disadvantage. These particular circumstances provide additional reasons for increasing the number of councillors to nine.

Electoral structure

This report presents three options for the community's consideration and feedback. Each of the options were developed in response to the arguments captured from preliminary submissions, the VEC's own research, and modelling of population projections.

Two multi-councillor ward electoral structures are presented as Option A and Option B, both comprising three three-councillor wards. The VEC considers these options provide a good balance between local representation and scope for Banyule City Council to reflect greater

²¹ id, 'City of Banyule: social atlas', https://atlas.id.com.au/banyule, accessed 15 August 2019.

²² id, 'City of Banyule: community profile', https://profile.id.com.au/banyule, accessed 15 August 2019. ²³ ibid.

²⁴ ibid.

ABS, Census of population and housing: time series profile, Australia, 2016, 2003.0, 2017.

²⁶ id, 'City of Banyule: population forecast', https://forecast.id.com.au/banyule, accessed 15 August 2019. ²⁷ ibid.

diversity. The multi-councillor wards also offer voters a greater degree of choice at elections. Considering the uncontested elections in some wards and low numbers of candidates in others under the current structure at previous elections of the local council, Option A and Option B will likely provide improved election outcomes and a greater chance of electing a broad range of candidates. The VEC also considers that both multi-councillor ward options correspond with the geography of the City of Banyule to provide three, fairly evenly sized wards using clear and logical internal ward boundaries. The options also enable larger areas with common features to be contained within wards, which assists representation for geographic communities of interest.

As Option C, the VEC also provides a single-councillor ward option comprising nine councillors. This option was modelled in response to the number of preliminary submissions that favoured single-councillor wards. At its last representation review of Banyule City Council, the VEC's final recommendation was seven councillors elected from seven single-councillor wards as this was found to be better aligned with communities of interest than the alternative option from the preliminary report (nine councillors elected from nine single-councillor wards). Given the changes in the City of Banyule since the last review, including population growth and other sociodemographic developments, the VEC has determined that an increase to nine councillors is appropriate and that the nine single-councillor ward option captures communities of interest reasonably well.

Option A: Nine councillors elected from three three-councillor wards

This option responds to community support for multi-councillor wards, and in particular, the strong support for an electoral structure of three three-councillor wards. Two submitters mapped the same structure, using slightly different internal ward boundaries. Another two submitters described similar structures in their written submissions.

This option provides voters with a good, and potentially a greater degree of choice, at election times when compared with a single-councillor electoral structure. Moreover, multi-councillor wards elect candidates through a proportional counting system, which gives multiple communities within a ward a better chance of electing a representative according to the proportion of support for their candidate. This means that multiple and overlapping communities of interest are able to be represented within the one ward. As suggested in submissions, features such as these have the potential to increase the diversity of councillors by giving candidates with a significant level of community support a good chance of being elected. Furthermore, the larger wards proposed in Option A potentially capture broader communities of interest than is likely to be the case in single-councillor wards.

Uncontested elections are much less common in electoral structures comprising multi-councillor wards than those with single-councillor wards. The regularity of uncontested wards in Banyule

City Council elections under the current electoral structure effectively removes the opportunity for some voters in the local council from choosing their preferred candidate at each election.

Multi-councillor wards are also able to absorb uneven population growth more effectively than single-councillor wards. This means that boundary changes to correct imbalances in ward enrolments are less likely. The VEC's modelling and detailed population projections indicate that all wards in Option A are currently within the +/- 10% tolerance for compliance with the voter-to-councillor equality requirement and are anticipated to remain so over the long term or at least until the next scheduled representation review.

The ward boundaries are easily identifiable and there is less chance that ward boundaries will divide communities of interest than would be the case in a single-councillor ward structure, as in Option C.

The proposed South Ward is largely comprised of the current Olympia and Griffin Wards and is where major growth is expected. While the proposed ward combines some suburbs that are quite different from each other, it does not split the communities of interest currently contained within Olympia Ward and keeps together the suburbs of Heidelberg, Ivanhoe, Ivanhoe East and Eaglemont. It uses the current Waiora Road boundary and St James Road/Heidelberg locality boundary and does not split the suburb of Heidelberg to the same degree as the current ward boundaries.

The proposed North West Ward comprises all of the current Grimshaw Ward and most of Ibbott and Bakewell Wards. The ward keeps the suburbs of Bundoora, Watsonia, Macleod, and a large part of Rosanna together. As its internal boundaries, the ward uses the Plenty River, the Greensborough/Yallambie locality boundary, the Simpson Army Barracks, a small section of Lower Plenty Road, and Rosanna Road. These are considered familiar and easily identifiable ward boundaries.

The proposed North East Ward combines Viewbank, Yallambie and Lower Plenty, which have similar demographics, and Montmorency, Briar Hill, a section of Greensborough, St Helena and Eltham, which likewise are similarly profiled. As with the proposed North West Ward, the internal ward boundaries are familiar and easily identifiable.

While the proposed wards in Option A bring together some suburbs that are demographically distinct, this is not a major impediment to fair and equitable representation in a multi-councillor ward. A potential weakness of this option is that two out of three of the City's main activity centres—Ivanhoe and Heidelberg Activity Centres—are located in South Ward, whereas there is no major activity centre in the North East. However, the VEC notes that this is currently the case under the present electoral structure, wherein the same two activity centres in the south of the council area are located in Griffin Ward.

Option B: Nine councillors elected from three three-councillor wards

This option also responds to community support for multi-councillor wards and the strong support for an electoral structure of three three-councillor wards. While the exact structure was not modelled in preliminary submissions, it provides an alternative three three-councillor ward configuration for public consultation. Like Option A, this option provides voters with a good or potentially improved degree of choice at election time and through proportional vote-counting could similarly increase the chance that significant minorities can elect a candidate of their choosing. The other advantages of Option A, such as a reduced risk of uncontested elections and less chance of boundary ward changes, likewise apply in Option B.

The ward boundaries in Option B are easily identifiable. However, compared to Option A, this option makes better use of major thoroughfares as ward boundaries, such as the Greensborough Highway/Road and Lower Plenty Road.

The proposed South Ward combines suburbs, including Ivanhoe, Ivanhoe East, Eaglemont and Heidelberg, which have similar profiles, with Viewbank and most of Lower Plenty, which also have similar social characteristics to each other.

The proposed North East Ward includes the suburbs of Greensborough, Montmorency, Briar Hill, St Helena, Eltham North, and parts of Watsonia, Lower Plenty and Macleod. These areas are largely similar in terms of dwelling types and other social demographic features. The proposed ward boundary splits Watsonia, which is already the case under the current electoral structure.

The proposed North West Ward includes the suburbs of Heidelberg West, Heidelberg Heights and Bellfield, which are distinct to each other in many respects, with a large part of Rosanna, Macleod, Bundoora, Watsonia North and a part of Watsonia. These latter suburbs, particularly those in the north of the local council area, also have similar profiles.

The grouping of suburbs with similar could be problematic, however. A potential drawback of Option B is that the proposed North West Ward combines two areas with the highest levels of disadvantage, while the proposed South Ward includes most of the wealthiest areas of the Council. This could appear to create wards defined by socio-economic status and may potentially create community division or result in inequitable councillor workloads.

Option C: Nine single-councillor wards

In response to strong community support for retaining single-councillor wards combined with the VEC's determination that nine councillors would be the most appropriate number for ensuring fair and equitable representation in Banyule City Council, Option C provides an electoral structure of nine single-councillor wards for the community's consideration and feedback. Option C retains those positive features of single-councillor wards suggested in preliminary submissions, including accessible councillors that are aware of and able to easily respond to local issues. The option

also retains the strong suburb-based identities of the current seven-councillor wards, which was a prominent argument presented in preliminary submissions. In many respects, the wards in Option C are more aligned with these suburb-based identities than the current single-councillor ward electoral structure.

In order to accommodate two additional wards, one in the south of the local council area and the other in the east, changes needed to be made to all of the existing internal ward boundaries. Some of these changes are significant. Griffin and Hawdon Wards, for example, have been split with boundary adjustments affecting each of the surrounding wards.

This option satisfies the need for all wards to remain within +/- 10% of the average number of voters per councillor over the long term. However, single-councillor wards, particularly in densely populated urban areas and situations of uneven growth, are more vulnerable to population change. While all wards in Option C are projected to remain within +/- 10% of the average number of voters per councillor until the next scheduled review, there is a risk that unpredictable population changes will necessitate boundary changes.

The VEC considers that Option C does not split communities of interest to any significant degree. Each of the proposed wards captures the following suburbs:

- Chelsworth Ward includes all of Ivanhoe and the Ivanhoe activity centre.
- Griffin Ward now includes more of Heidelberg, all of Eaglemont and Ivanhoe East, as well as the Heidelberg Activity Centre.
- Olympia Ward contains the suburbs of Heidelberg West, Heidelberg Heights and Bellfield, although it no longer contains the industrial precinct currently in the north of this ward.
- Ibbott Ward includes most of Rosanna and Macleod.
- Hawdon Ward contains Viewbank and Yallambie and parts of Rosanna, Macleod and Heidelberg.
- Sherbourne Ward includes all of Montmorency, Lower Plenty, and a small section of Briar
- Beale Ward is relatively unchanged and contains most of Briar Hill, parts of Greensborough, Saint Helena, and Eltham North.
- Bakewell Ward includes a large part of Greensborough, the Greensborough Activity Centre, and a larger portion of Watsonia.
- Grimshaw Ward contains Bundoora, Watsonia North, and a small section of Watsonia.

As a result of these changes, there is a more even distribution of major activity centres between the wards. In the current seven wards, two major activity centres are in Griffin Ward, which, according to one preliminary submission, imposes a greater workload for this councillor. In response to preliminary submissions the proposed ward boundaries of Option C do not split major activity centres or the smaller neighbourhood shopping strips.

A potential weakness of Option C relates to the possibility of uncontested elections and/or lower numbers of candidates in contested wards. The change from seven to nine single-councillor wards would risk carrying over, if not magnifying, the experience from recent Banyule City Council elections. At the Council's last general election in 2016, both the Bakewell and Grimshaw Ward candidates were elected unopposed and at the 2012 election, Ibbott Ward was uncontested. Additionally, some wards, including Beale and Ibbott Wards, have averaged two to three candidates over the past three elections. In these cases voters do not have the same degree of choice as would likely be the case in larger, multi-councillor wards.

In respect to ward boundaries, the smaller, single-councillor wards in Option C inherently require more divisive boundaries. As a result of its careful modelling, the VEC considers that, in most cases, Option C uses as identifiable ward boundaries as possible, including ones that will be familiar for local residents.

Options

The VEC is required by the Act to include a preferred option and may include one or more alternative options for the electoral structure in the preliminary report. The VEC considers that all the options outlined below offer fair and equitable representation for voters in the local council. Please see Appendix 1 for detailed maps of these options.

Option A (preferred option)

Banyule City Council consist of nine councillors elected from three three-councillor wards.

Option B (alternative option)

Banyule City Council consist of nine councillors elected from three three-councillor wards with different ward boundaries to Option A.

Option C (alternative option)

Banyule City Council consist of nine councillors elected from nine single-councillor wards.

Ward names

The VEC has suggested ward names to identify the wards in Options A, B and C. The ward names in Option C are largely the same as those currently used, with the two additional wards using names proposed in the 2007 representation review. The VEC invites comments from the community on these ward names as part of submissions responding to the preliminary report.

Next steps

Response submissions

Any person or group, including the council, can make a submission to the VEC in response to the options contained in this report. Response submissions to the preliminary report should address the models proposed by the VEC within this report. Response submissions must be received by the VEC by 5.00 pm on Wednesday 18 September 2019. Late submissions will not be accepted.

Submissions must include the full name and address of the submitter. Submissions without this information cannot be accepted.

Submission methods

Submissions can be made via:



The online submission form at vec.vic.gov.au



Email at banyule.review@vec.vic.gov.au



Post to 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 public inspection at:

- the VEC website at <u>vec.vic.gov.au</u>
- the VEC office at Level 11, 530 Collins Street, Melbourne.

The VEC will remove personal information such as the address, phone number and signature, if applicable, of submitters from all public copies. However, the full name and locality of submitters will be displayed.

Public hearing

There is an opportunity for people or organisations who have made a response submission to speak about their submission at a public hearing. The public hearing is scheduled for:

Time: 6.30 pm

Date: Wednesday 25 September 2019

Venue: Hawdon, Olympia & Ibbott Rooms, Greensborough Service Centre, 1 Flintoff

Street, Greensborough.

Participation in the public hearing is encouraged. If you wish to speak at the public hearing, you **must** indicate this on your response submission. If there are no requests to speak at the hearing, it will not be held. Visit the VEC website at vec.vic.gov.au for more information on public hearings.

Final report

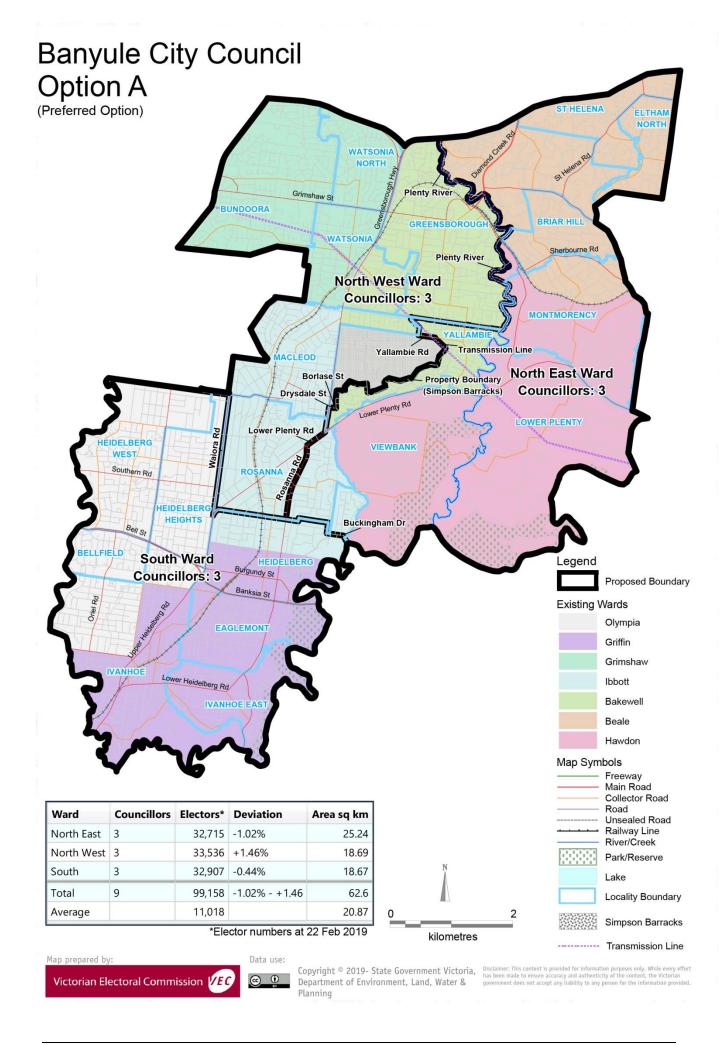
Following the public hearing, the VEC considers all the evidence it has gathered and publishes a final report for the Minister for Local Government containing a recommended electoral structure. The report is scheduled to be published on Wednesday 16 October 2019. Any changes resulting from the final report will apply at the October 2020 general election.

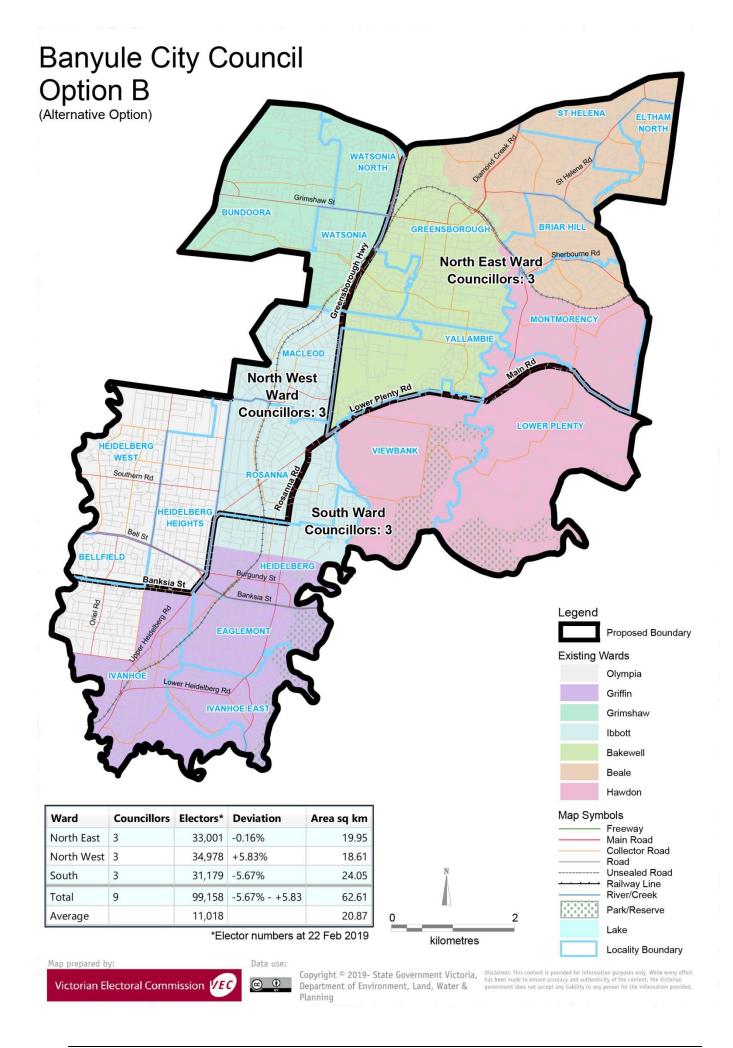
The final report will be available from the VEC by visiting <u>vec.vic.gov.au</u> or calling 131 832. It will also be available for inspection at the offices of Banyule City Council.

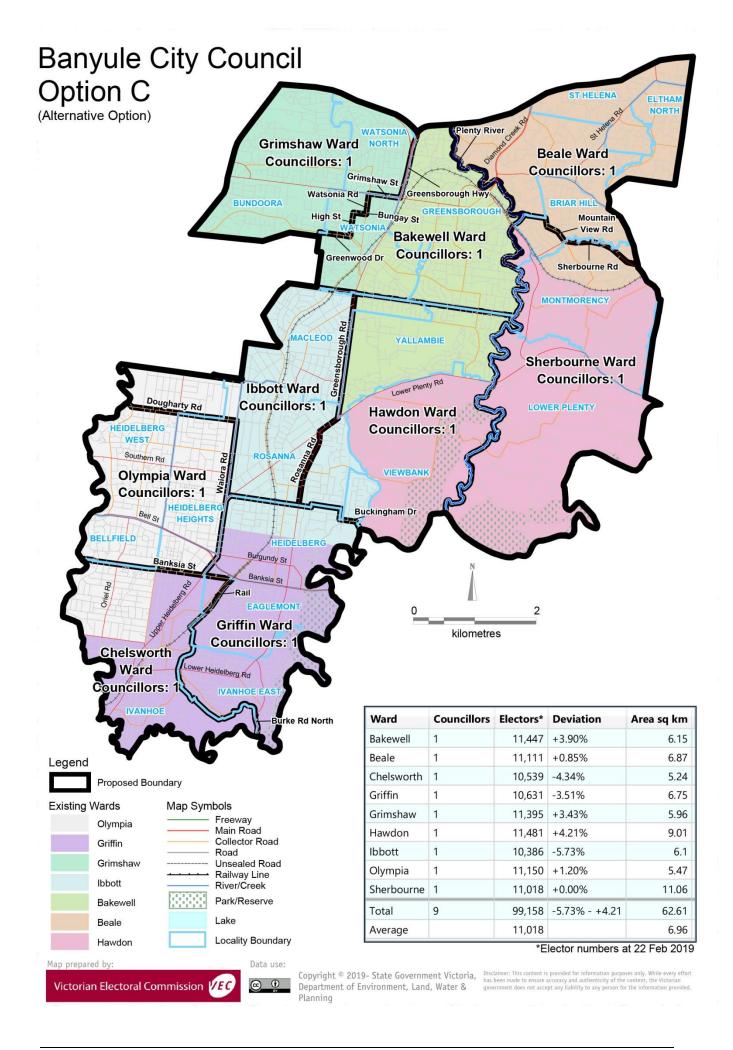
Appendix 1: Option maps

The following maps are included in this report:

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Option A (preferred option)	28
Option B (alternative option)	29
Option C (alternative option)	30







Appendix 2: List of preliminary submissions

30 preliminary submissions were received in total. Submissions were made by:

Astbury, Donald John Harrison, Rowan

Banyule City Council Langdon, Cr. Craig

Banyule Clean Energy Group Moorhead, Gareth

Banyule Community Health Mobarek, Hesha

Banyule Ratepayers Action Group Olympic Adult Education (OAE)

Inc. Pereira, Helen

Biaggini, Kevin Permezel, Fiona

Bieber, Emily Proportional Representation Society

Carter, Robert of Australia (Victoria-Tasmania) Inc.

Conley, Andrew Smith, Rosemund

Crowley, Patricia Somali Australian Council of Victoria

Davis, Tim Stokes, Don

Garotti, Cr. Rick Sustainable Macleod Inc.

Gentle, David Transition 3081

Good Governance Banyule Watsonia Neighbourhood House

Goodman, Matthew West Ivanhoe Sporting Club



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