



City of
Moonee Valley

Special Meeting of Council

Tuesday, 10 March 2015 at 7.00pm

Agenda

Special Meeting of Council

Tuesday, 10 March 2015 at 7.00pm
to be held at Moonee Valley Civic Centre

TO:

Members: Cr Narelle Sharpe Mayor
Cr Cam Nation
Cr Jan Chantry
Cr Shirley Cornish
Cr Jim Cusack
Cr Paul Giuliano
Cr Nicole Marshall
Cr John Sipek
Cr Andrea Surace

Officers: Mr Neville Smith Chief Executive
Mr Tony Ball Director Community Services
Mr Bryan Lancaster Director City Works & Development
Mr Anthony Smith Director Corporate Services
Mr Scott Widdicombe Director Environment & Lifestyle
Ms Yvonne Hansen Manager Governance & Local Laws

Business

- 1. Opening**
- 2. Apologies**
- 3. Declarations of Conflict of Interest**
- 4. Reports**
 1. Electoral Representation Review 20153
- 5. Close Of Meeting**

NEVILLE SMITH
Chief Executive

COUNCIL REPORTS

1. Electoral Representation Review 2015

File No: FOL/14/929
Author: Manager Governance & Local Laws
Directorate: Corporate Services
Ward: Municipal

Purpose

The purpose of this report is to advise Councillors of the process and timelines for the Electoral Representation Review to be conducted by the Victorian Electoral Commission from February 2015 and to seek endorsement of Council's preliminary submission, setting out Council's preferred position.

Executive Summary

- Council was nominated by the Minister for Local Government to undergo an Electoral Representation Review on 28 August 2014.
- The Minister has appointed the Victorian Electoral Commission (VEC) to undertake the review.
- The VEC has advised of the steps and timelines in the review process. The process includes opportunities for community consultation.
- The review commenced on 11 February 2015 with 'A Guide for Submissions' being released by the VEC.
- Council has the opportunity to lodge a preliminary submission with the VEC by 5.00pm, on 11 March 2015.

Recommendation

That Council:

1. Endorse its preliminary submission to the Victorian Electoral Commission - Electoral Representation Review (provided as **Appendix A**).
2. Submit its preliminary submission via the online submission form no later than 5pm, 11 March 2015.

Background

The Minister for Local Government, via notice published in the Victorian Government Gazette on 28 August 2014, specified that Moonee Valley City Council would undergo an Electoral Representation Review under Section 219C(6) of the Local Government Act 1989.

In carrying out the review, the VEC aims to ensure fair and equitable representation for the voters of the municipality. The VEC will make a recommendation to the Minister for Local Government as to:

- The appropriate number of Councillors;
- The electoral structure of the City (whether it should be unsubdivided or divided into wards, how many wards there should be, and the number of Councillors per ward); and
- The boundaries of the wards (if the City is to be divided into wards).

The review cannot deal with external boundaries of the municipality, or whether the municipality should be divided into two separate municipalities or amalgamated with another municipality.

Discussion

In undertaking its review, the VEC will consider such factors as the number of Councillors and electoral structure of comparable municipalities, communities of interest, demographics and growth potential. The VEC will consider a range of information including arguments and evidence in public submissions.

It is important to note that, in undertaking the review, the VEC will apply what is known as the “legislative equality requirement”. That is, if the municipality is divided into wards, the number of voters represented by each councillor must be plus or minus 10% of the average number of voters per councillor across the municipality. This is the principle of “one vote, one value”.

Currently, the City of Moonee Valley is a subdivided multi-member ward municipality with nine Councillors elected from three wards. The total number of electors on the Voters Roll as at January 2015 is 88,394 with an average of 9,822 voters per councillor. This is lower than the average number of voters per councillor for Greater Melbourne, which is 11,020. Rose Hill Ward is slightly below the 10 per cent deviation for the average number of voters per councillor (at -10.30 per cent), whereas Buckley Ward is close to the upper limit of the 10 per cent deviation (at +8.38 per cent). Myrning Ward is well within the 10 per cent deviation, although it contains some high-growth suburbs with an expected population growth of 6,000 over the next 10 years.

As referred to in the VEC’s ‘Guide for Submissions’, the following dates show the major milestones in the review process:

- Publication of Notice of Review – 11 February 2015
- Public Information Session – 19 February 2015 at Moonee Valley Civic Centre
- Close of preliminary submissions – 11 March 2015
- Publication of Notice of Preliminary Report – 8 April 2015
- Close of submissions on Preliminary Report – 6 May 2015
- Public Hearing – 14 May 2015 at 6.30 pm in the Council Chamber, Moonee Valley City Council, 9 Kellaway Avenue, Moonee Ponds.
- Release of Final Report – 3 June 2015.

Whilst timelines have not made it easy for Council to obtain community input into Council's submission, it is anticipated that the tabling of this report and Council's submission will inform the community of Council's position.

Consultation

Councillors have been consulted in the preparation of Council's submission.

Implications

1. Legislative

This report is presented to Council in accordance with Division 2 of the Local Government Act 1989.

The Human Rights Charter protects people's right of Entitlement to participate in public life (including voting).

2. Council Plan / Policy

In presenting this report to Council, Council is achieving its strategic objective of a dynamic, effective and accountable organisation through excellence in governance.

3. Financial

The cost of the review has been estimated at approximately \$42,500.

4. Environmental

There are no environmental implications relating to this report.

Conclusion

In addressing the key issues of the number of Councillors, ward structure and ward boundaries/alignments, Council officers have prepared a preliminary submission (provided as **Appendix A**) that is considered to best meet the needs of voters whilst considering existing arrangements and identifying where improvements can be made.

APPENDIX A

Electoral Representation Review 2015

Moonee Valley City Council

Preliminary Submission

Moonee Valley City Council ('the Council') is committed to achieving the best possible outcomes for its community from the electoral representation review which is being conducted by the Victorian Electoral Commission (VEC) in accordance with sections 219C and 219D of the *Local Government Act 1989* ('the Act').

Council acknowledges that the primary purpose of the review is to achieve "*fair and equitable representation for the persons who are entitled to vote at a general election of the Council.*"

In considering the above purpose, the VEC will examine three mechanisms:

- the number of Councillors
- whether the structure of the municipality should be subdivided into wards to unsubdivided; and
- if subdivided: the number of ward; what the ward boundaries should be; the name of each ward; and how many Councillors should be elected for each ward.

1. Number of Councillors?

Council considers that:

- The community of Moonee Valley is effectively represented by nine Councillors with an average councillor to voter ratio of 1:9,822.
- The current representation ratio is lower than the average number of voters per councillor for Greater Melbourne at 11,020.
- An increase in the number of Councillors from nine to ten or more will effectively further reduce the councillor to voter ratio and potentially affect the VEC's State Wide Approach model.
- Moonee Valley's population of approximately 115,097 is forecast to grow 1.3% per year over the next 12 years. Given this forecast, there will be no significant future increase in the number of electors to justify increasing the number of councillors above the present level of nine.

Therefore, Council's submission recommends that the number of Councillors representing Moonee Valley voters remains at 9.

2. Structure of the electorate: Subdivided or Unsubdivided?

The current structure of three multi member wards has served the Council extremely effectively over the past seven years and continues to be the best electoral structure for the municipality in delivering strong and accountable electoral representation, responsive service delivery and good governance to its citizens.

Council's submission recommends that the municipality continue to be subdivided into three multi-member wards. Council considers the following as benefits of subdivided multi-member wards:

- Promotes an environment of community engagement, where Councillors are more accessible and better able to communicate with its community.
- Better promotes and protects communities of interest, as ward Councillors develop greater knowledge and understanding of local issues and concerns and are far better placed to advocate on behalf of their local community.
- Ensures greater community accountability, in so far as electors can assess the performance of individual councillors and hold them accountable at the ballot box.
- Avoids potential community confusion about representational responsibilities and access to their ward representative.
- Reduces the cost of conducting an election campaign as candidates only need to canvass electors within a ward, as opposed to campaigning municipality wide.

3. Ward Boundaries/Realignment?

Bearing in mind that Council supports the 3 x 3 multi member ward structure, and is keen to retain Communities of Interest, Council recommends, as a low impact preference for the community, to annex Niddrie from Buckley Ward to Rose Hill Ward, effectively altering the boundary between the two wards and removing any current and potential breach with the legislative equality requirement.

The following supporting rationale is given for the proposed ward boundary change (also demonstrated in Figure 1).

- a) Niddrie currently has 4,199 voters. Annexing Niddrie into Rose Hill Ward will increase the average No. of Voters per Councillor for Rose Hill as follows:

Current Rose Hill Voters:	26,430
Niddrie Voters:	4,199
Proposed Total Ward Voters:	30,629

Average Voters per Councillor (3 Councillors)	10,209
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Increasing Rose Hill Wards average to +3.9% (within 10% tolerance).

- b) Given Buckley Ward is at +8.38%, this will reduce the average to -5.9% within the threshold, removing any potential breach of the 10% tolerance in the near future and leaving room for an anticipated population growth of 4,300.

Current Buckley Voters	31,935
Niddrie Voters	4,199
Proposed Total Ward Voters:	27,736
Average Voters per Councillor (3 Councillors)	9,245

Increasing Rose Hill Wards average to +3.9% (within 10% tolerance).

- c) Maintaining Myrnong Ward (+1.9%) will enable the 10% Councillor/Voter threshold to be sustained over the next 10 years. It is projected that a population growth of 6,000 will occur. Assuming 6,000 new electors are introduced into the Myrnong Ward, this will increase the threshold to 9.5%, still within the legislative threshold.
- d) Niddrie is able to be moved in its entirety without disrupting other suburbs or Communities of Interest.
- e) In addressing the VEC's guideline to 'following clear lines' when taking into account any boundary realignments, Council also recommends to realign those boundaries (as represented Figure 1) as follows:
- i) Alter the boundary at the top end of Airport West to extend to Tullamarine Freeway, effectively absorbing that section into Rose Hill and providing a clearer line. No properties are affected by the proposal.
 - ii) Alter the boundary at the bottom end of Airport West to extend from Treadwell Road through to the Calder Freeway, effectively absorbing that section into Rose Hill Ward and providing a clearer line. No properties are affected by the proposal.

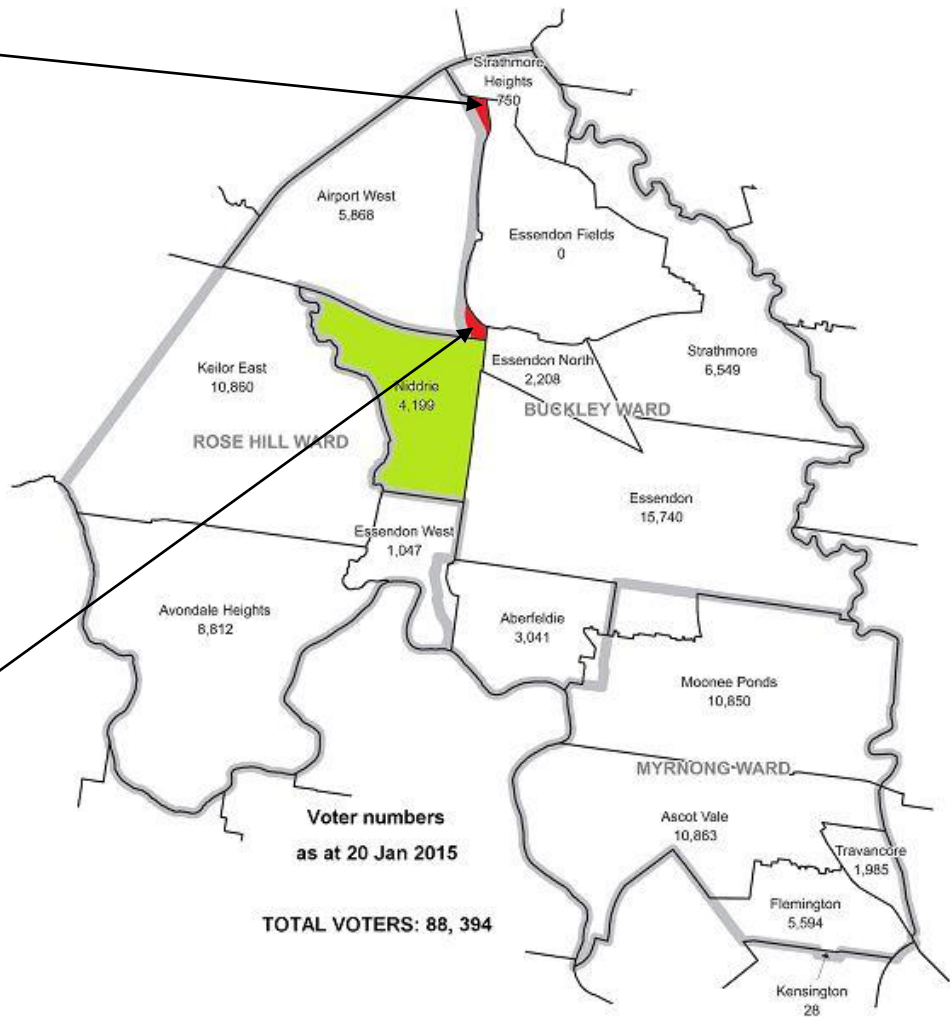
Ward Boundaries/Realignment Proposal

Figure 1

Alter boundary at the top end of Airport West to run along the Tullamarine Freeway



Alter boundary to extend from Treadwell Road to Calder Freeway



4. Communities of Interest?

Moonee Valley has identifiable and distinct communities of interest that are reinforced by the current ward structure. Many of these communities of interest have evolved over the past 100 years and have been largely influenced by local heritage, urbanisation, industry and cultural diversity brought about by migration flows.

The Moonee Valley Planning Scheme identifies distinct communities of interest through Neighbourhood Character Precincts, Environmental Significance Overlays and Heritage Overlays. Retail centres such as Puckle Street, Moonee Ponds, Keilor Road, Niddrie, Mt Alexander Road and Union Road, Ascot Vale, Flemington and Newmarket, Essendon and Strathmore contribute to our community vitality and influence our sense of community and belonging to places in Moonee Valley.

By realigning ward Boundaries as stated above, there will be no impact and will preserve existing communities of interest, which is paramount.