



**13.1 ELECTORAL REPRESENTATION REVIEW - RESPONSE TO THE ELECTORAL REPRESENTATION ADVISORY PANEL PRELIMINARY REPORT**

**EXECUTIVE MEMBER: JOANNE MCNEILL, GENERAL MANAGER, GOVERNANCE CAPABILITY AND EXPERIENCE**

**PREPARED BY: KATRINA COLLINS, SENIOR GOVERNANCE ADVISOR  
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**1. PURPOSE**

- 1.1 For Council to consider the response submission to the Electoral Representation Advisory Panel's (ERAP) Port Phillip City Council electoral structure review - preliminary report (Attachment 2) to the 2023 Electoral Representation review of the Port Phillip City Council (Attachment 1).

**2. EXECUTIVE SUMMARY**

- 2.1 Council and the community have an opportunity to provide response submissions to the ERAP's preliminary report.
- 2.2 After consultation with Councillors, Council officers have drafted a response submission to the ERAP's preliminary report.
- 2.3 The draft response submission addresses
- the number of councillors and wards for the Port Phillip City Council
  - the location of ward boundaries
  - ward names.
- 2.4 The draft response submission identifies Model One with minor amendments to ward boundaries as the preferred option.
- 2.5 Endorsement is required to provide a consolidated response to the preliminary report that reflects the overall position of Councillors.

**3. RECOMMENDATION**

That Council:

- 3.1 Agrees to provide a response submission to the Electoral Representation Advisory Panel's Port Phillip City Council electoral structure review - preliminary report (Attachment 2).
- 3.2 Authorises the CEO, or their delegate, to make appropriate amendments to the submission (Attachment 1) in consultation with the Mayor that do not materially alter the overall intent.
- 3.3 Endorses the Mayor to sign the draft response submission (Attachment 1) on behalf of Council.

**4. KEY POINTS/ISSUES**

- 4.1 The Victorian Electoral Commission (VEC) conducted an electoral representation review of Port Phillip City Council in 2015. This review was carried out under the *Local Government Act 1989*. After conducting the review, the VEC recommended that Port



Phillip City Council adopt a structure of 9 councillors elected from 3 wards (3 wards with 3 councillors each).

- 4.2 The *Local Government Act 2020* (the Act) introduced several changes, including the types of electoral structures councils can have. According to the Act all metropolitan, interface and regional city councils are required to adopt a single-councillor ward structure.
- 4.3 To meet the requirements under the Act, Port Phillip City Council must now have single-councillor wards.
- 4.4 The Local Government Minister appointed two independent Electoral Representation Advisory Panels (ERAPs) who will oversee the review the electoral structures of local councils.
- 4.5 The review process will be administered by the VEC.
- 4.6 The review will consider:
  - the appropriate number of councillors and wards for the council
  - the location of ward boundaries
  - appropriate ward names.
- 4.7 External municipal boundaries are outside the scope of the electoral representation review.
- 4.8 **Key Dates**
  - Wednesday 21 June – public notice given of the review
  - Monday 17 and Tuesday 18 July - online Information sessions
  - Wednesday 19 July – release of Preliminary report
  - Wednesday 9 August – close of response submissions at 5pm
  - Tuesday 15 August – online public hearing to be held at 2pm – this will not be held if no one requests to speak
  - Wednesday 13 September – final report submitted to the Minister for Local Government.
- 4.9 Public information sessions for Port Phillip were held online. These sessions were open to the public and provided an opportunity to find out more about the electoral structure review process.
- 4.10 Due to the legislative requirement for all metropolitan, interface and regional city councils only having one option – to adopt single-councillor ward structures – the electoral structure review process only provided councils with the option to submit a response to models provided in the ERAPs preliminary report.
- 4.11 Due to the time limitations of the review, councils were advised that it was unlikely that the panel would consider other electoral structure models at this stage.
- 4.12 The electoral structure review process commenced with a preliminary report released on Wednesday 19 July where the ERAP presented three options for Port Phillip City Council’s electoral structure. Response submissions to this report are open for three weeks, closing at 5pm on Wednesday 9 August.



- 4.13 The ERAP will hold a public hearing at 2 pm Tuesday 15 August. The public hearing will be held online. Anyone can attend however the hearing will not be held if no one requests to speak.
- 4.14 The ERAP will consider all evidence gathered and prepare a final report for the Minister for Local Government containing a recommendation for the number of councillors and the electoral structure for the Port Phillip City council.
- 4.15 The final report will be submitted to the Minister on Wednesday 13 September.
- 4.16 The Minister will consider the ERAP's advice in the final report, before recommending a change to the electoral structure, including any determination to make the reports publicly available.
- 4.17 Any change to the Port Phillip City Council electoral structure following on from the review will apply at the October 2024 local council elections.
- 4.18 The electoral representation review process encourages Council and community participation via the ability to make submissions and speak at a public hearing.

## **5. CONSULTATION AND STAKEHOLDERS**

- 5.1 Officers briefed City of Port Phillip Councillors on the electoral structure review process in order to gauge their views on preferred structures.
- 5.2 Councillors provided a range of feedback which has guided officers in developing a draft submission (Attachment 1).
- 5.3 There are opportunities for interested individuals and community groups to participate in the Port Phillip City Council electoral representation review including being invited to make a submission on the ERAP models and attend public hearings to speak to their submission.

## **6. LEGAL AND RISK IMPLICATIONS**

- 6.1 Under the Act all metropolitan, interface and regional city councils, will move to single-councillor ward structures at the October 2024 local government elections.

## **7. FINANCIAL IMPACT**

- 7.1 The Act requires all Councils to pay for reasonable expenses incurred because of the reviews into their electoral structures.
- 7.2 A cost estimate of \$56,370.37 has been provided to the City of Port Phillip.

## **8. ENVIRONMENTAL IMPACT**

- 8.1 There are no environmental impacts arising from this report.

## **9. COMMUNITY IMPACT**

- 9.1 Electoral representation reviews are a key mechanism to ensure all voters in the municipality have their concerns and interests fairly and equitably represented. Input from the members of the public is a valued part of the review process and individuals or organisations have the opportunity to make a response submission and speak to their submissions at a public hearing.
- 9.2 Port Phillip residents are accustomed to having multiple Councillors represent their ward. The move to single-member wards will be a change for both Councillors and the community.



9.3 The way community members and organisations interact with their Councillors may change with the implementation of single-councillor wards.

## **10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY**

10.1 Direction 5 – Well Governed Port Phillip.

## **11. IMPLEMENTATION STRATEGY**

### **TIMELINE**

11.1 The ERAP will adhere to the following timeline for implementing the electoral structure review:

- Wednesday 9 August – close of response submissions at 5pm
- Tuesday 15 August – online public hearing to be held at 2pm - will not be held if no one asks to speak
- Wednesday 13 September – final report submitted to the Minister for Local Government

11.2 Council Officers will need to develop an implementation strategy to ensure that internal systems and external facing information reflects changes to the Port Phillip City Council's electoral structure which will be in place in October 2024.

### **COMMUNICATION**

11.3 Council's and the VEC's website have been updated to advise the community of the review. An article has also been placed in the July 2023 edition of Divercity.

11.4 Council and the community have an opportunity to provide response submissions to the ERAP's preliminary report.

## **12. OFFICER DIRECT OR INDIRECT INTEREST**

12.1 No officers involved in the preparation of this report have any material or general interest in the matter.

- ATTACHMENTS**
1. **Port Phillip City Council response submission Draft** [↓](#)
  2. **Port Phillip City Council electoral structure review - preliminary report** [↓](#)