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**Member for Mornington
Parliamentary Secretary for Local Government**

City of Melbourne – Democratic Reform

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Mr MORRIS (Mornington) — As always, it is an interesting exercise following the member for Richmond. I listened with interest to his contribution to the debate.

When he described the city as quite unique, I could not help thinking of the late Peter Evans, the well-known curmudgeon of the radio airwaves in the 1960s, 1970s and early 1980s, who said that something is not quite unique or almost unique; it is either unique or it is not. That tour down memory lane notwithstanding, I certainly agree with the sentiment expressed by the member for Richmond. The city certainly is a unique place, and that is why we need this specific piece of legislation.

The member for Richmond also made reference to the situation of Geelong. We will probably have that debate in the next sitting week, but just on the observation that the structure proposed for Melbourne is likely to be different to that which has been proposed for Geelong, it is its uniqueness that means we need to do something specific for the city of Melbourne rather than having the same set-up we have for the other councils around the state.

There have been quite a few electoral structures in the city of Melbourne since it was first established as a town in 1842. It started with 12 councillors. It has had a variety of structures in the intervening years, quite often involving three-member wards until that was changed in 1996, when a completely new structure was introduced; that was at about the time of municipal restructuring.

The 1996 council had nine members, five of whom were elected at large from the entire municipal district and four of whom were elected from single-member wards. We then went through another change, and the current arrangements were put in place in 2001. I think at that point was the first time the Lord Mayor was directly elected by the voters. We now have seven councillors plus the mayor and the deputy mayor, all of whom are elected from across the city.

Some time prior to the last election the coalition undertook to have a look at the legislative nature of the electoral structure of the city. Melbourne was quite different to everywhere else in the state in that the representational arrangements were legislated rather than set by the order in council and were therefore not reviewed by the Victorian Electoral Commission (VEC).

While we took the view that it was appropriate to set in legislation the direct election of the Lord Mayor and deputy lord mayor, we also took the view that the

internal structures should be subject to review. Why the structures are not subject to review is something I have never gotten to the bottom of, but I have not researched it very hard, I have got to say; it is history after all.

As I said, the current structure of the city was put in place as policy in 2001, whereas the arrangements in terms of having the VEC conduct representation reviews for the other councils across the state did not occur until a couple of years later, and we are dealing with two separate acts, so perhaps it is as simple an explanation as that.

The member for Richmond also raised the issue of wards and whether this bill might see a return to the establishment of wards. Of course it is up to the VEC what sort of recommendations it comes up with. When you look at what has happened across the rest of the state, we have an enormous variety of structures — some single-councillor wards, some multiple-councillor wards and other wards that are unsubdivided. I, for one, am not going to try to predict what might come out of this, except that it will be a situation where the independent umpire has the opportunity to have a look at the structure in an entirely detached way.

That is probably an important point, because every other council in the state is reviewed by a body that is totally independent of political direction. Obviously the minister has to sign off on the recommendations, but the recommendations are clear and public before they go to the minister. I understand that they have never been overturned by successive ministers since the system was put in place. However, in taking this step, the Parliament is saying it thinks it needs to be independent of this process, and I think that can only be a good thing.

I spoke about electoral representation reviews, which are reviews of the electoral structure of councils. The reviews consider how many councillors should be in a municipality and what sort of electoral structure is suitable — whether a council should be unsubdivided, have wards or some combination of wards, and if there are to be wards, the reviews will determine where those boundaries should be.

As I indicated, until 2003, councils conducted their own electoral representation reviews, and now the reviews are conducted by the Victorian Electoral Commission. As I said, the City of Melbourne has been excluded from that process thus far.

In the wider government field the reviews are undertaken for each council after every third general election at least, but they can be undertaken earlier if required, and obviously if you have a rapidly growing municipality where the capacity is there for the wards to get out of balance very quickly, then that needs to be dealt with.

There is a statutory process. The commissioner gives public notice. People are invited to make their preliminary submissions. A preliminary report is produced, and that is subject to further discussion. Often people are invited to submit directly to the commissioner, Mr Tully. Further submissions are sought, and then a final report is submitted to the minister. As with the many other things that the

VEC does, there are often other publications designed to improve the process that are produced as well.

The VEC is currently undertaking a review of the election of councillors at the City of Melbourne. The legislation to enable that has passed, but unless the process is changed to enable the outcomes to be implemented by order in council, then it is unlikely that any changes that might be recommended by the VEC would be able to be brought into operation prior to the elections in October 2012.

Just to put the dates on the record, the public information sessions began in early November — this month. The preliminary public submissions are due by 24 November, so that is very shortly. A preliminary report is due in January 2012. Submissions in response to the report are due on 23 February. A public hearing is to be held on 29 February, and then a final report with recommendations will be produced on 21 March.

Once those recommendations are made to the minister, they are then implemented by the device of an order in council in exactly the same way as happens for other councils. Just to recap, the number of councillors must be at least 3 and not more than 10. Currently there are 7 councillors. It is about the electoral structure; it is about the wards unsubdivided. This situation also retains the Senate style for the City of Melbourne if the wards remain unsubdivided.

I commend the bill to the house.
