



# CITY OF MELBOURNE ELECTORAL SYSTEM EXPLORING THE POTENTIAL FOR REVIEW

A REPORT BY SAM ENCEL

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## **1.0 EXECUTIVE SUMMARY**

### **1.1 PURPOSE**

This report seeks to evaluate the appropriateness and feasibility of implementing a procedure to review the City of Melbourne's electoral system. Findings and a recommendation are made with the intent of contributing to the pursuit of effective local governance.

### **1.2 METHODOLOGY**

With the intention of effectively and objectively analysing the practicality of an electoral review for the City of Melbourne, the body of this report will be structured to explore the following considerations:

- Framework of the electoral system and application of review provisions
- Consultation of key stakeholders
- Comparisons with existing provisions in relevant municipalities
- Assessment of possible implementation methods

Research avenues have comprised:

- Interviews with key stakeholders
- Discussions with governmental sources
- Analysis of applicable and relevant legislation
- Assessment of other relevant resources

### **1.3 LIMITATIONS**

Several stakeholders of the municipality were not able to be consulted during the composition of this report. Where possible their absence has been addressed by employing supplementary research and conferring with alternative parties. Stakeholders that did not participate include:

- Individual residents, workers and business operators: without additional research resources to undertake widespread and targeted surveys or interviews of these groups, any perspectives represented had the potential to be unreflective
- State Minister for Local Government: the office of Richard Wynne MP declined requests for an interview citing a busy schedule and did not respond to questions submitted via email
- City of Melbourne Lord Mayor: the office of John So also declined the request for an interview citing commitments leading up to municipal elections

#### **1.4 MAIN FINDINGS**

- Each stakeholder interviewed expressed the desire for an electoral review to be undertaken
- *Electoral representation reviews* are narrow in scope and do not afford the latitude required to examine many of the governance issues raised by stakeholders
- Each municipality assessed is not evidently subject to regular and wide-ranging electoral reviews
- Of the implementation options evaluated, the Parliamentary Electoral Matters Committee offers the best prospect of conducting an inquiry with adequate scope and can be engaged without the consent of Government

#### **1.5 RECOMMENDATION SUMMARY**

A review of the City of Melbourne electoral system is warranted – and should be implemented – owing to sufficient impetus and justification from the majority of consulted stakeholders.

## 2.0 INTRODUCTION

### 2.1 REPORT BACKGROUND AND SCOPE

The City of Melbourne is a Local Government Area encompassing Melbourne's central business district and several surrounding suburbs. Governance of the municipality has implications beyond constituent ratepayers due to its capital city status; a distinction reflected in the existence of dedicated legislation. These provisions are proving contentious for a number of parties. Through the avenues of Council, Parliament and media, stakeholders and opinion leaders of the City have put forward proposals for reform and review of its electoral system. Submissions have escalated in the past year following enlargement of the City's boundaries and in anticipation of the November 2008 Victorian local government elections.

This report was initially undertaken with the idea of documenting and evaluating the range proposals to reform the City's electoral system; one of those proposals being the implementation of a review mechanism. As research and interviews progressed, it became increasingly apparent that specific ideas for reform and the concept of a review qualified as distinct areas of study – and that evaluating reform proposals may serve to pre-empt the outcome of any potential review. Therefore, in order to maintain neutrality, discussion will focus solely on the potential for implementation of a review. Were such a procedure instituted, specific reform proposals could then be examined through that avenue. In addition:

- The report's release closely coincides with the 2008 Victorian municipal elections however there is no suggestion that any findings should be heeded before or directly after their conduct
- With the purpose of remaining objective the report will not entail any analysis of academic theory supporting or discrediting a review
- The report will not prescribe what an electoral review should specifically encompass as this is largely contingent upon the method of implementation and the concerns of policymakers and interest groups at the time

## 2.2 TERMINOLOGY

In analysing the electoral system of the City of Melbourne, it is necessary to distinguish between differing and often ambiguous references to the word ‘Melbourne’:

- *Melbourne, Greater Melbourne* and *Metropolitan Melbourne* usually denote the wider urban area classified as the capital city of Victoria
- The *City of Melbourne*, also referred to in this report as the *City* and *municipality*, is the Local Government Area comprising a governing body known as the *Melbourne City Council*
- The municipality’s constituent inner-city suburbs are assembled around the metropolitan focal-point suburb of *Melbourne*, also informally known as *Melbourne CBD*
- The municipality’s boundaries approximately correspond with those of the federal electoral division of *Melbourne*

## 2.3 PROFILE OF THE CITY OF MELBOURNE

Today’s City of Melbourne municipal district traces its lineage back to unique and proud foundations. The region that would become the City was established in 1835 following exploration by settlers from the colony of Van Diemen’s Land – now Tasmania – in search of new territory for pastoral use. The area that constituted the settlement had been inhabited by Indigenous Australians of the Wurundjeri tribe. Land was purchased from tribal elders by pioneer John Batman – although circumstances of the transaction are open to debate. In sanctioning the development of an official settlement, Governor Richard Bourke of New South Wales later nullified Batman’s treaty. In 1837 the Governor named his colony’s new province *Melbourne* after Prime Minister of the United Kingdom Lord Melbourne. Population growth in the ensuing years led to calls from inhabitants for greater autonomy, and in 1842 the Parliament and Governor of New South Wales responded by incorporating the Town of Melbourne which comprised a council subdivided into four wards. Five years later in 1847, the desire to establish Melbourne as a bishop’s see of the Church of England saw Queen Victoria and the colonial government act by elevating the Town’s status to that of City - a requirement in the establishment of a diocese. Colonial Victoria’s decision to separate from New South Wales in 1851 coincided with the beginning of a gold rush that would see the capital city’s population and wealth grow vastly over the coming years. Melbourne’s newfound eminence

was recognised at Federation in 1901 with the city designated as the federal seat of government pending Canberra's completion in 1927.<sup>1</sup>

Melbourne is now Australia's second most populous city and has been recognised consistently as one of the most liveable in the world. Whilst the greater metropolitan area is 8,806 km<sup>2</sup> in size and the City of Melbourne only administers the central 37.6 km<sup>2</sup>, the municipality assumes a de facto role in promoting the wider metropolis – owing to its unique and elevated activity characteristics, geographic centrality and figurehead symbolism. The City hosts over 700,000 users per day, consisting sequentially of workers, visitors from the metropolitan area, residents of the municipality, students, and international, interstate and regional visitors. The residential population numbers approximately 86,000 and is growing at the second-fastest rate of all Victorian Local Government Areas. In addition there are approximately 14,000 business establishments operating within the City's boundaries.<sup>2</sup>

The municipality is significant because of its propensity to impact a vast range of people additional to the conventional domain of ratepayers. It is this primacy that warrants study into the prospect of reviewing the City's governance.

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<sup>1</sup> City of Melbourne, *The History of the City of Melbourne* (1997), viewed 27 August 2008 <<http://www.melbourne.vic.gov.au/rsrc/pdfs/history/historymelbourne.pdf>>.

<sup>2</sup> City of Melbourne, 'Melbourne - a snapshot', viewed 27 August 2008 <<http://www.melbourne.vic.gov.au/info.cfm?top=91&pg=862>>.

## 3.0 CITY OF MELBOURNE ELECTORAL SYSTEM

### 3.1 LEGAL FRAMEWORK

Local Government Areas, including the City of Melbourne, execute duties in accordance with their status as Australia's third tier of government. The reasoning and legitimacy behind their existence is derived from part IIA of Victoria's *Constitution Act 1975*, which stipulates that Parliament can legislate with respect to the establishment, authority, responsibility and election of councils. In accordance with these powers, the legal framework for the operation of local government is prescribed in the *Local Government Act 1989* (Vic). Victorian councils are typically responsible for human services, making and enforcing local laws, infrastructure management, planning, roads and traffic, waste management and other areas of service delivery. The City of Melbourne's services and responsibilities are similar to those of a standard municipality.

The current Victorian Minister for Local Government is Richard Wynne MP. He is responsible for the relevant Acts and is facilitated by the office of Local Government Victoria within the Department of Planning and Community Development. The office's stated responsibilities include developing strong partnerships between councils and the State Government, providing legislative advice to the Minister and supporting improvements to service delivery, organisational performance and governance.<sup>3</sup>

### 3.2 DIFFERENCES TO OTHER MUNICIPALITIES

The City of Melbourne's distinct objectives and unique standing amongst Victorian municipalities is reflected in the *City of Melbourne Act 2001* (Vic). The Act was introduced by the Government in response to the consultations of a ministerial working party and consideration was also given to a governance report commissioned by the City in cooperation with the Municipal Association of Victoria and the Victorian Local Governance Association.<sup>4</sup> The legislation contains provisions altering several fundamental aspects of the City's electoral system and structure from other municipalities. Briefly, these differences include:

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<sup>3</sup> Local Government Victoria, 'Our role', viewed 25 August 2008

<<http://www.localgovernment.vic.gov.au/web20/dvclgv.nsf/headingpagesdisplay/about+usour+role>>.

<sup>4</sup> Victoria, *Parliamentary Debates*, Legislative Assembly, 22 March 2001, p. 436 (Bob Cameron MP).

- Legislated makeup of Council, comprising a lord mayor, deputy lord mayor and seven councillors
- Direct and separate election of the leadership team (lord mayor and deputy lord mayor) using a preferential system
- Election of seven councillors using a proportional representation system
- Municipal structure of one unsubdivided ward
- Distinct voter entitlements
- Automatic enrolment of corporate voters, known as ‘deeming’
- The objective to develop and implement policies in collaboration with the State Government to ensure alignment with Government’s strategic direction for Melbourne

### 3.3 CURRENT REVIEW PROVISIONS

The Local Government (Democratic Reform) Bill 2003 (Vic) introduced amendments to the *Local Government Act* stipulating, amongst many other changes, that Victorian councils would be subject to *electoral representation reviews* every two election cycles – that is, every eight years. The primary objectives of such reviews are to consider and make recommendations on:

- The number of councillors that should be assigned to a municipality
- Whether a municipality should be unsubdivided or subdivided into wards
- If the municipality should be subdivided, what the ward boundaries should be<sup>5</sup>

The *Local Government Act* division 2 part 10 stipulates guidelines for the conduct of *electoral representation reviews*:

- Each individual council assumes the responsibility of appointing an electoral commission as reviewer; a role by convention assigned to the Victorian Electoral Commission
- After considering any preliminary submissions from the council, public and groups, the reviewer must prepare a preliminary report – which is to be available for public inspection – and subsequently accepts further submissions in the compilation of a final report

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<sup>5</sup> Victorian Electoral Commission, ‘Electoral representation reviews: Frequently Asked Questions’, viewed 9 September 2008 <<http://www.vec.vic.gov.au/rrfaqs.html>>.

- The report is to be submitted to the Minister and specific council no later than six months before the election in respect of which the review is to be implemented – the Minister may then effectively choose to implement any of the report’s recommendations

Significantly in the context of this report, the City of Melbourne is excluded from undergoing *electoral representation reviews*. At the same time as the reviews were provided for in the *Local Government Act*, an amendment was inserted into the *City of Melbourne Act* at section 5(5) – stipulating that these reviews along with some other provisions of the *Local Government Act* would not apply to the municipality.

### 3.4 EVALUATION AND FINDINGS

- The services provided by the City of Melbourne are similar to those of standard Victorian municipalities
- The electoral structure of the City of Melbourne is altered through the existence of a dedicated Act
- Provisions for the conduct of *electoral representation reviews* by the VEC were instituted by the Government in 2003, primarily to assess the suitable number of councillors and the ward divisions of municipalities
- The City of Melbourne is the sole municipality to be legislatively excluded from the conduct of *electoral representation reviews*
- There are no other sections evident in the *City of Melbourne Act* or *Local Government Act* that provide for general reviews of the City of Melbourne’s electoral structure

## 4.0 PERSPECTIVES OF STAKEHOLDERS

This section will focus on the central question of whether an electoral review of the City of Melbourne is supported by key stakeholders. Stakeholders are typically defined as entities that affect or can be affected by the actions of an organisation, and the following parties have been selected with this criterion in mind. Some definitional latitude has been given in order to include the views of competing parties that have the potential to become central stakeholders; the State Opposition and a deputy lord mayoral candidate.

The subsequent list is not exhaustive as the definition of what constitutes a City of Melbourne stakeholder is expansive and subjective, and consideration had to be given to parties' accessibility in terms of conducting research. With the exception of the State Government each listed stakeholder was interviewed. The reasoning and methods used by these parties in advocating their standpoints will be explored in order to demonstrate the efficacy of respective approaches.

Discussions also canvassed positions on specific reforms to the municipality's electoral system. Where appropriate this information is included as a reference to informally outline the scope required of any potential review, but in keeping with the report's desired objectivity such proposals will not be analysed.

### 4.1 COALITION OF RESIDENTS AND BUSINESS ASSOCIATIONS (CORBA)

Individual residents and business operators form the core constituency of the City and are therefore its principal stakeholders. CoRBA is an alliance of resident and business interests throughout the municipality that have joined forces with the primary purpose of lobbying for electoral reform. Due to the difficulty of gaining an accurate reflection of perspectives through small-scale individual consultations, CoRBA was interviewed as an alternative with the idea of it acting as a potential aggregator of opinions.

While CoRBA comprises nearly all of the resident associations listed on the City of Melbourne's register<sup>6</sup> plus several business groups, these organisations typically lack

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<sup>6</sup> City of Melbourne, 'Resident groups', viewed 2 October 2008  
<<http://www.melbourne.vic.gov.au/info.cfm?top=66&pg=2533>>.

information regarding their membership and internal operations. It therefore cannot be determined how reflective CoRBA is of the constituencies it seeks to represent. Regardless, the grouping has played an active role in spearheading the case for electoral reform by lobbying the Government, achieving publicity through media and, significantly, having their campaign heeded by several councillors and the State Opposition. CoRBA has largely set the agenda for other stakeholders and the organisation's viewpoints frame the diversity of proposals for electoral reform within the municipality.

CoRBA says that a wide-ranging electoral review is warranted in light of the municipality's recent boundary changes leading to a population increase and due to the operation of what it labels a dysfunctional and undemocratic Council.<sup>7</sup> The alliance's position statement outlines the overriding desire for an electoral review and the issues – most of which relate to the *City of Melbourne Act* – it would like to see addressed:

- Switching from postal voting to attendance voting in order to reduce the risk of electoral fraud
- Reinstatement of wards to facilitate representation of specific localities
- Review of the system to directly elect the lord mayor as this arrangement is conducive to favouring candidates with large budgets
- Abolition of the deeming provision – where corporate voters are automatically added to the voters' roll – in order to prevent the potential for electoral fraud
- Allowing the nomination of a shareholder to vote on behalf of a corporation, facilitating those with a commitment to the City being eligible to vote
- Requirement for all City Council candidates to have been on the voters' roll for at least two years in order to prevent dummy candidates from running to assist genuine candidates
- Amendment of the *City of Melbourne Act* to allow for *electoral representation reviews* as applicable to other municipalities
- Abolition of Senate-style above-the-line voting at Council elections to provide for fairer representation
- Alteration to allow voting entitlements only for properties above a certain value in order to avoid the anomaly where properties such as car parks attract entitlements
- Review of the number of councillors and their designated workloads

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<sup>7</sup> Coalition of Residents & Business Associations, 'CoRBA Position Statement', viewed 3 October 2008 <<http://corba-melbourne.com/about/corba-melbourne-publications/>>.

- Review election funding rules with specific reference to the source of funds and disclosure obligations<sup>8</sup>

Jackie Watts was consulted in her capacity as CoRBA's coordinator. At the time of interview she had recently stepped down from this position to announce her candidacy for Council at the 2008 municipal elections. She emphasised that CoRBA is a 'flat organisation' with diverse representation, and as such any opinions expressed were her own and not necessarily those of the constituent bodies. Following are the major points she raised:

- CoRBA's structure is representative in nature due to each constituent association nominating a delegate to attend the alliance's meetings
- CoRBA is not party-political and is not supporting any particular candidates – including herself – at the 2008 municipal elections
- The issues listed in CoRBA's position statement are designed to act as discussion points with the eventual idea of having them evaluated in an objective review
- An *electoral representation review* conducted by the VEC under its current form would not have the required scope to engage in a comprehensive evaluation of the City's electoral system
- The desired format of review would prioritise independence and comprehensiveness and should be conducted externally to Parliament and the bureaucracy, but the group does not have a position on what particular form the review should take
- A review in the form of an inquiry conducted by the Parliamentary Electoral Matters Committee would be welcomed – but not superior due to the potential lack of political objectivity
- CoRBA has been calling for an electoral review of the municipality for the past 18 months, and as such, Government claims that election proximity would make timing inopportune are not justifiable<sup>9</sup>

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<sup>8</sup> Ibid.

<sup>9</sup> Interview with Jackie Watts, coordinator of CoRBA (Personal interview, 29 October 2008).

## 4.2 STATE GOVERNMENT

As outlined in this report, the State Government possesses ultimate authority over the structure of municipal governance – including that of the City of Melbourne. This power is exercised through control of the Legislative Assembly in conjunction with the constitutional allowance to make laws regarding local government.

According to the then Minister for Local Government, Bob Cameron MP, the *City of Melbourne Act* was introduced to implement representational reform for the municipality. He said it would help Council achieve internal stability, be more reflective of the City's diverse interests and work constructively with Government in delivering outcomes of importance for Victoria's capital city. The Minister noted that the legislation was composed in response to input from a ministerial working party which engaged in extensive consultations and researched capital city models of governance in other jurisdictions.<sup>10</sup>

At face value it could be suggested that the Government position on electoral review is illustrated through its legislative agenda and the conscious lack of review provisions existing for the City of Melbourne. With the introduction of the Local Government (Democratic Reform) Bill in 2003 *electoral representation reviews* were mandated for every Victorian municipality with the exception of the City. Successive requests from key stakeholders to overturn this exclusion, as detailed elsewhere in this section, have not been observed by Government.

During the Bill's second reading, in referring to the implementation of *electoral representation reviews*, John Thwaites MP on behalf of the Minister said that the conduct of fully democratic elections were contingent upon appropriate electoral structures and boundaries, and that the existing requirements for the review of such electoral structures were deficient.<sup>11</sup> Throughout the ensuing debate, there was no specific mention from the Government as to why the City of Melbourne was excluded from application of these reviews. Nor did any non-Government MPs seem to question the issue. The Bill's Explanatory Memorandum only very briefly outlines the

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<sup>10</sup> Above n 4.

<sup>11</sup> Victoria, *Parliamentary Debates*, Legislative Assembly, 15 October 2003, pp. 1027-9 (John Thwaites MP).

exclusion as a ‘consequential amendment’ resulting from the insertion of the review provisions earlier in the Bill.<sup>12</sup>

An indication of the Government’s standpoint on the issue of review is contained within a response letter from the Premier’s Chief of Staff, Dan O’Brien, to CoRBA in 2008. The *electoral representation reviews* chiefly look at the number of designated councillors and whether a municipality should be subdivided into wards or not. Mr O’Brien stated that residents and businesses alike must be afforded adequate representation and that returning to a ward-based system may lead to disproportionate councillor representation in residential areas due to the geographic concentration of businesses in the CBD. Therefore a VEC-conducted review would examine – and by implication could make a recommendation against – an issue that the Government feels strongly about and has specifically legislated for in the *City of Melbourne Act*. In specifically referring to the proposal for the City to be included in these reviews, Mr O’Brien said that this was not the case because the electoral structure is entrenched in legislation and adopting any recommendations from a review would require amendment to the *City of Melbourne Act*. He also cited the impracticality of instituting a review at such proximity to the 2008 elections.<sup>13</sup> These are arguments that have been echoed by the Government in Parliament following the Opposition’s call for review.<sup>14</sup>

#### 4.3 STATE OPPOSITION

The State Opposition maintains a significant position of influence due to its proximity to Government. Through the forum of Parliament it holds primacy in the ability to scrutinise administration of municipal affairs and as the alternative government it sets out to maintain a viable policy position. The State Opposition is currently comprised of a Liberal Party and Nationals coalition and the Shadow Minister for Local Government is Jeanette Powell MP.

The Shadow Minister affirmed that her overarching desire was for an electoral review of the City. She did not outline a specific agenda for reform; stating that to do so would in effect pre-empt the outcome of a review and therefore be detrimental to the request for one. Some

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<sup>12</sup> Explanatory Memorandum, Local Government (Democratic Reform) Bill 2003 (Vic).

<sup>13</sup> Coalition of Residents & Business Associations, ‘Dan O’Brien Letter to CoRBA’, viewed 29 October 2008 <<http://corba-melbourne.com/about/dan-obrien-letter-to-corba/>>.

<sup>14</sup> Victoria, *Parliamentary Debates*, Legislative Council, 11 June 2008, pp. 2203-5 (Shaun Leane MLC).

stakeholders have been critical of particular members of the Council but she noted that it would be unproductive for the Opposition to become involved with judging personalities.<sup>15</sup>

In May 2008 Mrs Powell called for the Government to undertake an electoral review of the City.<sup>16</sup> This was channelled through Parliament in the form of a motion in the Legislative Council, presumably because the Opposition was able to use its numbers in conjunction with the Greens and Democratic Labor Party member to have it carried. This avenue runs in contrast to the impediment of a Government majority in the Legislative Assembly. The motion was moved on behalf of the Shadow Minister by the Nationals Leader in the Legislative Council Peter Hall MLC. In summary it called for an *electoral representation review* to be carried out in line with provisions applicable to other municipalities, and for results to be declared in time for recommendations to be adopted before the November 2008 local government elections. The motion specified that particular consideration should be given to:

- The number of councillors assigned to the municipality and the electoral structure that provides fair and equitable representation for voters
- Whether the municipal district should be divided into wards or remain unsubdivided
- Whether postal voting or attendance voting should be employed
- Whether a lord mayor or deputy lord mayor candidate should, in the event of being unsuccessful for that position, also be eligible for election as councillor
- The allocation of voter entitlements and the appropriateness of the deeming provisions
- The operation and suitability of the Senate-style ballot paper used at elections
- Any other matters that may be relevant to the Council's structure<sup>17</sup>

This motion, were it adopted, may have been subject to difficulties with feasibility according to the relevant legislation. While the first two parts relating to councillor numbers and ward divisions are congruent with the *electoral representation reviews* provided for in the *Local Government Act*, the remaining requests appear to be outside of its scope. The timing of the motion – raised in June 2008 – was also an issue as division 2 part 10 of the Act stipulates that recommendations resulting from the review should be made at least six months prior to the relevant municipal elections. The motion was moved approximately five months before the

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<sup>15</sup> Interview with Jeanette Powell, Shadow Minister for Local Government (Personal interview, September 2008).

<sup>16</sup> Shadow Minister for Local Government, 'Opposition calls for City of Melbourne review' (Press release), Victoria, 30 May 2008.

<sup>17</sup> Above n 14, pp. 2200-3.

2008 elections and if a review were subsequently undertaken it would not have been completed until well past this timeframe. Additionally, the section raising the question of postal or attendance voting pertains to an issue traditionally decided by vote within Council.

While the motion was agreed to, it had no power to compel the Government to instigate a review and was subsequently dismissed. As elaborated upon in the implementation section of this report, members of the Legislative Council also have the power to pass a resolution compelling the Parliament's Electoral Matters Committee to conduct an inquiry. The scope of such a reference could be potentially broad as the Committee's jurisdiction is wide. When asked why he did not push for a resolution rather than a motion, Mr Hall said he would rather see the City of Melbourne treated equally to other municipalities.<sup>18</sup> Additionally he stated when moving the motion that he does not believe members of Parliament are in the best position to judge the performance of councils.<sup>19</sup>

#### 4.4 COUNCILLOR FIONA SNEDDEN

Several moves have been made from within Council in pursuit of an electoral review and Fiona Snedden has led the push. At interview she stated a preference to see the City of Melbourne subject to an *electoral representation review* every two election cycles as is the case with other Victorian municipalities.

Her position was initially for a wider review process, with a motion in October 2007 calling for an *electoral representation review* and additionally for the State Government to conduct an external review with considerations to include the City's representative model and external boundaries.<sup>20</sup> This motion was voted down by Lord Mayor John So and his team. Cr Snedden stated that this approach was potentially too prescriptive and through a subsequent motion of March 2008 – presented by the Finance and Governance Committee – her request of Government was narrowed solely to that of an *electoral representation review*. In her reasoning for this submission she cited:

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<sup>18</sup> Interview with Peter Hall, Nationals Leader in the Legislative Council (Personal interview, 24 October 2008).

<sup>19</sup> Above n 14, p. 2201.

<sup>20</sup> City of Melbourne, 'Notice of motion: Cr Snedden, Request to State Government for Electoral Review of the City of Melbourne', Council meeting 30 October 2007, viewed 3 October 2008 <[http://www.melbourne.vic.gov.au/opm/bc/ctee/meetings/c3\\_73\\_20071030.pdf](http://www.melbourne.vic.gov.au/opm/bc/ctee/meetings/c3_73_20071030.pdf)>.

- The transfer of Docklands, Kensington and North Melbourne territories to the municipality as significantly increasing its population and presenting new infrastructure and community needs
- The need for a structural review – not undertaken since the 2001 implementation of the *City of Melbourne Act* – to consider the requirements and expectations of constituents within a changing and dynamic capital city
- The City's exclusion from *electoral representation review* provisions that apply to every other Victorian municipality<sup>21</sup>

This motion was also voted down by the Lord Mayor's team. Other motions pertaining to specific areas of the electoral system, including advocating attendance voting over postal voting and appealing for consultation of parties affected by recent legislative changes to voter entitlement, have also been unsuccessful. It is important to note that a motion from Council, if successful, would not compel the Government to initiate a review. Rather it would seek to convey councillors' sentiments to Government, which in turn would possess the relevant authority to act.

Cr Snedden highlighted as specific concerns in potential need of reform; the deeming provision and the method by which the leadership team is elected. The deeming provision under the *City of Melbourne Act* means that corporations owning or occupying rateable property within the municipality are automatically added to the voters' roll. She affirmed that businesses should have voting entitlements, but also that they should actively want to vote.

With regards to election of the leadership team, under the *City of Melbourne Act* a candidate for the office of lord mayor must jointly nominate with a candidate for the office of deputy lord mayor. This means that at elections voters choose between leadership teams rather than separately electing the two positions. Cr Snedden said that this system means the deputy lord mayor is not elected in his or her own right, and therefore questions the legitimacy of the officeholder exercising the same decision-making powers as other councillors.

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<sup>21</sup> City of Melbourne, 'Notice of motion: Cr Snedden, Electoral Review of the City of Melbourne', Council meeting 25 March 2008, viewed 3 October 2008  
<[http://www.melbourne.vic.gov.au/opm/bc/ctee/meetings/c4\\_53\\_200803250530.pdf](http://www.melbourne.vic.gov.au/opm/bc/ctee/meetings/c4_53_200803250530.pdf)>.

Under the current scope of *electoral representation reviews* these issues could not be considered, however Cr Snedden suggested that such a review would be preferable to none at all.<sup>22</sup>

#### 4.5 DEPUTY LORD MAYOR GARY SINGER

At the time of writing, Gary Singer had recently announced his candidacy for lord mayor in the 2008 municipal elections. He provides an interesting and somewhat unique perspective amongst the stakeholders consulted in this report.

In conjunction with allied councillors including the Lord Mayor, Mr Singer voted down Cr Snedden's latest motion in March 2008 calling for an electoral review of the municipality. He states that this was not indicative of his standing on the concept of review, noting for example his dissatisfaction that proper consultation had not been conducted prior to recent *Local Government Act* amendments to voter entitlements.

More widely, he expressed in-principle support for a regular review of the electoral system that adequately engaged with the community, but noted that it must be conducted well in advance of elections and should follow the release of the City's FutureMelbourne strategic vision report. In June 2008 these views were put to Council with a foreshadowed motion that responded to Cr Snedden's motion for an *electoral representation review* and consultation with parties affected by the changes to voter entitlements. The Deputy Lord Mayor's motion, which passed, was similar except that it called for the review to be held after Council adopted the FutureMelbourne plan.<sup>23</sup> If this motion were to be heeded by Government, a review would not be undertaken before the 2008 municipal elections, putting his timeframe at odds with Cr Snedden's.

Mr Singer put forward arguments in favour of maintaining current arrangements regarding some major and contentious areas of the City's governance structure. While his views on these issues should not be taken to reflect lack of support for an electoral review, they are relevant in the context of assessing proposals from other interests.

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<sup>22</sup> Interview with Fiona Snedden, Councillor of the City of Melbourne (Personal interview, 1 October 2008).

<sup>23</sup> City of Melbourne, 'Foreshadowed motion: Deputy Lord Mayor Gary Singer', Council meeting 24 June 2008, viewed 3 October 2008  
<[http://www.melbourne.vic.gov.au/opm/bc/ctee/meetings/c4\\_minutes\\_200806240530.pdf](http://www.melbourne.vic.gov.au/opm/bc/ctee/meetings/c4_minutes_200806240530.pdf)>.

With reference to resident and business groups, which have exerted significant influence upon other stakeholders in their proposals for reform, the Deputy Lord Mayor expressed doubt as to whether members were properly consulted on positions taken by the respective bodies. On the debate between postal and attendance voting, he said the groups have a vested interest in promoting attendance voting because it would strengthen the power base of their core resident constituency. Changing to attendance voting, he said, would come at the expense of convenience for business and non-residential landowners who make up a vast proportion of the electorate and contribute a significant proportion of rates. He is happy with the current postal system as two thirds of electors live outside of municipality and such an arrangement was the fairest under such circumstances.

When questioned about the proposal of reintroducing the ward system he said such a move would be parochial and unsuitable for a capital city government.

The Deputy Lord Mayor was open-minded on the question of how to elect the lord mayor and deputy lord mayor. His position on the direct election of the leadership team – as opposed to other options such as having the lord mayor elected by councillors – was not set in stone as all models had advantages and disadvantages. Regarding the issue of separately electing the lord mayor and deputy lord mayor, which is a concern Cr Snedden has raised, he said that were such a change adopted the leadership team would need distinct executive powers rather than the current system of being subject to the will of other councillors.<sup>24</sup>

#### **4.6 DEPUTY LORD MAYOR CANDIDATE TIM WILSON**

At the time of interview Tim Wilson had recently announced his candidacy for deputy lord mayor of the City of Melbourne in conjunction with lord mayor candidate and current Geelong Councillor Peter McMullin. Tim Wilson is presently Director of the Intellectual Property and Free Trade Unit at the Institute of Public Affairs think tank. His opinions were sought as a potential member of Council holding an external perspective.

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<sup>24</sup> Interview with Gary Singer, Deputy Lord Mayor of the City of Melbourne (Personal interview, 12 September 2008).

Mr Wilson expressed support for a wide-ranging electoral review involving public consultation in order to garner an understanding of community concerns. He did not have a specific preference as to what form the review should take.

With regards to specific proposals for reform, he highlighted the current method of electing the lord mayor and deputy lord mayor as an issue requiring evaluation. The arrangements are structured such that a candidate must choose between running as a councillor or as part of a leadership team. He said that this ‘winner takes all’ approach created disincentives and potentially undermined the quality of candidates nominating in both categories. Rather he suggested that the system should be designed to attract people broadly interested in becoming involved with the City and not create unnecessary distinctions.

He also raised concern with the system of postal voting, which he said creates a greater need for the use of direct mail and the development of a media profile for exposure to voters living outside of the municipality. He said that this arrangement necessitated larger financial resources and therefore narrowed the pool of genuine candidates.<sup>25</sup>

#### 4.7 EVALUATION AND FINDINGS

##### *Electoral review consensus:*

- Each stakeholder interviewed expressed the desire for an electoral review to be undertaken
- The scope and format of proposed reviews varied between stakeholders

##### *Main reasoning behind stakeholder calls for electoral review:*

- Recent boundary changes significantly increasing the City’s population
- The City’s unique status as a dynamic and changing capital city municipality that affects many more people than a standard local government
- The City’s exclusion from *electoral representation reviews* that were, according to the Government, implemented to facilitate democracy

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<sup>25</sup> Interview with Tim Wilson, Deputy lord mayor candidate for the City of Melbourne (Telephone interview, 28 October 2008).

- No other formal reviews having been conducted for the municipality since inception of the *City of Melbourne Act* in 2001
- These motivations are considered reasonable and substantial by this report

*Perspectives on distinct governance for the City of Melbourne:*

- The agenda Government has pursued through the structure of relevant legislation indicates an apparent desire to maintain a degree of control over local government – especially so regarding the City of Melbourne due to the need for strategic alignment
- Separate rules of governance for the City of Melbourne are impliedly supported by stakeholders in acknowledgement of the municipality’s unique position, with no in-principle arguments encountered to the contrary

*Effectiveness of stakeholder approaches:*

- The State Opposition’s decision to not stipulate specific reforms – which it says may pre-empt the outcome of a review – is a credible approach that could be adopted by other stakeholders
- Although CoRBA claims that its position statement amounts to a set of discussion points, some of the listed issues have specific suggested solutions; this approach has the potential to detract from perceived objectivity in calling for a review
- The content and timing of State Opposition and some councillor review requests are not of a format the Government could practically adopt
- The method of municipal election voting (either postal or attendance) is decided internally by a vote of councillors, and there is no substantive reason why this autonomy should not be upheld – therefore it is not necessary for stakeholders to include the voting method in review requests
- Stakeholders active in the push for a review have largely targeted their requests at including the City within VEC *electoral representation reviews*
- *Electoral representation reviews* are narrow in scope and do not afford the latitude required to examine many of the governance issues raised by stakeholders

*Scope of potential review based on stakeholder perspectives:*

- An electoral review should primarily focus on the governance and structure of the Council rather than the conduct of elections
- At its basis such a review would most likely assess the governing legislation and may seek submissions or consultation with relevant stakeholders
- The scope of review should be broad and consideration may be given to areas of the electoral system including, but not limited to, powers and responsibilities of Council, systems of electing lord mayor, deputy lord mayor and councillors, the number of councillors and voter entitlements

## 5.0 COMPARISONS WITH OTHER MUNICIPALITIES

This section will outline whether there are currently any broad electoral review provisions applicable to the major Australian capital city municipalities of Brisbane and Sydney, and for an international perspective, the central city municipality of Vancouver. A summary of the population and exceptional responsibilities of these authorities will also be incorporated to contextualise any comparison with the City of Melbourne. Information relating to governance structures is excluded as this section seeks to examine oversight mechanisms rather than evaluate specific systems. Additionally, the following content is intended to act as a reference only, and does not seek to suggest a preferable system.

### 5.1 CITY OF BRISBANE

Brisbane, the capital of Queensland, is Australia's third most populous city with approximately 1.8 million inhabitants. It provides for an interesting assessment due to the marked contrast between the size and powers of the City of Brisbane and the capital city governments elsewhere in Australia. The following information pertains to the central city municipality rather than the wider metropolis.

#### *Size and exceptional responsibilities:*

- Population of approximately 950,000
- Operation of public transport bus services
- Operation of water and wastewater services
- Transport infrastructure projects including motorways

#### *Governing legislation:*

- The City of Brisbane is primarily governed by the *City of Brisbane Act 1924* (Qld)
- The *Local Government Act 1993* (Qld) applies to the City only where expressly provided by that or another Act

*Legislative provisions for electoral review:*

- The *City of Brisbane Act* contains no evident provisions for electoral review
- The Queensland *Local Government Act* under chapter 3 part 1 division 2 provides for a review of some sections of the electoral structure where a ‘Local Government Electoral and Boundaries Review Commission’ is set up following a reference from the Minister for Local Government and Planning
- A ‘Local Government Electoral and Boundaries Review Commission’ mainly considers internal and external boundaries, whether a municipality should be divided into wards, and composition with regards to councillors<sup>26</sup> – similar to *electoral representation reviews* undertaken by the VEC
- Such reviews apply in part to the City of Brisbane but exclusions appear to narrow the scope to primarily consider ward boundaries for this municipality<sup>27</sup>
- The City of Brisbane is therefore not subject to a wide-ranging electoral review under legislation

*Parliamentary committee provisions for electoral review:*

- The Queensland Parliament’s Legal, Constitutional & Administrative Review Committee has a broad area of responsibility that includes consideration of electoral matters<sup>28</sup>
- There appear to have been no inquiries conducted in the past 12 years with specific reference to local government electoral review<sup>29</sup>

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<sup>26</sup> Electoral Commission Queensland, ‘Local Government Reviews’, viewed 25 October 2008 <<http://www.ecq.qld.gov.au/asp/index.asp?pgid=182>>.

<sup>27</sup> Ibid.

<sup>28</sup> Queensland Parliament, ‘Legal, Constitutional & Administrative Review Committee: Functions of the Committee’, viewed 26 October 2008 <<http://www.parliament.qld.gov.au/view/committees/lcarc.asp>>.

<sup>29</sup> Queensland Parliament, ‘Legal, Constitutional & Administrative Review Committee: Reports’, viewed 26 October 2008 <<http://www.parliament.qld.gov.au/view/committees/lcarc.asp?subarea=reports>>.

## 5.2 CITY OF SYDNEY

Sydney, the capital of New South Wales, is Australia's most populous city with approximately 4.2 million inhabitants. Similarities in size, development and culture have contributed to an ongoing and fierce – but friendly – rivalry with Melbourne, and this translates into the city being the most similar benchmark by which to compare. The following information pertains to the central city municipality rather than the wider metropolis.

### *Size and exceptional responsibilities:*

- Population of approximately 150,000
- Responsibilities are in line with those of standard municipalities

### *Governing legislation:*

- The City of Sydney is subject to some areas of specific governance as outlined in the *City of Sydney Act 1988* (NSW)
- The *Local Government Act 1993* (NSW) applies to the City where not provided for in the *City of Sydney Act*

### *Legislative provisions for electoral review:*

- The *City of Sydney Act* contains no evident provisions for electoral review
- The NSW *Local Government Act* section 211 stipulates that individual councils must monitor, and if necessary alter, ward boundaries if the number of electors in a ward differs significantly from other wards in its area – similar to a component of *electoral representation reviews* undertaken by the VEC
- The City of Sydney appears to be capable of such a ward boundary review as there is no evident exclusion in either Act, however this would not currently apply as the City is unsubdivided
- The NSW *Local Government Act* contains no evident provisions for a wider electoral review process
- The City of Sydney is therefore not subject to a wide-ranging electoral review under legislation

*Parliamentary committee provisions for electoral review:*

- The NSW Parliament's Electoral Matters Committee has primary responsibility for issues relating to state elections and does not appear to consider local government affairs within its jurisdiction<sup>30</sup>

### 5.3 CITY OF VANCOUVER

Vancouver is the largest city in the Canadian province of British Columbia with a population of approximately 2.3 million people. It has been highlighted for its achievements by several councillors of the City of Melbourne, and similarly to Melbourne, has been awarded as one of the world's most liveable cities. The following information pertains to the central city municipality rather than the wider metropolis.

*Size and exceptional responsibilities:*

- Population of approximately 600,000
- Operation of affordable housing projects
- Operation of central city police force
- Operation of fire and rescue service

*Governing legislation:*

- The jurisdiction of the municipal government is detailed in the *Vancouver Charter*, a statute enabled by the Legislative Assembly of British Columbia province
- The province's *Local Government Act* and *Community Charter* are designed primarily for other municipalities but contain a small amount of sections applicable to Vancouver

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<sup>30</sup> Parliament of New South Wales, *Joint Standing Committee on Electoral Matters* (21 June 2007), viewed 27 October 2008  
<[http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/o/5886265b291c2d4dca256f12000138f7/\\$file/electoral%20matters%20committee%20appointment.pdf](http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/o/5886265b291c2d4dca256f12000138f7/$file/electoral%20matters%20committee%20appointment.pdf)>.

*Legislative provisions for electoral review:*

- The *Vancouver Charter* does not contain a provision for inquiry or review into Vancouver's electoral system or governance structure
- The province's *Local Government Act* and *Community Charter* are also devoid of such provisions
- The City of Vancouver is therefore not subject to a wide-ranging electoral review under legislation

*Parliamentary committee provisions for electoral review:*

- The Legislative Assembly of British Columbia does not outline the specific responsibilities of current committees in its online resources, however the Legislative Initiatives Committee appears to be most closely associated with electoral matters
- A search of the Committee's reports and proceedings since its inception in 2003 did not highlight the existence of any review pertaining to local government electoral systems<sup>31</sup>

**5.4 EVALUATION AND FINDINGS**

- Each municipality assessed is not evidently subject to regular and wide-ranging electoral reviews
- Legislation specifying separate governance for capital city local governments applies to these municipalities as well as the City of Melbourne
- The populations and responsibilities of the studied municipalities vary widely in relation to the City of Melbourne
- Further comparisons could involve other Australian capital city governments and should also seek to determine the existence of extraordinary reviews (those not conducted in response to legislative or parliamentary provisions)

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<sup>31</sup> Legislative Assembly of British Columbia, 'Committees: Reports', viewed 24 October 2008 <<http://www.leg.bc.ca/cmt/5-8.htm>>.

## 6.0 METHODS OF REVIEW IMPLEMENTATION

If stakeholder consensus deemed that a wide-ranging electoral review of the City of Melbourne was warranted, a decision would have to be made on the most appropriate model of implementation. This section will explore the capabilities, strengths and weaknesses of the Victorian Electoral Commission, the Parliamentary Electoral Matters Committee, and briefly, execution of an extraordinary review, as prospective means of conducting a review. These avenues have been selected based on a study of mechanisms existent within legislation, Parliament and the bureaucracy.

### 6.1 VICTORIAN ELECTORAL COMMISSION

The Victorian Electoral Commission is a statutory authority charged with the responsibilities of conducting parliamentary elections, local government elections, boundary reviews and other functions set out in relevant Acts.<sup>32</sup> At the outset it would appear that the organisation's areas of expertise would predispose it to the conduct of a review.

As noted, each Victorian municipality with the exception of the City of Melbourne is required to undergo an *electoral representation review* every two election cycles. A representative from the VEC stated that were the exemption removed from the *City of Melbourne Act* – thereby including the municipality within the review provisions of the *Local Government Act* – there would be no impediment to conducting an *electoral representation review* of the City of Melbourne.<sup>33</sup>

The question at this juncture is whether the VEC would be equipped with the resources and jurisdiction to apply a broader charter if the Government were to deem an extensive electoral review of the City warranted. The VEC derives its reference in this case from the *Local Government Act* and widening the scope of any such review would involve alteration of the legislation. As the organisation is required to perform its duties in line with relevant statutes, it could not disregard the responsibilities prescribed by Government in the form of statutory direction.

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<sup>32</sup> Victorian Electoral Commission, 'More information about the VEC', viewed 29 September 2008 <<http://www.vec.vic.gov.au/vecmore.html>>.

<sup>33</sup> Interview with Paul Thornton-Smith, VEC Senior Information and Research Officer (Telephone interview, October 2008).

The VEC representative stated that while the organisation would not experience issues regarding resourcing, any widening of review powers may deviate from the conventional duties of an electoral commission. He said that *electoral representation reviews* were already a step outside of normal activities and conducting a broader review would constitute a further step; potentially into the inappropriate arena of policy.<sup>34</sup>

## 6.2 ELECTORAL MATTERS COMMITTEE

The Electoral Matters Committee comprises seven MPs drawn from both houses of the Victorian Parliament. It acts as a focal point for the legislature in the analysis of electoral acts and State and local government elections. The Committee generates reports and recommendations based on its lines of inquiry with the aim of improving Victoria's electoral policies and processes.<sup>35</sup> Inquiry references have included investigating the conduct of the 2006 Victorian state election, political donations, and voter participation. To determine the feasibility of the Electoral Matters Committee conducting a review of the City's electoral system, the scope of its jurisdiction along with the political probability of it being commissioned need to be assessed.

Section 9A of the *Parliamentary Committees Act 2003* prescribes that the Committee can inquire into, and report to the Parliament regarding, the following electoral areas:

- (1)(a): Conduct of Victorian parliamentary elections and referenda
- (1)(b): Conduct of elections of councillors under the *Local Government Act 1989*
- (1)(c): Administration or practices relating to the *Electoral Act 2002* and any other law regarding electoral matters

The Committee's Executive Officer, Mark Roberts, stated that if an inquiry were to be conducted into the electoral structure of the City of Melbourne it would have to come under subsection (1)(c) of the *Parliamentary Committees Act*. He said that at the outset it appeared possible for such a review to be undertaken within the Committee's jurisdiction, however it

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<sup>34</sup> Ibid.

<sup>35</sup> Parliament of Victoria, *Electoral Matters Committee Charter*, viewed 12 October 2008 <<http://www.parliament.vic.gov.au/emc/electoral%20matters%20committee%20charter.pdf>>.

may need to be subject to legal advice or Committee discussion first.<sup>36</sup> The current Chair of the Committee, Adam Somyurek MLC, stated that the Committee's jurisdiction was wide and that a reference for an inquiry could encompass a broad range of municipal electoral matters.<sup>37</sup>

The Committee's inquiry process involves:

- Gathering information through submissions, public hearings and inspections
- Members considering gathered arguments and agreeing upon findings and recommendations
- Tabling a report in Parliament with recommendations that require a response from the relevant Minister<sup>38</sup>

The Committee's inquiry reference can be initiated through any of the following means:

- Resolution of the Legislative Assembly
- Resolution of the Legislative Council
- Internal self-reference with agreement of majority Committee members<sup>39</sup>

Any resolution from the Legislative Assembly would reflect the will of Government as the House is controlled by its members. Unless Government policy has changed since implementation and subsequent amendment of the *City of Melbourne Act*, which specifically excludes the option of *electoral representation reviews*, a reference to the Committee is unlikely to be obtained through this avenue.

What appears to be the most likely prospect of initiating a Committee inquiry would occur through resolution of the Legislative Council which is currently controlled by non-Government parties. As mentioned earlier, the Opposition moved a successful motion in June 2008 calling on the Government to undertake an *electoral representation review* of the City.

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<sup>36</sup> Interview with Mark Roberts, Electoral Matters Committee Executive Officer (Telephone interview, October 2008).

<sup>37</sup> Interview with Adem Somyurek MLC, Electoral Matters Committee Chair (Telephone interview, 21 October 2008).

<sup>38</sup> Parliament of Victoria, 'Electoral Matters Committee - Inquiry Process', viewed 24 September 2008 <<http://www.parliament.vic.gov.au/emc/process.html>>.

<sup>39</sup> Parliament of Victoria, 'Electoral Matters Committee - Functions of the Committee', viewed 24 September 2008 <<http://www.parliament.vic.gov.au/emc/functions.html>>.

The crucial difference is that a motion does not bind the Government whereas a successful resolution would compel the Electoral Matters Committee to conduct an inquiry according to the reference submitted.

Committee Chair Mr Somyurek was asked about the prospect of members self-referencing to conduct an inquiry. He expressed interest in the issue saying that the need for an inquiry should be given consideration and the impetus may be sourced through applicable requests from key stakeholders.<sup>40</sup> However it is not clear whether the Committee, which is comprised of majority Government members, would be willing to exercise its own judgment or whether the possibility of self-reference would be subject to consultation with relevant MPs such as the Premier and Minister for Local Government.

### 6.3 EXTRAORDINARY REVIEW

Several entities have the capacity to officially advise on aspects of local governance, including the Premier, the Minister for Local Government, the office of Local Government Victoria, the Victorian Electoral Commission and the Municipal Association of Victoria. At the discretion of Government, advice can also be considered from an internally-commissioned or external review. Such was the case with the implementation of the City of Melbourne Act where the Minister for Local Government at the time cited the input of a ministerial working panel and a review commissioned by City Council.<sup>41</sup>

Government has the ability to commission an extraordinary review using a range of methods and the City of Melbourne can also conduct its own. The variety of potential formats and likelihood of recommendations being adopted are subject to many variables, ultimately making it a difficult option to define within this report's scope.

An extraordinary review would have potential to be a viable implementation option due to the likely independence of its conduct, however the following limitations would apply:

- A review conducted or commissioned by City Council would not bind the Government into implementing any recommendations

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<sup>40</sup> Above n 37.

<sup>41</sup> Above n 4.

- The instigation and efficacy of a review conducted, commissioned or heeded by Government would be reflective of political will at the time

#### 6.4 EVALUATION AND FINDINGS

- An extraordinary review has potential to be effective but the outcome is wholly contingent upon Governmental motive
- If it were decided that the VEC should undertake a broad electoral review of the City of Melbourne, this could be achieved through Government amendment to widen the current provisions of the *Local Government Act* pertaining to *electoral representation reviews*
- Broadening the VEC's charter to review local governance beyond the current *electoral representation review* arrangements is not consistent with other studied municipalities or the implicit agenda of Government
- A resolution compelling the Electoral Matters Committee to inquire into the electoral system can be passed from either the Legislative Assembly, the Legislative Council, or within the Committee itself
- Some stakeholders have raised the concern that an Electoral Matters Committee inquiry may not be wholly objective, but this possibility is outweighed by the benefits of its broad jurisdiction and the likelihood of the relevant Minister accepting its recommendations
- Of the implementation options evaluated, the Parliamentary Electoral Matters Committee offers the best prospect of conducting an inquiry with adequate scope and can be engaged without the consent of Government

## 7.0 RECOMMENDATION

A review of the City of Melbourne electoral system is warranted – and should be implemented – owing to sufficient impetus and justification from the majority of consulted stakeholders.

There is no timeframe, periodicity or specific terms of reference prescribed by this report. However in light of the City’s unique status, and so as to consider the variety of stakeholder concerns and proposals, any such review should be wider in scope than current *electoral representation review* provisions applicable to other municipalities.

Of the options evaluated, the most feasible form of instituting a review would involve the conduct of an inquiry by the Parliamentary Electoral Matters Committee. In the absence of Governmental will, such an inquiry should be instituted by resolution of the Legislative Council, or if practicable, by self-reference of Committee members.

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