

Local council electoral structure review

# Final Report

Mornington Peninsula Shire Council

December 2023

### Acknowledgement of Country

The electoral representation advisory panel acknowledges the Bunurong people as the Traditional Custodians of the lands and waters for which it held this review and pays respects to ancestors and Elders past, present and emerging. The panel acknowledges their custodianship for many thousands of years and their continuing living culture.

### Report approval

Version	Date approved	Approved by
1	13 December 2023	The Honourable Frank Vincent AO KC
1	13 December 2023	Ms Liz Williams PSM

### Version approval

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## Executive summary

An electoral structure review panel appointed by the Minister for Local Government has reviewed the electoral structure of Mornington Peninsula Shire Council.

The purpose of the review was to advise the Minister on the appropriate number of councillors and electoral structure, including ward names, for the council.

Under Victoria's *Local Government Act 2020* (the Act), Mornington Peninsula Shire Council must now have a single-councillor ward electoral structure.

The panel looked at:

- the appropriate number of councillors and wards for the council
- the location of ward boundaries
- appropriate ward names.

This report presents the panel's final advice to the Minister on the recommended new electoral structure of Mornington Peninsula Shire Council to meet the requirements of the Act.

More information about the background to the review is available on [page 6](#).

## Recommendation

The electoral representation advisory panel recommends that Mornington Peninsula Shire Council adopt an 11 single-councillor ward structure – 11 wards with one councillor per ward.

The recommended names for the 11 wards in this electoral structure are Beek Beek Ward, Benbenjie Ward, Briars Ward, Brokil Ward, Coolart Ward, Kackeraboite Ward, Moorooduc Ward, Nepean Ward, Tanti Ward, Tootgarook Ward and Warringine Ward.

This advice is submitted to the Minister for Local Government as required by the Terms of Reference of the electoral representation advisory panel and the Act.

Detailed maps of the boundaries for the recommended electoral structure are provided as [Appendix 1](#).

## Summary of approach

### Developing electoral structure models

The panel considered a range of factors when deciding on its final recommendation including:

- research and analysis
- voter growth or decline over time
- public submissions (see below).

More information on the way the panel decided on the models is available on [page 7](#).

### Preliminary report

The panel published a preliminary report on Wednesday 25 October 2023 with the following electoral structure models for public consultation:

- Model 1: a subdivided electoral structure with a total of 11 councillors – 11 wards with one councillor per ward.
- Model 2: a subdivided electoral structure with a total of 11 councillors – 11 wards with one councillor per ward, with different ward boundaries to Model 1.
- Model 3: a subdivided electoral structure with a total of 11 councillors – 11 wards with one councillor per ward, with different ward boundaries to Model 1 and Model 2.

The full preliminary report is available on the Victorian Electoral Commission (VEC) website at [vec.vic.gov.au](http://vec.vic.gov.au)

### Response submissions

The panel received 22 submissions responding to the preliminary report. Of these, 5 submissions included maps.

A full analysis of response submissions received can be found on [page 15](#).

### Public hearing

The panel held an online public hearing for those wishing to speak about their response submission at 2 pm on Wednesday 22 November 2023. Four people spoke at the hearing.

## Background

### About the 2023–24 electoral structure reviews

In October 2022, the Minister for Local Government formed 2 electoral representation advisory panels to review and provide advice on the electoral structures of 39 local councils, under section 16 of the Act. If the Minister accepts the electoral structure recommended by the panel, any changes will take effect at the October 2024 local council elections.

The Act introduced several changes to local government representation, including the types of electoral structures local councils may have. All metropolitan, interface and regional city councils (including Mornington Peninsula Shire Council) must now have single-councillor ward electoral structures.

For Mornington Peninsula Shire Council, the electoral representation advisory panel examined:

- the number of councillors and wards
- where the ward boundaries should be
- the names of each ward.

The Act requires electoral structures to provide fair and equitable representation and facilitate good governance. Each ward must have an approximately equal number of voters per councillor (within +/-10% of the average). While conducting the review, the panel also noted the role of a councillor as specified under section 28 of the Act.

### The electoral representation advisory panel

The panel that conducted the electoral structure review of Mornington Peninsula Shire Council had 3 members:

- The Honourable Frank Vincent AO KC (Chairperson)
- Ms Liz Williams PSM
- Electoral Commissioner Mr Sven Bluemmel.

The purpose of the review is to advise the Minister on the appropriate number of councillors and electoral structure, including ward names, for the council. The panel is independent of councils and the VEC.

Under the Act, the VEC is not responsible for reviewing council electoral structures but must provide administrative and technical support to the panel. The Electoral Commissioner (or their delegate) must be a member of each panel.

## Public engagement

### Public information program

On behalf of the panel, the VEC conducted a public information and awareness program to inform the public about the Mornington Peninsula Shire Council electoral structure review. This included:

- public notices in state-wide newspapers
- public information sessions to outline the review process and respond to questions from the community
- media releases announcing the start of the review with the release of the preliminary report
- information on social media channels
- updated website content on [vec.vic.gov.au](http://vec.vic.gov.au), including:
  - current information on the review process
  - submission guide and fact sheets for each council under review with background information
  - response submissions from the public.

Mornington Peninsula Shire Council was also offered but did not take up 2 optional methods to promote the reviews:

- targeting social media advertisements at the council area
- notifying voters in the council area subscribed to the VEC's VoterAlert service about the start of the review and release of the preliminary report.

### **Public consultation**

The panel encouraged public input to the review of Mornington Peninsula Shire Council via:

- response submissions to the preliminary report
- an online public hearing for anyone who made a response submission to speak to the panel and expand on their submission.

Public submissions are an important part of the review process and are considered alongside other factors addressed during the review. These are outlined below.

## **Developing recommendations**

The panel's final recommendations comply with the Act and were developed through careful consideration of:

- research and analysis conducted by the VEC support team, including geospatial and demographic data
- rates or patterns of population and voter change over time, and relevant forecasts of growth or decline based on forecast information provided by .id (informed decisions, a company specialising in demographics and forecasting)
- input received during public consultation.

### **Deciding on the number of councillors**

The Act allows local councils to have between 5 and 12 councillors, but neither the Act nor the Local Government (Electoral) Regulations 2020 specify how the number of councillors is to be determined. As such, the recommendation put forward by the panel in this report is guided by

the Act's intention for fairness and equity in voter representation and the consequent facilitation of good governance.

In examining the appropriate number of councillors for Mornington Peninsula Shire Council, the panel considered the following criteria:

- the population and number of voters in the council area, compared to other councils with a similar population size and number of voters in the same category (for example, other comparable metropolitan, interface and regional city councils)
- patterns of population change and voter growth or decline in the council area over time
- the current and past numbers of councillors
- the representation needs of communities of interest in the council area
- any matter raised in public submissions not already listed above.

Local councils with a larger number of voters will often have more councillors. Large populations generally have greater diversity, both in the type and number of communities of interest and issues relating to representation. However, the ideal number of councillors can also be influenced by the circumstances of each council, such as the:

- nature and complexity of services the council provides
- geographic size and topography of the area
- forecast population and voter growth or decline
- social diversity.

### **Deciding the electoral structure**

Under the Act, regional city, metropolitan and interface councils must now have single-councillor ward electoral structures.

When developing single-councillor ward models for Mornington Peninsula Shire Council, the panel considered these criteria:

- whether the structure would comply with section 15(2) of the Act (see below), and for how long it would likely comply
- the appropriate number of councillors, as outlined above
- whether meaningful and effective ward boundaries could be established and whether these would be easily identifiable to local communities
- the representation of communities of interest
- the voter distribution and physical features of the area, and the impact these may have on the shape and size of wards
- past elections for the council, including:
  - numbers of candidates nominating
  - incidences of uncontested elections



- rates of informal voting.
- other matters raised in public submissions not already listed above.

Under section 15(2) of the Act, subdivided structures must aim for an approximately equal number of voters per councillor in each ward. This means the number of voters represented by each councillor in a ward should be within +/-10% of the average number of voters per councillor for all wards.

During this review, the panel aimed to recommend a structure that would comply with section 15(2) at the time of the 2024 local council elections and, if possible, also comply based on voter numbers at the time the review was conducted. The panel used forecasts of population and voter change to assess compliance at the 2024 elections with as much accuracy as possible. In some cases, population change and other factors impacting voter numbers mean it is not possible to create compliant subdivided structures based both on voter numbers that were current at the time of the review and forecast voter numbers. In these instances, the panel prioritised compliance at the 2024 local government elections to ensure each vote will have approximately equal value at the 2024 election.

One of the factors that may impact compliance with section 15(2) is the number of current and forecast voters with ratepayer-based voting entitlements, also known as council-enrolled voters. Voters' rolls include both state-enrolled electors (the majority of the roll) and a smaller number of council-enrolled electors. The Act introduced changes to ratepayer-based entitlement categories, which come into full effect at the 2024 local council elections. The panel took this change to the makeup of voters' rolls, and therefore compliance with section 15(2) of the Act, into consideration during this review.

### **Deciding on ward names**

The panel has taken the following approach to naming wards.

1. Retaining existing ward names if these were still relevant to the area covered by the ward.
2. When a new name was required, the panel based this on features such as:
  - places (registered under the *Geographic Place Names Act 1998*) in the ward
  - compass directions
  - native flora or fauna.

### **Use of Aboriginal language**

The panel recognises that there should first be meaningful consultation with local Aboriginal communities and groups before a ward is named using Aboriginal language. Meaningful consultation is a significant process that the panel was not able to undertake within the timeframes of the current review program.

The panel also recognises that many of the place names in current use across Victoria are based on Aboriginal language. As such, the panel has only put forward new ward names using Aboriginal language if:

- it is the name of a place within a ward
- it is currently in common use

and

- the name is registered under the *Geographic Place Names Act 1998*.

Unregistered names using Aboriginal language have not been put forward by the panel as new ward names. While the panel supports the adoption of names based on Aboriginal language, this requires appropriate consultation.

Accordingly, for the panel to consider an Aboriginal language ward name that is suggested in a public submission to the review, the name submitted needs to comply with the above guidelines.

# About Mornington Peninsula Shire Council

## Profile

Located about 50 km south of the Melbourne CBD, Mornington Peninsula Shire Council covers an area of about 724 km<sup>2</sup>. Apart from the boundaries it shares with Frankston and Casey city councils to the north, it is defined by long stretches of coastline, following Port Phillip Bay in the west, Bass Strait in the south and the Western Port Bay in the east.

Mornington Peninsula Shire Council is a popular tourist destination with a high concentration of holiday homes. This sees a significant surge in people during the holiday months.

The Traditional Custodians of the land in the Mornington Peninsula Shire Council are the Bunurong people.

## Landscape

The council area includes the localities of Mornington, Mount Eliza, Mount Martha, Dromana, Rosebud, and Rye in the west along Port Phillip Bay, where the majority of the population reside. Sorrento and Portsea on Point Nepean along with Cape Schanck, Flinders, and St Andrews Beach on the Bass Strait Coast round out the coastal communities, while Bittern, Hastings, Somerville, Tyabb and others form the Western Port Bay communities. Localities and towns, such as Balnarring, Baxter, Moorooduc, and Red Hill are located in the hinterland.

About 70% of the population live in one of the localities along the Port Phillip Bay coast, while nearly a quarter (23%) reside in one of the Western Port communities, the largest town being Hastings. These areas also accommodate various commercial and industrial activities (Mornington Peninsula Shire Council 2023).

Most of the land (up to 70%) covered by the council area has green wedge planning provisions, which prevents development encroaching on areas of environmental or scenic value (Mornington Peninsula Shire Council 2023). While the large rural area has a smaller population, it supports important agricultural activities and contains biodiverse parklands of national and international importance (Mornington Peninsula Shire Council 2023).

## Population and community

In 2021 the council area was home to 168,948 people, with Mornington (25,759 residents), Mount Martha (19,846 residents) and Mount Eliza (18,734 residents) being the most populous localities (ABS 2022). Forecast to grow at a rate of 1.1% per year, the population will likely surpass 181,138 by 2036 (.id 2023). This growth will largely occur in Mornington, Rosebud, and Hastings (Mornington Peninsula Shire Council 2023).

At the 2021 Census, the median age was 48, higher than both the metropolitan median of 37 and regional Victoria median of 43. The median weekly household income in the shire was \$1,555, which is lower than that of Greater Melbourne at \$1,901 (ABS 2022, 2022a). While most areas of Mornington Peninsula Shire Council are considered to have low levels of social

disadvantage, some areas in the localities of Hastings, Rosebud, Dromana, Crib Point, Capel Sound, and Tootgarook are reported to have high levels of social disadvantage (ABS 2023).

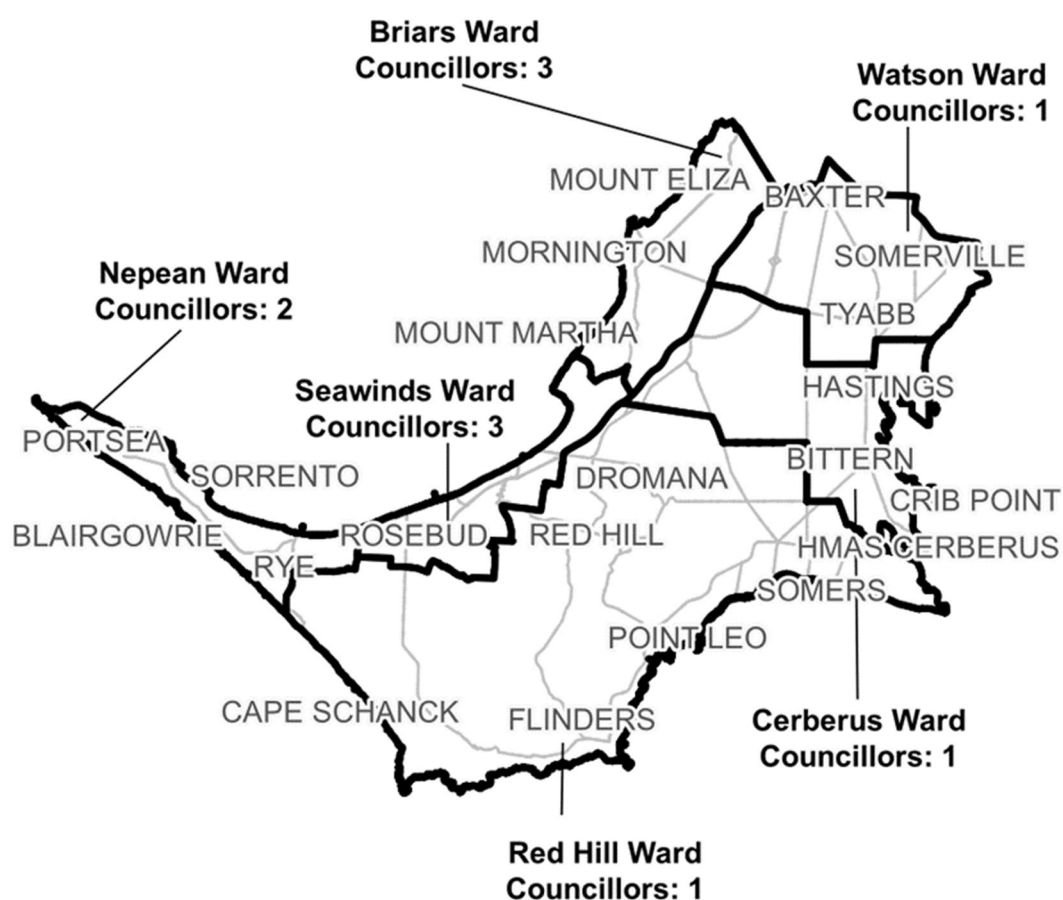
Home ownership rates are relatively high across the council area. In 2021, 42% of residents owned their home outright and 35% owned it with a mortgage (ABS 2022). Of note, 28% of the dwellings in the shire were unoccupied at the last Census (ABS 2022), which indicates a large number of holiday homes.

About three quarters of residents were born in Australia, 49% had no religious affiliation, 6% required daily assistance due to disability, 89% of households used only English at home and 1% were Aboriginal and/or Torres Strait Islander. These statistics were all higher in Mornington Peninsula Shire Council than the metropolitan averages (ABS 2022, .id 2023a).

## Current number of councillors and electoral structure

Mornington Peninsula Shire Council is currently divided into 6 wards with a total of 11 councillors:

- 2 wards with 3 councillors each (Briars and Seawinds wards)
- one ward with 2 councillors (Nepean Ward)
- 3 wards with one councillor each (Cerberus, Red Hill and Watson wards).



**Figure 1:** Diagram of current electoral structure of Mornington Peninsula Shire Council.

There are an estimated 151,741 voters in Mornington Peninsula Shire Council, with an estimated ratio of 13,794 voters per councillor.

Visit the VEC website at [vec.vic.gov.au](http://vec.vic.gov.au) for more information on Mornington Peninsula Shire Council.

## Last electoral structure review

The VEC conducted an electoral representation review of Mornington Peninsula Shire Council in 2012. This review was carried out under the *Local Government Act 1989 (Vic)*, which was replaced by the *Local Government Act 2020 (Vic)*.

After conducting the review, the VEC recommended that Mornington Peninsula Shire Council adopt a structure of 11 councillors elected from 6 wards (2 wards with 3 councillors, one ward with 2 councillors and 3 wards with one councillor).

Visit the VEC website at [vec.vic.gov.au](http://vec.vic.gov.au) to access a copy of the 2012 representation review final report.

## Subdivision review

Since the 2012 representation review, the VEC also conducted a subdivision review of Mornington Peninsula Shire Council in 2016.

Subdivision reviews conducted under the *Local Government Act 1989 (Vic)* adjusted the internal ward boundaries of a council but did not change the electoral structure or number of councillors. Subdivision reviews were conducted in situations where the voter-to-councillor ratios in one or more wards of a council were forecast to move outside the legislated +/-10% tolerance before the council's next election and aimed to ensure voter-to-councillor ratios for all wards were within tolerance at the election.

The 2016 review of Mornington Peninsula Shire Council aimed to return Cerberus, Nepean, Red Hill and Seawinds wards to within the permitted +/-10% tolerance before the 2016 local council elections. Visit the [Mornington Peninsula Shire Council profile page](#) on the VEC website to access a copy of the 2016 subdivision review final report.

## Preliminary report

A preliminary report was released on Wednesday 25 October 2023. The panel considered research findings and the requirements of the Act when formulating the models presented in the preliminary report.

After careful consideration, the following electoral structure models were put forward for public consultation:

- Model 1: a subdivided electoral structure with a total of 11 councillors – 11 wards with one councillor per ward.
- Model 2: a subdivided electoral structure with a total of 11 councillors – 11 wards with one councillor per ward, with different ward boundaries to Model 1.
- Model 3: a subdivided electoral structure with a total of 11 councillors – 11 wards with one councillor per ward, with different ward boundaries to Model 1 and Model 2.

The full preliminary report is available on the VEC website at [vec.vic.gov.au](http://vec.vic.gov.au)

## Response submissions

The panel received 22 response submissions to the preliminary report from the public by the deadline of 5 pm on Wednesday 15 November 2023. You can find a list of people or organisations who made a response submission in [Appendix 2](#).

The table below provides an overview of preferences in response submissions. You can read an analysis of submissions below this table.

Table 1: Preferences expressed in response submissions				
Model 1 (11 single-councillor wards)	Model 2 (11 single-councillor wards)	Model 3 (11 single-councillor wards)	No preferred model indicated	Other
1	1	2	10	8

Submitters represented interests from all areas of the Mornington Peninsula Shire community and included current and former councillors, community groups, residents, and the Mornington Peninsula Shire Council itself.

Few of the submissions expressed a preference for any of the proposed models. Only 4 submissions supported a model and one submission explicitly opposed Model 3. While there was mixed support for the change to single-councillor wards from the existing multi-councillor ward structure, there was notable community support for reducing the number of councillors from the current 11 to 9. There were 5 submissions that included maps of proposed 9 single-councillor ward structures.

Submitters that did not endorse any of the models were largely unhappy with the way certain localities and townships were divided or grouped together. Cr Celi's submission opposed dividing Rosebud and any model that placed Rosebud and McCrae in separate wards. Cr Celi wanted to keep Dromana and Safety Beach together because of their historical connection, and suggested Capel Sound, Tootgarook and Fingal form a community of interest that should not be separated. Cr O'Connor's submission echoed Cr Celi's, opposing models that used Jetty Road as a boundary as it split Rosebud across 2 wards. The Rye Community Group Alliance opposed any model that divided Rye between wards. Bianca Felix argued that Red Hill Ward was too large in all proposed models and felt there was little community connection between localities like Cape Schanck, Fingal and Boneo on the west, and Somers, Flinders, Balnarring, Merrick, and Red Hill towards the east.

### Model 1

The Rye Community Group Alliance supported Model 1 with some changes. The group wanted Nepean Ward to include all of Rye and St Andrews Beach, but not Tootgarook or Fingal.

## **Model 2**

One submission supported Model 2. Brian Stahl OAM endorsed the return to a single-councillor ward model and felt Model 2's wards provided equitable representation for diverse areas while maintaining community identities.

## **Model 3**

The 2 submissions that supported Model 3 endorsed the way it divides the existing Red Hill Ward. Robert Babb approved of the smaller Red Hill Ward, noting it would better represent rural communities. Babb felt that the model grouped affiliated communities in Nepean Ward appropriately. He also felt the model could enable more sustainable development and growth with more rural councillors to advocate for preserving green wedge areas. Similarly, the Flinders Community Association supported Model 3 because 5 of the 11 proposed wards have a rural component, which they felt would improve the chances of rural representation in council.

Bianca Felix did not support models 1 or 2 and felt Model 3 should be rejected outright because the boundaries of Warragine Ward did not reflect communities in that area. Felix viewed the townships of Hastings, Bittern, Crib Point and HMAS Cerberus as one large community of interest that should not be split. The submission argued that the proposed Red Hill Ward was also problematic as it too divided communities of interest. Felix felt Boneo, Cape Schanck and Fingal formed a separate community more closely linked to Rosebud and Tootgarook than the Western Port area of the ward.

## **Other options**

Several submitters felt the panel had not adequately considered all possible single-councillor ward structures. Many believed the number of councillors could be decreased to enable wards that better represented geographic communities.

There were 7 submissions that supported other options. These included 4 submissions from current shire councillors. Each councillor supported a 9 single-councillor ward model and included maps detailing their proposals. One submission provided a map of an 11 single-councillor ward structure different to the models put forward for public consultation.

Submitters supported a 9 single-councillor ward model because they believed it would:

- reduce council expenditure
- reduce administrative costs and improve financing of community support projects
- group more localities and communities of interest together
- better align to councillor workloads based on the population and land size of the shire
- better facilitate council decision-making
- show 'good faith' to residents dissatisfied with the council's performance.

Several submitters felt current ward deviations of the preliminary report models prevented them from expressing support for any of the models. The Nepean Ratepayers Association, Nepean



Conservation Group, Christine Granger, and David Gill categorically rejected all models on the basis they contained wards that currently deviated from the legislated +/-10% requirement. The submitters requested that the panel present new models that placed the current deviation of all wards within +/-10%.

## Ward names

The panel received 8 submissions from the public that proposed alternative ward names to those presented in the preliminary models. Other submissions offered suggestions on the type of names the panel should consider. This included:

- using Aboriginal names where possible
- using ward names based on towns or localities
- using ward names that are familiar and historical in the council
- avoiding locality-based names, as they may alienate residents of wards not named after their township.

Of the 8 submissions that provided ward names, the panel received 4 submissions from the public and one from Mornington Peninsula Shire Council proposing specific ward names that use (or may use) Aboriginal language and were not put forward by the panel in a preliminary model. The panel includes these for the Minister's information but notes it was not possible to verify whether appropriate consultation took place with relevant Aboriginal groups about the proposed names.

- Balla-Balla
- Beek Beek
- Benbenjie
- Brokil Creek
- Coolart
- Gunawarra
- Gunnamatta
- Kackeraboite Creek
- Kangerong
- Monmar
- Tichingorourke
- Tootgarook
- Tunnahan
- Tyabb
- Wonga.

## Public hearing

The panel held an online public hearing for those wishing to speak about their response submission at 2 pm on Wednesday 22 November 2023. Four people spoke at the hearing. Cr Sarah Race was scheduled to address the panel but was unable to speak at the hearing. The panel would like to acknowledge this and note that Cr Race's submission was reviewed and given the same weight and consideration as those of the speakers and all other submitters.

You can find a list of people who spoke at the hearing in [Appendix 2](#).

Cr Stephen Holland expressed disappointment that the panel could only consider single-councillor ward electoral structures. Cr Holland was concerned that many of the wards in all 3 proposed models were currently outside the +/-10% deviation and questioned the accuracy of the data and growth projections. Cr Holland urged the panel to consider reducing councillor numbers from the proposed 11 to 9. He argued that having 9 councillors would better reflect the shire's unique geography – distinguishing between urban and rural areas – and allow equitable representation between the north, south and Western Port regions of the council area. Cr Holland also suggested this would reduce expenses. Following questions from the panel he explained that, while this might increase enquiries per councillor, decision-making in council would be more effective, providing a net reduction in councillor workload.

Dr Eddy De Jong represented the Nepean Conservation Group and mirrored Cr Holland's views that all areas of the shire would be better represented divided into 9 wards rather than 11. He voiced concern with having Nepean Ward outside of the +/-10% deviation in all 3 proposed models. The panel clarified that for some wards, it set current deviations outside +/-10% to account for projected change in voter numbers, with the aim of ensuring that all wards would be within the +/-10% range by the 2024 local council elections.

Brian Stahl OAM welcomed the return to an 11 single-councillor ward structure. A former mayor of Mornington Peninsula Shire Council, he recalled that councillors felt a stronger sense of duty to represent residents in their wards under a single-councillor ward structure. Having seen how the council functioned with 9 councillors, Stahl felt certain 11 councillors would be appropriate for Mornington Peninsula Shire Council. He added that 11 councillors would bring a greater diversity of voices to council and more equitably represent residents. Stahl endorsed Model 2 as the best model to meet the need for such equity. In response to questions from the panel, Stahl endorsed the ward names proposed.

Mechelle Cheers represented the Rye Community Group Alliance and advocated for Rye, Tootgarook, and St Andrews Beach to be included in Nepean Ward. She argued that splitting Rye across 2 wards would confuse residents who would vote for councillors that might also represent other localities. Following questions from the panel, Cheers reiterated opposition to splitting Rye between wards and stated that maintaining Rye in a single ward was more important than grouping it with Tootgarook and St Andrews Beach.

## Findings and recommendation

The panel noted that several submitters criticised the legislated single-councillor ward electoral structure and state-wide approach to determining the appropriate number of councillors. Most submitters opposed creating wards that split localities.

As outlined in the submission guide for this review, the panel is committed to the principle of 'one vote, one value', which is a requirement for subdivided electoral structures under the Act. This is to ensure that every person's vote counts equally. When undertaking an electoral structure review, the panel must adhere to the Act's legislated equality requirement to seek to ensure the number of voters per councillor in a ward to be within +/-10% of the average number of voters per councillor for all wards in the council area. This presented a challenge when coupled with the unique geography and voter distribution of Mornington Peninsula Shire Council. Larger localities, such as Rye and Rosebud, cannot be contained in single wards and must be split across wards to comply with the +/-10% requirement.

Several submissions also voiced concern that all preliminary models contained wards with current deviations outside of the +/-10% deviation requirement. As outlined on page 9 of this report:

During this review, the panel aimed to recommend a structure that would comply with section 15(2) of the Act at the time of the 2024 local council elections and, if possible, also comply based on voter numbers at the time the review was conducted. The panel used forecasts of population and voter change to assess compliance at the 2024 elections with as much accuracy as possible. In some cases, population change and other factors impacting voter numbers mean it is not possible to create compliant subdivided structures based both on voter numbers that were current at the time of the review and forecast voter numbers. In these instances, the panel prioritised compliance at the 2024 local government elections to ensure each vote will have approximately equal value at the 2024 election.

As such, some ward current deviations were necessarily set outside the +/-10% range to account for forecast changes in population and voter numbers in the lead up to the 2024 local government elections.

### Number of councillors

After considering the requirements of the Act, public submissions and the agreed criteria, the panel found 11 councillors to be an appropriate number for Mornington Peninsula Shire Council.

The panel considered the characteristics of Mornington Peninsula Shire Council in relation to similar interface councils, including its size and geography, population and the number and distribution of voters across the council area.

Mornington Peninsula Shire Council currently has 151,741 voters represented by 11 councillors and covers an area of 727 km<sup>2</sup>. Other interface councils with a similar number of voters usually also have 11 councillors.

In some cases, a local council may have special circumstances that support a recommendation for fewer or more councillors. The panel did not identify any new circumstances for Mornington Peninsula Shire Council since the representation review in 2012. However, the panel also recognised that an uneven distribution of voters across the council area makes developing a satisfactory single-councillor ward structure for Mornington Peninsula Shire Council challenging.

Given the preference in some submissions for a 9 single-councillor ward structure, the panel considered whether a decrease in the number of councillors might provide for better representation of the diversity and geography of the shire. After modelling various options, the panel found that when factoring in voter change up to 2024, a 9 single-councillor ward structure would not address concerns about splitting communities of interest. Larger townships such as Rosebud, Mornington and Mount Martha would still need to be split across wards and the longevity of the electoral structure would not be increased.

Ultimately, the panel felt an 11 single-councillor ward model would best support increased councillor workloads that are anticipated to result from the projected population growth in the shire. The panel found no justifiable benefits in any 9 single-councillor ward models to offset this increased workload and no reason to deviate from the number of councillors found in similar interface councils.

## **Electoral structure**

After considering the requirements of the Act, public submissions and the agreed criteria, the panel found Model 1 to be the single-councillor ward model with the best potential to promote fair and equitable representation for voters in Mornington Peninsula Shire Council and consequently facilitate good governance.

The panel considered a range of factors in coming to this final recommendation, including population and voter numbers, communities of interest, ward boundaries, and public submissions. The strong level of interest in the review and the valuable information about local communities provided in submissions played an important role in the panel's deliberations.

The panel noted that it was challenging to model an electoral structure for Mornington Peninsula Shire Council that groups communities of interest adequately in wards and complies with the Act. It was also challenging to account for uneven population distribution between the Port Phillip Bay localities, Western Port townships and green wedge areas, along with concentrated growth in Mornington, Rosebud and Hastings. This was complicated by a high proportion of voters with council-based entitlements in certain areas of the shire, upcoming changes to these entitlements, and the effect this may have on the total number of voters. All of these factors contributed to increased complexity when creating wards that could comply with the +/-10% requirement through to and beyond the 2024 local council elections. The panel had to set current deviations for the Nepean, Tootgarook, Beek Beek, Moorooduc, and Kackeraboite wards outside the +/-10% tolerance to increase the likelihood these wards will comply at the 2024 election. The panel also acknowledged a small risk that some wards may be outside +/-

10% at the election due to the volatility of population growth and the uncertain number of council-based enrolments following voting entitlement changes under the Act.

The panel determined that Model 3 was the least suitable model, despite its more favourable splits of communities in the Mt Eliza and Nepean wards. It felt the smaller size of Red Hill Ward could pose a disadvantage to many rural and hinterland residents by grouping them into surrounding wards with larger urbanised populations. The panel also saw it as unfavourable to split the Western Port communities of Hastings and Crib Point into separate wards. It felt Model 1 best separated urban and rural communities, maintaining much of the existing divide along the hinterland.

Model 2 contained an iteration of Moorooduc Ward that the panel, on reflection, felt inadequately combined the green wedge between Mount Eliza and Mornington with Moorooduc and Baxter.

In the north of the council area, the panel determined Model 1 best captured the Mount Eliza, Moorooduc, and Mornington communities of interest. The panel found that the compact version of Moorooduc Ward in Model 1 created more cohesive and stronger boundaries with the surrounding Kackeraboite, Tanti, Briars, Coolart, and Beek Beek wards. The use of the Mornington Peninsula Freeway created a clear divide and is also the boundary between Red Hill Ward, and Briars Ward and Brokil Ward (known as Safety Beach Ward in the preliminary report).

While many submissions advocated against splitting the individual communities of Rye and Rosebud, the geography and distribution of voters towards Point Nepean end of the peninsula requires these communities to be divided between wards. If Rye is kept entirely within a ward, there would be too few electors to form a ward with the required number of voters west of Rye. The panel acknowledges these divisions are undesirable but notes they are unavoidable, as they respond to the unique voter distribution and geography of the shire. As such, the recommended model divides Rye between Nepean and Tootgarook wards along Lyons Street and Valley Drive, and Rosebud between Tootgarook and Benbenjie wards along Boneo and Jetty roads. The boundary between Benbenjie and Brokil wards is Arthurs Seat Road, and the hinterland boundaries of Tootgarook and Benbenjie wards predominantly match localities. Brokil and Briars wards are divided by Sunshine Creek and Forest Drive, with Mornington Peninsula Freeway forming much of the boundary of Red Hill Ward.

While it is difficult to predict the number of candidates likely to stand at future elections, past election results provide some indication. The panel examined past election results for Mornington Peninsula Shire Council including numbers of candidates nominating, incidences of uncontested elections and rates of informal voting. With the change in structure, the panel notes the potential for uncontested or failed elections in areas where historically candidate numbers have not been as strong. Given 11 councillors has been determined to be the appropriate number, this is a compromise the panel considered as unavoidable in light of the legislative requirements for a single-councillor ward electoral structure.

## Ward names

The ward names for the panel's recommended electoral structure were based on the following:

- Beek Beek Ward: New name based on a park in the ward. This name is registered in the VICNAMES register.
- Benbenjie Ward: New name based on a park in the ward. This name is registered in the VICNAMES register.
- Briars Ward: The existing name of the ward under the current electoral structure. The new ward covers a similar area as this existing ward.
- Brokil Ward: New name based on a creek in the ward. This name is registered in the VICNAMES register.
- Coolart Ward: New name based on a road, creek, point and park in the ward. This name is registered in the VICNAMES register.
- Kackeraboite Ward: New name based on a creek in the ward. This name is registered in the VICNAMES register.
- Moorooduc Ward: New name based on a locality and a highway in the ward. This name is registered in the VICNAMES register.
- Nepean Ward: The existing name of the ward under the current electoral structure. The new ward covers a similar area as this existing ward.
- Tanti Ward: New name based on a creek in the ward. This name is registered in the VICNAMES register.
- Tootgarook Ward: New name based on a locality in the ward. This name is registered in the VICNAMES register.
- Warringine Ward: New name based on a creek and a park in the ward. This name is registered in the VICNAMES register.

The panel reviewed several ward names proposed by submissions applicable to the final recommended model. This included shortening Tanti Creek Ward to Tanti Ward. The panel agreed with the suggestion made by Cr Holland to simplify the names of wards based on significant features within wards.

While the panel cannot confirm the details of the process undertaken, they acknowledge council carried out some degree of consultation with the Bunurong Land Council regarding appropriate Aboriginal-language ward names. The panel endeavoured to include as many of the suggested Aboriginal-language ward names as possible, provided these complied with the panel's established approach to naming wards outlined on pages 9 and 10 of this report. In this instance, 6 alternative names suggested in the council's submission have been adopted. As such, the panel made the following changes to the ward names of preliminary Model 1:

- Kackeraboite Ward replaces Mount Eliza Ward
- Coolart Ward replaces Red Hill Ward
- Tootgarook Ward replaces Rosebud Ward

- Brokil Ward replaces Safety Beach Ward
- Benbenjie Ward replaces Seawinds Ward
- Beek Beek Ward replaces Watson Creek Ward.

The panel also considered the council's suggestions of Tichingorourke Ward for Briars Ward and Monmar Ward for Nepean Ward, however was not able to recommend these as final ward names as they are not in the VICNAMES register.

Three ward names proposed in the council's submission aligned with those already proposed by the panel in Model 1.

Overall, 9 of the ward names included in the recommended model align with names proposed in the council's submission.

## **The panel's recommendation**

The electoral representation advisory panel recommends that Mornington Peninsula Shire Council adopt an 11 single-councillor ward structure – 11 wards with one councillor per ward.

The recommended names for the 11 wards in this electoral structure are Brokil Ward, Beek Beek Ward, Benbenjie Ward, Briars Ward, Coolart Ward, Kackeraboite Ward, Moorooduc Ward, Nepean Ward, Tanti Ward, Tootgarook Ward, and Warringine Ward.

This advice is submitted to the Minister for Local Government as required by the Terms of Reference of the electoral representation advisory panel and the Act. This electoral structure was designated as Model 1 in the preliminary report.

Detailed maps of the boundaries for the recommended electoral structure are provided as [Appendix 1](#).

## References

ABS (Australian Bureau of Statistics) (2022) [Mornington Peninsula 2021 Census All persons QuickStats](#), ABS, accessed 1 September 2023.

—(2022a) [Greater Melbourne 2021 Census All persons QuickStats](#), ABS, accessed 1 September 2023.

—(2023) [Socio-Economic Indexes for Areas \(SEIFA\), Australia, Suburbs and Localities, Indexes, SEIFA 2021](#), ABS, accessed 1 September 2023.

Electoral Act 2002 (Vic)

Geographic Place Names Act 1998 (Vic)

Local Government Act 1989 (Vic)

Local Government Act 2020 (Vic)

Local Government (Electoral) Regulations 2020 (Vic)

Mornington Peninsula Shire Council (2023) [Mornington Peninsula Planning Scheme](#), Mornington Peninsula Shire Council, accessed 1 September 2023.

.id (informed decisions) (2023) [Mornington Peninsula Shire community profile](#), .id, accessed 1 September 2023.

—(2023a) [Mornington Peninsula Shire, Need for assistance](#), .id, accessed 1 September 2023.



# Appendix 1: Map of recommended structure

## Mornington Peninsula Shire Council

Recommended model  
11 single-councillor wards

Ward	Electors*	Deviation†	Area sq km
Beek Beek	11,871	-13.94%	74.1
Benbenjie	12,600	-8.66%	20.8
Briars	13,313	-3.49%	23.2
Brokil	15,115	+9.57%	20.7
Coolart	14,083	+2.09%	428.6
Kackeraboite	11,971	-13.22%	17.9
Moorooduc	11,837	-14.19%	55.1
Nepean	18,763	+36.02%	36.1
Tanti	12,447	-9.77%	7.9
Tootgarook	16,708	+21.12%	14.9
Warringine	13,033	-5.52%	24.1
Total	151,741		723.4
Average	13,795		65.8

\*Electors numbers as at 25 July 2023

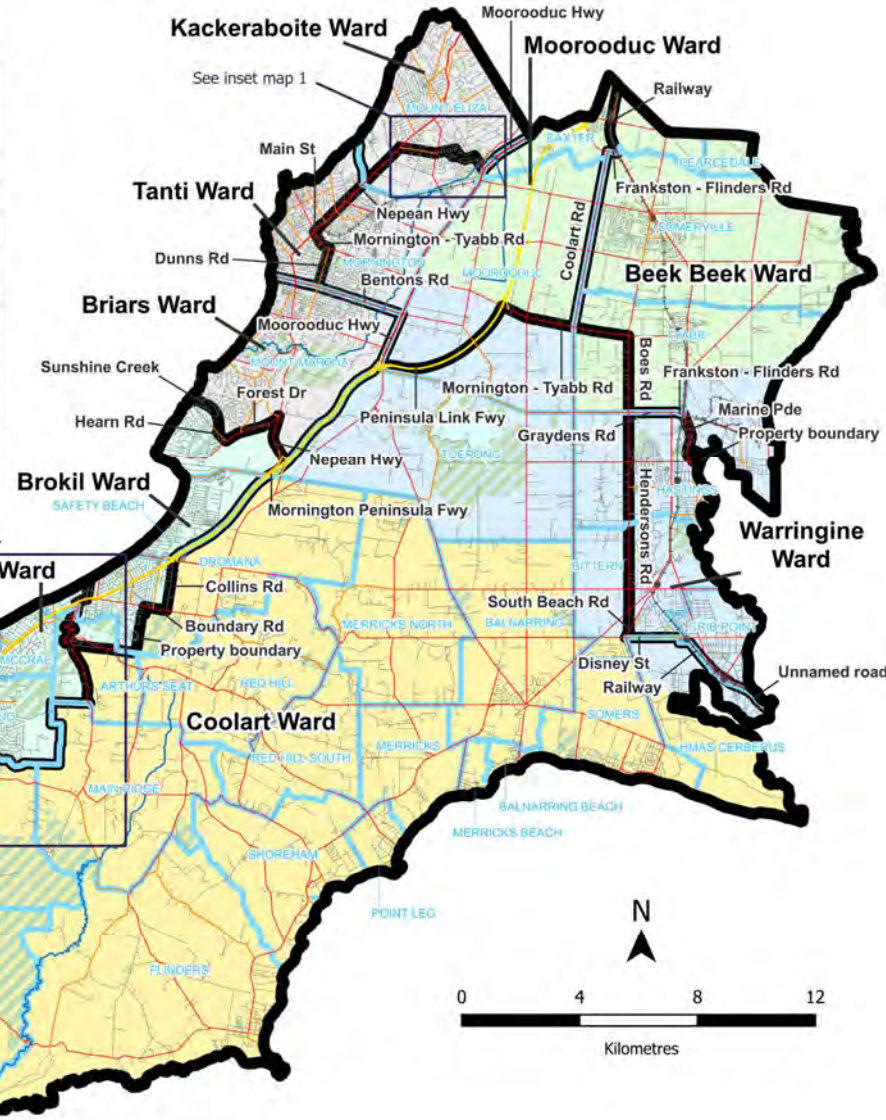
†The deviations of all wards are projected to be within +/-10% by the time of the 2024 local government elections.

### Legend

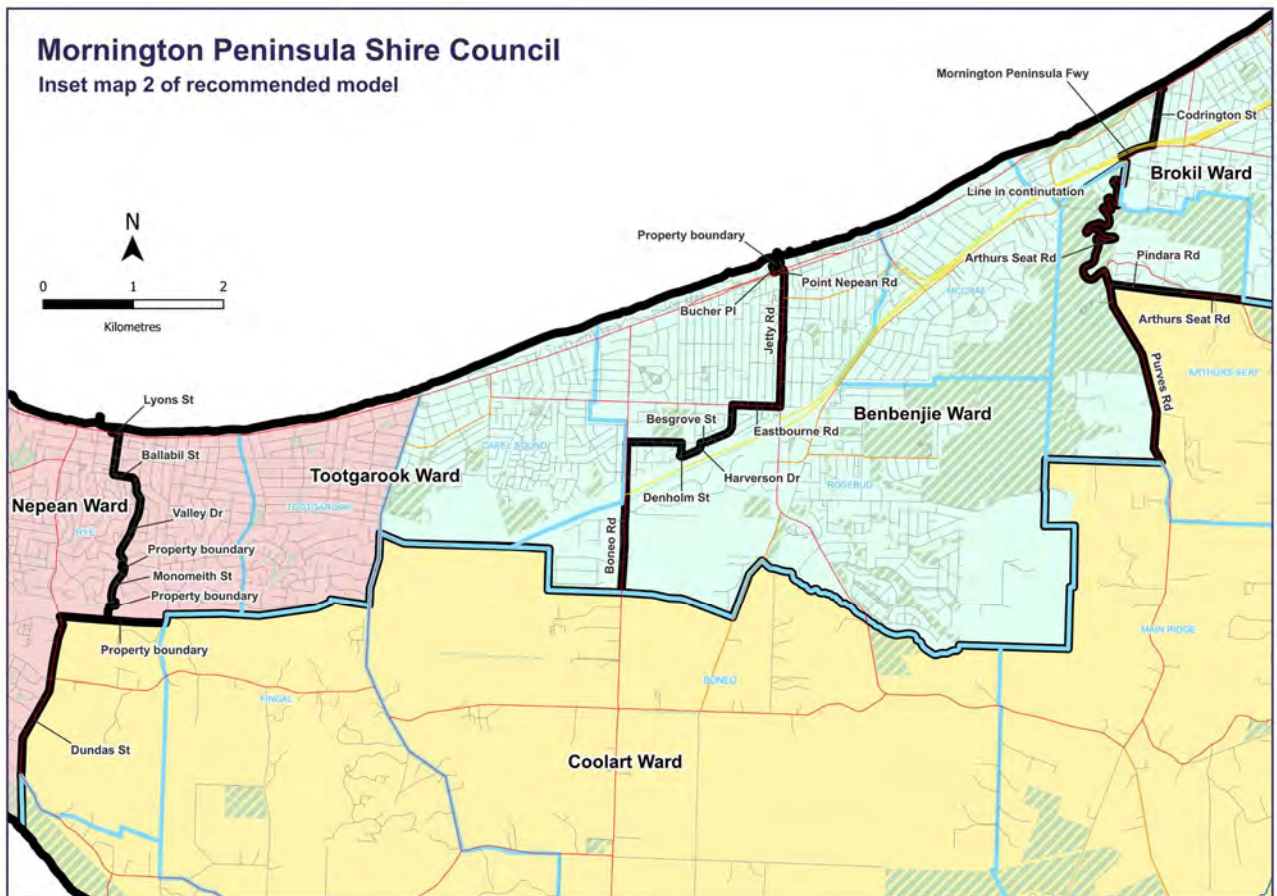
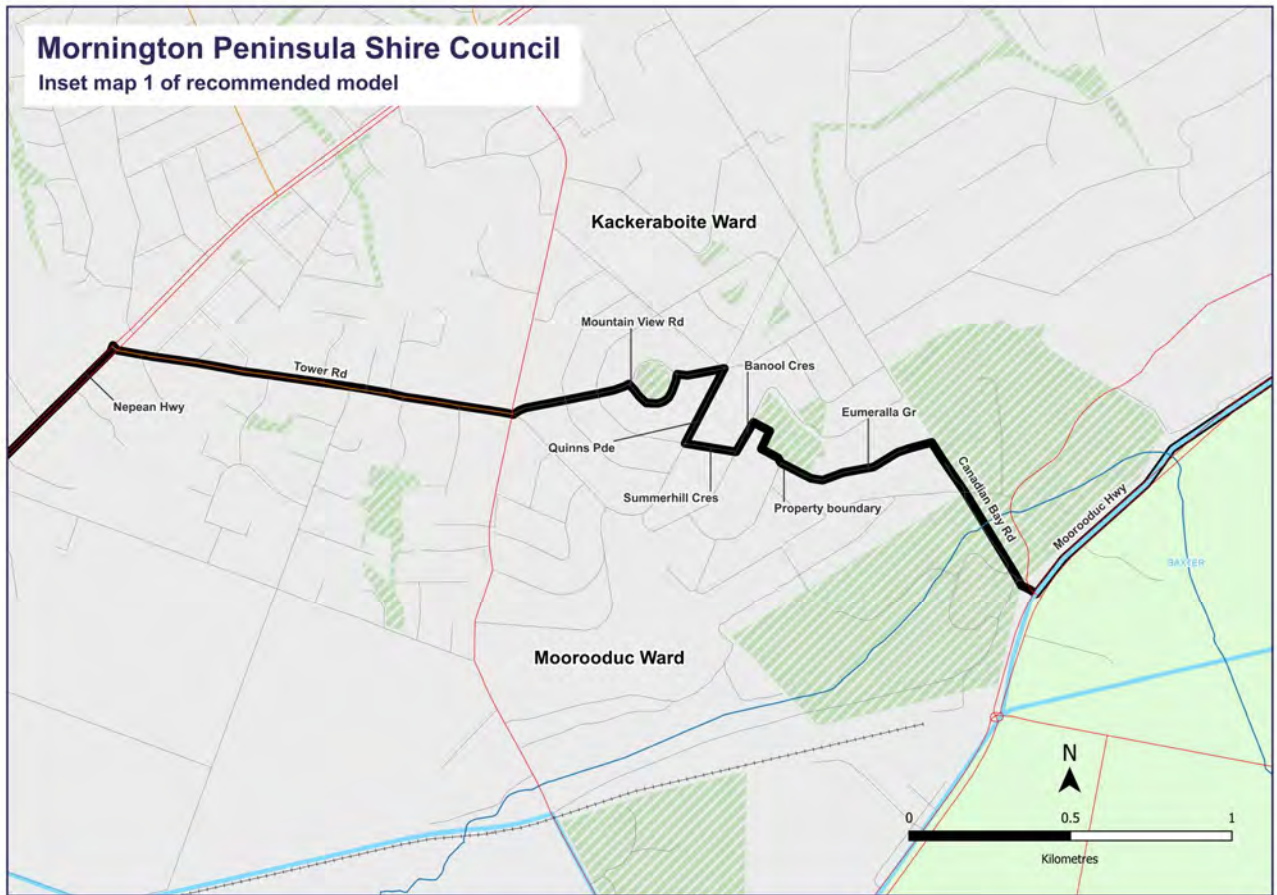
- Recommended boundaries
- Existing ward(s)**
- Briars
- Cerberus
- Nepean
- Red Hill
- Seawinds
- Watson
- Map Symbols**
- Freeways
- Main roads
- Collector roads
- Minor roads
- Railways
- Railway stations
- Rivers & creeks
- Lakes
- Parks & reserves
- Locality boundaries

Data use:  
Layers for alignment:  
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**Data for recommended structure**

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\*Elector numbers at 25 July 2023

†The deviations of all wards are projected to be within +/-10% by the time of the 2024 local government elections.

#Ward area (square km) and total council area is measured at level of accuracy required for electoral boundaries. This may vary slightly from other data sources (e.g. ABS).

## Appendix 2: Public involvement

The panel wishes to thank all submitters to the review and speakers at the public hearing for their participation in the review process.

### Response submissions

Response submissions were made by:

Babb, Robert	Mar, Debra (Councillor, Mornington Peninsula Shire Council)
Celi, Antonella (Councillor, Mornington Peninsula Shire Council)	McIntosh, Laura
Clark, Rowan	Mornington Peninsula Shire Council
Clarke, Peter	Nepean Conservation Group
Dellar, John	Nepean Ratepayers Association
Felix, Bianca	O'Connor, Despi (Councillor, Mornington Peninsula Shire Council)
Flinders Community Association	Race, Sarah (Councillor, Mornington Peninsula Shire Council)
Foster, Bettyanne	Rye Community Group Alliance
Gibb, David	Stahl, Brian OAM
Gill, David (Councillor, Mornington Peninsula Shire Council)	Wright, Terry
Granger, Christine	
Holland, Stephen (Councillor, Mornington Peninsula Shire Council)	

### Public hearing

The following people spoke at the public hearing:

- Cheers, Mechelle (on behalf of Rye Community Group Alliance)
- De Jong, Dr Eddy (on behalf of Nepean Conservation Group)
- Holland, Stephen (Councillor, Mornington Peninsula Shire Council)
- Stahl, Brian OAM

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