

# VEC LOCAL COUNCIL REPRESENTATION REVIEW 2019

## NILLUMBIK SHIRE COUNCIL

### RESPONSE SUBMISSION SUMMARY - NILLUMBIK Pro Active Landowners (PALs)



Public Hearing 16 May 2019 – Damian Crock, Chair PALS Working Group

## BACKGROUND

- PALs actively, genuinely and legitimately represent in excess of 1500 landowners across the rural, semi-rural and peri-urban areas of Nillumbik Shire, largely contained within the Nillumbik Green Wedge.
- October 2016 elections resulted in a significant shift in community sentiment towards an emphasis on landowner issues and views being prevalent. The electoral reality should be accorded significant weight by the VEC in its current deliberations
- PALS support of Option B is unambiguous and resounding for the Nillumbik Shire Council (NSC) is to maintain a 7 ward, single councillor per ward model.
- Formally VEC has indicated that Options A and B are essentially the Options to be addressed. The spectre of an unsubdivided Shire paradoxically appears persistently present based on fundamentally undemocratic representations of a vocal minority.

**Unsubdivided Shire:** Fundamentally in a Shire such as Nillumbik, where 87% of residents occupy 9% of the landmass and 13% reside in and are responsible for the maintenance and management of most of the balance (79% of the Nillumbik Green Wedge is privately owned), the proposition of an undivided Shire is flawed. It is unjustifiable as a means of providing any prospect of appropriate and democratic representation.

**"(T)he VEC has not included an unsubdivided electoral structure as an option for further consultation."-VEC**

## OPTION A

- Will lead to an increased politicisation of the local government process
- 3 ward, multi-councillor structure – prospect of search for more external funding due to the increased ward areas, increased time commitments, increased costs and increasing appeal of political machine backing.
- Overt mainstream political party presence in Nillumbik has typically been absent with the notable exception of involvement from the Greens. The Local Government is inferior with major party involvement.

- Individuals following their own beliefs and policies (delivered on a local and personal scale) are preferable to those following party politics.
- Individuals elected should represent their constituents, not their political allegiances and vote on their constituents behalf in accordance with their mandate on personal/individual basis.
- Unacceptable increase in workload for Councillors, who are not sufficiently remunerated to enable additional workload.

**Option B is more likely to deliver genuinely representative candidates.**

## PALS REJECTION OF OPTION A and PREFERENTIAL ENDORSEMENT OF OPTION B

### Option A advantages listed:

- **allowing for representation of non-geographic and geographic communities of interest in the Shire**  
*Rejected as absurd. Landowners cannot have been appropriately considered.  
Arbitrary nature of UGB. Purported urbanite entitlement to influence over Green Wedge.  
Excessive Rural Ward Councillor workload - covering double the existing rural ward footprint.  
Prospective voting "gerrymander"*
- **ensuring that the same counting system will be used in all three wards (PR)**  
*Lack of evidence to justify this as a basis for supporting Option A. No current disparity in counting systems with 7 ward Council structure. Prospect of compromised Council consultation across the larger proposed wards.  
Landowner view represented by PALS rejecting Option A should be afforded appropriate weight countering Option A preference proposed to VEC by modest number of environmentalists.  
50% plus 1 provides community with more "acceptable" councillor outcome.*
- **addressing some of the concerns of rural voters in the Green Wedge by providing two councillors to represent the predominantly rural part of the Shire.**  
*This is flatly rejected by landowners as Option A has been patently disapproved by PALS comprehensive submission.*

- **ensuring that existing geographic communities of interest are not divided. While the proposed Artisan Hills Ward is much larger in size, keeping it as a single ward means that the existing suburbs and towns within the Green Wedge are not at risk of being split by ward boundaries**

Multiplicity and diversity of communities of interest apparently unrecognised which indicates a perception or characterisation of the rural wards as homogenous – with environmental bent.

Communities of interest include:

- Genuine landowner group (PALs)
- Township groups
- Extreme environmental groups
- Genuine ratepayers group (Nillumbik Ratepayers Association)
- Tourist and business groups
- Farming groups - small and broad scale

**Inferior representation outcome virtually inevitable given expansion of rural ward councillor responsibilities**

- **the proposed Montsalvat Ward ensuring that most of Eltham, Eltham North and Research are kept within a ward. The VEC notes that this is not the case in the current single-councillor ward electoral structure, where Eltham voters are divided across three wards (Edendale, Wingrove and Swipers Gully Wards).**

Lack of evidence and justification why it is problematic for suburbs to lay across ward boundaries.

Some peri urban/suburban area residents may identify more with rural than urban connection eg In Research, Yarrambat, Plenty Diamond Creek Sugarloaf ward area proposed to be incorporated into Swipers Gully is inconsistent with apparent VEC approach to avoid splitting communities with ward boundaries.

Existing "hybrid" wards provide prospective consideration of landowner or rural wards which would be absent via Option A

lifestyle and rural enterprise landholdings around North Warrandyte, Kangaroo Ground, Wattle Glen, Watsons Creek, Christmas Hills, Panton Hill, Smiths Gully, St. Andrews, Kinglake, Cottles Bridge, Hurtsbridge, Nutfield, Arthurs Creek and Strathewan.

## PALs PREFERENCE for OPTION B

**Option B compelling advantages listed, all strongly endorsed by PALs:**

- **Addressing loss of dedicated local representation.**
- **The current electoral structure guarantees a distribution of local councillors across the Shire, including the rural parts of the Shire. In this structure, no single town or area would dominate at elections.**
- **The current single-councillor wards appear to reflect and serve the Shire's geographic communities of interest. Submissions and findings from the VEC's previous representation review of Nillumbik Shire Council suggested that the Shire is characterised by its geographic communities of interest, as people strongly identify with their local suburb or townships.**
- **Councillors are more likely to be accessible to their constituents and they are encouraged by the current structure to be aware of local issues.**
- **The size of the ballot paper in each ward is smaller and more accessible for voters compared to ballot papers for multi-councillor wards and in an unsubdivided electoral structure.**
- **This is a minimal change option and would minimise confusion to voters.**

Given PALs broad and diverse constituency, "preferred option" status of Option A does not present as justifiable or sustainable. PALs advocates for Option B as closer to the status quo, as recent particularly turbulent period led to litigation, which revealed serious Council malfeasance, resulted in a formal inquiry by QC and galvanised strong landowner community sentiment for effective and sound representation.

No listed disadvantages of Option B suggests it should well be characterised by the VEC as the preferred option, legitimised by PALs endorsement and support.

## OPTION A DISADVANTAGES LISTED

- **the proposed Artisan Hills Ward is much larger in size and could pose a travel burden for the two councillors**  
Inferior representation outcome with additional burdensome workload, travel & cost consequences. Similarly inferior representation outcome for all multi-councillor wards
- **the large numbers of candidates in the past three general elections may mean larger ballot papers, particularly in the two wards located in the urban south of the Shire, although these papers would still be more manageable than a ballot paper for an unsubdivided Nillumbik Shire Council**  
Ballot size is an important consideration. Comparative reference to unsubdivided shire outcome is inappropriate
- **the proposed Artisan Hills Ward has both urban and rural populations and, as is the case in any large sized ward, both councillors could be elected from one area to the detriment of other communities in the ward.**  
PALs agree compromised representation outcome could result from large rural ward elected councillors coming from localised section of the community. Option A exacerbates prospective compromised representation of landowners of peri urban/hybrid rural

**Consideration: Hybrid rural/semi-rural areas should be located in Sugarloaf ward, with any redistribution from interfaces with Ellis, Wingrove and Edenvale. Alternatively, redistribution from Blue Lake into Bunjil to balance voter numbers as many residents within Blue Lake would identify with and are more aligned with rural issues. Many existing wards contain hybrid areas obliging sitting councillors to consider a rural viewpoint when making a council decision.**

PALs communicates the legitimate imprimatur of the vast majority of landowners in the Nillumbik Shire, effective custodians of and responsible for the management of the bulk of the footprint of the Shire. PALs views should be attributed an appropriately prevalent degree of influence in the deliberations and consideration of the VEC in relation to the current critical process.