

Victorian Electoral Commission. Local Council Electoral Representation Review. Boroondara City Council. February 2019

Thank you for the opportunity to make a submission to the regular electoral representation review of the City of Boroondara that the Victorian Electoral Commission (VEC) is required to conduct under the Victorian Local Government Act 1989.

This submission is by Lighter Footprints, a group of concerned residents (now around 2000) from Boroondara and Whitehorse municipalities who came together in 2006 to see what we could do about the serious challenge of climate change. Our community recognises that climate change has been scientifically demonstrated for some years, and the extent of the challenges leads us to be impatient for effective action.

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Our position

Lighter Footprints supports the implementation of multi members wards and proportional representation as a means to elect councillors in the City of Boroondara.

Our principal reasons for this stance are that multi member wards will:

- contribute to a more democratic council by enabling the representation of a wider range of views and facilitating a richer debate in council deliberations.
- meet the urgent need to attract a more diverse range of councillors with a wider range of skills and expertise.

We believe this approach would lead to higher quality decision making that better reflects the views of the community; and would enhance the Council's capability to deal with the increasingly complex matters that fall within its responsibilities.

We have adopted this position because we are aware that local government is becoming a significant player in the global response to climate change:

- Municipal councils such as Boroondara are being required to adopt the role of first responder to deal with the impacts of extreme weather on local communities and infrastructure. This role will have a significant impact on council budgets and resources.

- Councils also have a range of levers they can use to adapt to and mitigate the effect of climate change. These include facilitating changes in transport away from fossil fuel towards electric vehicles, bicycles and public transport; better management of parklands and increased planting of trees and other vegetation; better management of water including storm water, filtration and wetlands; land planning and building approvals.

Current councillors in the City of Boroondara have not shown a strong awareness of their potential role in this area nor a willingness to provide leadership in developing an adequate response to climate change. We believe that multi member wards and proportional representation would attract candidates who would be able to fill this gap in the Council's capability.

The Review

As specified in Section 219D of the Local Government Act 1989, the purpose of an electoral representation review is to achieve "fair and equitable representation for the persons who are entitled to vote at a general election of the Council."

We note that, in undertaking this task, the VEC proceeds on the basis of three main principles:

1. to ensure that the number of voters represented by each councillor is within 10% of the average number of voters per councillor for that municipality
2. to take a consistent, State-wide approach to the total number of councillors
3. to ensure that communities of interest are as fairly represented as possible

It is the application of this third principle that we are most concerned with in our support for multi-member wards in the City of Boroondara. Discussed below are the various reasons why we support multi member wards. Our principal reason is that, as a climate advocacy group, we believe multi-member wards would give the growing community of people who want action on climate change a place at the table and a voice in decision making.

Background to the current structure

In its 2008 review¹, VEC recommended that single councillor wards be retained despite its initial assessment that multi members wards would better reflect Boroondara's communities of interest. We consider that this recommendation gave too great a weight to the status quo and insufficient attention to the distinctive features of this municipality. The case for multi member wards was severely hampered by the strong advocacy role that the Council adopted for single member wards.

The following extracts from the 2008 review demonstrate the thinking behind VEC's recommendation at that time:

¹ <https://www.vec.vic.gov.au/resources/boroondaraFinalReport2008.PDF>

The VEC's preliminary view was that multi-councillor wards would better reflect Boroondara's communities of interest. Submitters had raised a number of issues that affect people on a wider scale than single-councillor wards ... rather than being localised to particular areas (such as the concerns of families with children or environmental issues). ... there may be opposing views or different interests within any one ward and that having multiple councillors may better represent this diversity on the Council.

The VEC acknowledged the distinct senses of place across the municipality, and that people do identify with their local area. However, the VEC noted that these areas are not necessarily so different that it would be impossible for a councillor from one area to understand the issues of another area, and that single-councillor wards do not necessarily reflect the local areas with which people identify, due to some areas being larger and some being smaller than the current and proposed single-councillor wards.

Ultimately, VEC recommended single councillor wards:

Overall, the VEC considers that the single-councillor ward structure is a fundamental feature of the governance and representation processes that the Council has established since 1997. ...

Given these considerations, the VEC believes that single-councillor wards can provide fair and equitable representation for the voters of Boroondara and that there are appropriate governance and management processes in place to represent both the local and broader communities of interest within the municipality.

We consider that, in reaching this conclusion, the Commission gave too much weight to the arguments made to it by various City Councillors. We believe that the comments made at the time by the Councillors reflected a narrow and parochial understanding of the Boroondara community and a desire to protect their own reputation:

The Mayor explained that she believed that Boroondara is the best municipality in Victoria. ... The VEC was reminded by other councillors that the Boroondara City Council is a strong advocate for its community and that the community is well serviced because of the Council's strong focus on local issues and good governance, and this situation would be put at risk by a different structure.

We believe VEC was conscious of this but was hampered in adopting a stronger case for multi councilor wards by the low number and quality of submissions setting out an alternative position:

the number of submissions supporting ten single councillor wards may also have been elevated by the Council's campaign... a "Fact Sheet" about the preliminary options distributed by the Council described the preliminary preferred and first and second alternative options respectively as "detrimental to effective local

representation”, “equally inappropriate” and as having “ward boundaries [that] are quite arbitrary, in order to justify an unnecessary eleventh councillor”.

While not disputing the Council’s right to publicise its point of view on the options, the VEC notes that these materials may not have encouraged submitters to approach all of the VEC’s preliminary options with an open mind

The case for multi member wards in 2019

We believe that the case for multi member wards in 2019 is even stronger than it was in 2008. Developments since then that strengthen the case include the following:

- Boroondara is only one of three metropolitan councils still retaining single member wards. The others are Banyule and Knox.**

All adjoining councils to Boroondara, (Whitehorse, Stonnington, Monash, Manningham, Yarra, and Darebin) except Banyule have multi councillor wards. Banyule has 7 single councillor wards. Without undertaking a detailed analysis, we cannot identify any specific feature that would make Boroondara so different to all these other councils that it requires a different type of representation.

- The role of local government has changed substantially in recent years and is no longer confined to local issues such as local infrastructure and local services.**

Local Government is becoming a significantly more important layer of government than in the past and much of its work is done in partnership with State and Federal Governments. Many local issues are now being subsumed into programs developed and funded by other levels of government with local government assuming the delivery responsibility. People who have issues with such programs are required to deal more frequently with the agency responsible for developing the policy and authorising the funding rather than the level that does the delivery.

- Not only is the role of local government expanding into new areas, it is also becoming considerably more complex and demanding**

Lighter Footprints would like to see Council served by representatives with interest, and readiness or commitment to deal with the challenges of larger issues such as climate change, the area of our primary concern.

Lighter Footprints is concerned that our current local councillors lack the knowledge, expertise or awareness to deal with these larger challenges especially climate change. Our experience within our community also suggests that the local population wants all levels of government including local government to act on these matters.

Multi members wards would provide the opportunity for the community of interest that has grown up amongst people wanting action on climate change to be represented in Council proceedings and to participate in decision making on such matters.

Since it was established in 2006, Lighter Footprints has become a large and influential community of interest in the City of Boroondara. It has grown in size and influence to become a widely respected and authoritative voice on climate change both locally and further afield. It has a membership and following of over 2000 local residents and its monthly events attract prominent speakers and audiences of between 50 to 80 people. Our regular forums in the Hawthorn Arts Centre and other community centres are hugely successful with audiences of over 400 people. The voting trends in the Hawthorn electorate during the recent State election suggest that the forum we held then had a role in energising local people to vote on climate change issues and influencing the upset result.

The City of Boroondara has a number of initiatives in place which it claims demonstrates its commitment to responding to climate change. We remain sceptical as to the level of Councillors' commitment to this cause and the degree to which these various activities influence day to day decision making in Boroondara. Many of the initiatives arise from obligations imposed by State Government; on the basis of anecdotal evidence, it would appear that participation and application is observed more in the letter than in the spirit. Most other metropolitan councils have gone much further and adopted much more ambitious actions than Boroondara in their responses. In general, Councillors favour positions that involve little substantial change. Their decisions generally favour the status quo or have the effect of favouring property interests above wider community interest and reflect an extremely cautious approach to protecting the organisation's budgetary interests.

- **The challenges of communicating with your local member are becoming much easier with the development of information and communications technologies.**

Demographically, Boroondara is a highly educated and professionally qualified population. As such, most are quite capable of articulating their problems and communicating with the Councillor they consider most responsive to their specific problem.

At the same time, Boroondara proudly proclaims the systems it has put in place to consult with its constituency. These processes should be made more accessible and directed to assist those members of the local community that may be less skilled in communicating with their local member. Attention should be paid to those who are less familiar with electronic communication and increased opportunities provided for more traditional methods of communication such as regular ward meetings.

- **Multi member electorates could lead to more open discussion of policies and proposals at council meetings.**

At present, council meetings that are open to the public are rather sedate affairs with little discussion of the agenda items. When councillors ask questions, they do not appear designed to seek out information but to highlight reasons why the proposal should be supported. In other words, questions often take the form of a 'Dorothy Dixer'.

Questions from the public are heavily controlled and limited and answers from council officers are often fail to acknowledge or elucidate the questioner's concerns. Most motions are passed unanimously without debate, seemingly as though councillors had already caucused before the meeting and reached agreement on the outcome they desire.

Enormous weight appears to given by councillors to the agenda papers that council officials have prepared beforehand and only on very rare occasions is a different line taken to that recommended by the official.

A particularly telling example of this problem is the proposal for a new Kew Recreation Centre that was foreshadowed in Draft Council Plan 2017-21 and adopted in the Council's 2018-2019 Budget. This proposal involves the demolition of the old centre and the construction of a new facility costing \$58 million over four years. The item appeared in the Council Budget without any supporting justification, cost-benefit analysis or evidence of community consultation on the need for such a building. Subsequent community consultation is being conducted around users' requirements. This will be a spectacular facility and is located in the wealthiest part of the whole city and yet the cost will be borne by all ratepayers in the City of Boroondara including areas significantly less well-off and less well-endowed than Kew

Conclusion

We recommend that the Victorian Electoral Commission use this review to recommend that the City of Boroondara adopt multi member wards with proportional representation.

We believe that this approach would result in a more democratic representation of the community of interest that has grown up in this municipality around the need to act on climate change. We also believe that this issue will become an increasingly more important part of the work of the Council and that multi member wards will contribute to improving the capacity of the Council to respond.

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