

Electoral Representation Review - East Gippsland Shire Council - Preliminary Submission
Joan Kimm - Mallacoota - 13 March 2019

To the Victorian Electoral Commission

I did not attend a public information session because as a resident of Mallacoota, in the far east of the Shire, it was extremely difficult and/or costly to do so. Both sessions were held at night. One was in Bairnsdale which is about three hours drive from Mallacoota the other was in Orbost which is about one and half hours drive from Mallacoota. Both locations involved driving at the dark through heavily forested country with either the possible hazard of hitting kangaroos, wombats or deer or the expense of an overnight stay in a motel.

The 2007 the Victorian Electoral Commission (VEC) of the East Gippsland Shire (EGS) considered three options for a wards and one option, which was adopted, for an undivided Shire. Although the Mildura Shire appears analogous to the EGS it will be argued that in essence the EGS is very different. The Mildura Shire might well be more homogenous both geographically and commercially than the EGS which comprises agriculture, farming, fishing, forestry, business and tourism as well as extensive pristine National Parks. At present an undivided Shire has led to unjust and inequitable outcomes, certainly for residents in the far east of the Shire, and possibly in other areas as well. In this submission I am speaking particularly from my experience of living in the far east, three hours from Bairnsdale.

The East Gippsland Shire Council (EGSC) is disliked and despised by many of the general population in Mallacoota. That there is an undivided Shire places us in the invidious position of effectively having no representation on Council, with the one exception of a past Councillor Linette Treasure, whose case will be considered further below. From speaking to residents of other townships I believe that other areas in the far east of the Shire namely at Cann River and elsewhere feel impotent when facing the EGSC simply because, as will be considered below, there is no equitable representation of ratepayers in this very large undivided Council. I should explain that it is possible to assert this because many visitors come to Mallacoota from elsewhere in East Gippsland over summer and they visit the weekly Mallacoota market. In a brief few weeks over one summer with others I obtained over 500 signatures asking for a ministerial review of the undivided EGS. Unfortunately we were not successful in our petition.

Mallacoota is surrounded by Croajingolong National Park and it is an environmental haven which it has been suggested is worthy of UNESCO listing. The EGSC appears to have disregarded the special nature of Mallacoota. In 2008 against the opposition of many residents, and state wide protests from environmentalists and surfers the EGSC forced through the construction of a boat ramp at Bastion Point. An Environmental Effects Statement Committee (the EES) constituted by the State Government to inquire into the feasibility of the construction of the boat ramp found that construction should not proceed. Nonetheless the EGSC pressed ahead, pristine coastline was destroyed and large tracts of bush were felled to make a huge car park. As the EES anticipated the boat ramp has been an economic and environmental disaster. It is so dangerous that a notice on the ramp states that only boaters with local knowledge should use it. The ramp silts up continuously which means that frequently sand has to be pumped out at considerable costs to rate payers. Kelp accumulates in the channels. It is an environmental and economic disaster.

It is salutary to look at the constitution of the EGSC which made the decision to proceed with the Bastion Point boat ramp. All the councillors are clustered in the west of the Shire and while we were, and are still, unrepresented in the east. Two councillors were from Bairnsdale, one was from Lindenow which is very close to Bairnsdale, two were from Eagle Point, two were from Benambra, one was from Lakes Entrance, and one, the furthest east was from Orbost. This lack of representation does not mean that there are not candidates for Council in the east both in Mallacoota and in areas such as Tubbut via Bonang where for instance Dr. Deb Foskey stood as a candidate in 2017 Council elections. But although Dr. Foskey had been a member of the ACT parliament and would have been an excellent councillor she could not compete against the Bairnsdale cabal. Similarly in those elections two candidates stood in Mallacoota, as candidates have done in previous elections but they had no chance. In those elections a reform candidate

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Linette Treasure stood and was elected. Cr. Treasure and her husband had previously been on the EGSC. Despite being an experienced councillor Mrs Treasure was literally drummed off the Council. She resigned some months after election.

I have experienced intimidation from a Council employee when questioning its actions. At a public meeting in Mallacoota to consider the ramifications of the Boat ramp with which the EGSC was then proceeding I asked what were the legal costs of the EGSC being represented in the EES inquiry. The then CEO nominated an amount which, from my experience as a lawyer, I thought was surprisingly little. When I questioned it he threatened me, in a public meeting, with legal action for questioning him. I later found out from the then Mayor, Mendy Urie (Eagle Point) that it was half as much again.

Mallacoota and District has the invidious distinction of being the sole district out of 15 in the EGS which does not have an EGSC community plan, that for Bairnsdale and District is called "Re-imagining Bairnsdale". Two Mallacoota Residents have been trying to find what happens to the revenue from Mallacoota Foreshore Holiday Park. The gross income for this very popular tourist destination was for 2015/16 \$1.8M, surplus after expenses \$744,408 and for 2014/15 \$1.643 M, surplus after expenses \$655,143. Mallacoota cannot have a swimming pool (for school children and water therapy etc.) To have the latter we have to travel one and a half hours on a bus to the Pambula swimming pool) but Bairnsdale has had a \$6.4 M "aquatic redevelopment" (East Gippsland Shire Council Community Connect Summer 2017). On the other hand the EGSC intervenes without consultation with the community. We used to man a volunteer Information Shed at the wharf and we used to frequent "The Tide" only formal restaurant in Mallacoota which the excellence of the Chef was making into a tourist destination. The Council secretly bought the premises of "The Tide" and without consulting the community closed the volunteer Information Shed and used "The Tide's" premises as a Council Corporate Centre for the Camp park bookings a very small and inadequate library (the library bus was better) and an information centre. Now very few will volunteer at the Information Centre whereas before the roster of volunteers was full at the centre on the wharf. In fairness it must be said that the EGSC is redeveloping some of Mallacoota's sporting facilities.

We understand that the EGSC is a rural Shire with very heavy road/bridge costs etc, and it has been hard hit this year by drought, farmers are suffering. But my husband and I own a property of the same capital improved value in Mallacoota and in Melbourne. We pay double the rates in Mallacoota and we have less representation. There should be a more just Council representation.

Joan Kimm (Dr.)

