

29th July 2021

GROUP SUBMISSION TO THE VICTORIAN ELECTORAL COMMISSION

RE: VICTORIAN STATE ELECTORAL BOUNDARY RE-DIVISION

We, or nominee request to be heard on this submission, both as a group and as individuals. We reserve all our rights. Justice does not date.

Group Submission on behalf of adjoining materially impacted properties

1. [REDACTED] Ironbark Rd Diamond Creek 40 acres [REDACTED] family owned since early 1940's
2. [REDACTED] Ironbark Rd Diamond Creek 5 acres [REDACTED] family owned since early 1940's
3. [REDACTED] Pioneer Rd Yarrambat 14.5 acres [REDACTED] family owned since 1989

Strenuous objections to proposed Yan Yean and Eltham district boundaries.

We feel all of our submissions and presentations with their evidence examples to Stage One of this process have again been overlooked. We do not understand how such compelling information that we are part of original suburban Melbourne, was not taken into account. We are urban and our evidence examples prove this beyond doubt. This substantiates our wrong fit in Yan Yean and Northern Victoria.

Our placement in Yan Yean (district) and the Northern Victoria (region) creates a significant barrier to gaining appropriate, relevant, connected parliamentary representation for our lands. Rural representatives found in regional Victoria for example have no understanding of our uniquely urban concerns. In our case the 'one vote, one voice' concept will mean our 'voice' is being heard by those who do not understand, effectively silencing us.

As will be shown this area has a long standing connectivity to City of Heidelberg and City of Banyule, both of which remain part of urban districts/regions for both upper and lower houses of State Parliament

There is no connectivity whatsoever for our lands to the rural Yan Yean District. There is no connectivity whatsoever for our lands with the rural Northern Victoria Region e.g. Mildura, Swan Hill, Bendigo, Wodonga, Shepparton.

We believe that either the Eltham or Bundoora districts are the correct fit for our lands and the entire urban suburb of Diamond Creek (especially the lands to the west and north-west of the creek/train station). This reflects their urban history and connection to Metropolitan Melbourne and the City of Heidelberg.

Whilst we believe we were the only submitters to Stage One from Nillumbik, we feel our views reflect those of others in this same area.

This proposed re-division divides Diamond Creek into two and is unreasonable and unacceptable. It will give each side very different political representation (metropolitan Melbourne district and region vs. rural northern Victoria district and region). Diamond

Creek should not be divided at all. *It was and is an original urban suburb of Metropolitan Melbourne since the mid 1950's.* This division is effectively giving urban land with urban infrastructure, urban history, sense of place and urban identity, rural representation.

Dividing this suburb into two creates significant problems, concerns and major inequities. This is particularly so when long term urban planning certainty, environmental and major commercial issues are at stake. It creates a significant conflict of interest immediately for example with the town centre of Diamond Creek (Chute St, Main St and Collins st) split into two (original vs. new). This will cement the moving of the town centre, creating a 'new' Diamond Creek (now included in the Eltham district) at the expense and to the detriment of the original side. Dividing this town in two along its main shopping strip ignores its history, identity, sense of place and community interests entirely. The damage that will be done from this divide justifies in our view, a significant change to all electoral boundaries as required.

Suggestions

In our view our requests can be accommodated. Yan Yean was above the stipulated population range (+30.86%) and both Bundoora (-15.64%) and Eltham (-8.06%) were below the stipulated population range. Warrandyte was also below (-10.69%) the range. Bullen is also below (-7.42%).

We notice that the Creek/Diamond Creek Road has been used as the boundary line between the districts of Eltham and Yan Yean. We suggest instead that the boundary be moved to the Local Government Area boundary of Diamond Creek suburb. All of this area could be included as part of Eltham. Or Bundoora could be extended east to include Plenty and Diamond Creek. This may mean areas in the south of Eltham district are moved to Warrandyte (Research) or Bulleen (Montmorency, Lower Plenty).

All of Diamond Creek including our lands west and north-west of the creek/train station must be kept together in either Eltham or Bundoora as these are their 'correct fit'. We must remain connected to those lands now part of the new North Eastern Metropolitan Region and similarly included within same. Our preference is to be included with Bundoora however we can see that this is geographically less likely as Bundoora is south-east of Yan Yean. This leaves Eltham as our mostly likely District based solely on its physical proximity.

If this is the outcome we suggest a name change for the Eltham District to reflect a common history. Perhaps either 'Diamond Valley' or perhaps the name used by the Wurundjeri Woi Wurring people for the Creek that passes through both Eltham and Diamond Creek.

Please see maps included with these suggestions.

Justification of our objections

All of what follows details the critical need for **urban** electoral representation in both the upper and lower houses of State Parliament for our lands and all lands west and north-west of the creek/train station in Diamond Creek:

- 1 Our properties (and this area see attached map) sit within 25kms of the CBD and within the original Melbourne Metropolitan Planning Boundary (MMBW - See map showing 1955 Metro Melb planning boundary) for its expansion. We are a six minute drive to the M80 ring road and its new north east extension (in progress). This is via the upgraded Yan Yean Rd (3 min drive from us with projected 25,000 cars per day) for the new northern suburbs.
- 2 We remain fully serviced properties for urban water, sewerage and drainage for residential development under the responsibilities and duties of Melbourne Water. These were inherited from the Melbourne Metropolitan Board of Works (MMBW Melbourne's original planning and infrastructure authority). Although already urban residential in 1975 the Ironbark rd. properties were additionally gazetted as the extension to both the Plenty Yarrambat Urban District and Waterworks Trust District (see our evidence). All urban services were co-ordinated. Our high voltage electricity supply was extended from Collins St Diamond Creek and this supply ends at Wild Cherry Lane some 500m beyond our properties at the suburb boundary. We have always had metropolitan postal delivery from Diamond Creek suburb and have the Diamond Creek postcode. Our telecommunications were from Diamond Creek suburb. *All of which define these lands as urban!*
- 3 The family all went to Diamond Creek Primary School and Diamond Creek sporting activities. All our businesses were in Diamond Creek. Our families' investments were in the suburb of Diamond Creek (houses, commercial). Our social life revolved around Diamond Creek and its people. My father travelled on the train to the City of Heidelberg to pay his rates. We shopped in Diamond Creek and Greensborough. Our health needs were met at the former Greensborough Hospital and Austin Hospital in Heidelberg.
- 4 The road upgrades (listed in 1.) will create unique issues relating to traffic, transport, utility competition, land use competition/changes, the environment and bushfire management. These are a unique combination of issues that demand Melbourne metropolitan representation.
- 5 Our urban electoral history can be seen in the 1992 State districts boundary maps. This shows our lands as being in the urban electorate of Greensborough from 1967-1992 (see map showing the Greensborough district attached), for the Legislative Assembly together with the original inner Melbourne suburbs (see map showing all inner Melbourne districts). Likewise our Legislative Council representative was the Province of Templestowe (see 1985 Map). *Critically these maps reflect our connection to urban planning for Metropolitan Melbourne.* With the transfer from provinces to districts in 2006 our lands were correctly placed within the Northern Metropolitan region. The mistake was the transfer to

Northern Victoria in 2013, which we are also asking the VEC to correct to be included as part of the new North Eastern Metropolitan Region.

- 6 *Lands west and north-west of the creek/station (like ours) have been planned for development since 1955. This area was originally the north ward of the Local Government City of Heidelberg, which broke away in the mid 1960's to form the pro development Shire of Diamond Valley. This area become the City of Banyule in 1994 when the Shire of Diamond Valley was abolished. Within the year this area was split and our portion (plus some of the Shire of Eltham) was inappropriately included in the green wedge Shire of Nillumbik.*
- 7 ██████ Pioneer Rd Yarrambat should also be included within Diamond Creek and Eltham or Bundoora district as per our argument. We are all part of the distinctive Ironbark Rd and adjoining Pioneer Rd infrastructure catchment (of which we are an urban extension of). The three adjoining properties were included in the boundary of Melbourne's original metropolitan strategy as well as included within the Plenty Growth corridor East of Yan Yean Rd (not a green wedge or rural corridor).
- 8 The division of Diamond Creek by the proposed boundary, reinforces the idea of a 'new' Diamond Creek, south of the creek at the expense and to the detriment of the original Diamond Creek west of the creek. We consider this an 'undesirable consequence'. This will also serve to support the inequitable, incorrect, flawed and unbalanced Diamond Creek Major Activity Centre Structure Plan 2020.
- 9 The City of Whittlesea (Mernda, Doreen and etc) and the outer portion of the district of Yan Yean (Upper Plenty, Wallan and Beveridge) were rural Victoria. We have no identity, sense of place, connections to or community interest with rural areas such as Whittlesea, Eden Park, Upper Plenty and others in the Mitchell Shire. When our lands were paying for their urban utility infrastructure Doreen for example was a one room schoolhouse for primary children. Mernda had only a hotel and the livestock market. These areas at that time were rural and have only recently (mid 2000's) adopted pockets of progressive residential development and change. These latter areas are 'new' growth. They require new urban utility infrastructure and new community amenities.
- 10 The district of Yan Yean with its Green Wedge/rural interests, represent a conflict of interest with our lands. All our lands were planned for growth and were included in the Plenty Growth Corridor and do not now or ever belong to the Green Wedge we were placed in. *Land in the Yan Yean electorate without utility infrastructure is continuing to compete with land like ours that already has the infrastructure attached especially in the Mernda/Doreen/South Morang areas. This we consider an 'undesirable consequence'.* Whilst Yan Yean is 'new growth' in a formerly rural area, it was never part of original metropolitan Melbourne.
- 11 Our continued 'wrong fit' placement in Yan Yean is going backwards for us. It is effectively erasing the progress gained and paid for at considerable hardship up until this point.
- 12 As there may be a change to the Local Government Boundaries in this area we would also like to make the point that they may do so in consideration with these

proposed District and Region boundaries. Nillumbik Shire have informed us that the City of Banyule is the inheritor of law of the Diamond Valley Shire. Accordingly our lands must be returned to the City of Banyule this corresponds with our requests to be within the district of Eltham or Bundoora. Our lands must not be gerrymandered out of Diamond Creek (Nillumbik) to City of Whittlesea regardless of any predetermined maps. We understand the EBC is also responsible for the Ward boundaries for local Government. It is essential that our lands are included within an urban ward, together with ALL of Diamond Creek.

At the Stage One public hearing it was said that they were an electoral commission and not concerned with rezoning. However, we contend that our hard evidence and proven urban issues cannot be divorced from decisions regarding boundaries. Both current and projected growth are given due consideration. Therefore any rectification of our planning mistakes, irregularity or anomalies MUST inform boundary decisions. Ignoring these facts is perpetuating their wrong fit inclusion in Yan Yean and Northern Victoria. We will be unable to gain representation to firstly correct the mistakes and secondly to protect our precious urban infrastructure that our family has relied on in its long term financial planning, if we are left in the district of Yan Yean (another example of ‘undesirable consequences’)

Some of the maps referred to have been attached with this submission. Others will be sent separately.

Attached

Greensborough map 1992

Inner Melbourne district map showing Greensborough 1992

1955 Metropolitan Melbourne boundary map

1985 Map showing Templestowe and surrounding Provinces

1962 City of Heidelberg map with north ward outlined in purple

████████████████████ for and on behalf of impacted properties listed above.

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Note: ██████ Pioneer rd was bought with the reticulated infrastructure attached.