

Appendix E

Objections

Comments lodged with the Redistribution Committee pursuant to section 46 of the *Electoral Act 1992* (in order of receipt):

1. Name and address withheld by request	page 94
2. Mr RG Shelton 32 Magrath Cres SPENCE ACT 2615	page 95
3. Garry Haensel 91 Twamley Crescent RICHARDSON ACT 2905	page 97
4. Roma Hosking 3 Halifax Close PALMERSTON ACT 2913	page 98
5. David Menzel, Chair Woden Valley Community Council Inc PO Box 35 WODEN ACT 2605	page 99
6. Barry Dee, President Gungahlin Community Council Inc PO Box 260 GUNGAHLIN ACT 2912	page 101

Note: These objections were submitted using a variety of media and have been reformatted for this publication. The content is identical to the original submission and every effort has been made to preserve the original format.

From: [email address withheld at the request of the sender]
Sent: Friday, 11 July 2003 11:26 AM
To: elections@act.gov.au
Subject: Proposed Redistribution of Electoral Boundaries

Dear members of the ACT Electoral Commission,

I refer to your notice on page 8 of today's Canberra Times (Friday July 11) regarding the redistribution of electoral boundaries.

I am a resident of Nicholls in Gungahlin and it was very clear in the 2003 ACT elections that our suburb was completely forgotten when it came to being a part of the Ginninderra electorate. We didn't receive information from the Ginninderra candidates who, for obvious reasons, would have concentrated on the Belconnen suburbs and yet we also weren't considered part of the rest of Gungahlin. There was even a candidate from a new party, a Gungahlin-based residents' group, who didn't know whether or not he represented Nicholls!

The Barton Highway clearly defines both Belconnen and Gungahlin. Candidates and parties with the interests of Belconnen residents at heart really aren't interested in just one Gungahlin suburb. That's not a criticism, and I can understand that feeling, but it also means that Nicholls effectively has no representation at Legislative Assembly level.

I am well aware how difficult it must be putting boundaries in so that similar populations emerge in each electorate, but pulling Nicholls out of Gungahlin and putting it into Belconnen just doesn't seem to work. I notice in the proposed redistribution that the number of members differs from electorate to electorate, so perhaps this is a better option - increase the members in Molonglo and decrease the members in Ginninderra. If the numbers still don't balance, perhaps another of the southern suburbs of Woden would be transferred to Brindabella and their member numbers increased, as I notice that already Chifley, Pearce and Torrens are in Brindabella.

It just seems to me to be unfortunate that the suburb of Nicholls, which is clearly part of Gungahlin, should be separated. In no other area of Canberra is just one suburb from a region removed to another. The village of Hall identifies itself much more with Gungahlin than with Belconnen too, so perhaps that could also be taken into consideration.

Thank you for your interest in obtaining residents' views. I have lived in Gungahlin for 6 years and also work in Gungahlin.

Yours faithfully,

[name and address withheld at the request of the sender]

**Objection from [name withheld].
Page 1 of 1.**

ACT Electoral Commission
Plaza Level
Allara House

48-56 Allara St PO Box 272
Canberra ACT 2601 Civic Square 2608

32 Magrath Cresc
Spence ACT 2615
11-7-2003

RECEIVED
15 JUL 2003

ACT ELECTORAL
COMMISSION

Dear Sir/Madam,

Re: Proposed Redistribution of Electoral
Boundaries - ACT Legislative Assembly 2003

It is noted that the map in today's Canberra Times includes Nicholls with Griminderra. This seems odd as Nicholls is part of the Gungahlin community. Further there are considerable physical barriers between Nicholls and nearby Griminderra suburbs which would tend to prevent commonality of interest.

Examples of these barriers related to my vicinity are lack of any feasible communication, other than by car to Nicholls even though Gold Creek is only about 30 min. walk. There is no footpath or cycle way and there seems to be no plan to construct Clarrie Hermes Drive. Public Transport requires travel to Belconnen Interchange. A glance at a road map will show that Nicholls and Giralang are likewise not planned to have any community of interest.

There appears to be numerous disadvantages for Nicholls citizens who will not be represented by the proposed 7 Members concerned with the rest of Gungahlin and are likely to be seen by

Objection from Mr R.G. Shelton.

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the proposed 5 Ginninderra Members as "odd man out."

In terms of interest by the rest of Ginninderra the effect is likely to be disadvantageous by diluting Members' attention with Gungahlin problems.

Paradoxically, this could result in Gungahlin as a whole being able to validly expect close attention by 12 Members to the detriment of other parts of Canberra.

There is however one advantage, 5 Members will have a direct electoral interest in reducing the physical barriers mentioned whereas placing the boundary along the Barton Highway corridor would tend to put these issues into "No man's land".

Perhaps these issues have been previously raised however I thank you for the opportunity to put forward these comments for consideration.

Yours faithfully
R.G. Shelton
(Mr. R.G. Shelton)

Objection from Mr R.G. Shelton.

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RECEIVED

29 JUL 2003

ACT ELECTORAL
COMMISSION91 Twamley Crescent
RICHARDSON ACT 2905

24 July 2003

ACT Electoral Commission
PO Box 272
CIVIC SQUARE ACT 2608**Proposed Redistribution of Electoral Boundaries**

I wish to lodge objections to the proposal to redistribute electoral boundaries in the ACT.

Firstly, the advertisement in local papers on the subject does not propose to change any boundary, and indeed contains the statement:

"The Committee proposes that the current electoral boundaries for the Australian Capital Territory Legislative Assembly remain unchanged."

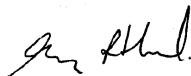
The advertisement then contradicts itself by continuing to refer to a proposed redistribution, despite the above quoted extract from the advertisement. Misleading?

My second objection relates to the lost opportunity this represents to equalise the number of members representing each electorate. This could mean increasing the number of members by one to 18, six members for each electorate. However, this may not be politically acceptable for a number of reasons, the least being that the general public does not like to see more politicians. Conversely, the numbers could be reduced to 15.

If this is not possible, and the Legislative Assembly does not wish to lead any general community debate on changes to the size of the assembly, then the size of Molongo (7 members) should be reduced, with a compensating increase to either Gininderra or Brindabella (5 members each) to minimise the difference in numbers. The current discrepancy in numbers of members for the electorates means that the votes required for candidates to be successful at elections is different, and true representation of voters intentions may not necessarily be achieved.

It should be a normal or routine task of the Electoral Commission to propose a levelling out of the electorates, and this is not evident in the current proposal, which is not to change any boundary.

Yours sincerely



Garry Haensel

Objection from Garry Haensel.
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RECEIVED

05 AUG 2003

ACT ELECTORAL
COMMISSION

3 Halifax Close,
Palmerston ACT 2913

Email: gunsmoke@austarmetro.com.au

Ph (02) 6242 0485

2 August 2003

Mr Phillip Green,
Electoral Commissioner,
48 – 56 Allara St,
Civic. Canberra City 2601

Dear Mr Green and committee members,

I wish to lodge my objection to the announcement that 'the ACT Redistribution Committee has proposed that the ACT's Legislative Assembly electoral boundaries should remain unchanged for the 2004 election'.

I believe citizens in Gungahlin are disadvantaged by the present distribution in that they are divided into two electorates – Molonglo and Ginninderra. As a newly developing community Gungahlin has peculiar needs not necessarily affecting more developed suburbs. Also the north/south communities are naturally divided by the lake. In addition, their natural centres of business are different and this should be taken into consideration when allocating electorates. This is particularly true for Molonglo which is stretched in a narrow strip from north to south. It would be much better for Gungahlin to be together, and linked to Belconnen or Central Canberra, rather than being included with Woden and Weston creek or Jerrabomberra.

I appeal to you to reconsider your outcome while there is still time to change.

Yours sincerely



Roma Hosking

**Objection from Roma Hosking.
Page 1 of 1.**

Woden Valley

Community Council Inc

PO Box 35
WODEN ACT 2605

Electoral Redistribution Committee
PO Box 272 Civic Square ACT 2608

Dear Committee,

The Woden Valley Community Council wishes to object to the proposed 'status quo' for electoral boundaries for the 2004 elections.

We consider that the suburbs of Chifley, Pearce and Torrens are very much an integral part of Woden, and as such should join the rest of Woden's suburbs in the Molonglo Electorate. Similarly, we believe Nichols would be better placed with the remainder of Gungahlin.

We note that several of the submissions and comments relate to this matter and favour the consolidation of geographically adjacent suburbs into the one district. We also consider that both the voters and their MLA's would be better served if this were to occur.

Paragraph 17 of your review acknowledges the desirability of "avoiding, where possible, splitting suburbs and districts..." Such consolidation would, we believe, be very much in the spirit of Section 36 © of the Electoral Act which refers to communities of interest, physical features and means of communication and travel within an electorate, as relevant matters when considering boundaries.

We note however that your Review claims that these advantages are subservient to subsections (a) and (b) which refer to numbers and quotas. We are not convinced that this is how the voters view this matter. Paragraph 51 of the Review says "the Committee was not aware of any widespread dissatisfaction with the current boundary of Brindabella." We are unsure of the validity of that statement given the limited proactive publicity, the limited timeframe and the high profile of competing local, national and international issues over this period.

At the 'anecdotal' level we note that two members of our WVCC Executive live in the 'dislocated' suburbs of Chifley and Pearce and, for personal and 'community' reasons, would much prefer to be in the same electorate as the rest of our Council's Executive. We believe that the vast majority of our Council's members and friends would likewise prefer to be in the same electorate.

A simple solution, we believe, could be for all of Gungahlin and Belconnen to be in one Electorate (Ginninderra), for Central Canberra to be in Molonglo, and for Woden Valley,

**Objection from Woden Valley Community Council Inc.
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Weston Creek and Tuggeranong to be in Brindabella. The number of MLA's for each Electorate would, of course, be adjusted to reflect the number of voters.

We thank you for the opportunity to comment and await the outcome of your further deliberations.

Sincerely

David Menzel
Chair, Woden Valley Community Council

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Gungahlin Community Council Inc
Po Box 260
Gungahlin ACT 2912

Electoral Boundary Redistribution Committee
ACT Electoral Commission
Plaza Level, Allara House,
48-56 Allara Street
Canberra City, ACT 2601

Friday 8th, August 2003

**Electoral Boundaries – 2003 Distribution
Objection to proposed Electoral Redistribution**

Dear Committee Members,

The Gungahlin Community Council strenuously objects to the recommendation of the Electoral Boundary Redistribution Committee that the suburb of Nicholls continue to be located in an Electoral Division different to that of the rest of Gungahlin. We are also sympathetic to the same issue that is experienced by the Woden Valley district with the suburbs of Chifley, Pearce and Torrens.

Having read the report and recommendations of the Redistribution Committee, the Gungahlin Community Council believes that Redistribution Committee have unfortunately chosen to adopt a very narrow interpretation of the applicable legislation that precludes putting forward alternative boundary configurations that may substantially address the majority of concerns as is currently experienced in the Gungahlin and Woden districts.

For the purposes of illustrating this fact the Council provides the following explanation:

Section 36 of the *Electoral Act 1992* states:

In making a redistribution of electorates, the augmented commission shall—

- (a) ensure that the number of electors in an electorate immediately after the redistribution is within the range permitted by the Australian Capital Territory (Self Government) Act 1988 (Cwlth), section 67D (2); and
- (b) endeavour to ensure, as far as practicable, that the number of electors in an electorate at the time of the next general election of members of the Legislative Assembly will not be greater than 105%, or less than 95%, of the expected quota for the electorate at that time ascertained in accordance with the formula set out in the Australian Capital Territory (Self-Government) Act 1988 (Cwlth), section 67D (1); and
- (c) duly consider—
 - (i) the community of interests within each proposed electorate, including economic, social and regional interests; and
 - (ii) the means of communication and travel within each proposed electorate; and
 - (iii) the physical features and area of each proposed electorate; and
 - (iv) the boundaries of existing electorates; and
 - (v) the boundaries of divisions and sections fixed under the Districts Act 2002.

The Gungahlin Community Council believes that the following interpretation of the legislation should be used:

- The wording “endeavour to ensure” and “as far as practicable” as used in 36(b) is specifically used instead of more explicit defining terms such as “is”, “is not”, “must” or “must not”.

This would suggest that the legislators were conscious of the fact that the following

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Gungahlin Community Council

Gungahlin Community Council Inc
Po Box 260
Gungahlin ACT 2912

wording “*not be greater than 105%, or less than 95%, of the expected quota*” be used in the context of a general guideline and not as a specific and inflexible constraint. It is most likely that this was in recognition by the legislators that difficulties may be experienced due to the imprecise nature of the population distribution when assessing the electoral boundaries.

- 36(a) makes specific reference to subsection 67D(2) of the *Australian Capital Territory (Self-Government) Act 1988 of the Commonwealth* which states:

A distribution or redistribution of the Territory into electorates is not to result in any electorate having, immediately after the distribution or redistribution:

- (a) a number of electors of the Territory greater than 110% of its quota;
- or
- (b) a number of electors of the Territory less than 90% of its quota.

It can thus be reasonably argued that whilst the Territorial legislation in 36(b) indicates that it would be **PREFERABLE** to achieve a variation of +/- 5% from quota after redistribution, the overriding Federal legislation clearly indicates that a variation of up to +/- 10% from quota is tolerated and therefore acceptable.

To illustrate how this interpretation could be applied consider the following scenario:

- All redistribution scenarios that fall within the tolerance of +/- 10% of quota as specified in 36(a) must be considered.
- The redistribution scenarios are then ranked in order of their score against consideration of factors as outlined in 36(c).

Each factor (i) through (v) of 36(c) would be scored on an equal weighting basis with the cumulative scores for each scenario determining the final rank order for all the redistribution scenarios.

- The highest ranked redistribution from this process would be selected as the preferred redistribution, however where multiple redistribution scenarios are ranked highest and equal, the redistribution that closest meets the criteria of 36(b) being +/- 5% of quota is finally selected.

It is on this basis that the Council feels that the Electoral Boundary Redistribution Committee have failed to consider all possible options for the proposed redistribution that may actually allow addressing of the situation where communities of interest are split across disparate electorates.

As indicated in a previous submission, the Council does not have resources to consider all possible distribution scenarios, however we believe that the additional flexibility afforded by allowing a variation from quota +/- 10%, in the manner we have described, will allow exploration of previously unconsidered or otherwise rejected options.

Finally the Council does not believe that an electorate need be a wholly contiguous area providing the criteria of 36(c) can be adequately met. In the example provided (Adobe PDF file) the Council has attempted to illustrate the underlying concepts of non-contiguous electorate areas.

- Our example reduces the splitting of communities of interest down to only 3 suburbs in a single area in North Canberra (part of the Central Canberra district). Although this example is still not ideal it is far preferable to having multiple areas similarly affected. There is a reduction in the

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Gungahlin Community Council Inc
Po Box 260
Gungahlin ACT 2912

number of affected districts from 2 (Gungahlin and Woden Valley) to 1 (Central Canberra) and similarly suburbs affected drop from 5 (Hall, Nicholls, Chifley, Pearce and Torrens) to 3 (Lyneham, O'Connor and Turner).

- What is key to understand from this example is that the Woden Valley district is maintained as a complete entity within a single electorate even though the rest of the electorate is not contiguous to the Woden Valley area.

It can be argued that although the current electorate of Molonglo is currently “area contiguous”, there are no direct relationships between any two of the districts that are separated by another district in-between from each other.

For example:

- Gungahlin in relation to Woden Valley or Weston Creek, Stromlo, Kowen or Jerrabomberra,
- Central Canberra in relation to Weston Creek, Stromlo, and Kowen etc.

The Council believes that the Electoral Boundary Redistribution Committee should therefore consider options for the boundary redistribution that may involve electorates that do not have a wholly contiguous area.

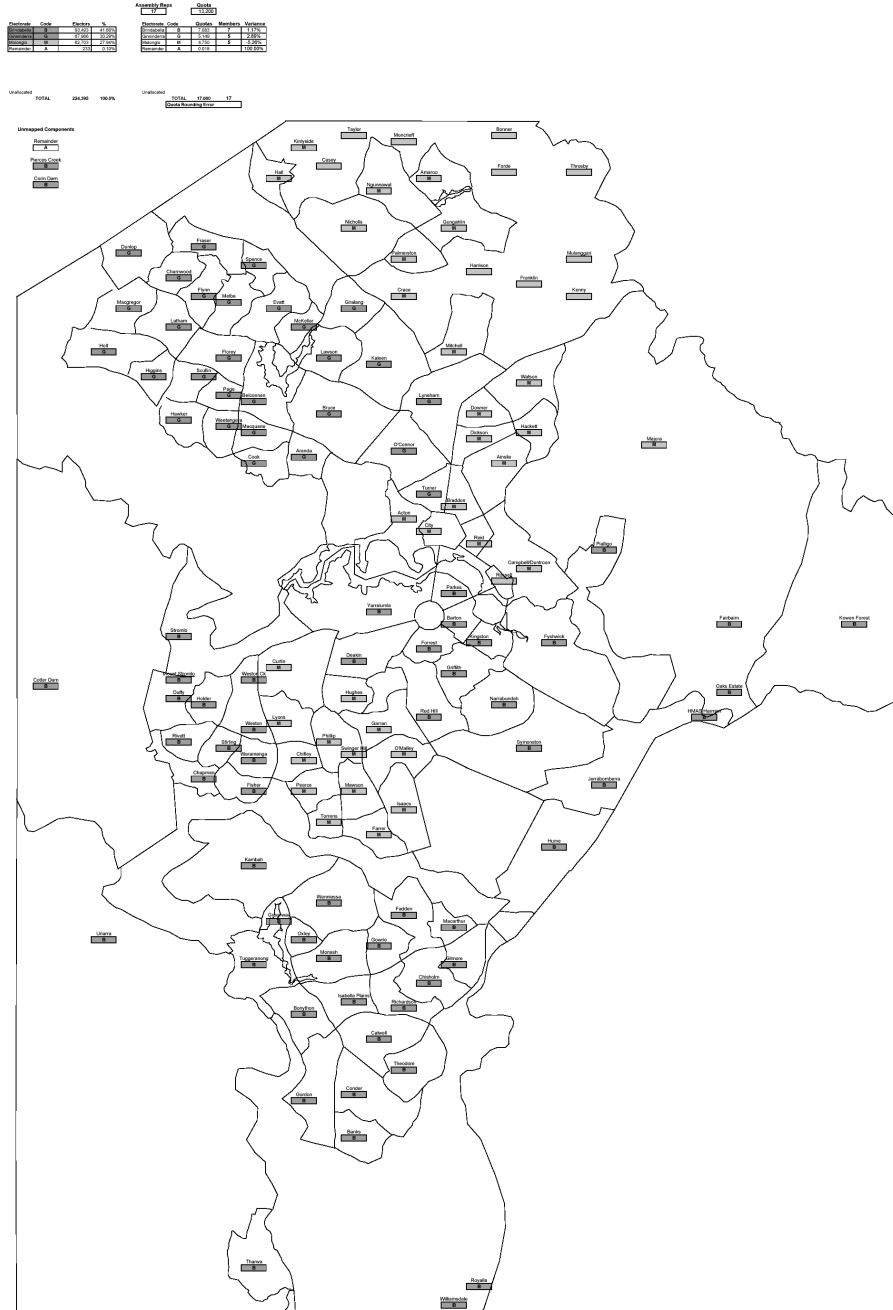
We look forward to receiving your considered response to this objection. If required representatives of the Gungahlin Community Council would be prepared to provide further or explanatory evidence at a public hearing.

Yours faithfully

[Sent by email]

Barry Dee
President, Gungahlin Community Council

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Objection from Gungahlin Community Council Inc.
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Note: a larger version of this map is available from the ACT Electoral Commission's website at www.elections.act.gov.au/redis03ps.html