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Sent: Friday, 5 August 2011 11:27 PM
To: Elections
Subject: objection to boundaries proposed by Augmented ACT Electoral Commission
Attachments: Augmented Commission objection 2011.doc

Hello

Please find attached an objection by the ACT Branch of the Proportional Representation Society of Australia to the electoral boundaries that were proposed last month by the Augmented ACT Electoral Commission

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PROPORTIONAL REPRESENTATION SOCIETY OF AUSTRALIA (AUSTRALIAN CAPITAL TERRITORY BRANCH)

Abandon the proposal for major boundary upheaval

The Proportional Representation Society of Australia (Australian Capital Territory Branch) strongly opposes the boundaries proposed by the Augmented ACT Electoral Commission after the worst redistribution reasoning printed since the inception of the Hare-Clark system. While we did not agree with all aspects of the Redistribution Committee's earlier proposal, it was markedly superior in its report in applying the statutory criteria to be considered, and the rationale for its plan to shift Palmerston and Crace from Molonglo to Ginninderra was convincing.

For the first time in the history of our redistributions, we are confronted with an interventionist approach and arguments espoused that can only cause unnecessary and unwanted inconvenience to voters if they are proceeded with.

We disagree with the Augmented Commission's apparent attempts to address grievances raised by some electors that would create greater cause for unease elsewhere, as well as setting what could become a very bad precedent if the current proposals remain substantially intact.

The ACT Branch much prefers the principles enunciated during earlier redistribution processes when the approach being taken was explicitly one of causing minimum dislocation to voters. In addition, there should not be attempts to anticipate problems that might arise in the future when it is quite possible that efforts will be made to increase the size of the Assembly in association with centenary celebrations.

Some change is necessary

The Proportional Representation Society of Australia (Australian Capital Territory Branch) note at the outset that the recently-released ACT government population projections (<http://www.cmd.act.gov.au/policystrategic/actstats/projections/suburbs>) by suburb for 2009-2021 are not consistent with the Augmented Commission's projected enrolments for October 2012.

In particular, in the former Coombs is projected to have 250 residents by the end of 2012, whereas neither Coombs nor Wright is projected by the Augmented Commission to have any electors before the next election. If this is due to known slippage, the ACT government projections should be appropriately annotated without delay and otherwise projections relating to electors should be adjusted.

The ACT Branch nevertheless agrees that projected enrolments lie outside statutory tolerances in Molonglo and Ginninderra and therefore some alteration to boundaries is necessary.

Under the Hare-Clark system, a very high proportion of participating electors get an effective vote. You cannot do better than have the whole of your single transferable vote contributing to one or more candidates' election, and, with others, on polling day really influence who goes into the next Assembly.

Because of this basic fairness to voters, as well as candidates and parties, attempts at fiddling with electoral boundaries for advantage are essentially pointless and, in light of the entrenched provisions regarding odd numbers and minimum size of electorates, would even be of limited effectiveness in the absence of the statutory provisions regarding member-to-elector ratios. Political parties or groupings have recognised this and concentrated their efforts more on finding the right mixes of candidates for the different electorates while independents have not found grounds for complaint. As opposed to the frenetic jostling in single-member jurisdictions under a winner-take-all atmosphere, we have not had partisan controversies about boundaries since the inception of the Hare-Clark system, and there has been understanding by electors of occasional excisions that have been necessary to comply with enrolment tolerances..

Redistributions here have essentially been about avoidance of overly many or too few electors in Molonglo, Brindabella or Ginninderra under a legislative framework where the current boundaries are specifically set out as a significant consideration when decision-makers come to weigh up how to draw boundaries for the next election.

The ACT Branch has regularly emphasised, including when originally campaigning for the adoption of the Hare-Clark system, that if population movements are small, boundary changes should be avoided as no benefit can arise to voters from them. In particular, if population numbers actually remained static, there should be no questioning of the status quo just because the composition of a Redistribution Committee or Augmented ACT Electoral Commission changed.

The prospect of arguments from past years being re-run and previous decisions being effectively overridden because of fresh individual preferences or prejudices is generally eschewed in legal contexts and should be avoided in administrative arenas, in this case because it would fail to attach sufficient weight to the boundaries in operation at a particular point in time.

Major change is not warranted

The arguments adduced by the Augmented Commission, mainly comparing the current situation with one determined on the basis of populations and infrastructure over fifteen years ago, are wholly inappropriate and indeed disturbing. In the light of the specific statutory references to existing boundaries, a sound basis for decision-making requires consideration of whether the changes that have occurred since the previous redistribution was finalised in 2007, and to whose effects voters have become accustomed with minimal complaint, mandate some changes to boundaries, and if so, to what degree.

In this case, continuation of current boundaries would place projected enrolments at next year's election outside statutory tolerances. Within Molonglo, there is projected to be 8.3% growth over actual enrolment numbers at the last election, more than double the rate of increase in Ginninderra.

In the view of the Proportional Representation Society of Australia (Australian Capital Territory Branch), the changes that have occurred are not of sufficient scale to warrant a major adjustment of boundaries, particularly as we already have the

precedent in Brindabella of additional suburbs being transferred from Molonglo so that statutory tolerances for enrolments were adhered to.

The approach adopted previously at redistributions and proposed by the Redistribution Committee earlier this year is in accordance with sound practice and fits in with the expectations of voters that stability of boundaries will be maintained and seismic shifts avoided. This is all the more important if particular proposals under consideration involve disturbing significant groups of voters who have done nothing to warrant dislocation.

The mere fact of having to propose that three inner northern suburbs be excised from Molonglo to make the Augmented Commission's proposal "work" in relation to meeting statutory requirements, should be cause for careful thought. Why should the electors of Turner, O'Connor and Lyneham at a stroke be forced into an unwanted and avoidable predicament involving the highest-ever departure from natural boundaries in the ACT just so that others within Gungahlin are made to feel happier about having been heard, without the major sources of their grievances necessarily having being tackled effectively?

Population movements since the last redistribution do not provide adequate support for such a disruptive approach, particularly as voters in those suburbs voiced their displeasure when alerted to a surprise prospect and there is a more reasonable approach towards dealing with the statutory imperative that the Redistribution Committee espoused, namely shifting fewer than 5,000 voters from Molonglo to Ginninderra.

The Proportional Representation Society of Australia (Australian Capital Territory Branch) is cognisant and respectful of the predicament of voters in some Gungahlin suburbs who do not wish to be in an electorate different from that of friends in nearby ones, just as we feel for those similarly placed in the Woden Valley suburbs that have previously been affected by the need for Brindabella to have more electors.

However, in our view, their interests would be better served by having a standing Legislative Assembly committee or subcommittee dedicated to addressing issues faced by those in our fastest-growing suburbs or regions. Not only would such a practical step provide them with a regular forum for raising important issues for the attention of all MLAs and electors because of the media interest that would ordinarily ensue, but also it would allow the committee to develop expertise in dealing with the executive, public servants and service providers that should minimise the prospect of avoidable problems occurring elsewhere in the Territory when development activity occurs rapidly.

With major new expansion of home building poised to start in the Molonglo Valley and ongoing inner urban and lakeside developments, it would be to the Territory's ongoing advantage to have relevant issues focused upon regularly initially by a standing committee, and, through that, then the entire Assembly. Such a comprehensive approach of long-lasting value to the Territory is much more attractive than any proposal to take a step that seems to provide a greater level of political attention to electors in one suite of affected suburbs but not necessarily others.

Revert to minimal change along the lines the Redistribution Committee proposed

In summary, our Hare-Clark system does not have winner-take-all bonuses available for potential party capture through meticulous attention to exactly where boundaries are drawn because we predominantly get an effective vote wherever we live. Where population changes have been modest and boundary changes must occur, most voters will expect only modest changes to boundaries and should not be subjected to surprises that have limited community support but entail avoidable adverse consequences.

Given the relatively modest changes in population since 2007 and the dislocating impacts of making major changes, it is most reasonable to opt to now shift Palmerston from Molonglo to Ginninderra, and having made that threshold decision, to take the additional associated step of transferring Crace so that Ginninderra's boundaries remain as natural as possible. In this case, such a second step also happens to diminish future prospects of further boundary movement being required.

Where changes are not required by statutory provisions, an activist future-oriented-role on the part of the Redistribution Committee or Augmented ACT Electoral Commission is not appropriate, as there are always multiple unknowns to be dealt with before the next redistribution process gets under way.

In light of the scale of changes that have previously occurred through addition of Woden Valley suburbs to Brindabella, it is not appropriate to now put forward a massive rejigging of northern electoral boundaries that would cause an enormous amount of disruption to voters, candidates and parties.

The Proportional Representation Society of Australia (Australian Capital Territory Branch) trusts that the fearful prospect that has been raised by the proposal set out in the Augmented ACT Electoral Commission's report will be set aside for one more along the lines of what the Redistribution Committee enunciated.

In the process, all participants in our democracy have been put on notice that if growth patterns in Molonglo and Ginninderra remain noticeably uneven, there will come a time when on balance major change will be inevitable if Assembly numbers remain the same and further excisions from Molonglo become necessary in any case. This understanding may lead to discussions about taking steps to try to secure a modest and realistic increase in the size of the Assembly before the next redistribution gets under way.

The ACT Branch's view however in the current circumstances with which we actually need to deal remains strongly that only Palmerston and Crace should be transferred from one electorate to another, and other matters are best left for public debate and more detailed consideration when the operative underlying conditions are known in a bit more than three years' time.