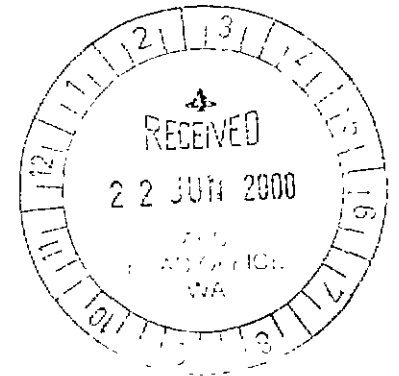


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22 June 2000

Redistribution Committee for Western Australia
C/ Australian Electoral Officer
For Western Australia
P.O. Box 781
VICTORIA PARK WA 6100



Initially by facsimile (08) 9472 3551

Dear Sir,

Re: 2000 Redistribution – Western Australia

1. I refer to the Report of the Redistribution Committee regarding the 2000 Proposed Redistribution of Western Australia into Fifteen Electoral Divisions (“the Report”).
2. I hereby object to the Report, in so far as it relates to the Redistribution Committee’s proposed boundaries. I have no objection to the proposed names.
3. My particular interest is in the Redistribution proposal as it relates to those electors living outside the Perth Statistical Division (SD).

INTRODUCTION

4. Clause 10 of the Report refers to the considerations that must be addressed in making the proposed distribution. With respect, I submit that the Redistribution Committee has erred in its application of those considerations.
5. In particular, I submit that the committee’s approach discussed in Clause 31 does not accord with the requirement of sub-paragraph (3A) of Section 66 of The Act.
6. It is clear, as the Report states in Clause 17, that the numerical factors in sub-paragraph 66(3)(a) take precedence over the factors in sub-paragraph 66(3)(b). The Electoral quota is primarily a numerical calculation, subject to an attempt to pay regard to considerations of “community”. On reflection, with continual population movements and continual requirements to effect redistribution, the notion of “community” must be tempered by practical political requirements.

7. Similar formulae to section 66 appear not only in other Australian Constitutions, but also in those of numerous other democratic states. They cover a wide variety of populations, and their application depends markedly on the particular situation.
8. In my submission, the criteria available to the Redistribution Committee in formulating the concept of a "community", in a homogenous state such as Western Australia, is very limited. Under Table 1, a quota of electors as at 31 March 2004 is 87,400, with a tolerance each way of 3.5%. If the quota is to represent a "community", then that community must contain approximately 87,400 electors, each sharing the interest by which the "community" has been identified. Furthermore, that community must be distinguishable from the adjoining communities, each of which must have approximately 87,400 electors, each sharing the interest by which each the other "community" has been identified.
9. I wish now to identify and discuss the factors in Western Australia which are available to determine "community of interest".

POTENTIAL COMMUNITIES

10. In the discussion of Potential Communities, I wish to raise broad concepts for which, as far as I know, statistics are not readily available as they pertain to electors, whether at the CCD level or otherwise. However, statistics are readily available to enable us to discuss the concepts in terms of population. These figures are published from the results of the 1996 Census.
11. For the purpose of developing the argument concerning these broad concepts, I seek your acquiescence in accepting that the numbers of electors in 2004 will be proportional to the number of people in each particular district or group as at 30 June 1996. After discussing the broad concepts, I will return to dealing with electors.
12. I do not wish to confuse the issue. To minimise confusion, when dealing with population figures, I will use the term "population quota" (PQ) to refer to a one-fifteenth part of the estimated residential population of the State on 30 June 1996. The estimated residential population on 30 June 1996 was 1,765,256 (ABS 2035.0, page 93), so that a "population quota" (PQ) is 117,684.
13. Perhaps the most obvious dichotomy is that of urban and rural communities. In 1996, 1,096,829 people resided in the Perth urban area, 394,412 in other urban areas (exceeding 1,000 people), 46,998 people in "bounded localities" (between 200 and 1,000 people) and 184,832 people in rural areas (ABS, 2016.5, page 8).
14. Reducing these figures to the "population quota" (PQ) concept, there were 9.53 PQs in Perth, 3.43 PQs in other urban areas, 0.41 PQs in bounded localities, and 1.61 PQs in rural areas.
15. Given that the population of the Perth metropolis is growing faster than the balance of the State, it is submitted that it is appropriate to "round up" the 9.53 PQs of the Perth urban area to 10 PQs. Assuming that the proportion of electors

to total population is consistent, it would seem that 10 of the 15 Electoral Divisions in Western Australia have a community of interest in being part of the Perth urban area. Presumably there will be other criteria that will permit partition of the urban area into 10 communities, in compliance with section 66

16. The people in bounded localities cannot qualify as a "community", because their total numbers do not comprise a "population quota".
17. Similarly, if the community is to be geographically contiguous, as seems desirable, even the "other urban areas" cannot satisfy the PQ test. After Perth, the largest urban areas in 1996 were Rockingham (49,917), Mandurah (35,945), Kalgoorlie-Boulder (28,087), Geraldton (25,243), Bunbury (24,945), Albany (20,493), Kwinana (15,674), Port Hedland (12,846), Broome (11,368), Busselton (10,642) and Karratha (10,057). Together, those 11 centres barely exceed 2 PQs. Basing an urban "community of interest" on any of them fails, unless consideration is given to their economic power regarding the surrounding rural areas. I shall return to that concept.
18. If the "other urban areas" fail the community test on the basis of inadequate PQ rating, it is difficult to see how the rural areas can be delineated so that they contain at least one PQ, and avoid being overshadowed by one of the major urban centres. With the increasing aggregation of the population into urban centres, due in part to improved transport and decreasing rural employment, it seems to be contrary to trend to try to base an Electoral Division on rural populations
19. Turning to other characteristics of the population, it may be suggested that indigenous origin may be a basis for establishing a separate "community". However the total indigenous population of the state in 1996 was 50,793 (or 0.43 PQ). Moreover, one-third of them reside in Perth, and the remainder are spread relatively evenly throughout the state, so that an indigenous "homeland community" is out of the question.
20. There are no obvious areas in Western Australia in which one religion or sect has such strength in a geographic area that they may constitute a distinct "community" on that ground, even if sanctioned by the Constitution.
21. Biogeographic areas do not appear to coincide with any communities of interest. Even if all the "deserts" are grouped together, and Kalgoorlie is included, there are insufficient people to amount to a PQ. In any event, looking at the proposed Kalgoorlie Electoral Division, the Kimberley is a humid area, and the Northwest and Pilbara regions are not deserts in terms of land use.
22. It may be suggested that, following the Western Australian State approach to Electoral Division, there may be a "South West Region" community of interest, an "Agricultural Region" community of interest, and a "Mining and Pastoral Region" community of interest. But it is submitted that these regions are artificial, and have their origins in conditions over a century ago, when the dominance of Perth was not as great as it is now.

23. Apart from the Perth metropolitan area, the "South West Region" adopted under state law bears strong resemblance to the Electoral Division of Forrest as proposed in the Report, and the "Mining and Pastoral Region" bears a similar resemblance to the proposed Division of Kalgoorlie. The proposed Electoral Division of O'Connor is less similar to the "Agricultural Region", but both extend from the vicinity of Geraldton to the vicinity of Esperance, and much of the territory they cover is in common.
24. Upon viewing the Report's plan of the proposed Divisions, it is perhaps the proposed Electoral Division of O'Connor that least seems to comply with the concept of a "community". Its electors are not grouped around either Geraldton (at the northern end) or Albany (at the southern) but have nothing more in common than they form an outer ring around the Perth metropolis.
25. In 1996 there were 13,987 "agricultural establishments" throughout the state. The total represents only 0.12 PQ, far less than sufficient to comprise a "community". Even if a married couple operated each, they would still comprise only 0.24 PQ. Further, only 7,494 of the establishments are in the wheat belt, meaning that there can be no "community" (within the meaning of section 66) of agricultural establishments in the so-called "Agricultural Region".
26. We have so far identified no "community" which satisfies the PQ test, outside the Perth urban area. Let us examine economic bases.
27. As with other Australian states, the capital city, Perth, is by far the largest city in the State. If we adopt the Census definition of an urban aggregation, and employ the 1996 census figures, Perth's urban area contains over 21 times the population of the second-largest urban area (Rockingham).
28. Although Perth is somewhat less than a third the size of Melbourne or Sydney, its isolation from Australia's east coast ensures that it is the uncontested, dominant urban centre for almost the entire state of Western Australia. Indeed the dominance of Perth is so complete that the only way in which the economic domains of the provincial cities can be assessed is by ignoring the impact of Perth entirely.
29. At the 1996 Census, Perth's urban area contained over 62% of the State's population. Assuming that population is roughly proportional to Electoral enrolment, and using the 1996 Census figures for convenience, Perth's urban area should be represented by 62% of the Federal members. Spread between the 15 proposed electorates, Perth's urban population and near vicinity should be represented by 10 members.
30. To assess the possibility of economic communities, I submit that Reilly's Law of Retail Gravitation may be adopted. William R. Reilly's law was expounded in his book *"The Law of Retail Gravitation"* (New York: Knickerbocker Press, 1931). His law operates by analogy with the formula for gravity. The attraction between any two entities depends directly on their respective masses, and inversely by the square of the distance between them. The "break point", at which the level of attraction of two competing provincial centres is equal, may be readily calculated.

31. In the special case where the competing provincial centres are of equal size, the boundary of their respective spheres of influence forms a straight line passing through a point equidistant between them. However, where one centre is larger than the other, the boundary between the spheres of influence lies closer to the smaller centre and describes an arc which veers away from the larger centre.
32. Given that 10 of the 15 Electoral Divisions relate to the Perth urban area, the remaining 5 Electoral Divisions can be apportioned between the five largest provincial urban areas, in descending order, those of Rockingham, Mandurah, Kalgoorlie-Boulder, Geraldton and Bunbury.
33. Without detailing the calculations involved, the sphere of influence of Rockingham, which I will refer to as its "aegis" or shield, covers the Perth SD and much of the Midlands SD, together with part of the Upper Great Southern SD. However, because its aegis includes the Perth urban area, it seems appropriate to regard Perth and Rockingham as symbiotic, and to treat them jointly. The Perth SD, which covers the Perth and Rockingham urban areas, together with some smaller urban centres, contained 11.00 PQs as at 1996. There is insufficient population in the surrounding rural areas to for the combined area to reach 12 PQs. Therefore it is submitted that 11 of the 15 Electoral Divisions should apply, as nearly as possible, to the Perth SD, including Rockingham, and the remaining 4 Electoral Divisions should each represent the aegis of each of the next four largest provincial centres (Mandurah, Kalgoorlie, Geraldton and Bunbury).
34. Some support for this approach can be obtained by reflecting that Rockingham and Kwinana, both in the Perth SD, have much in common with Perth, being industrial centres which complement the Perth urban area. By contrast, Mandurah and the nearby Golden Bay-Singleton urban area are retirement/ tourist areas, with differing aspirations to Rockingham and Kwinana. It seems appropriate that Mandurah and Golden Bay-Singleton should be in a different Electoral Division to the Rockingham, Kwinana and Perth urban areas.
35. Let us therefore apply Reilly's Law to the provincial centres of Mandurah, Kalgoorlie, Geraldton and Bunbury. The Mandurah aegis extends to and includes Albany, and in fact most of the Upper and Lower Great Southern SDs, as well as several Statistical Local Areas (SLAs) around Mandurah. The Kalgoorlie aegis broadly includes the South Eastern SD, the eastern portion of the Central SD, the East Ward of East Pilbara SLA in the Pilbara SD, and the whole of the Kimberley SD. The Geraldton aegis covers part of the Midlands SD, the western portion of the Central SD (including the SLA through which the Great Northern Highway passes) but excluding, for example, the Sandstone and Wiluna SLAs, plus the Pilbara SD (aside from the East Ward of East Pilbara SLA). The Bunbury aegis can largely be identified with the South West SD. Once the Midlands SD is distributed between the Kalgoorlie aegis and that of Geraldton, this procedure produces 4 Electoral Divisions each about 1 PQ in size.
36. Application of sub-paragraph 66(30)(b)(i) as regards "economic interests" therefore, results in 4 non-metropolitan Electoral Divisions of about the requisite size. The most obvious "social interests" are those of the SLAs. Apart from

several SLAs within the Perth SD which equate roughly to 1 PQ, SLAs must be grouped together in order to form Electoral Divisions of the required size. This grouping should presumably take "regional interests" into account. Presumably the "regional interests" can best be correlated with the SDs. Once again, the SDs are (apart from the South West SD) not of the requisite 1 PQ size. It would seem inappropriate to seek to divide the non-metropolitan area in terms of social or regional considerations.

37. Sub-paragraph 66(3)(b)(ii) of the Act requires consideration of "means and communication and travel". Looking at Mandurah's aegis, as defined above, a major road runs south-east from Mandurah through Pinjarra, Marradong and Boddington to join the Albany Highway at Crossman. The Great Southern Highway runs parallel to the Albany Highway, through Narrogin and Katanning. In summary, there are ready means of communication and travel between Mandurah and the area falling within its aegis. Turning to Kalgoorlie, it is the obvious centre for the South East SD and, through its connections to Leonora, the desert areas to the north. It does not have ready land access to the Kimberley SD, but in practice any MP, whether based in Kalgoorlie or Geraldton, would realistically travel to the Kimberley SD by air. Geraldton's aegis is connected to it by means of (to the north) the North West Coastal Highway, (to the north-east) a good road to Mount Magnet, linking with the Great Northern Highway, and (to the south) the Brand Highway. Bunbury's aegis is connected with it by means of the Bussell Highway and the South Eastern Highway, among others.
38. Sub-paragraph 66(3)(b)(iv) of the Act requires consideration of "the physical features and area" of each proposed Electoral Division. The proposed Kalgoorlie Electoral Division as shown in the Report would cover over 90% of the State. It would be almost 13 times the area of the next largest (O'Connor), which in turn would be almost 7 times as large as the third largest, Pearce. It is submitted that there would be greater equality of area between the 4 territories approximating to the aegis of the 4 largest non-metropolitan provincial centres.
39. Sub-paragraph 66(3)(b)(v) of the Act requires consideration of "the boundaries of existing Divisions" of the State, but paragraph (3A) requires that consideration to be subordinate to the other "community" considerations. I submit that the economic, access and physical considerations require a substantial re-evaluation of the non-metropolitan Electoral Divisions. In particular, I submit that there is a strong need to base an Electoral Division around Geraldton and its aegis, thereby reducing the strain on the Kalgoorlie Electoral Division.
40. I propose that the territory forming the Kalgoorlie aegis, amended to equate to a quota, should be the Kalgoorlie Electoral Division. Similarly, I propose that the Geraldton aegis should comprise the O'Connor Electoral Division, that the Mandurah aegis should comprise the Canning Electoral Division, and that the Bunbury aegis should comprise the Forrest Electoral Division. The remaining 11 Electoral Divisions would broadly comprise areas falling within the Perth SD. Having regard to the generally low rate of increase in the non-metropolitan area, I will limit my proposals to the Projected 2004 enrolments, adopted from the published AEC Enrolment Projections.

PROPOSAL FOR CANNING ELECTORAL DIVISION

41. In my submission, the Canning Electoral Division should consist of the following SLAs, arranged alphabetically:

Name of SLA	Projected 2004 Enrolment	Area [sq.km]
Albany (shire)	10687	4280.1
Albany (town)	11454	34.4
Boddington	897	1911.5
Boyup Brook	1114	2827.8
Broomehill	355	1172.4
Cranbrook	738	3276.1
Denmark	3465	1860.1
Gnowangerup	1052	4266.8
Katanning	2605	1517.9
Kojonup	1476	2931.4
Mandurah	34982	173.5
Murray	7993	1697.6
Plantagenet	3197	4874.5
Tambellup	474	1435.9
Wagin	1282	1947.2
Waroona	2354	831.2
West Arthur	680	2833.2
Williams	658	2304.8
Woodanilling	<u>232</u>	<u>1128.5</u>
	85,695	41,304.9

PROPOSAL FOR FORREST ELECTORAL DIVISION

42. In my submission, the Forrest Electoral Division should consist of the following SLAs, arranged alphabetically:

Name of SLA	Projected 2004 Enrolment	Area [sq.km]
Augusta-Margaret River	7224	2242.1
Bridgetown-Greenbushes	2900	1339.4
Bunbury	21083	65.6
Busselton	17114	1454.1
Capel	5053	557.0
Collie	5976	1710.2
Dardanup	6357	526.3
Donnybrook-Balingup	3258	1559.8
Harvey	13082	1727.4
Manjimup	7115	7027.2
Nannup	<u>908</u>	<u>2933.5</u>
	90,070	21,142.6

PROPOSAL FOR KALOORLIE ELECTORAL DIVISION

43 In my submission, the Kalgoorlie Electoral Division should consist of the following SLAs (or parts thereof), arranged alphabetically

Name of SLA	Projected 2004 Enrolment	Area [sq.km]
Beverley	1188	2370.7
Brookton	697	1600.6
Broome	7612	55627.6
Bruce Rock	763	2725.2
Coolgardie	2023	30089.2
Corrigin	931	2681.4
Cuballing	527	1194.7
Cunderdin	846	1862.7
Derby-West Kimberley	4740	103727.5
Dumbleyung	572	2539.0
Dundas	687	93113.7
East Pilbara [East Ward]	382	337002.3
Esperance	9192	42531.4
Halls Creek	1916	142578.8
Jerramungup	834	6507.9
Kalgoorlie/Boulder	19474	95444.1
Kellerberrin	835	1915.1
Kent	503	5631.1
Kondinin	709	7367.8
Kulin	698	4709.5
Lake Grace	1201	10378.3
Laverton	447	179497.9
Leonora	1092	32176.1
Menzies	198	124492.0
Merredin	2394	3296.9
Mukinbudin	482	3433.6
Narembeen	692	3829.9
Narrogin (shire)	493	1618.4
Narrogin (town)	2860	12.6
Ngaanyatjarraku	1174	160378.3
Nungarin	174	1161.8
Pingelly	958	1293.9
Quairading	840	2016.4
Ravensthorpe	1012	13553.4
Sandstone	77	32827.1
Serpentine-Jarrahdale	9010	904.7
Tammin	260	1102.3
Wandering	248	1899.6
Westonia	201	3304.0
Wickepin	548	2040.4
Wiluna	409	181839.4
Wyndham-East Kimberley	4741	117144.0
Yilgarn	<u>1224</u>	<u>30169.0</u>
	84,676	1,849,590.3

PROPOSAL FOR O'CONNOR ELECTORAL DIVISION

44 In my submission, the O'Connor Electoral Division should consist of the following SLAs (or parts thereof), arranged alphabetically

Name of SLA	Projected 2004 Enrolment	Area [sq.km]
Ashburton	2776	101099.5
Carnamah	459	2873.4
Carnarvon	3892	46982.5
Chapman Valley	593	3959.3
Chittering	2046	1220.6
Coorow	876	4188.6
Cue	207	13596.3
Dalwallinu	1090	7227.7
Dandaragan	2125	6709.8
Dowerin	585	1863.0
East Pilbara [excluding East Ward]	2844	41442.7
Exmouth	1273	5962.8
Geraldton	12446	46.0
Gingin	2873	3207.9
Goomalling	668	1835.5
Greenough	8798	1749.6
Irwin	2332	2371.7
Koorda	394	2832.8
Meekatharra	723	100499.7
Mingenew	381	1937.0
Moora	1545	3762.8
Morawa	608	3510.5
Mount Magnet	448	13672.1
Mount Marshall	469	10179.1
Mullewa	579	10809.5
Murchison	118	41186.1
Northam (shire)	2385	1404.4
Northam (town)	4110	26.0
Northampton	2367	13710.8
Perenjori	425	8303.2
Port Hedland	6445	10561.5
Roebourne	8561	15272.1
Shark Bay	578	26147.5
Three Springs	526	2654.1
Toodyay	2746	1691.8
Trayning	324	1650.5
Upper Gascoyne	246	57017.0
Victoria Plains	686	2550.7
Wongan – Ballidu	1008	3365.4
Wyalkatchem	492	1593.9
Yalgoo	142	28195.6
York	<u>2207</u>	<u>2131.1</u>
	84,396	611,002.1

45. Under the above arrangements, it is necessary to include Serpentine-Jarrahdale (the least densely populated SLA in the Perth SD) to make up the elector numbers for the Kalgoorlie Electoral Division, but the remainder of the Perth SD is divided between the remaining 11 (metropolitan) Electoral Divisions.
46. The above arrangements reduce the size of the Kalgoorlie Electoral Division to 1,849,590.3 square kilometres, or just more than three times the next largest (O'Connor, with 611,002.1 square kilometres). Canning, the third largest Electoral Division, increases to 41,304.9 square kilometres (just under one-fifteenth the size of O'Connor), while Forrest remains close to the size contemplated by the proposal in the Report. With the exception of East Pilbara SLA, which is split between Kalgoorlie and O'Connor, the boundaries of all 4 Electoral Divisions in the non-metropolitan area employ SLA boundaries

Yours faithfully
Robert L. Eagle

