

COMMENT ON OBJECTIONS

The Federal Redistribution 2009
NSW



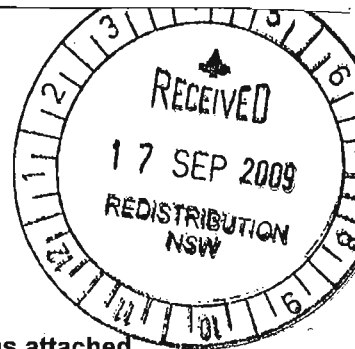
Comment on Objections Number 13

by

Bruce Adams

19 Pages

From: Bruce and Margaret Adams [bmadams8@gmail.com]
Sent: Wednesday, 16 September 2009 5:25 PM
To: NSW Redistribution
Subject: RE: Redistribution
Attachments: Nationals' Objection to Proposed Boundaries 3.doc



I am writing to support the National Party's objection to the proposed redistribution as attached.

Yours faithfully,

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Nationals Objection to the Proposed Divisions of Calare and Parkes

Objection: The boundary between the proposed divisions of Parkes and Calare does not reflect the best outcome on the grounds of communities of interest or transport linkages. The proposed boundary also needlessly transfers electors between divisions.

Proposed amendment: Transfer those parts of the Mid-Western Regional and Wellington LGAs proposed to be located in Calare to Parkes, and transfer the Parkes and Forbes LGAs to Calare.

The proposed redistribution in Central Western NSW resembles the situation prior to the 2006 redistribution - Calare has returned to the Central West and Macquarie has crossed back into the Hawkesbury. Whilst accepting the premise of the proposal, The Nationals note that none of the major parties advocated this course of action in their submissions, for the reason that it would cause disruption in areas that had seen seismic shifts in electoral boundaries at the previous redistribution.

Section 66(3)(b)(iv) of the Commonwealth Electoral Act 1918 (the Act) provides for the consideration of existing boundaries in the undertaking of a redistribution. Whilst this provision is subordinate to all others listed in the Act, its inclusion ensures that there is a "default setting" for electoral boundaries.

In other words, if there exists no basis under the numerical or qualitative criteria set out under the Act for transferring an area into another division, then that area should be left *in situ*.

Under the proposal 57.7% of the electors in Calare will be transferred into the division at this redistribution. Almost 15,000 of these electors have been taken from the Division of Parkes, yet just over the boundary in Parkes there are more than 34,000 electors who were previously in Calare.

This means that the 14.8% of electors in Calare which were previously in the Division of Parkes have been directly swapped for areas formerly in Calare. Under the Act an arbitrary swap of this nature is not permissible – the redistribution committee must show cause under the qualitative criteria of the act as to why over 14,000 people in Mid-Western and Wellington have been moved into Calare when there was no numerical imperative to do so. If sufficient cause cannot be established the committee must leave revert to the existing boundaries and leave these parts of Mid-Western and Wellington in Parkes.

Consequently an equivalent number of electors transferred to Parkes under the proposal must be left *in situ* in Calare.

The Nationals propose that the LGAs of Parkes and Forbes be retained in Calare. We maintain that:

- Parkes and Forbes share much stronger ties with Orange than with Dubbo.
- The part of Mid-Western Regional LGA that is proposed to be transferred to Calare has stronger ties to Dubbo than to Bathurst and Orange.
- The southern part of Wellington LGA, transferred to Calare under this proposal, has equivalent links to areas in both Calare and Parkes, and should only be transferred if there is a numerical imperative to do so.
- There is no numerical basis for this transfer – retaining Parkes and Forbes LGAs in Calare and the relevant parts of Mid-Western Regional and Wellington LGAs in Parkes does not move either division beyond the allowable deviation from the state mean for either current or projected enrolment.

Despite the superficial attraction of including Parkes LGA in the division of the same name, the guidelines for the naming of divisions specifically advises against the use of geographical references, and the AEC itself recognises that the Division of Parkes is named after Sir Henry Parkes, and not the town. The Redistribution Committee acknowledged this fundamental separation of place and division name when they removed the town from the division in 2006.

Community of interest

Whilst the name Calare has been used ubiquitously for many years as a general term for the region west and south from Orange, it does in fact refer to the Lachlan River. The Lachlan, however, lies some distance from Orange (the proposed division barely includes the river at all, utilising it as a boundary with the Division of Parkes for a little over 20km between Bandon and Goolongong). The readiness with which the inhabitants of Orange and its satellites identify with a name that actually refers to the Lachlan Valley belies the strong community of interest that has historically existed across the region. This community of interest continues today, with societal and commercial ties flourishing between Orange and the areas to its west.

In stark contrast, the ties between Mudgee and Dubbo are such that when the ABC introduced ABC Western Plains in 1992, produced in Dubbo for a community which the ABC thought was not adequately served by the Orange based ABC Central West, they saw fit to broadcast the new station from Mudgee. In doing this the ABC firmly acknowledged the town as part of the Orana community of interest, based around Dubbo, rather than any community of interest based around Orange.

The community of interest links described above are most evident at the formalised level of local government.

Local Government

Regional Organisations of Councils are playing an increasingly significant role in local government, allowing councils with common interests that arise from their geographical locations to pool resources and formulate policy on a regional basis. The two relevant ROCs to this discussion are Orana ROC (OROC), based on Dubbo and the north-west and predominantly incorporating areas in the proposed Division of Parkes; and Central NSW ROC (CENTROC), based on the Central West and incorporating areas primarily in the Division of Calare.

Parkes/Forbes

Parkes and Forbes are active members of CENTROC, with the Parkes Shire General Manager chairing the CENTROC Infrastructure Advisory Group and the Forbes General Manager holding the position of Sponsoring General Manager for the CENTROC Health Work Force Group. In addition, Forbes Shire Council currently holds one of six elected positions on the CENTROC executive.

Parkes and Forbes Shire councils also have a long history of working very closely with Cabonne and Blayney Shires and Orange City at a more local level. In 2006 these councils jointly negotiated a contract for a common waste disposal service, and initial discussions were held at the beginning of this year to float the idea of a "Water Supply Alliance" that included Orange, Parkes, Forbes, Blayney, Cowra, Lachlan and Weddin Shires.

Mid-Western

Whilst a former member of CENTROC, Mid-Western sees itself as more closely aligned with Dubbo and the members of the Orana Regional Organisation of Councils (OROC).

In a report to Mid-Western Regional Council's Corporate Services Committee Meeting on June 3, 2009, Council's General Manager recommended that Council join OROC. The report detailed a number of reasons why Mid-Western Regional Council was more aligned with Dubbo and OROC than CENTROC.

"The reason why this report is recommending OROC is as follows:

- Dubbo is the closest city to the majority of this region.
- Health services for this region are based in Dubbo (the Orana region) including most specialist references from Doctors in the area are to Dubbo
- The major Government Departments we deal with are based in Dubbo, such as Planning, Regional Development, and Water and Energy.
- Council Engineering staff and works Officers form part of the Orana professionals
- A number of the Orana based people travel through this region on their way to Sydney.
- This Council belongs to a number of Orana based organisations such as the Regional Development Board located in Dubbo
- Orana ROC is now refocussing their direction with the appointment of an Executive Officer and by becoming a member; this Council will have an opportunity of inputting into that direction to achieve an effective organisation."¹

The report went on to conclude that "A decision to join Orana ROC has considerable merit because of our community of interest, closer proximity and affinity with that part of the region."²

While the final resolution of the Council was that they not join any ROC, the reason given was financial, rather than any repudiation of Mid-Western Regional Council's strong links with Dubbo and the Orana region. Following the decision, Council's General Manager made a statement that "[Council] hasn't been disadvantaged by not being part of a regional organisation of councils so has decided that because we're in tough economic times we had to make some cost-saving somewhere."³

¹ Mid-Western Regional Council Corporate Services Committee Business Paper, 3 June 2009 pp70-71.
http://www.midwestern.nsw.gov.au/mwrcwr/_assets/main/lib70144/corporate%20030609.pdf

² Ibid at p72.

³ 'Council won't join Orana regional organisation' ABC News 4 June 2009.
<http://www.abc.net.au/news/stories/2009/06/04/2589311.htm>

State and Federal Government Services

The Regional Development Board for the Orana region, Gowest, comprises 13 LGAs. All of its member LGAs are located within the proposed division of Parkes, with the exception of Mid-Western Regional LGA. The former Orana Area Consultative Committee also covered the same area. In contrast, Regional Development Australia Central West incorporates all of the areas within the amended division of Calare that we propose, including Parkes and Forbes.

When it comes to the delivery of health services, Mid-Western Regional LGA also has more in common with Dubbo and the proposed division of Parkes, while the LGAs of Parkes and Forbes have more in common with the proposed division of Calare. While all the areas concerned fall within the Greater West Area Health Service (except Lithgow), the closest Base Hospital to Parkes and Forbes is located at Orange, whilst Dubbo Base Hospital is the closest such facility to Mudgee.

The Home and Community Care program, a major tenet of aged care in NSW, divides the state into smaller local planning areas. Mid-Western Regional LGA is included in the Orana Far West local planning area, with all but three of the LGAs in the proposed division of Parkes, while Parkes and Forbes LGAs are included in the Central West local planning area, along with Bathurst Regional, Blayney, Cabonne, Greater Lithgow, Oberon and Orange LGAs.⁴

Labour Markets

The Federal Department of Education, Employment and Workplace Relations classes Mudgee as part of the Central Macquarie Small Area Labour Market, centred on Dubbo. The following case study illustrates the direction and size of labour flow in the Central West and Orana regions.

Method

Data from the 2006 Census was analysed in order to ascertain the place of employment of those residents who worked outside their home LGA. Percentages used here are proportions of respondents who were recorded as working in an LGA in NSW other than that in which they were resident. For the purposes of this analysis, the LGAs of Bathurst, Oberon, Lithgow, Orange, Cabonne and Blayney were used to calculate statistics relating to the Division of Calare, and the LGAs of Bourke, Brewarrina, Walgett, Moree, Narrabri, Warrumbungle, Coonamble, Gilgandra, Dubbo, Wellington, Narromine, Warren and Bogan were used to calculate statistics relating to the Division of Parkes.

Wellington was counted with Parkes as the majority of its population and places of employment are located within the Committee's proposed boundaries for that division.

⁴ 'HACC Regional Plan 2008-2011: Western Region' p2
<http://www.dadhc.nsw.gov.au/NR/rdonlyres/39C1876A-27F6-4C70-ABAD-CAD56D4F64E1/4501/HACCRegionalPlanWesternregion.pdf>

Lachlan was not included in calculation of statistics for any division – it is currently split substantially between Riverina and Parkes, and as shall later be demonstrated there exists an argument for the inclusion of some parts of the LGA in Calare.

Forbes/Parkes

Forbes residents working outside their LGA overwhelmingly work in Parkes Shire (over 50%). Of those who work somewhere other than Forbes or Parkes LGAs more than one third work in areas located within the proposed Division of Calare. Most of the remainder work in areas to the south, such as Bland and Cowra Shires. Less than 2% of those who work outside the LGA work in areas within the proposed Division of Parkes.

Being closer to Dubbo, the labour flows from Parkes Shire are a little more balanced. Regardless, more residents of Parkes LGA work in Orange/Cabonne than in Dubbo, and more in areas within the proposed Division of Calare than in the proposed Division of Parkes.

Mid-Western

Whilst the numbers of Mid-Western residents working outside the LGA are not exceedingly large, the direction of labour flow indicates a distinct trend towards the proposed Division of Parkes.

Almost twice as many residents of Mid-Western are employed within Parkes as are employed within Calare. Warrumbungle Shire and Dubbo between them account for over one quarter of Mid-Western residents working in other NSW LGAs, with each having more than twice as many as Bathurst which has the highest number of the LGAs in Calare. In fact, more residents of Mid-Western Regional LGA work in the Sydney City LGA than in any LGA in the proposed Division of Calare.

Communication & Transport

Local Media

Of the major traditional media sources television and ABC local radio are the most applicable when determining communication links in this situation. The relevant local newspapers and radio stations in the region tend not to have distribution/listening areas that extend far beyond LGA boundaries, and both the major metropolitan newspapers and The Land are well entrenched across the region.

Of the major television stations, WIN is the only network to deliver separate broadcasts based on Dubbo and Orange. The region is divided according to our suggested amendment to the Committee's proposed boundaries: Parkes and Forbes receiving their broadcast from Orange and Mudgee and Gulgong from Dubbo.

ABC Central West, broadcast from Cumnock, covers the entire region in question. Indeed according to the ABC the signal from Cumnock is strong enough to include parts of Queensland in its coverage area. As mentioned previously, an outpost of ABC Central West was created the early 1990s in Dubbo to service the Western Plains, under the callsign 2WPR. Western Plains Radio is now a stand-alone ABC local station, managed and produced in Dubbo. According to the ABC website it is broadcast from 3 locations – Dubbo, Mt Cenn Craich (in the Warrumbungles) and Mudgee.

The significance of this is twofold. First, it establishes a very strong communication link between Dubbo and Mudgee, especially given the importance of ABC Local Radio as a media source in regional communities. Second, the fact that the ABC saw fit to transmit a new radio service from Mudgee that was unique to Dubbo and the Western Plains firmly demonstrates the recognised community of interest that exists between these areas.

Parkes and Forbes, in contrast, are not serviced by ABC Western Plains.

Road Distances to Major Centres.

Distances from Mudgee

Dubbo	126km
Bathurst	129km
Orange	185km

Distances from Gulgong

Dubbo	109km
Bathurst	157km
Orange	174km

Distances from Parkes

Dubbo	120km
Orange	100km

Distances from Forbes

Dubbo	150km
Orange	120km

For the purposes of calculating distances between Dubbo and Mudgee, the sealed route of shortest distance has been used. This route follows the Golden Highway, Gollan, Goolma and Guntawang Roads to the Castlereagh Highway north of Mudgee. It is commonly used as a thoroughfare from Dubbo and areas further out to Sydney.

As demonstrated in the tables above, Parkes and Forbes are indeed closer to Orange than Dubbo, and Mudgee and Gulgong closer to Dubbo than to Bathurst and Orange (Gulgong substantially so).

Lithgow has not been included in this comparison as with a population of 11,298 at the 2006 census, it can hardly be considered a major centre for residents of Mudgee (pop. 8,249). Dubbo, Bathurst and Orange all have populations roughly three times this size. At any rate, Lithgow is roughly equidistant with Bathurst to Mudgee and Gulgong.

When considering transport links it is also important to note the location of these areas in relation to major arterial roads to and from Sydney. Whilst Parkes and Forbes are connected to Dubbo by the Newell Highway, the volume of through traffic between the towns en route to capital cities at the end of the highway is minimal since residents of the Central West generally travel to Sydney in preference to either Brisbane or Melbourne. Orange on the other hand is located en route to Sydney from both Parkes and Forbes, and as such is an important part of the region's transport links.

Whilst none of the major centres in either Division lies between Mudgee and Sydney, it bears mention that residents of Dubbo and areas to its north-west are increasingly travelling via Mudgee on their way to Sydney as an alternative to the Mitchell and Great Western Highways. The distances are roughly equivalent (254km via Mudgee as opposed to 268km via the Mitchell) and the lack of built up areas on the route through Mudgee generally ensures shorter travel time. The importance of Mudgee as a transport link from the Orana region to Sydney was mentioned by the General Manager of Mid-Western Regional Council in a report cited previously in this objection.

Although marginally closer to Orange, the major population centres in the southern part of Wellington LGA are both less than one hour's drive from Dubbo.

Public Transport

Forbes/Parkes

Parkes and Forbes are linked to Orange by the following Countrylink services:

- Sydney XPT Bus (daily to/from Parkes, four times per week to/from Forbes)
- Rail Bus (six times per week)
- Outback Explorer Train (weekly, to/from Parkes only)

Parkes and Forbes are linked to Dubbo by the following Countrylink service:

- Melbourne XPT Bus (three times per week).

That Parkes and Forbes are so well linked to Orange by public transport should come as no surprise: Parkes lies on the Broken Hill Line, historically one of the principal rail lines operating in the west of the state. Dubbo and most of the old railway towns located in Parkes were on the Main Western Line, a separate radiating artery which meets the Broken Hill Line at Orange.

Present services across the west of the state still abide by these divisions, with Orange, rather than Dubbo retaining its place as the principal destination of the Countrylink coaches which are the most common form of public transport in Parkes and Forbes.

Mid-Western

Due to the radial nature of Countrylink services, public transport to and from Mudgee/Gulgong to the Central West is severely limited. In theory, services from Mudgee link with Western Line Services to these centres at Lithgow.

In practice the lack of coordination of services means that the shortest trip time between Bathurst and Mudgee is 3 hrs 35 mins, more than twice the time required to travel between the two towns by car. Orange and Dubbo are even more inaccessible.

However, Mudgee does play a role as a major public transport link to areas in Warrumbungle Shire (which is retained in the proposed Parkes), who utilise the Gwabegar Line services that run through Mudgee for travel to and from Sydney. In fact with regard to public transport Warrumbungle Shire is much more closely linked with Mudgee than with Dubbo.

Physical Features/Area

Area

In our previous submissions to the Committee, The Nationals have expressed concern that the size of electorates in the west of the state might become so large as to dilute community of interest inside their boundaries. We note:

- That the area of the proposed Parkes is approximately 296,000 km²
- That this area is nearly 100,000 km² smaller than that proposed by the Australian Labor Party in their submission to the Committee.

The Nationals contend, as per our initial suggestions, that the remote areas of the state should ideally be distributed between three or perhaps four electorates, and are disappointed that Calare has been stripped of its remote component. However, we accept that given the premise of the redistribution proposal, particularly the restoration of Lithgow to Calare, the inclusion of substantial areas of western NSW in that division is not feasible.

We therefore accept that the size of the proposed Division of Parkes is reasonable under the circumstances but would caution that any further modifications to the boundaries of that division which significantly increase its size would be detrimental to the representation of community of interest within the division.

The approximate size of the areas affected by this objection are as follows:

- Combined Parkes/Forbes: 10,675 km²
- Combined Mid-Western/remainder Wellington: 9,500 km²

Leaving Mid-Western and the remainder of Wellington in the Division of Parkes, and excising Parkes and Forbes will alter the size of that division by no more than half of one percent. The changes proposed in this objection therefore have no significant impact upon the geographical size of either electorate.

Physical Features

Dubbo is not separated from either Parkes/Forbes or Mid-Western Regional LGA by any major physical features.

Comparison must therefore be made in this case between the country separating Mid-Western Regional LGA from the major centres in the proposed Calare, and that separating those same major centres from Parkes and Forbes LGAs.

The terrain between Orange and Mudgee is rugged hill country with few roads and sparse population. The area is bisected by the Macquarie River which forms a definitive natural boundary. There are few river crossings between Bathurst and Burrendong Dam. Passage along the Long Point Road (accessible only by 4WD), the shortest link between Orange and Mudgee by distance, is limited to times of low flow in the Macquarie River. For this reason traffic between Orange and Mudgee generally passes through Wellington, some distance to the north-west.

In short, there is a significant natural divide running through the Committee's proposed Division of Calare.

In contrast the hills between Parkes/Forbes and Orange are much more closely settled. The towns of Manildra, Eugowra and Canowindra are strongly linked with both Orange to the east and Forbes and Parkes to the west, and provide a continuity of population that does not exist between Orange and Mudgee.

Secondary Numerical Considerations

In the preceding discussion we have provided thorough and detailed evidence addressing the qualitative criteria of the Act and demonstrating the importance of retaining Parkes and Forbes in the Division of Calare, and retaining in the Division of Parkes those areas proposed to be transferred to Calare.

We note that under the proposed redistribution the Committee has seen fit to place Parkes in the upper quartile of divisions in terms of both current and projected enrolment. It is not alone - the five divisions with the lowest projected growth in enrolment make up five of the top nine divisions by projected enrolment.

If these divisions have deliberately been overenrolled, there may be two explanations. Either the Committee is unsure about its enrolment projections for these low-growth areas or it wishes to ensure that in the event of future redistributions in NSW, the changes required to bring these divisions within numerical tolerance would not be as radical as if they were left with lower projected enrolments at this redistribution.

Whatever the reason, there appears to be a deliberate effort to boost enrolment in these divisions, and the underlying logic must be even more powerful for Parkes which has a projected enrolment growth of less than a quarter of the next lowest division.

Whilst The Nationals recognise that the Committee appears to have a motive for over-enrolling the Division of Parkes, we caution that this must not occur at the expense of community of interest, physical features and area, means of transport and communications or the continuity of current boundaries.

The retention of Mid-Western Regional LGA (Part A) and the remainder of Wellington LGA in the Division of Parkes in place of Parkes and Forbes LGAs (as proposed in this objection) results in a net transfer of 1,893 electors (2012) to the Division of Calare.

It must be stressed that both Divisions remain well within the 3.5% margin of tolerance at the projection time.

However, if the Committee holds the view that there should be as many electors in the Division of Parkes as possible. The Nationals suggest two alternative options:

Option 1: Transfer of the northern part of Parkes LGA into the Division of Parkes.

Net Gain to Parkes (2012): ~1,000 electors

Under this option the northern areas of Parkes LGA, including the towns of Peak Hill and Tullamore, are transferred to the Division of Parkes. Both towns are considerably closer to Dubbo than are the towns of Parkes and Forbes, and both share strong community of interest links with areas to their north.

Tullamore is closely linked to both Narromine and Dubbo, being closer to the former than to Parkes and closer to the latter than to Orange. It shares close proximity and community of interest to other towns on the Bogan River flood plain such as Albert and Tottenham.

Peak Hill is located little more than 70km from Dubbo, and as such is closely connected with its northern neighbour and surrounding towns such as Narromine. In school sports both Peak Hill Central School and St. Joseph's Catholic School (Peak Hill) compete in school sports competitions with the Macquarie Valley towns of Narromine, Trangie and Warren rather than Parkes and Forbes.

Peak Hill Central School is also part of the Western Access Program, a secondary distance education program that includes Trangie, Tottenham and Tullamore.

Ultimately these two towns could conceivably be included in either Parkes or Calare. However, if the Committee sees itself as having a prerogative to keep enrolment in Parkes towards the upper end of the allowable range, we suggest that they be transferred to that division.

Option 2: Transfer of the remainder of Mid-Western Regional LGA (Part B) into the Division of Parkes.

Net Gain to Parkes: ~1,950 electors

Obviously by virtue of their location in the same LGA it is well understood that Kandos and Rylstone have strong community of interest links with Mudgee. Their inclusion in Hunter is due in no small part to the recent completion of the Bylong Valley Way which links these towns to the Hunter Valley. Although this has improved transport links to the extent that the Committee has seen fit to include Rylstone and Kandos in Hunter, the fact that these two areas were until recently not connected by sealed road indicates that the community of interest between them is not as strong as between these areas and Mudgee.

Due to numerical constraints an amendment of this kind would necessitate the transfer of Liverpool Plains LGA from New England to Hunter. We note that the majority of Liverpool Plains LGA is located in the State Electoral District of Upper Hunter, and recommend that if this option were to be adopted the boundary between the State Electoral Districts of Tamworth and Upper Hunter be utilised as the boundary between Hunter and New England. Liverpool Plains LGA has commonalities with both Tamworth and Gunnedah to the north and the Upper Hunter Valley to the south – in fact it was not included in the Division of New England until 2006.

That said, the Liverpool Plains do enjoy strong links with Tamworth and Gunnedah, and the cost to community of interest of this move would need to be considered against the

benefits to community of interest and the future stability of the Division of Parkes that would be associated with the reunification of Rylstone and Kandos with the remainder of Mid-Western Regional LGA in Parkes.

Growth

If stability in the face of future redistributions is indeed a consideration, the key drivers of growth in the Division of Parkes cannot be ignored.

The Nationals, when commenting upon the Australian Labor Party's suggestions for this redistribution, took issue with the composition of their suggested Parkes. We noted that:

"A Parkes that is moved from its growth base in the south and east will continue to experience population growth at a slower rate than the rest of the state, undermining the stability of the redistributed boundaries into the future."

The Division of Parkes under the current proposal echoes Labor's in that it effectively removes the main centres of growth from the division (outside of Dubbo). The projected growth in enrolment for Parkes over the period to 2012 is 0.53%, by far the lowest of any electorate in the state (the next lowest is Cunningham at 2.27%, the median 4.05%).

In its proposal for the 2008 Redistribution of Western Australia, the Redistribution Committee "sought to construct divisions so that each contained localities with projected positive growth to ensure sustainability over the projection period."

In the opinion of The Nationals the removal of the growth areas of Mudgee and Gunnedah from Parkes has negative implications for the future sustainability of the division. The restoration of Mid-Western Regional LGA to the Division of Parkes, in exchange for Parkes and Forbes LGAs, as proposed in this objection, addresses this issue.

The combined projected enrolment growth (to 2012) of those parts of Mid-Western Regional and Wellington LGAs included in the Division of Calare under this proposal is 2.8%. In contrast, the projected growth for Forbes and Parkes LGAs is only 0.5%. The inclusion of Mid-Western Regional LGA and the remainder of Wellington LGA in the Division of Parkes would help to ensure that the division remains viable into the future, and potentially lessen the extent of future boundary changes in the area.

Nowhere in the Act is the Committee given license to manipulate enrolment numbers to the detriment of the qualitative criteria of the Act, except to comply with the 10% and 3.5% margins of allowance prescribed by the Act.

However if the Committee wishes to ensure a higher than average enrolment in the Division of Parkes, we contend that:

- the growth rate of the areas in question should be taken into account, and
- there are other options, as described here, that ensure the future stability of the Division of Parkes yet better fulfill the requirements of the Act with regard to community of interest, means of transport and communications, the physical features within the division and continuity of current boundaries.

Conclusion

If, as proposed by the Committee, Parkes and Forbes LGAs are to be transferred to the Division of Parkes, and Mid-Western Regional LGA and the remainder of Wellington LGA to the Division of Calare, a burden of proof is placed upon the Redistribution Committee – there must be sufficient grounds in terms of delivery of qualitative outcomes or the satisfaction of numerical criteria as specified by the Act to override the provision to ensure continuity in electoral boundaries.

Even under a *ceteris paribus* assumption, in which the net gain to other criteria such as community of interest and enrolment is zero, according to the Act Mid-Western Regional and Wellington LGAs must be retained in the Division of Parkes, and Parkes and Forbes LGAs in the Division of Calare.

The Nationals contend that the criteria in the Act do not justify the change in boundaries and that there in fact exists a strong case under these criteria for the retention of Mid-Western Regional and Wellington LGAs in the Division of Parkes, and of Forbes and Parkes LGAs in the Division of Calare.

The arguments addressed by this objection were as follows:

Numerical Criteria

The redistribution proposal, modified as suggested above, would still meet the numerical requirements of the Act.

Community of interest

- Mid-Western has a stronger community of interest with Dubbo and the areas to its north than with Bathurst or Orange.
- Parkes and Forbes share stronger community of interest ties with Orange and Cabonne than with Dubbo.
- The areas in the south of Wellington Shire have ties to both Orange/Cabonne and north to Dubbo and Wellington, and could be accommodated in the Divisions of Parkes or Calare.

Means of communication and transport

- Mudgee is roughly equidistant from Dubbo and Bathurst by road. Gulgong is roughly 50km closer to Dubbo than to Bathurst.
- Parkes and Forbes are both closer to Orange than to Dubbo and are both much better connected by public transport to Orange.
- The only major media/communications divides in the region – WIN local news and ABC Local Radio – include Mudgee in Dubbo broadcasts and Parkes/Forbes in Orange broadcasts.

Physical features and area

- The two areas in question are roughly equivalent in size. Exchanging one for the other would have a negligible effect on the area of the Divisions of Parkes and Calare.
- The Macquarie River and surrounding ranges form a natural barrier between Orange/Bathurst and the Cudgegong Valley. Parkes and Forbes, in contrast, are easily accessible from the main population centres in Calare.

We acknowledge the apparent desire of the Committee to ensure higher enrolment in those divisions projected to have low enrolment growth over the projection period.

Whilst we maintain that such considerations must always be subordinate to the provisions of the Act, we have demonstrated that options exist by which the Committee could deliver future stability for the Division of Parkes whilst better complying with the requirements of the Act.

Condobolin

Once Parkes and Forbes LGAs have been retained in the Division of Calare, the Committee may wish to consider the inclusion of the central part of Lachlan Shire (incorporating Condobolin) in that division. Arguments can be made for its inclusion in either the Division of Parkes or Calare – it is roughly equidistant from both Dubbo and Orange, although on balance it shares more community links with the Central West.

We suggest that if the Committee does see fit to retain Condobolin in the Division of Calare, the boundary of the two divisions through Lachlan Shire should be that employed as the boundary between the State Electoral Districts of Lachlan and Murray-Darling at the 1998 State Redistribution. The northern parts of this shire are much more strongly linked to Dubbo than Orange.

Numerically, moving Condobolin into the Division of Calare would necessitate the transfer of Peak Hill and Tullamore into the Division of Parkes. This is a feasible option, the merits of which have been discussed previously.