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TRANSCRIPT OF PROCEEDINGS

O/N 149678

HEARING OF THE AUGMENTED ELECTORAL COMMISSION

MR P. HEEREY QC, Chair
MR E. KILLESTEYN
MR B. PINK
MR J. TULLOCH
MR D. PEARSON
MRS J. McMULLAN
MR A. JACKSON
MR M. SYMON
MS MIRABELLA
MR M. EASSON
DR RICHARDSON

IN THE MATTER OF:

**REDISTRIBUTION OF ELECTORAL BOUNDARIES IN THE STATE OF
VICTORIA**

**CONDUCTED AT ROYAL AUSTRALASIAN COLLEGE OF SURGEONS, 250-290
SPRING STREET, EAST MELBOURNE**

10.25 AM, MONDAY, 8 NOVEMBER 2010

MR P. HEEREY QC: Well, good morning everybody. Welcome to this meeting of the Augmented Electoral Commission. My name is Peter Heerey. I am the Chair of the Electoral Commission. The other members of the Electoral Commission are Mr Brian Pink, the Australian Statistician, on my left, and Mr Ed Killesteyn, who is the Electoral Commissioner and the CEO of the Commission. The redistribution process requires a plan to be put forward by a body called the Redistribution Committee, and this consists of Mr Killesteyn as the Chair, the Surveyor-General of Victoria, Mr John Tulloch, who's on Mr Killesteyn's right, the Auditor-General of Victoria, Mr Des Pearson, on the right, and the Australian Electoral Officer for Victoria, Mrs Jenni McMullan, on my left.

The Redistribution Committee released its proposal at the end of July based on the redistribution of Victoria into 37 electoral divisions. There was no case for an increase or a decrease in Victoria's number of divisions. Comments and objections were received and the Augmented Electoral Commission considered those and released its report. The Augmented Electoral Commission is the Electoral Commission combined with the Redistribution Committee. So we produced our report, having considered the objections, and we produced a report which we considered was, in terms of the Act, significantly different from that of the Redistribution Committee, and as a result there's been a further round of objections and the hearing today. We have to finish our considerations by tomorrow, 9 November.

The basic policy of the Act is that the number of electors in each electorate should be approximately equal. More specifically, the Act provides for a degree of tolerance of 3.5 per cent either way. Subject to that basic requirement, which is founded on the philosophy of one person, one vote, we take into account communities of interest, economic, social and regional means of communication and travel, physical features, areas of the electorates, and, although of lesser importance, the boundaries of the existing electorates. A number of people have indicated that they would like to address us today, so we will now hear those persons. The first is Dr Charles Richardson. Dr Richardson. Not here? No. Mrs Sophie Mirabella. No appearance. Mr Adrian Jackson. Yes. Mr Jackson.

MR JACKSON: Adrian Jackson, from 404 Richardson Street, Middle Park. I live in the electorate of Melbourne Ports and my submission is about Melbourne Ports. Have you read my submission?

MR P. HEEREY QC: Yes, we have, Mr Jackson.

MR JACKSON: Yes, all right. It's a one-page submission. Now, my main concern here is that the AEC, based on five submissions and 21 comments, including one comment from me, have done a complete reverse from what they originally set out to do with the original boundaries. These five submissions were received from the three major parties, Labor and Liberal and the Greens, and another one from Michael Danby. A bit hard to track down what the other one was because the submissions

don't actually say which ones the submissions are about, which electorate, so I assume there's another one in there.

5 I'm concerned that the AEC has now changed their tune because of submissions of vested interest groups, three political parties, plus Michael Danby, the local sitting member. Well, if you've read my submissions, that's fine. Now, I'll just go on to a couple of other points. Of course, Michael Danby is a member of the Jewish community, and he's got a strong support within the Jewish community in Caulfield, and I think that's one of the reasons why he doesn't want to lose Caulfield, because
10 he's got a huge branch stack there and he's not too popular in the Elwood and other parts of the electorate.

So I think that's probably his main community of interest. The Australian Jewish News last week said, in relation to this inquiry:

15 *Melports likely to stay "Jewish".*

Now, this is bizarre, because if you have a look at the Wikipedia the Jewish community within Melbourne Ports is about 12.7 per cent. In fact, the atheists and
20 the Roman Catholics are a bigger religious group. I'm one of the atheists myself. Then we move on to Danby's so-called community of interest outside the Jewish community, so let's go to the gay community.

Now, in the last election he had an advertisement put in one of the gay newspapers
25 pictured with a transsexual person. Of course, the photo was about five years old, and he didn't bother to get that person's permission, and it turns out that the person had died 12 months before the picture was published. So this is his sort of arrogance in relation to the gays. Military service. He claims he's done two years at OCTU, Officer Cadet Training Unit.

30 MR P. HEEREY QC: Mr Jackson, we're really not concerned with personal comments.

MR JACKSON: Well, no, no, no, no. This is to do with his community of interest.
35 And, in fact, after he completed his military service training as an Army Reserve officer cadet, he didn't actually serve in any Australian unit after that. My suspicion is perhaps that that was done deliberately to get him out of national service in Israel if he happened to visit there. He's on a Parliamentary Matters Committee, or he was before the last election. I'm not sure if he still is now. And we all know that that is
40 pretty corrupt in the sense that to get federal funding you've got to get four per cent of the primary vote.

When Hanson, who I don't particularly like, Pauline Hanson, got over four per cent and a lot of funding, he tried to have that raised to 15 per cent – absolutely ridiculous
45 and undemocratic. Now, his community of interest is in schools. He said he had a fridge magnet with the school holidays on it, you know, a calendar. It turns out it was the New South Wales school holidays, different dates, not Victoria. He's got

another fridge magnet with the Jewish holidays on it but not Easter Sunday, no Islamic holidays either, and he had Anzac Day down as the 24th. That's his community of interest there.

5 Ten years ago, the Port Melbourne Young Labor Movement – and I'm not in the Labor Party – tried to form a branch down in Port Melbourne. He turned up as a voting member, and a few other of his honchos, and closed the meeting down so it couldn't be formed, because that group weren't part of his community of interest. They weren't, you know, in his trade union group or whatever. So his track record,
10 as far as community of interest, is appalling, and his whole submission is based on community of interest, and it is bunkum.

MR P. HEEREY QC: Good. Thank you very much. Is Dr Richardson here now? No. Mr Easson and Mr Symon. We had you scheduled for five past 11, gentlemen,
15 but if you're happy to go on early that would help us too.

MR EASSON: I didn't expect to come on so soon, but firstly - - -

MR P. HEEREY QC: Mr Symon, would you like to draw a chair up to the table?
20

MR SYMON: Yes, okay.

MR EASSON: With your indulgence, Commissioner, what I would like to do on behalf of the ALP is firstly respond to the argument about malapportionment, which
25 has been raised by a couple of submissions, including that of the Liberal Party, then to deal with the Craigieburn area, about which the overwhelming number of objections pertain, and then finally to deal with the ALPs appeal concerning both the divisions of Deakin, Chisholm and Menzies. Okay.

30 If we deal with the malapportionment argument first, which has been raised by the Liberal Party and Charles Richardson, among others. If we divide the state into three areas – North Melbourne north of the Yarra, including McEwen, Melbourne south of the Yarra, including Casey, and then rural and regional Victoria; regional includes the Latrobe Valley, Geelong, Ballarat and Bendigo – what we find is that there are 16
35 seats south and south-east of the Yarra River. Collectively, those 16 seats are approximately 19,000-odd below the average number if you group them all together, or about 1200 on average below the average number. But the overall number, as I said, is 19,000.

40 Now, the Commission, I am sure, as the political parties did, looked long and hard at South and South-East Melbourne as to whether there was a case to abolish a seat or not in that area. We all looked at that proposition and tested it. All of us, that is, all the major parties and the Redistribution Committee and now the Augmented
45 Commission, have decided that there is not a case to abolish a South or South-Eastern Melbourne seat. That being the case, it was then incumbent upon us all to come up with boundaries that best reflected the community of interest within those

seats. I note that of those 16 seats eight are held by the Labor Party, eight by the Liberal Party.

5 You'll find your Kooyongs and Higgins below the average number, just as you'll find your Melbourne Port and Isaacs, well-held Labor seats, also below the average number. There is no bias whatsoever in what the Commission have proposed and the Augmented Commission have proposed for those seats. Then if we look at rural and regional Victoria, we're dealing with 11 seats. As I said, we're including the Geelong seats of Corangamite and Corio, as well as Bendigo, Ballarat and the
10 Latrobe Valley, including Gippsland and McMillan. Together, they're about eight per cent all up below the average number, or fewer than 600-odd electors below the average number. By no criterion could you say that there's been an exercise in malapportionment with any of the boundaries of those seats.

15 However, we do note that the four outer rural seats, Wannon, Mallee, Murray and Indi, collectively are about 9300 below the average number. The only area where one could perhaps make a case that there may be a problem is in the north and north-west of Melbourne, that is, the 11 seats, including McEwen, north and north-west of the Yarra River. Those 11 seats, 10 ALP, one Green, are collectively about 27,000
20 over the average number. Now, that is perhaps a bit of a problem, and it is a problem if you're trying to deal with the problem raised by the various objections concerning Craigieburn.

Now, I've looked long and hard on behalf of the ALP at the objections and how best
25 to meet the problem of splitting the suburb of Craigieburn, and of those 200-plus submissions dealing with Craigieburn probably the best was written by Liz Beattie, the Member for Yuroke, who represents Craigieburn at the state level. Hers was the most detailed submission. I looked at the area of the suburb of Craigieburn north of Craigieburn Road, and there's one CCD split, 2141506. Assuming it's a fifty-fifty
30 split and we take the other CCDs of the suburb of Craigieburn north of Craigieburn Road, we find that in future number terms we're dealing with 11,615 electors, or that's the ballpark number that we're dealing with.

Now, what unfortunately we find is that the seat of Calwell, which has that part of
35 Craigieburn below Craigieburn Road, is at 3.47 per cent above the average number at the future date, so it's impossible to add votes into Calwell without taking it above the quota. McEwen itself is 3.14 above the average number, so if we go back to the submission made by Liz Beattie MP concerning Craigieburn, she made, and the others have made, two major points: firstly, that you should unite the suburb of
40 Craigieburn in one division, and, secondly, that the suburb of Craigieburn looks south to its neighbours in the south. But as we've already identified, we're dealing with 11,600 electors; we're dealing with North and North-West Melbourne collectively for those 11 seats, about 27,000 above the average number.

45 I don't think it would be a good idea for the Commission to try and swap Sunbury, which you leave in Calwell, and put that into McEwen and thereby compensate Calwell by putting in the rest of Craigieburn. The reason for my saying that is that

Calwell today comprises a large section of Keilor, and taking out Sunbury from that division would isolate the Keilor area within the division of Calwell. The only solution which really works from a community-of-interest point of view – and, believe me, we’ve gone long and hard into all of this – the only solution that works would be to take out Colac Otway from Corangamite, place it in Wannon, and then do a ring of changes right up to McEwen, which would also affect the perimeter of rural seats, and I want to briefly explain what that would entail.

Colac Otway itself represents about 15,600 future voters. It’s currently within Corangamite. Were those 15,600 voters moved into Wannon, then Wannon would need to shed electors. It could either shed Pyrenees or the Central Goldfields into Mallee or Southern Grampians into Mallee. Mallee, to make up its numbers, would then need to shed all of the Shire of Gannawarra to Murray, which in turn would need to shed Moira East, comprising 6222, into Indi. There would be no further changes to those four perimeter rural seats, the reason being is that those seats are all placed at the bottom end of the differential from the average number. For example, Indi is at minus 3.17; Murray, minus 1.12; Mallee, minus 3.27; Wannon, minus 1.61.

The point I’m making here is you can put Colac Otway into Wannon, make consequential changes to the four perimeter rural seats, ending with Indi, and you’d be able to soak up the numbers without splitting local government boundaries. I now want to take you to what that change would then mean for Corangamite, moving north right up until McEwen. Firstly, with Corangamite, what you would do would be to unite the Bellarine Peninsula in one seat, being Corangamite. Now, in the original suggestions made to the Redistribution Committee, both Dr Mark Mulcair and the Labor Party submission proposed uniting the Bellarine Peninsula in one seat, being Corangamite.

The Liberal Party, back in 2002, proposed the same thing. However, in 2010, the Liberal Party proposed uniting the Bellarine Peninsula in the Division of Corio. That proposal was adopted by the Redistribution Committee, which united the Bellarine Peninsula and placed it in Corio. The Commission undid the Committee’s proposal by leaving the split the way it is under current boundary between Corio and Corangamite. But if you were to take out Colac Otway from Corangamite, you would be able to unite the Bellarine Peninsula in the seat of Corangamite.

What’s the net flow-on effect to Corio? If we look at the original suggestion, the ALP had a link between Lara and Werribee in our proposal. We moved Corio up a little to contain part of Werribee, and I’m trying to find my note about that. The Liberal Party, on the other hand, did the reverse, and the Redistribution Committee did a reverse of the Labor proposal in that they placed Lara and Werribee together but in a different seat to what the ALP proposed. You had a link between both. Now, there’s been some arguments in the suggestions, the objections, the comments and so on over the long period of this redistribution process about Geelong Council boundaries.

5 The northern boundary of Corio as it is under the Augmented Commission's proposal is the Geelong Council boundary in the main, but we should acknowledge that there is a strong and growing connection between Lara and Werribee. It's reflected by the electorate at the state level. It straddles both. The state electorate straddles both. You've also got Avalon Airport, which is now also to be a rail intermodal facility, which will provide employment to both the Werribee and the Lara communities. And you've also got the Point Wilson defence complex in that area, again which is providing employment between Lara and Werribee.

10 So the argument about Geelong Council's boundaries being a demarcation line between Melbourne and regional Victoria, whilst in a general sense it's true, you do find on analysis that there is quite a strong connection between Werribee South, or Wyndham South, and the Lara area, and, as I said, it's reflected by the airport, which is growing rapidly, the fact that there's going to be a rail intermodal facility there, and the Point Wilson defence complex. So we would submit to you that a proposal which unites the Bellarine Peninsula, which we do in Corangamite, achieves what the original Redistribution Committee's proposal did in that it united it in one seat. We have it in a different seat, Corangamite, to what you had in Corio with the Redistribution Committee's proposal.

20 We united in Corangamite this time. We then draw the Division of Corio up to take part of that Werribee area. Now, the further knock-on effect as you go would be that Calwell would lose more of the Keilor area and become more overwhelmingly a Hume city-based division. If we go back to the original Redistribution Committee proposal, effectively for Calwell they made that division a virtual fifty-fifty split between Brimbank and Hume council areas. The Augmented Commission tilted the balance to the fact that Hume would be overwhelmingly the dominant council in Calwell. The effect of the ALP appeal would be that Hume would even more be the dominant council within the Division of Calwell, and it would enable you to unit Craigieburn together in the same division, being Calwell.

30 Because you've lost the 15,600 from Colac Otway at the Corangamite end, you are able to then be able to absorb the 11,600 from the balance of Craigieburn, which the Commission had proposed to place in McEwen. Now, the Division of McEwen is at the top end of the future numbers at 3.14 per cent above the future average number. If we were to deduct 11,615, being the suburb of Craigieburn, from McEwen, it would then be about 5000 below the minimum number. So you've taken out 11,600; you've now got to find 5000 electors. But you find that McEwen has got parts of Whittlesea and Nillumbik council areas within its borders.

40 Well, the seat of Scullin is 2.26 above the average number next time, the seat of Jagajaga 1.63, the seat of Bendigo plus 1.34. There are enough numbers in those divisions. You can take a little bit out of Macedon Ranges, you can probably have Bendigo close to its current boundaries rather than the proposed boundaries, and you can find another couple of thousand from Scullin and Jagajaga, and you will find your numbers from McEwen.

I'm sorry to take your time with this, but I wanted the Commission to understand via this exercise that you can actually come up with a better community-of-interest boundary for the outer rural division and those divisions running from Corangamite north to McEwen without redrawing the entire state. You're dealing with 10 or so divisions. It's a reasonable number. But what you do is you deal with the Craigieburn problem, you deal with the malapportionment sort of argument by the fact that you've taken out some numbers from this North and North-West Melbourne configuration of divisions. So we would submit to you that the solution which I have just outlined is more ideal than that which has been proposed by the Augmented Commission.

I now wish to deal with the ALP objection concerning Deakin, Menzies and Chisholm. Firstly, the way in which we have presented our objection concerning those three seats has been put together for the ease of the Commissioner, but it should be understood that the objection which the ALP has made regarding the boundaries of Deakin and Menzies can be a stand-alone proposition irrespective of what you might decide to do with Deakin and Chisholm. Similarly, the objection which we make between Deakin and Chisholm can also be read as a stand-alone proposition. It's not contingent on the Deakin-Menzies changes, as the Deakin-Menzies changes aren't contingent on the Deakin-Chisholm changes.

Now, let's look at what the ALP is attempting to achieve in this area. First, with respect of Deakin-Chisholm, what the ALP is arguing is that the community of interest of Chisholm and Deakin run more east-west than north-south. What we do is we take out that part of Whitehorse local government area within Aston, and if you would please consult your maps there, what you will find is that at that Aston end you've got the Burwood Highway, so you've got an east-west highway running from the part of Whitehorse which has been deleted from Aston running right across to the boundary with Kooyong and will lead you into the city.

In respect of Deakin, Deakin I would call a horizontal Italy, if you like. If you look at the Division of Deakin, currently it contains eight railway stations – eight railway stations – of the Ringwood line. The Commission has added a ninth railway station, that of Croydon, to the Division of Deakin. The ALP objection by placing Box Hill in Deakin would give you 10 railway stations in Deakin. If ever you needed proof of the east-west nature of the Division of Deakin, you can see it by the fact that there are currently eight railway stations running east-west. The Commission makes it nine. We make it 10. Plus, you've got the Maroondah Highway and Whitehorse Road running east-west at the top end of our proposed Deakin. So that's what we're trying to do with Chisholm and Deakin.

We say the nature of the communities in those divisions run more east-west than the north to south way in which the Commission has proposed. The solution which we take is, instead of taking the Whitehorse section of Aston and placing it into Deakin, we'd place it into Chisholm to reflect the Burwood Highway east-west connection for Chisholm, and then we would place Box Hill into Deakin to reflect the east-west

nature of that division. So that summarises what we'd try to do with Deakin and Chisholm.

5 The next argument concerns Croydon North and Ringwood. The toe of Italy and part of the foot of our horizontal Italy is the suburb of Croydon North. Under the Augmented Commission's proposal, Croydon North is split between Menzies and Deakin. Also the suburb of Ringwood is split between Menzies and Deakin. What we try to do, we move about 5000-odd electors between each. We unite Croydon North into Menzies, and we unite Ringwood, that part of Ringwood in Maroondah local government area, into Deakin. That provides a more compact Deakin. It takes out our horizontal dog's leg of Deakin, and it will create much less confusion for electors in both Croydon North, who would be united in one division, being Menzies, and for Ringwood, who are united instead of being split between two divisions in the one division of Deakin.

15 So I would submit to you that that is a better arrangement in that area than what has been proposed by the Commission. I'd now like to turn to Mike Symon, who will deal with some of the community of interest arguments in a little more detail for a few minutes.

20 MR SYMON: Thank you. Mike Symon, Member for Deakin. My submission is in support of the ALPs further objection and, of course, with my colleague Shane Easson sitting next to me. I'll start off, if I may, at the eastern end of the current Division of Deakin, and this objection that we've put forward proposes the existing straddling of the suburbs of both Ringwood and Ringwood North between Deakin and Menzies be rectified by placing the new boundary for Deakin, as Shane Easson said, to take in the entire suburb of Ringwood, plus Ringwood North, within the LGA of Maroondah.

30 The present boundary and the proposed boundary by the Augmented Commission still has a chunk of Ringwood showing up in Menzies, and it's a very awkward pocket. I can certainly tell the Commission from day-to-day experience that many people that live in that part of Ringwood do not actually know which division they are in, and the number of inquiries we get around election time as to where polling booths are certainly reflect that. So if all of Ringwood was within Deakin it would make a great deal of local electoral sense and pretty much could be said of Ringwood North within the LGA boundary, and again providing a straighter, more logical line for local constituents to understand when it comes to that time.

40 In regards to Croydon North, Croydon North is north of the Maroondah Highway. It has not been a part of Deakin in its urban history. I believe it was many, many years ago when it was rural. That would also then, I suppose, balance up in many ways what we propose to take from Menzies by giving some area back, so there shouldn't be an overall great effect on the numbers. In relation to the east-west arguments that have been put, it's certainly true that Deakin very closely follows the railway line, and the expansion of the suburbs as the railway line went through back in the 1880s

has now pretty much meant that transport links in that part of Melbourne run east-west.

5 We've had East Link built in recent years, and that takes a lot of through traffic on the north-south, but you'll notice there's very few north-south links between Springvale Road and Dorset Road. It has been a problem of communication in that area for many, many years, and therefore most of the local development has always been based on an east-west axis. And when it comes to a link between the Maroondah LGA and the Whitehorse LGA, the same can be said to be true. There is 10 a state government central activity district planned for Ringwood, as there is for Box Hill, linking the two via the road and rail links, and having the two within the one federal electorate would provide a great deal of local sense of local benefit.

15 There is also the Eastern Freeway, which is the top boundary of Deakin at present, and remains that under the proposal put forward by the Augmented Commission, and again that's a natural barrier and provides east-west traffic. Down the southern end, so through Vermont South, the Burwood Highway, which also has the number 75 tram on it, is also a very vital east-west link. It links that area to town, to the East Link tollway, but also heading eastwards out to Knox City Shopping Centre and also 20 the industrial areas out that side, so it again operates on an east-west basis and would make sense that if the area of Blackburn South, Forest Hill and Burwood East is taken out of Deakin that it also would then include Vermont South, the part of Forest Hill and the part of Vermont that are proposed by the Augmented Commission to go into Deakin at present.

25 There has been over the years some movement of Deakin south of its current boundary, but when it did that back in the 1980s it also took in parts of Aston, being Bayswater and Boronia, and again at that stage it then followed a predictable east-west line of communication: one for the top end of the electorate and one for the 30 bottom. With just having a protrusion down to the southern end of the electorate as it is, that is broken, and there's a pretty much disconnected area from what happens with much of the rest of the electorate.

35 I might also add that there is a couple of other minor changes proposed in the objection to straighten up boundaries, and they relate to a very small part of the electorate to be taken from Manningham and moved across, so the current division of Menzies, and that's just to straighten up boundaries. Other than that, I think the proposals put forward make a great deal of local sense, are the sort of thing that can be explained to local constituents and communities that their boundaries are 40 recognisable and easily followed. I thank the Commission.

MR P. HEEREY QC: Any questions or comments? Good. Thank you, gentlemen. Is Dr Richardson here? Yes. Thank you.

45 DR RICHARDSON: Thank you, Mr Chairman, and my apologies for being a few minutes late earlier, but Monday morning it's like that a bit. Thank you for the opportunity to appear. I won't detain you for very long. I just wanted to make a

couple of points and to start, if I may, with a procedural point, although I'm a little bit unsure about the extent of your jurisdiction to deal with this.

5 When the original proposal of the Redistribution Committee was produced, we got a nice pair of large-format maps showing the proposed boundaries, a detailed breakdown of the figures into statistical local areas, more detailed than has been provided in past years, which was all very helpful. With the revised proposal, the Commission has judged, I think correctly, that it's sufficiently new that it needs to be taken as a whole new proposal and a whole new round of objections and so on. But
10 we didn't get that helpful apparatus. Yes, there are maps on the internet, and one of your staff members very kindly ran off a set of McEwen maps for me, but it's not the same as having proper full-scale maps to work with. There was no detailed statistical breakdown, and whereas in the first round there there were four weeks, a period of four weeks for people to formulate objections, at this stage there was only a week
15 and a half, which I submit is a very tight timetable for interested people like me to work with.

I suggest that the Commission may like to mention in its report that for future instances if this arises again that that timetable should be extended so that full
20 consideration can be given to what, as you've judged, is effectively a fresh set of proposals.

MR P. HEEREY QC: Well, speaking for myself, Dr Richardson, I think your point is well taken and we'll certainly look at the mechanisms of the Act and see if we can
25 recommend a more efficient machinery.

DR RICHARDSON: Thank you, Mr Chairman. I haven't checked back with the Act myself so I'm not sure to what extent the constraints on you are legislative and whether amendment of the Act might be necessary, but I hope you will visit that
30 issue in your report.

The main substantive point I wanted to raise is, as I've said in the objection that you've got in front of you, the disproportion between the proposed divisions north of the Yarra and those to the south. I think it can fairly be said that it leaps out at you
35 when you look at the figures. I'm reading the projected variations in 2014. Enrolment immediately north of the Yarra you have Batman, 3 per cent above, Calwell, 3.5 above, Melbourne, 3.5 above, Gorton, 3.2 above, McEwen, 3.1 above, Wills, 2.9 above, whereas immediately to the south of the river you have Higgins, 2.6 per cent below, Kooyong, 2.7 below, Melbourne Ports, 3.2 below, Menzies, 2.7
40 below, Casey, 2.2 below.

MR P. HEEREY QC: Just pausing there for a minute, could it be said that this is perhaps imposing yet another restraint which is not based in the Act itself, in other words, you divide the state up into regions and require there be some sort of equality
45 as between those regions?

DR RICHARDSON: Well, Mr Chairman, I think that there is an issue there when redistribution is seen to systematically disadvantage one region of the state versus another. I don't suggest that this should be in any way an absolute constraint, and if it were the case that this would be a difficult thing to fix, then, I think you would be justified in saying, well, that's the luck of the draw, so to speak. But I think given that it's no secret that political behaviour is different in the northern suburbs to the southern suburbs, where you have an imbalance that is as evident as that, I think it does somewhat undermine the credibility of the resulting boundaries.

10 I'm not, of course, for a moment suggesting that, you know, this is a deliberate act on the Commission's part, but I do think it's a problem that should be fixed if that is reasonably possible. Now, my suggestion is that indeed it is possible and indeed can be fixed in ways that are independently desirable. You have already a problem with the Shire of Murrindindi - I see you have an objection from the Shire Council -
15 which really doesn't fit very well into Indi. It stretches down as far as the commuter belt to the outer north-east of Melbourne. It's a very long way from the main centres of Indi, which are around Wodonga and Wangaratta in the north-east. Its most natural transport and communication links are either westward to Seymour or southward to Healesville and Yarra Glen.

20 So my suggestion is that that shire - you're looking at around about 10,000 electors - can instead be put into Casey. As I said, the links from the Melba Highway and the Maroondah Highway link Yea and Alexandra to Yarra Glen and Healesville. There is a reasonably natural fit there with the country of the Yarra Valley that Casey is currently based on, and the virtue of that move is it enables you to even up the divisions south of the Yarra by shifting Kooyong and Chisholm and Deakin all slightly to the east. More importantly, it allows you to address the problem that so many of your objections have centred on, the division of the suburb of Craigieburn, because if Indi loses the Shire of Murrindindi it in turn would gain territory from
25 Murray.

I've suggested basically the town of Cobram and Yarrawonga, which are all of the central part of the Shire of Moira, which fit well with Indi. Yarrawonga, in fact, was in Indi until a couple of redistributions ago. Murray would then be freed up to take some electors from the rural northern part of your proposed McEwen. On a rough
35 figuring, I thought that the territory up to but not including - down to but not including Kilmore, so basically Seymour, Broadford, Pyalong, all the northern part of the Shire of Mitchell, would give you about 12,000 additional electors. That evens up Murray nicely and then gives you the scope to unite all of the central part of
40 Craigieburn in McEwen.

I accept that ideally one might want to put Craigieburn into a more urban division. Into Calwell would be the option. But as has been pointed out, that's not an option given the fact that Calwell and its neighbouring divisions to the south are already at
45 the high end of the tolerance. The way I'm proposing it, it's possible instead to substantially unite Craigieburn in McEwen and then you have scope to move the

divisions to its south a little further in to, as I say, bring their projected enrolments a little bit closer to the mid point.

5 That covers the substance of what I had to say. I couldn't help remarking on what the ALP submission just had to make in regard to the same problem, that is, the split in Craigieburn. Their solution is, in a sense, the opposite, that of instead of moving McEwen south effectively making it more rural rather than less rural by shifting Murray, Mallee, Wannon and Corangamite around. To me, that involves an excessive degree of disruption and in particular the disruption of what I regard as the
10 very strong boundary between the Melbourne metropolitan and Geelong areas, the northern boundary of the Greater Geelong City Council, and I would strongly suggest to the Commission that they not adopt that route.

15 In my written objection I have made another three very small suggestions about particular boundaries. I don't propose to go through those. I think they're all uncontroversial. They're simply a matter of cleaning up some untidinesses, but I'm happy to answer any questions you have on those or any of the other matters I raised.

20 MR P. HEEREY QC: Thank you, Dr Richardson. Any questions or comments?

MR KILLESTEYN: Just one, and none of this, or any one feature, is determinative, of course, of the redistribution.

25 DR RICHARDSON: Sure.

MR KILLESTEYN: Given that your proposals to solve some of the issues around Craigieburn include removing Moira Shire from Murray and putting that into Indi, what's your comment in relation to one of the features of the Augmented Commission's proposal, which was to try and unite as much as possible those areas
30 involved in the Goulburn Murray Irrigation District, which would include the Moira Shire?

DR RICHARDSON: I think that's an entirely legitimate aim, but even in the Commission's proposal the Shire of Moira is going to be divided anyway. There's a
35 small part in its south-east which would remain in Indi. So it seems to me that further division of Moira is not a major problem. The resulting Murray would certainly still unite the bulk of that irrigation district. You've got Shepparton, Numurkah, Nathalia and towns upstream from Shepparton. I think Yarrawonga and Cobram are at least as good a fit in Indi as in Murray. I certainly wouldn't claim that
40 there's a compelling logic to put them in Indi rather than Murray, but it doesn't seem to me that putting them in Indi is a problem.

MR KILLESTEYN: Thank you.

45 MR P. HEEREY QC: Thank you, Dr Richardson. Thank you very much.

DR RICHARDSON: Thanks very much.

MR P. HEEREY QC: Ms Mirabella.

MS MIRABELLA: Thank you, and I don't envy your task. But having been a former chairman of the Joint Standing Committee on Electoral Matters, I do think this is a very important and serious part of maintaining transparency and independence in our voting system, and that's why I want to make a couple of general comments, if I may, first before I address Indi particularly. That's why it particularly galls me when I see – and I'm not pointing the finger at anyone in particular – but when I do see politicians for their own particular self-interest, ie, to maintain a particular margin or to maintain the friendly people they've stacked into their seat - why they make submissions to the whole process that is guided by that and not by other factors.

So I think in future deliberations perhaps if I may humbly suggest that where there appears to be orchestrated campaigns on behalf of a particular change to suggestions made by the Committee's first draft that they be seen with a bit of a grain of salt, because I think there can be much justification to reach a particular position that may not necessarily be quite – not necessarily accurate but may not be the real reasons why certain members may seek a change to suggested boundaries. We all could do that. We all have many contacts within our communities. I've been a Member of Parliament for nine years. I could have gotten hundreds of people to sign submissions that I drafted, but I chose not to do that because I respect the process of the Commission, and I think that should be borne in mind.

With regards to the proposed boundaries for Indi, I think one thing that has been limiting the deliberations has been this desire to retain as much of a local government area in one particular electorate. That in itself doesn't make any particular logic, because all those boundaries are arbitrary. Some do contain discrete communities of interest. Others were as a result of amalgamations in years gone by at the state level and they contain a diverse city of communities. If you look at, for example, the Moira Shire, with the Moira Shire the eastern part was in Indi up until the 2002 redistribution, and Yarrowonga is a town that is geographically closer and is, for want of a better word, culturally closer to Indi as well. It's maybe different to other parts of the Moira Shire but they're very different.

The same with Murrindindi. Being from roughly that part of the world, I understand this. There are very real differences in the communities of the rural parts of Murrindindi compared to those on the outskirts of Melbourne in the Kinglake area, for example. There are different ways that communities organise. There are different issues of particular concern. So I don't think the restraint should remain, the restraint that you seem to be placing on yourselves to retain whole local government areas within one electorate, because it matters neither here nor there in many cases.

From my perspective, my main concern with the boundaries are that it will be relatively more difficult for constituents in the Augmented Commission's Indi boundaries to actually access and communicate with the northern part of the

electorate. I have outlined in my submission the time distances, for example, of travelling for constituents. It doesn't worry me as much. I'm used to travelling an electorate of 28,000 square kilometres. But it does make it very, very difficult. And I'm not speaking for any particular self-interest because my margin doesn't change much whether you retain your current boundaries or whether you go along with what is suggested in the Liberal Party's further objection numbered 222. But what does concern me are the communities of interest.

You are right to raise the issue of irrigation and water. Water is the number 1 issue. I think it's the number 1 environmental issue, but it's the number 1 issue in country Victoria. Whether it's the north-south pipeline that's pulling water north of the divide or whether it's the current Murray-Darling Basin guide to the draft plan, irrigation upgrades, it is the issue. I have communities with differing views on all these issues, but one thing does unite them, and that is the frustration with government's lack of long-term planning, whether that is with building more dams for agricultural and industrial use or whether it's upgrading irrigation infrastructure.

My electorate currently contributes in excess of 40 per cent of the water that is part of the Murray-Darling Basin supply. That is significant, and as such I have a particular and very distinct interest in the future national water policy. With my communities, whether they're upper-catchment farmers or whether they're on the edges and do engage in some irrigation, it necessitates both myself and those farmers involved in agri-politics to be familiar with all aspects of water policy.

So far from being two distinct communities, it's part of the one issue, because you can't solve the problem for purely irrigators if you don't involve the other communities, and I think there's an advantage to that, but I already do represent quite a few irrigators as well, obviously more upper-catchment farmers. But part of the problem with water policy has been this distinction and this segregation of different types of farming communities, which is why I think we haven't got a better long-term solution to some of our water problems.

MR KILLESTEYN: Sorry to interrupt, but there does seem to be a tension, doesn't there, between the demands to unite those water districts into a single electorate versus your proposition, which I guess is similar to others, of splitting them. I think we see that tension, and of course both sides have got equally valid arguments.

MS MIRABELLA: If you asked, if you got a dozen of these irrigators in here and you asked them what the top 10 priorities were to fix their problems, I don't think any of them would list being in the same federal electorate as the solution to these problems.

MR KILLESTEYN: Some may see it as an enabler.

MS MIRABELLA: Well, some may see it as an enabler, but in light of other more serious issues of lack of communities of interest with the boundaries that reverberate from this one decision, I don't believe they themselves see it as the main or one of

the most significant issues at all. In fact, it diminishes the political clout of irrigators if they have one member representing them. If you have several Members of Parliament who have a particular interest in an issue, you usually get those members working together towards a solution. There's only 150 of us. One cannot achieve
5 much, but if there are several – and I know this as a rural member. I look at issues that affect me, and I try and find other members who have got similar issues, so, for example – and I'm on the border, but issues cross borders, and I work quite closely at the moment for the Member for Farrer. She's got Albury; I've got Wodonga. She's got a lot of irrigation and rice country. So it sort of fits into a broader bigger puzzle
10 as well.

MS McMULLAN: So you don't have an issue if the Moira Shire was split? You wouldn't have an issue?

15 MRS MIRABELLA: No, I don't, and my point with that is there were arbitrary lines drawn for some of these rural shires, and there was quite a lot of debate at the time when there was amalgamation as to where the boundaries should go, so in themselves I don't think they are immutable.

20 MS McMULLAN: Thank you.

MR P. HEEREY QC: Thank you very much, Mrs Mirabella. All right. Thank you, everybody. Did you want to say something?

25 MR EASSON: I'd just like to make a couple of points very, very quickly, if that's okay.

THE HON PETER HEEREY QC: With leave, Mr Easson.

30 MR EASSON: Firstly, in regard to the Division of Indi, the ALP believe as an aim that it's better to unite local government areas in one division, as an aim. But if we look at the Augmented Commission's Indi, you didn't do that in the case of Moira. You had to place about 800 electors in Indi in order for it to creep above the minus
35 3.5 per cent. We're sympathetic, although it doesn't help our cause in McEwen, to some of the arguments raised about Moira Shire and about Murrindindi.

I note that the Liberal Party proposal for Indi is to get the eastern end of Moira Shire, and as the Liberal Party proposal made clear and as the local member has stated, the eastern part of Moira Shire – and remember Moira Shire is going to be split one way
40 or another, under your proposal or under the Liberal Party objection. That eastern part of Moira Shire was in the Division of Indi prior to the last redistribution.

Now, the Liberal Party have also made some complaints about Murrindindi and also about Seymour, which is part of North Mitchell. I think when we're dealing with
45 these rural urban divisions it is the case that some parts of council areas will be more rural than, say, southern parts, particularly when you're dealing with Whittlesea and with Mitchell Shire. The northern part, the Seymour part, is fairly rural, but the

southern part increasingly is becoming more urban. And I think the Liberal Party have proposed in the case of Murrindindi Shire that it sort of be split to recognise the more urban parts of that shire and the more rural parts of that shire and also the difficulty of the urban parts of that shire dealing with a rural member.

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Now, the Liberal objection can be met if we do the Colac Otway proposal which I outlined earlier, because dealing with the surplus of those numbers from Colac Otway remember we put in Moira East, 6000 electors under what I proposed earlier this morning, from Murray into Indi. I mentioned earlier and proposed a solution where you might be able to find 5000 extra electors for McEwen were you to delete the 11,600 from Craigieburn. Well, you can do that by retaining East Murrindindi in McEwen. There is your five and a half thousand or the 5000 that you need. The loss of 5000 from Indi is made up by the 6000 it would get from Moira. So you can actually deal with the Craigieburn issue, deal with Mirabella's issue, deal with the perceived malapportionment of the north of the Yarra division, deal with the Bellarine Peninsula, deal with the fact that those four outer rural divisions are well short of numbers, all by taking out Colac Otway. Thank you.

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MR P. HEEREY QC: Thank you very much. All right. Well, that concludes the hearing. Thank you, everybody, for attending.

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HEARING CONCLUDED at 11.33 am

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