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TRANSCRIPT OF PROCEEDINGS

O/N 148009

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

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**

9.05 AM, FRIDAY, 15 OCTOBER 2010

MR P. HEEREY QC: Good morning, everybody. Welcome to this session of the hearings for federal distribution for 2010 for Victoria. My name is Peter Heerey. I'm the chairman of the Australian Electoral Commission. There are two other members of the commission, Mr Ed Killesteyn on my right, who is the Electoral Commissioner, effectively the CEO of the commission. And on his right, Mr Brian Pink, who is the Australian Statistician. The Act requires that when there's a redistribution, there is a body established to prepare the proposal, called the Redistribution Committee. And that consists of Mr Killesteyn as the chairman, the Surveyor-General of the State, in this case, the Surveyor-General of Victoria, Mr John Tulloch, at the left of the table. My left. The Auditor-General of Victoria, Mr Des Pearson, who's at the right, and the Australian Electoral Officer for Victoria, Mrs Jenni McMullan on my left.

The Redistribution Committee has prepared a proposal. It's been advertised. There have been objections received, and comments on those objections, and the objections and public presentations are to be heard by what's called the augmented Electoral Commission. That's the Electoral Commission, the three of us, plus the other members of the Redistribution Committee. Redistributions have to occur at least every seven years. The primary purpose is to ensure that, as far as possible, electoral divisions have an equal number of electors. Of course, that's not literally possible, and the Act provides for a margin of three and a half per cent either way. In Victoria, that means that each division should have no more than approximately 105,000, and no less than approximately 98,000 electors. That's three and a half per cent either way of the average.

Now, subject to that basic requirement, we have to consider communities of interest. That's economic, social and regional interest. Means of communication and travel, physical features of the – and areas of the electorates. And also, although of lesser importance, the boundaries of existing divisions. It's obviously quite a complex exercise, because if there's a change to one division, that will affect the adjoining division, and so on and so forth. So fortunately, we have some extremely sophisticated software which enables the effects of these to be readily calculated.

Now, at this inquiry, there is, as you can see, a record being taken, and full transcripts of the proceedings will be available on the commission website. And after the – our hearings, we will further consider the matter, and we have to report by 9 November next. So we'll commence with the persons who have given notice that they wish to make submissions, commencing with Mr Neil Pharoah. We would ask people making presentations please to state their name at the commencement of their presentation. So, Mr Pharoah?

MR N. PHAROAH: Good morning. My name is Neil Pharoah. I'm representing the Children's Protection Society. The Children's Protection Society, by way of background, has been around for about 120 years in Victoria, and was child protection for about 90 of those years. And the past 20 of those years have been acting as a advocate, service provider and representative for children at risk of abuse and neglect in Victoria. I didn't quite realise that today would be as formal as it is,

so I didn't come with lots of paper arguments, but we did wish to make three points on behalf of the Children's Protection Society in support of our written submission. The first is specifically around our primary location, which is in the electorates of Jagajaga, Batman, Scullin and that kind of northeast quadrant of Melbourne. And the second and third are more general comments which we would like the commission to take into consideration for Victoria in the redistributions in general.

So the first comment – I'll probably start with the third and second comment before going specifically to our electorate. Not-for-profits such as the Children's Protection Society are reliant upon federal members of a variety of persuasions, as well as state members to promote the activities that we undertake, as well as to inform the community of those activities. Very often, they become a promotional part of our activities, due to budget and other constraints, and not being a public sector organisation. So the first point, particularly for us in the child welfare space, and working with children at risk of abuse and neglect, which are a marginalised community, is we find that it's very important that politicians are engaged with their communities in those areas, and consideration is given to other areas, such as, in Victoria, the ChildFIRST catchment areas, and that politicians reflect those catchment areas.

So I'll just expand on that point briefly. There are 20 ChildFIRST catchment areas in Victoria, and these are effectively the community triaging system for child protection in Victoria. They've existed for about four or five years. These catchment areas are the first point of entry for any child protection, family services or other referrals. We – the ChildFIRST catchment area that we're responsible for in the northeast metro region in Victoria encompasses a number of councils and a number of federal politicians. We rely vitally on those federal politicians to promote that ChildFIRST catchment in that region, and to support those activities.

So my third point, or my last point first, is that when considering redistributions, I would urge the commission to consider the boundaries of the ChildFIRST catchment areas across Victoria, and the critical role that politicians play in promoting those areas, so as not to cut boundaries or divide catchment areas. Each one of those 20 catchments is operated by a different not-for-profit or social purpose organisation. So if you have one catchment area that's split between different politicians, it makes the job very difficult for those community service organisations to inform multiple members with different brochures for different areas across those catchment areas.

So that is sort of a general comment across Victoria that we'd really urge consideration of the DHS, or Department of Human Services boundaries, and the ChildFIRST catchment areas. The second point, more generally, is around – or more specifically, around our northeast area where we're located. At the moment, we have a very strong alignment between our local members and our ChildFIRST catchment areas, which means that the members that we work with, of which the member of Jagajaga, Batman, Scullin, McEwen are all quite heavily aligned to our areas. So for us, we approach four federal MPs and a number of state MPs within similar

boundaries, and they promote the ChildFIRST catchment areas and the activities that we provide in that region.

5 Fragmenting that slightly makes it more difficult. We are having to work with additional federal MPs, or we are working across electorates, so there is no longer an alignment. So my second point is more specific to our part of the world – is just making sure that the alignments maintain as easily as possible to those catchment areas. The final point, or my first point, is specifically in relation to the electorates of Jagajaga and Batman. The Children’s Protection Society has operated in that area for approximately 40 years; it still has the highest number of child protection cases referred to the state out of any region in Victoria. We operate three sites across Heidelberg and Heidelberg West, and the proposed redistribution fragments our sites out of the electorate; so it effectively splits between Batman and Jagajaga what was previously wholly within the electorate of Jagajaga.

15 On behalf of the organisation, we believe there is a strong community of interest between where our sites are located in Heidelberg West, in the area that currently sits within Jagajaga but is being proposed to move to Batman. So I can’t pledge to know any of the numbers or the populations or the electoral implications of all of this; all I can say is our community of interest, which is a very high child protection interest, won’t be served by cutting that region in half as is proposed with the Batman and Jagajaga separation, particularly along the division between the two council districts in that area. Also in support of that is the current distributions do align with council districts; the proposed distributions remove that alignment to council districts, which can have further complications in those community areas, particularly for at-risk and marginalised children or children at risk of abuse and neglect.

MR HEEREY: Thank you. Any questions or comments? No? Well, thanks; thank you very much, Mr Pharoah.

30 MR PHAROAH: Thank you.

MR HEEREY: Thank you. Next, Phillip Walker and Sue Plowright.

35 MR P. WALKER: Good morning. I bring apologies from Sue Plowright, who unfortunately is ill.

MR HEEREY: Thank you, Mr Walker.

40 MR WALKER: My presentation is on behalf of the three Greens branches in the area: Port Phillip Greens, which cover Melbourne Ports; Bayside/Glen Eira, which covers Goldstein; and Stonnington branch, which covers Higgins; all of them which endorse the proposal for the AEC for the redistribution of the seat of Melbourne Ports. We were motivated to make a submission because we noted the objections, and we considered that a number of the objections were perhaps motivated perhaps possibly out of self-interest, but certainly past demographic occurrences, which no longer reflect current practices or future trends; and in this regard, we thought that

the AEC proposed redistribution captured what is happening in the area. Melbourne Ports – the proposed redistribution captures Melbourne Ports as a vibrant inner urban area with a population that gravitates towards the CBD rather than outwards. The people there tend to look in towards the centre.

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The redistribution would then encompass the cultural and entertainment precincts, such as Fitzroy Street, Acland Street, and Chapel Street, Prahran, which are currently divided, and this would then also include what we are quite proud of as our renowned arts and gay communities would then become part of one electorate. It also – the redistribution would also capture a number of activity centres, such as Chapel Street heading down towards Toorak Road and then continuing with Carlisle Street, St Kilda and Port Melbourne all become part of one electorate, and that is something that the local government have been advocating around in terms of improved transport links. Those transport links within the area certainly do occur and, again, the redistribution would bring in the rather infamous Carlisle Street tram which people, again, are very proud of. The W Class tram that trundles up Carlisle Street would become part of that.

I would also point out that there is probably a precedent, and I have tried to find the exact information but can't, but I am reliably informed that previously at least Elsternwick and Gardenvale were part of Goldstein electorate that came across to Melbourne Ports in the nineties and could have been other parts of the Caulfield area. I am not certain there as to whether they were in Goldstein or Higgins before but people informally were saying so, but I couldn't find the exact information. But in terms of Elsternwick, Gardenvale, they have previously been in Goldstein.

The one area that perhaps appears unlikely for Melbourne Ports is going north into Docklands. There is not the transport links or the connections that exist there with – and it is not really being perceived as part of the area before. The commonality that does exist though, and this is part of the changing demographic of the area, not only do we have lots of young people moving in and out but what we are seeing, say, around Southbank and Dockland is a similar type of person moving into the high apartment flats there which is either retired people wanting to get closer to the CBD or the younger, what I would call post-modernist generation, are the ones. So there is similarities there in terms of type of population, but we don't have quite that strong links across to Dockland. So from our side, we just felt it was important to say to the AEC that we understand the assessment and the need to adjust the boundaries and, with that one hesitation around Docklands, overall we would endorse the proposed redistribution. Thank you.

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MR HEEREY: Thank you, Mr Walker. Mr Danby.

MR M. DANBY: Good morning. I would like to thank the commissioners very much for making the time to see us all and, particularly, to hear our submission. I think you have seen in the six-page submission that we put in, as the sitting member for Melbourne Ports, some comprehensive grounds that try to address the concerns of the redistribution and, at the same time, look to the kind of strictures that I

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understand the Electoral Commission and a redistribution would also consider. I understand, of course, that you have to follow Australian law and adjust boundaries in order to deal with the different population trends in different seats. Obviously with Melbourne Ports increasing in population and surrounding electorates of Higgins and Goldstein not increasing as fast, the obvious solution is to shave off
5 some population from us, and I think that is quite understandable.

The nature of our submission to you is very much that we agree with this purpose of the redistribution in Victoria but that you can do it within different boundaries and
10 achieve the same ends. The point of that is that we make recommendations in our written submission which I would like to speak to further, but that argue that by particularly keeping the area that was in Stonnington in Higgins, retaining the Caulfield East, Caulfield area in Melbourne Ports, that you can keep the population increase in Higgins, if you take the area above Grange Road over to Higgins, you can
15 keep that population increase within the parameters that the Electoral Commission seeks to keep it.

I have got some interesting figures that I would like to give you that we have developed since my submission and I just thought they would be worth recounting to
20 you. Under our proposals, Higgins retains 77 per cent of its existing electors. The ALP proposal retains 96.2 per cent of those electors.

MR HEEREY: Sorry, 96 of 77?

MR DANBY: 96.2 per cent of the existing electors of Higgins. Under the redistribution commission's proposal in Melbourne Ports, you retain 73.7 per cent of our existing voters. Under our proposal, we retain 90.8 per cent of our constituents. And Goldstein, under the commission's proposals, you achieve 85.1 per cent of existing electors staying within the seat of Goldstein. Under our proposal, it
30 becomes 90.3 per cent of existing constituents in Goldstein remain in their seat. We only move a third of the electors transferred than that that the commission recommends. We feel that if you can achieve moving fewer electors within electoral boundaries and at the same time achieve your desire to increase the number of voters in Higgins and Goldstein, that is a purpose that we perceive is better.
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I would point out particularly with – if I could turn to the issues of committees of interest before I come to boundaries and particularly focus on Stonnington for a minute. Since Mr Kennett did the major municipal readjustment here, we readjusted the number of municipalities in Victoria from 200 to 78. Stonnington was
40 established in 1994 and has always been a part of the federal seat of Higgins. I am strongly of the view that most of its transport routes within the City of Stonnington go along its major internal boundaries, east-west. It's very much the case with Melbourne Ports as well. One of the things that I think if you live there you're very conscious of the fact that the east-west transport routes connect the suburbs of
45 Caulfield East, St Kilda, South Caulfield and Elsternwick.

Now, I understand that you have to adjust the populations so that they will be within the legal requirements of the Electoral Act, 10 per cent above or 10 per cent below and therefore, have agreed that the area south of Glen Huntly Road would be included in the federal seat of Goldstein having to adjust their population upwards.
5 But it's my very strong feeling with Stonnington in particular that it is very much connected to the federal seat of Higgins and would be best to remain there. I think also changes to electoral boundaries are something that the commission would be and the registrar should be interested in avoiding. You have to remember that council boundaries are important. The changes that Mr Kennett undertook in 1994
10 were, I think, once in a century.

Council boundaries tend to remain a lot longer than our federal electoral or state electoral boundaries for understandable reasons. And I therefore think that people who are in Stonnington are very much conscious of the fact that they are in the
15 federal seat of Higgins. If I can turn to boundaries. Again, in my view, this is something that the redistribution has to consider very carefully and I would point to – just coming into this hearing this morning reinforced my view, particularly on the boundary of Punt Road versus Williams Road. One of the natural boundaries of Melbourne Ports is, of course, the Yarra River. To Melburnians, the expression
20 “north of the Yarra and south of the Yarra” has a lot of resonance.

The river is obviously one of the useful boundaries along the botanical gardens for Melbourne Ports. But this morning, as it is always, Punt Road was a river of traffic. Dandenong Road is always a river of traffic being wider than most freeways, four or
25 five-lane carriageway on each side with a tram down the middle. It's certainly a more substantial boundary than Orrong Road. If, as you did last night – as I did – drive down Orrong Road, it was almost a quiet suburban street. And the division of that area into two areas would, in my view, confuse many people. I just want to turn to the area of Docklands for a minute. Now, Docklands is a recently developed area
30 and I feel it's an extension of the Melbourne CBD.

There are no obvious communications links between the existing seat of Melbourne Ports and Docklands. Any public transit connection between Docklands and the current Southbank section of Melbourne Ports is through the CBD itself. As I've
35 said, we have that expression “north of the Yarra and south of the Yarra” and while we have areas in Southbank that have become part of Melbourne Ports over the years as there are extensions of residential dwellings in that area, they and the area in Port Melbourne known as Beacon Cove have access routes into South Melbourne, down Clarendon Street, St Kilda Road, and have become very much part of our
40 community.

I think if the commissioners look at the conclusion of my presentation I think you'll see the areas outlined very clearly as to why we say that we would like you to consider keeping Melbourne Ports within more of its existing boundaries than
45 currently you propose. I understand the purposes of the redistribution. I have tried to make our submissions fit within the strictures that you have to fulfil and at the same time ask you to look at the stronger boundaries that I suggest that we've

proposed and the ability to keep larger groups of the population within the existing seat at the same time as allowing you to increase the populations of both Higgins and Goldstein.

5 I think it's very important that we do what we can to see that Australians are not
confused and that they understand where their seats are. I think it's very important if
people can be kept within an existing constituency that they remain there. Obviously
one of the ideas behind that idea when legislators were framing it was to keep down
the level of informality in voting. If voters are changed across boundaries, even with
10 the good work that the Electoral Commission does to advise them that they would
change, there will nonetheless be people who voted in a certain district for decades
who will nonetheless be confused. So I ask you, on the basis of the stronger
boundaries, the rivers of traffic and rivers, on the basis of it being able to fit into the
population changes and constituent changes in surrounding seats and in Melbourne
15 Ports, on the basis of community of interests, that the Electoral Commission, the
redistribution respectfully consider our submissions. I don't think they conflict with
your wider purpose, which I entirely applaud as I do all of the electoral legislation
that sees that there are fair boundaries in Australian public life and in politics. Thank
you very much.

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MR HEEREY: Thank you, Mr Danby. Any questions or comments?

MR DANBY: Okay?

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MR HEEREY: Thank you.

MR DANBY: No problems.

MR HEEREY: Thank you, Mr Danby. Ms Macklin.

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MS J. MACKLIN: Thanks very much. Thanks everyone. Do you want me to kick
off or do you want to say something?

MR HEEREY: No. The ball is in your court.

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MS MACKLIN: Okay. Thanks very much for giving us the opportunity to speak
with you this morning. Of course, I understand the need for change in the Jagajaga
boundaries given population change. I really want to make two substantive points.
One in relation to the community of interest in West Heidelberg and the other is not
40 in my electorate at the moment but would be if the Electoral Commission pursued
the changes that you've proposed. Maybe if I could just deal with the second one
first because it's not an area that I'm as familiar with and it's really to do with a very
small community – that's Hurstbridge – that would be, as I understand your proposal,
split in three. It's already a tiny place and I think that would be very difficult for that
45 community. So, as I say, it's not an area that I'm all that familiar with but I would
have thought, given the size of the community and the need for that community to

have representation by one person rather than three, that might be an issue you would consider.

5 But my more substantive concerns are to do with West Heidelberg. This is an area of extreme disadvantage in Melbourne. Its history, of course, is very significant going back to the 1956 Olympics and the community has a very, very strong sense of itself. It has for a long time seen itself as part of the City of Heidelberg, which of course is now the Banyule City Council. It has also more recently, since the 1990s, become an area of concentrated settling by Somali refugees and their families. And they now
10 call West Heidelberg home and are a very, very important and significant part of the community. The proposed changes to the boundaries would, in fact, split West Heidelberg and parts of Ivanhoe in half and use the boundary Waterdale Road that is certainly not a natural boundary.

15 There's an industrial estate, for example, down near La Trobe University. Waterdale Road runs right through the middle of that industrial estate so this redistribution would split that economic area in half. It would mean that those businesses would need to deal with two councils, Banyule Council of course – well, it would need to deal with two federal members but would still be in Banyule Council. The same
20 would go for people who live on either side of Waterdale Road who, of course, are very intense users of services by Banyule Council. They have a very strong relationship with the Austin Hospital and the Repat Hospital to a lesser degree these days but still very strong. So it's really around the community of interest in this very tight neighbourhood that is very, very disadvantaged that I think is made stronger by being kept together in one electorate rather than split in two. That's essentially what
25 my concerns go to.

MR HEEREY: Ms Macklin, I appreciate this is not within your submission but it would be valuable, as a senior member of the government, to have your views on
30 what is the main issue in this redistribution, that is, the abolition of Murray and the creation of a new seat of Burke in the northwest fringes of Melbourne. Have you got any thoughts about that?

MS MACKLIN: No, I haven't got a particular view and certainly don't have a
35 government view about that.

MR HEEREY: No, I didn't mean to suggest that you should or might have.

MS MACKLIN: No, I don't. In fact, I grew up in the seat of Murray so I do
40 understand that part of Victoria very, very well. I shouldn't comment. I haven't looked at it in any detail.

MR HEEREY: All right. Thank you.

45 MR KILLESTEYN: Ms Macklin, our analysis of your proposals, and all of the arguments you put forward in relation to the communities of interest issues are quite

compelling. Once you put them into practice however, it leaves us with the dilemma again of the numbers.

MS MACKLIN: Yes.

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MR KILLESTEYN: And leaves us in a position where Jagajaga would still be well above tolerance and, correspondingly, Scullin would be below. So now there's this balance. Can I put a question to you. Of all of the issues that you have put to us, and there's quite a few there, this may be a difficult question, would you care to put some priority on which of the range of communities of interest that you've outlined are more important than others? And I know that's difficult because you're balancing

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MS MACKLIN: No, no. Well, I think the two fundamentally to do with extreme disadvantage, I would put that first; and the importance of people who do face such serious disadvantage having representation from one member of Parliament, and that being related to the local government that they live in, and the services that they very heavily depend on. And because of the relationship with the Austin Hospital as well, that too is a very, very strong community of interest argument for the people who live in that area who - - -

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MR KILLESTEYN: So this is the West Heidelberg area?

MS MACKLIN: That's right, yes. These are people who rely more heavily on services than other people. I do think that because of the history of the area as well they tend to associate themselves with that area more than other people who live in the suburbs. I understand your general argument about suburban life but I do think this is quite an unusual area. I understand your point that we need to change the boundaries but, of course, having been subject to these changes at various times, I have never come and put an argument before, I think, that when you've moved Greenhills in and out up on the northern boundary or the suggestions you're making to the north – although I could argue that there's not really a great community of interest between what are now rural towns with the suburbs. I could make that argument.

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I understand that when you're an electorate that borders the edge of the city, that's going to change over time and that's something that just has to happen, basically, except for the Hurstbridge point which I think I would suggest you have a look at. But I imagine that there are other opportunities for you to shift the boundaries around Scullin and Batman. Of course I know you've got to meet your targets, I understand all that. But I would ask you to really reconsider how you do it around West Heidelberg. It is a very unusual and particular place.

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MR KILLESTEYN: Thank you very much.

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MS MACKLIN: Thank you.

MR HEEREY: Thank you very much, Ms Macklin. Councillor Carbines and Mr Harry Prout. No appearance? Councillor Carbines and Mr Prout?

5 MS: They may have thought that they weren't to be here until 10 past 10 or thereabouts. We were scheduled for 10 or so.

MR HEEREY: Yes, well that's – we're very efficient. We're running well ahead of schedule. We're victims of our own success. All right. Abdalla Ahmed? Thank you, Mr Ahmed.

10 MR A. AHMED: Good morning. Thank you for having us today here. I'm representing the Somali community. I am one of the elders and the first who came into this country. I have been here the last 30 years and our community, Somali community, we settled in West Heidelberg during the nineties. Up to now, we've become familiar. We settled very well. And the community now, we know all of Heidelberg. Even if you walked middle of Africa, in Somalia, there are people in that area we now So I would be very happy, on behalf of our community, to remain where we are. We are not only living in Heidelberg, we live in Rosanna, we live in Eltham, Greensborough, but we call Heidelberg home. The last 30 years or 20 years we've been settled in the community and it was very hard for the community to settle. We just start now with the area the last two years and shifting now and making a distribution of other area it will be very difficult for us to establish and to teach the community where they are. So I am strongly supporting on behalf of my community, all of them just to remain where we are otherwise we will become like West Germany/East Germany - - -

MR HEEREY: With a big wall.

MR AHMED: Big wall. So what I'm saying is we are a very disadvantaged community. Very new arrival. If we divide into two parts we cannot give our voice and our concern. To be stronger one side, there would be benefits for that as a community, as a small community who just came the last fifteen years, twenty years. So the communities are willing to stay where they are and we understand that you have job just to look at the population and how they benefit. But as a community, Somali community, we are very, very happy where we are, and we would like to stay where we have been established the last 13 years.

And the whole community they want to come this morning to say something, but we've been sitting the last two weeks, talking, and they said as the community leader, you go and just, on our behalf, or our voice, just mention we want to stay where we are. And we've been getting a lot of help from the community health service and Austin Hospital, and our member of parliament with the state – or – and federal, Jenny Macklin. We've been, just, getting a lot of help, so to starting new area, a new environment, would be very difficult for the community. We'll strongly – and asking you to remain where we are under to consider our voice and our consideration. Thank you very much for having us.

MR HEEREY: Thank you, Mr Ahmed.

MRS McMULLAN: Thank you, Mr Ahmed.

5 MR HEEREY: Thank you very much. Mr Easson.

MR S. EASSON: Thank you, your Honour, and commissioners. I am representing the ALP today. The first point I'd like to make is to clear up, perhaps, a misunderstanding on the part of Mr Nutt from the Liberal Party, whose thought that the Labor Party proposed boundaries for Goldstein didn't fulfil the numerical requirement for the If you go to the actual ALP submission, or the objection, we put forward, what we do is we take the commissioners' proposal – so we've taken the numbers reflecting the changes that are made by those proposals, and then we make changes, or propose changes, to the electorate boundaries that we've objected to based on the commissioners' proposal. So I hope that clears up any misunderstanding.

Now, let me start with the division for Goldstein, Higgins and Melbourne Ports. At the last redistribution in 2002/03, for those three divisions, there was a grand total of 159 electors moved. Higgins had no change, Melbourne Ports had no change, Goldstein only had 159 electors deleted from it. Now, this year, it's not possible to do that, because Melbourne Ports is above the upper end of the tolerance, and Higgins is below the lower end of the tolerance. So you've got to make far more significant changes than those which were made at the last redistribution. The ALP objection, I might add, in three of the four areas that we object to, in our view make greater use of local government boundaries than what we believe the commissioners do.

And whilst it's certainly the case that in Victoria most council boundaries only date from 1994, the fact is, as Michael Danby outlined to you earlier, local government boundaries will last far longer than the federal or state boundary. The changes that were implemented in 1994 in Victoria are a once in a 50 or 100-year sort of change. But we should bear in mind that these council boundaries are likely to last a long time. Now, let's go to the particulars of the commissioners' proposal and what we're objecting to with regard to Goldstein, Higgins and Melbourne Ports. Basically, the ALP objection can be summed up in that we would prefer more of an existing boundary arrangement than that which is undertaken – proposed by the commission.

Now, if we go to paragraph 198 of the Redistribution Committee report, it made reference to the changes which the Redistribution Committee felt it should adopt for Melbourne Ports. And it made a point that achieving the numerical requirements for Melbourne Ports – and remember, it's a bit above quota – we've added a little bit from Docklands, from Melbourne, so we've got to make further deletion – the committee stated that it could only make those deletions, or at least, decide with their report by – it could only be achieved numerically by adopting boundary which followed minor streets. I think you'll find that the ALP objection, if adopted by the

commissioners, will not have the outcome that the Redistribution Committee feared; that is, that you would have boundaries going down minor streets.

5 Now, let's look at a factor which I think should be considered by the redistribution
commissioners. If we look at the growth rate of Victoria, it's 7.64 per cent.
Melbourne Ports has about double the growth rate of Victorian divisions – it's about
13.4, whereas Higgins is about on the state average of 7.4. Goldstein a little below,
at about six per cent. Now, if we're looking at those three divisions, we can see that
10 Higgins and Goldstein may need numbers at a future date, whereas Melbourne Ports
will, given its growth rate, in future redistribution probably shrink further. So then,
in our view, the question becomes for the commissioners when assessing the ALP
objection and the Redistribution Committee report, is whether you would make the
major changes which are proposed or whether you would make less major changes.

15 Now, I said at the last redistribution for those three divisions a grand total of 159
electors were moved. Under the proposal of the commissioners, taking the three
electorates together, they gain 62,554, lose 64,566; when we're talking about the
movements in and out, coding up now – admittedly, we're doing a little bit of
double-counting, but if we're looking at the three divisions, they're the electors that
20 come in and the electors that go out. Under the ALP objection, we reduce the
transfer of numbers by two-thirds. We only have 20,891 electors coming in, and - - -

MR HEEREY: Sorry, what was the figure again?

25 MR EASSON: 20,891, and losing 22,903. And, what we do is, we recognise the
point which I made earlier, that Melbourne Ports is growing; Higgins, with divisions
surrounding it, all growing at less than the state average, eg, think of Chisholm, think
of Kooyong, and so forth. The likelihood is, if we just focus on Higgins, that's
Stonnington which the Redistribution Committee proposes to be divided between
30 Melbourne Ports and Higgins. Stonnington, which is currently wholly within the
division of Higgins. Higgins is likely at a future date to have to pick it back up
again, right, to make up for its numbers and to deal with the likely future surplus in
Melbourne Ports.

35 MR HEEREY: There would be a problem with the Act - - -

MR EASSON: I beg yours?

40 MR HEEREY: Yes, there may be a problem with the Act here, Mr Easson, in that it
requires us to focus on the projection date, which is three years up to 2014, I think,
and fix the divisions on figures as at that date, as opposed to an indefinite
projection into the future.

45 MR EASSON: Future. Well, that's true, but I'm making, perhaps, a less important
point, the one that I've just made. The more important point is the criteria of the Act.
One of the criteria that you've got to deal with is the boundaries of existing divisions,
and I made a reference earlier to the fact that Stonnington is entirely within the

5 division of Higgins; Punt Road is a major road boundary. It's the western boundary of Stonnington council. We're saying, "Let's keep it together, except for that minor one and a bit thousand that go to Chisholm. Let's keep it together in Higgins," and by doing that, you will have far fewer changes involving Melbourne Ports and Goldstein.

10 So just to sum up what we do in this area, what we do with Higgins is we keep the Stonnington part together in Higgins; that's the existing boundary do we keep. With Higgins we also retain in Higgins the existing part of Glen Eira council which is within Higgins. We retain in Goldstein that 5000-odd electors which the committee had proposed to go to Higgins. We retain that in Goldstein. And in the case of Melbourne Ports, we retain most of the Glen Eira part, which is currently in Melbourne Ports. So if, for that area below Glen Huntly Road. So that's a major road; it's hardly a minor street. And that's the effect of what we do.

15 So, say with Melbourne Ports, under the committee proposal in terms of the future number, the committee has Melbourne Ports gaining 20,702, losing 28,128, whereas the ALP objection only has Melbourne Ports gaining 2394, ie, the Docklands part, for Melbourne, and losing 9888 future electors, ie, that section of Glen Eira south of
20 Glen Huntly Road. And a similar story applies with Higgins. Instead of gaining nearly 25,000 electors, it only gains 8609; instead of losing 21,890 electors, it only gains [sic] 3582. So, by any criteria, you would have to say that the changes proposed by the ALP by being more in keeping with the existing boundaries are a superior proposal than that of the commissioners.

25 And when you consider, also, that Melbourne Ports boundaries have been unchanged since 1990, both Prahran and Malvern have been in Higgins since 1990, it's a further supplementary point to the existing boundaries criteria for those divisions. That completes the Melbourne Ports, Higgins, Goldstein. I'd like to just quickly go
30 through a few other areas. The one objection which we make, which doesn't involve better council boundaries, is that which we propose regarding La Trobe and McMillan. Just to summarise the issue facing the commissioners and earlier Redistribution Committee: it was essentially what part of Cardinia do you delete from La Trobe. We're talking about 4,500-5000 electors. What part would you
35 delete from La Trobe and place in McMillan?

The ALP objection basically says, "Hey, we would prefer that you not take this northern end of Cardinia Shire. We'd prefer that you'd unite Pakenham suburb together in the division of McMillan." And whilst I don't often like to quote from
40 others' submissions, and I certainly do not know this person, I would refer the commissioners to the comments on objections made by Dr Mark Mulcair, in which he wrote concerning these divisions of La Trobe and McMillan, but the mountain towns of Cockatoo and Gembrook arguably have a stronger link with the rest of the Dandenong in La Trobe than in McMillan, and placing all of Pakenham in McMillan
45 both unites the suburbs in one division that's split between McMillan and La Trobe at the moment, and provides a better spread of the Casey, Cardinia growth areas

across Holt, McMillan and La Trobe. That's all I would like to say about those two divisions.

5 The next matter to which we objected to concerned the divisions of Wannon, Corangamite and Ballarat. What we tried to do there is place the Pyrenees Shire wholly, move that from Wannon to Ballarat. No further change is required to Wannon. So, it's so high up in terms of the future numbers that removing the Pyrenees Shire doesn't require any further adjustment for Wannon to meet the numerical requirements under the Act. Then what we do is we place that part of
10 Golden Plains currently in Ballarat, and move it into Corangamite. Now, in nineteen – prior to the last redistribution, that is from 2002/03, Golden Plains Shire was split between three divisions. That is Ballarat, Wannon and Corangamite.

15 In 2002/03, the then commissioners moved that section of Golden Plains Shire from Wannon – the part which Wannon had – and moved it into Corangamite. We're saying, let's go the next step, and instead of having Golden Plains Shire divided between two divisions, let's unite it wholly within the division of Corangamite. In the case of Pyrenees Shire, half of that shire was in Ballarat prior to the last redistribution. We place it wholly within the division of Ballarat on this occasion.
20 Pyrenees, which is another amalgamation of three shires down in 1994, has been mostly in Ballarat if we go back from federation to the current date. So we think that makes sense. The final objection which I would like to comment on from the ALP concerns the divisions of Batman, Jagajaga and Scullin.

25 We've heard from Jenny Macklin earlier and from a representative of the health service about community objection to the splitting of West Heidelberg from Jagajaga. But, as Mr Killesteyn imputed, if you want to have something put back in, you've got to propose what changes you would like to make. We, ideally, would have liked to have kept West Heidelberg in Jagajaga, but we couldn't work out a way
30 to achieve that objective without wholesale changes to other divisions. So what we did was say, "Okay, let's look at those three divisions, and let's see if we can improve on what the commissioners have proposed without coming up with a proposal which has knock-on effects to other divisions. So, what we do, in the case of Darebin, is we keep it united in the division of Batman.

35 At the 2002/03 redistribution, that little section of Darebin City was moved from Jagajaga to Batman, so, for the first time, all of Darebin was in the division of Batman. Let's not split it again. Let's keep it together in Batman, and that's one of the side bars of our objection in this area. The second major part of what we're
40 proposing is that all of Banyule City should be transferred from Scullin to Jagajaga. Under the commissioners' proposal, that city area is currently divided between Scullin and Jagajaga. Under the commissioners' proposal, they divide the city two ways so - - -

45 MR KILLESTEYN: Which city was that, Shane; which city? Which are you - - -

MR EASSON: Banyule.

MS MACKLIN: Banyule.

MR EASSON: Right. Sorry. What we say is, look, let's retain the current two-way split. The split would be between – because we couldn't work out a way to keep
5 West Heidelberg in Jagajaga, let's take that part of Banyule from Scullin, place that in Jagajaga. It has the effect of enabling Scullin to gain parts of the rural section of Jagajaga, and it also manages to avoid a problem noted by Danielle Green, the MLA for Yan Yean, where she, among other things, objected to the splitting of the town of Diamond Creek which, under the commissioners' proposal, would have been split
10 between Scullin and Jagajaga. Under our objection, we also solve that problem. So to sum up, we keep all of Darebin together in Batman. We take that part of Banyule from Scullin and place that into Jagajaga, and then we are able to keep Diamond Creek together in Scullin by moving a part of the rural area of Jagajaga.

15 MR KILLESTEYN: Sorry, Shane, could I just clarify. Your proposal, does that keep West Heidelberg in Jagajaga or not?

MR EASSON: No, it doesn't.

20 MR KILLESTEYN: No.

MR EASSON: We agonised – if you look at our comments on objection, we expanded on that little point, right. One reason I am groaning is – for the redistribution that I have done over the years, and sometimes you can't get what you
25 would like to achieve because, as you well know, commissioners, the numbers are paramount, right. Community of interest has to take second place to the numerical requirements. The final point which I would like to make confirms the Liberal Party's proposed Aston and I will only take a couple of minutes. We make the – what they do there is, they object to the Endeavour Hills area moving from Holt into
30 Aston. They, instead, propose that that go out but that Aston move west across Dandenong Creek into the Monash Council area.

The problem, in our view, is under the Liberal Party objection concerning Aston, whereas Monash is split between three divisions under the commissioners' proposal,
35 the Liberals would split that council area four ways; and they do the same with Casey which is currently split between three divisions, they would do it to four. Moreover, Dandenong Creek is both a local government boundary and the existing boundary for Bruce and partially for Aston and proposed by the commissioners to be extended. And you have also got, next to Dandenong Creek, Dandenong Valley
40 National Park and Jells Lake.

Now, I mentioned earlier this Mark Mulcair. He suggested in his objection something similar to what the ALP had done regarding this whole Aston, La Trobe area, and thought that the surplus of Holt – and Holt, remember, is within the Casey
45 City local government area – he suggested that Narre Warren-Cranbourne Road be a boundary between La Trobe and Casey, and that way you could deal – sorry, La Trobe and Holt, and that way you could deal with the surplus of Holt. And at the

5 same time you would, under that proposal which I commend to you, you would be able to have Aston as entirely a Knox Council division, right, rather than being split between a couple of council areas. Aston under that objection by Dr Mulcair could be entirely a Knox City division. So I think you have heard enough figures from me, so any questions?

MR HEEREY: Thank you very much, Mr Easson. Thank you.

10 MR EASSON: Thank you.

MR HEEREY: Well, Ms Macklin, do you want to make any comment about the West Heidelberg issue?

15 MS MACKLIN: Is that all right?

MR HEEREY: Yes, please.

20 MS MACKLIN: Just to follow up from Mr Easson's submission, particularly in relation to the suggestions around West Heidelberg, obviously I do think that this is a very particular case because of the very high levels of disadvantage and the relationship between the needs of those people, and particularly Banyule City Council and the hospital. So I would strongly argue that you have another think about that. One way that – obviously there are all sorts of changes that can be made to other parts of the boundaries. There is, I don't think, the same need to manage community of interests in other parts of the boundaries around – between Jagajaga, Batman and Scullin. So one option may be to move Batman up into Scullin to take in the Bundoora to the ring road section, that might be one way of expanding Batman.

30 Another is to, as has been suggested, to take that area of Bundoora east of Plenty Road into Jagajaga. That could be done or not done. I don't think that either way that community of interest issue is not as intense. It depends on the numbers. I agree with the points about Diamond Creek and Hurstbridge, that you could put those into Scullin to keep the Jagajaga numbers more manageable. So that might be a way of looking after the people of West Heidelberg. I would put them as the priority.

35 MR HEEREY: Yes, all right. Thank you very much for that. Yes. I think Councillor Carbines and Mr Prout are here. Is that right? Would you like, gentlemen, to take another chair so you can both sit at the table?

40 MR A. CARBINES: Thank you. Good morning. My name is Anthony Carbines and I am a Banyule City councillor, and I am here today in my capacity as a representative on the Committee of Neighbourhood Renewal for West Heidelberg; here with Harry Prout who will also have something to say on these matters. We have been asked to, as representatives on the Committee for Neighbourhood
45 Renewal in West Heidelberg, to represent the views of that group in relation to its submission to the commission, and as a way of background, the neighbourhood

renewal committee was established some years ago to provide a mechanism for the West Heidelberg residents to have greater advocacy and greater say with non-government agencies, with local government, with state and federal government in the local area to try and coordinate and better manage, and better reflect the needs and the advocacy of the residents of that community.

That has been its role over these past few years and, as part of that and in taking into account the work of the commission with regard to the draft boundaries, the neighbourhood renewal committee has wanted to put forward the view on behalf of the local residents that the work that has been done over the past years to provide greater confidence and greater integration of services and advocacy in the West Heidelberg area, people are concerned that the change in the boundaries and the change in the focus around some of those aspects of that advocacy and the way in which that works in the community with different agencies will be affected by a shift in the boundaries that provides, I suppose, not identifying or acknowledging the strong community of interest that exists in the West Heidelberg area and how that relates, not only in West Heidelberg 3081 but the same postcode suburbs of Bellfield and Heidelberg Heights, Heidelberg Heights originally being all named originally as the one suburb of West Heidelberg. And the Waterdale Road boundary that is proposed at this stage really directly – on the other side of the road, is really of no consequence in terms of the suburb boundary. It is all 3081. It was all originally West Heidelberg. It is all very much the same community.

The people through that area have indicated in their representations to us, as members of the committee, to point out that people in that area associate themselves, certainly to the east, as both Banyule City Council residents and the old City of Heidelberg. Heading into the east is also where they associate themselves. It is where they have always sought advocacy in terms of their federal representation. It is where they have sought advocacy and representation in terms of local government. It is where they have sought advocacy and representation just in their community affairs. And the boundary of the Darebin Creek isn't one that, whether it's for schooling, for community activities, for integration involvement with the local community more generally, it has always been to the east rather than to the west.

So those are some of the aspects that have been raised with us and, while we understand that the paramount issue for the commission is with regard to meeting its requirements around overall population and numbers, we think that the aspect that people have asked us to remind the commission about and to advocate in concern of – local residents' concern and anxiety about what is proposed, given the progress that is being made and has been made over a number of years around local improvements and advocacy in the community, has been that the community of interest in that area is paramount and is perhaps a strong argument that we have been asked to represent, based on perhaps meeting those statistical requirements that you need to meet in relation to other aspects of the draft boundary for Jagajaga.

And that, I think, is really trying to sum up the aspect that we have been particularly asked to represent to the commission in relation to the effect the draft boundary has

in relation to the community of interest in that West Heidelberg area compared perhaps with, and I think look at the range of submissions and the determination and the willingness and the motivation of a range of organisations through that area to make those points to the commission for consideration, and how that is perhaps not reflected so much in other areas with regard to the boundaries is perhaps – one could observe, is that particularly because of those community interest arguments and a need to make that – make those points clear for consideration, serious consideration for the commission in its deliberations.

5
10 So I will probably finish on that note because they are probably the key points that I have been asked to raise on behalf of the residents, and it is that aspect around, yes, there is statistical requirements that need to be met but the very strong community of interest argument, in that area particularly, is one that we felt we really needed to represent to the commission based on the points that have been raised with us as members of that broader 3081 group.

15
MR HEEREY: Thank you. Thank you, councillor. Mr Prout.

MR H. PROUT: Yes, good morning, members. Sorry we are a bit late but we thought we were on at 10.

20
MR HEEREY: No, you are on schedule. We were just a bit ahead of you.

MR PROUT: Yes, as Anthony said, I am Harry Prout and I have been a member of the steering committee of neighbourhood renewal for whom we are representing today, but I am also a resident of West Heidelberg and have been for about 10 years, and involved with the community that has been working in the area for 13 years now. And without repeating what Anthony says, or just sort of adding to it, I suppose, I think – without preaching to you, I think the best and most reliable way to build an individual and a community and a neighbourhood and a society is to help build strong, firm, lasting relationships; and that, in my mind and I think in the experience of a lot of people, is what has happened in West Heidelberg, Heidelberg Heights, Ivanhoe, Bellfield, that whole area.

25
30 I think that building relationships has happened particularly because of the unity that has built people, based on common disadvantage and also the history of the building of the village for the Olympic Games. And I think it is the strong opinion of a lot of people that to break those relationships would be to disadvantage that community that has already got strong connections. And I don't know if you are aware, but there is that Darebin Creek, it's not just a creek, it is this massive big concrete wall for letting people – they don't go that way, they relate more to Heidelberg, Heidelberg Heights and Ivanhoe. So it's quite a natural boundary and I think that the proposal would be causing an unnatural boundary. So it's that kind of relationship, the connectedness, the passion that people have for that area, that to feel like they belong somewhere else now would be like shifting them: well, you don't belong to this family any more, you belong to this family. And I think that would break a lot of – you know, a lot of passion and a lot of goodwill and strength that's there.

MR HEEREY: Thank you.

MR KILLESTEYN: Could I ask, and this may be a question that others wish to comment on – I mean, the committee has been looking at options already, and one is
5 that Heidelberg Heights and West Heidelberg could be united in Batman and Ivanhoe returned to Jagajaga. So, in one sense, that achieves a community of interest perspective in that it retains communities together, but it's in a different electorate. Would anyone care to comment on that? Does that satisfy a community of interest
10 criterion for you?

MR PROUT: Well, my – if I may - - -

MR KILLESTEYN: Yes.

15 MR PROUT: - - - would be that that little community there, Heidelberg – West Heidelberg, sorry, Heidelberg Heights, again, it's – there's not the relationship at all with people across that creek. They tend to relate more, and have historically, and still do socially relationally, and I think there's a – while there are different demographics in there, that's where they belong in their mindset, I think.

20 MR CARBINES: Perhaps I'll make a point and then I'll step aside if others want to comment, but probably two things. One would be, not only the 3081 area, but through Ivanhoe and parts of 3084 in the Banyule area. There are others within that community who feel a sense of engagement and a commitment around their
25 contribution to the community activity that happens through 3081, and that, I suppose, is – you know, if reflected in why there's an LGA – or that's the old City of Heidelberg, why it's Banyule – how those organisations and locals integrate and associate with other aspects of that heading east, which is just a natural way in which people, you know, associate and contribute to community life in that area.

30 So the consequent position might be that it's moving more, or alienating more, into a different area as opposed to – you know, it's just – is it just less of the same problem. So – but, anyway, I'll step aside if others have a - - -

35 MR HEEREY: I think Mrs Macklin might like to comment on that - - -

MR CARBINES: - - - point to make.

MR HEEREY: Thank you, councillor.

40 MR CARBINES: Thank you.

MS MACKLIN: Can I just stand here, is that - - -

45 MR: Wherever you like.

MR HEEREY: Take a seat - - -

MS MACKLIN: Okay, thanks.

MR HEEREY: - - - so we can get her on the record.

5 MS MACKLIN: Just to comment on your suggestion to go back to my primary
point, that people in West Heidelberg that we're talking about are the most
disadvantaged group; they are the people who rely on the services of Banyule
Council and the Austin Hospital more than anybody else in my whole electorate, and
I think they are actually advantaged by being in that environment, in an environment
10 where they're surrounded by people who can support them. So I think that would be
to their extreme disadvantage to go down that path.

MR KILLESTEYN: Even though they would still be united in one sense.

15 MS MACKLIN: I beg your pardon?

MR KILLESTEYN: Even though they would still be united.

MS MACKLIN: Yes, but that's not my fundamental point.

20

MR KILLESTEYN: Yes.

MS MACKLIN: My fundamental point is these are very disadvantaged people who
rely on the services of Banyule City Council that, in my opinion, are better able to
25 support their needs.

MR KILLESTEYN: Okay, thank you.

MR HEEREY: Yes, Mr Ahmed?

30

MR AHMED: Yes, I just wanted – thanks for giving me time. I just wanted
actually – Heidelberg and West Heidelberg are very similar – they are same. And as
some other community we have been building our – that area long time. We have
got the 17 shops in West Heidelberg mall and some other shops, and West
35 Heidelberg is the largest Somali populated in Victoria, and we have got over 2000 of
the Somalian live in the area. We have – we have been building hospital in Somali
region in Ethiopia, and our hospital we call – we're building it in a place called
Rasso and our hospital's name is Rasso West Heidelberg Hospital.

40 Imagine the name we have adopt and the strong relation we have in West Heidelberg.
Even we are building hospitals in Africa and calling the name West Heidelberg. And
we don't want to lose that sense. Again, our children – Somali children, if you
looked statistic in Victoria, our children is the most children – African children
settled and behaving very well, because we been getting help in our council, our
45 Federal Member of Jagajaga, Jenny Macklin, all the things. And if we become
separated now, we becoming like – we lose everything – our identity. And whole

world of today, if you looked Yemen, two Yemens they are becoming united, one.
Two German becoming united, one.

5 If you put one small community different side and we are just – we've been divided,
and we don't want to see to be divided. And we are very happy where we are,
strongly – we build a relation with our Australian Anglo-Saxon. We are one. We
are helping a hand to our community – the area. Twenty years ago it was a bit rough.
Since we settled, we make it safe; we make it home; we call home more than
10 Somalia, West Heidelberg. And strongly as community leader; strongly as a in
this country, I feel West Heidelberg is home, and I don't like to divide West
Heidelberg two part of Heidelberg. Heidelberg is one. We are very happy where we
are as a community, and we are member of neighbourhood steering committee.

15 I am board of management community health service. We have got so link in
that area, strongly I would be asking today we want to know where we are – West
Heidelberg, and Heidelberg are same. We are very happy our receiving our
local, federal, everything and we don't like – the last thing we like – we will see is
dividing that area in two. And, please – and I am requesting that on behalf of my
community, on behalf of the name we adopted, on behalf of the culture we have, we
20 are very happy where we settled, and we want to remain where we are. Thank you
very much.

MR HEEREY: Thank you, Mr Ahmed. Anybody else want to say anything? Yes.
Mr Danby, I could ask Mrs Macklin, as a Member of Parliament, whether there was
25 any view about the – a major issue in this redistribution, that is the abolition of
Murray. Is there anything you would like to say about that?

MR DANBY: I have been a member of - - -

30 MR HEEREY: Sorry. Would you mind coming up, please.

MR DANBY:

35 MR KILLESTEYN: Yes, just for hearing, please, the record, Mr Danby.

MR DANBY: Certainly not on behalf of the government. I do understand the
Electoral Commission having to fulfil its mandate of keeping seats above and beyond
certain limits, and I think that was a principle that was fought for, amongst others, by
the Labor Party many years ago, and it is a, sort of, a strong element of Australian
40 democracy. It's regrettable that existing seats have to be – might have to be
abolished if your recommendation goes through, or that existing seats have to
substantially change their boundaries, but I understand that that principle is very
important and I certainly support it.

45 MR HEEREY: Thank you. Nothing else? No. All right. Well, I'll now close this
hearing. We thank you very much for attending, notwithstanding the vile weather.
So it's a testament to your interest and enthusiasm. Thank you very much.

MS MACKLIN: Thanks very much for the opportunity. Appreciate it.

MR: Thank you.

5 MR HEEREY: Thank you.

HEARING CONCLUDED at 10.28 am