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**TRANSCRIPT  
OF PROCEEDINGS**

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**PUBLIC INQUIRY OF THE AUGMENTED ELECTORAL  
COMMISSION FOR TASMANIA**

**CONDUCTED IN LAUNCESTON AT BALMORAL ON YORK**

**MONDAY, 10 JULY 2017 AT 11 AM**

BEFORE:

**THE HONOURABLE D. COWDROY OAM QC**  
(Chairperson of the Australian Electoral Commission)

**MR D. KALISCH**  
(Australian Statistician and member of the Australian Electoral Commission)

**MR T. ROGERS**  
(Electoral Commissioner, Australian Electoral Commission)

**MR D. MOLNAR**  
(Australian Electoral Officer for Tasmania)

**MR R. WHITEHEAD**  
(Auditor-General of Tasmania)

**MR M. GIUDICI**  
(Surveyor General of Tasmania)

MR COWDROY: Well, I see it's 11 o'clock and the meeting is to start, the public hearing is to start at 11 o'clock, so we'll commence right now. May I welcome you all, ladies and gentlemen, to this public hearing which is the first of two hearings to be held by the Australian Electoral Commission in  
5 Tasmania. Tomorrow we have a hearing in Hobart and then the deliberations will commence by the augmented Commission.

Can I introduce myself. My name is Dennis Cowdroy. I'm the chair of the augmented Electoral Commission. The other members of the Australian  
10 Electoral Commission present are: Mr David Kalisch on my immediate right and Mr Kalisch is the Australian Statistician. On my left is Mr Tom Rogers, the Electoral Commissioner. The other members who make up the augmented Electoral Commission are: Mr Rod Whitehead, the Auditor-General of  
15 Tasmania, on my far right, and on my far left is Mr David Molnar, the Australian Electoral Officer for Tasmania. On his right, that is on Mr Rogers' left, is Mr Michael Giudici, the Surveyor General for Tasmania.

Part IV of the Electoral Act sets out the requirements to be followed in conducting redistributions. Under the Act, redistributions take place every  
20 seven years or if there are particular circumstances that warrant an earlier time for review. In this instance, this redistribution in Tasmania is required because more than seven years have elapsed since the last redistribution was determined.

25 In accordance with section 66 of the Electoral Act, the Redistribution Committee for Tasmania has prepared a proposal for the redistribution of Tasmania into five Federal electoral divisions. The proposal, together with the written reasons for the proposal required by section 67 of the Electoral Act was released by the Redistribution Committee on 5 May of this year.

30 In accordance with section 68 of the Electoral Act, interested individuals and organisations were invited to make written objections to the proposed redistribution and to provide written comments on those objections. A total of 11 objections and eight comments on objections were received within the  
35 required time frame.

The augmented Electoral Commission is required by subsection 72(1) of the Electoral Act to consider all objections lodged in relation to the redistribution proposal and all comments on objections. The inquiry here today, and in  
40 Hobart tomorrow, provides the opportunity for members of the public to make oral submissions about those objections.

The Electoral Act specifies how the redistribution process is conducted and which factors are to be taken into account. Subsection 73(4) of the Electoral

Act states that the primary consideration for the augmented Electoral Commission is that each electoral division meet certain numerical requirements in the form of a current enrolment quota and the enrolment quota and acceptable tolerances around those two quotas. Subject to an electoral division satisfying those numbers, subsection 73(4) also requires that we have regard to communities of interest within electoral divisions, that is economic, social and regional interests.

We have to have regard to means of communication and travel within those electoral divisions and the physical features and area of electoral divisions. The boundaries of electoral divisions are also considered, but this is of lesser importance. Boundaries may change and often there has to be compensating adjustments to make sure that electoral divisions are within those numerical tolerances.

The inquiry today will be recorded and transcripts of proceedings will be made available as part of the augmented Electoral Commission's report and, therefore, be on the Australian Electoral Commission web site once this report has been tabled in Parliament. I would ask people making submissions to come to the table here in front and please state their name before they commence their presentation.

After this inquiry, we will deliberate. We will endeavour to make a public announcement as soon as practicable. We would ask that speakers be as concise as possible, bearing in mind that the purpose of the hearing is not to debate matters, but rather for you to inform us of your particular field of interest and your proposals and why you consider that the matters you wish to address should be adopted.

Now, today we have several people who wish to speak to us and I have a list of those and we will go through them in order in which they have come here this morning and the first is Mr Geoff Page. Mr Page, would you like to come up and have a seat at the table?

MR PAGE: Thank you. Thank you, Mr Chairman, and thank you to the panel for being here. My name is Geoff Page. I'm the president of the Liberal Party in Tasmania, have been now – this is my fifth year in that job and so I'm here to make a presentation or at least put forward some of the ideas and you would have received in your submissions one from the Liberal Party, Tasmania, through our state director Sam McQuestin.

The Liberal Party favours a minimalist approach to the redistribution. We're concerned by the significant proposed changes to the Division of Bass, which would see the municipalities of Flinders Island and Dorset removed from Bass

and included in the Division of Lyons. I think we already would appreciate the Division of Lyons is a very diverse and large electorate already. This certainly adds to the complexities within Lyons.

5 The Liberal Party believes any changes to the existing division should be limited to only those necessary to ensure the appropriate number of voters are enrolled in each division. This approach ensures the least disruption to the Tasmanian voters. We identified that only the Divisions of Franklin and Braddon are projected to be outside the allowable population tolerances for the  
10 divisions in 2021. All other Tasmanian divisions have a projected enrolment within the allowable population range.

On this basis in relation to Bass, given its population falls comfortably within the required parameters, we believe there is no requirement for changes to its  
15 boundaries. We made this point in our redistribution submission. I note the Labor Party's submission also supported the view that minimal changes are required to meet legislative enrolment requirements and the Labor Party also recommended no change be made to the Division of Bass as it's within the permissible range of projected enrolment.

20 Despite the view of Tasmania's two major political parties that no changes are required to Bass, the Redistribution Committee has proposed the relocation of the municipalities of Flinders Island and Dorset to the electorate of Lyons. The Liberal Party notes that in making the proposed redistribution, the  
25 Redistribution Committee is required by the Electoral Act to give due consideration to a number of key factors not just population, we understand. These include the community of interests, including economic, social and regional interests and means of communication and travel within proposed electorates, as the chairman outlined earlier on.

30 I believe the relocation of Flinders Island and Dorset interlines is not only unnecessary, but it would significantly impact community of interests in those municipalities and is inconsistent with existing means of communication and travel. In relation to the Dorset Shire, it's been pointed out by the Dorset  
35 Mayor, who is sitting next to me here today, in their submission the Dorset region has been part of Bass for more than a century.

Launceston is the major regional centre for business, retail, education, health and cultural activities for the people of north-east Tasmania. The residents,  
40 businesses, industry and community groups of the Dorset Municipality have significant connections with Launceston. These connections do not exist and would not be replicated in Lyons. The principal road and transport links for townships throughout the Municipality are directly to Launceston, which is the major shopping and service centre for residents. The people of Dorset Shire

have few such links with the east coast or, indeed, Southern Tasmania, even into the north-west where the Lyons electorate is set out.

5 By way of example, as pointed out by the Liberal Bass MP, Sarah Courtney, the Scottsdale High School has a successful school to college partnership with the Launceston College in the year 11 and 12 extension program. I also note that the transfer of Dorset to Lyons is strongly opposed by the Dorset Council, who believe it would significantly disadvantage their residents.

10 In relation to Flinders Island, the issues of community of interests and transport connections are even more significant in consideration of Flinders Island. It's indisputable that the residents of Flinders Island look to Launceston as their major Tasmanian mainland link. Flinders residents travel to Launceston for their education, health, business and retail services and many Flinders Island  
15 families send their children to school in Launceston.

These residents of an isolated community have a distinct connection with Launceston and little or no community of interest with the Division of Lyons or its towns. Transferring Flinders Island into Lyons would significantly  
20 disadvantage Flinders residents, particularly if they have a need to gain direct access to their parliamentary representatives.

In relation to the Lyons electorate, I would like to make some comments in regard to exactly how the dynamics, at least, of that Lyons electorate. Lyons is  
25 our largest electorate. It has the most dispersed population of any division in Tasmania. It's sometimes referred to as that bit that's left over. The Liberal Party is concerned by the proposal to add two municipalities to Lyons, significantly increasing the electorate's area.

30 Lyons is already a challenging division for its parliamentary members to serve. Adding two large municipalities, one of which is an isolated island, would not only add to the difficulties faced by MPs, it would also diminish the level of access to their parliamentary representatives, currently experienced by the residents of those municipalities.

35 In summary, as I said at the outset, the Division of Bass is within the projected allowable population parameters for enrolment. While rebalancing is needed in some other divisions, the Liberal Party believes rebalancing should be done in a way that involves minimal changes and the least amount of impact on  
40 voters.

The Liberal Party therefore does not support proposed changes to Bass boundaries. We think that the proposed changes impact unfairly and unnecessarily on the residents, businesses and community organisations in

Dorset and in Flinders Island. We recommend the Redistribution Committee consider other available options to achieve the required population rebalancing within Tasmania's five electorates. Thanks very much.

5 MR COWDROY: Thank you very much indeed, Mr Page, for that. We have made a note of that. That would be considered in our deliberations.

MR PAGE: Thank you, gentlemen.

10 MR COWDROY: Thank you for your attendance today. The second one in order was Mr John Beattie.

MR BEATTIE: My name is John Beattie and I live in the Dorset Municipality. I've already made two submissions to the Electorate  
15 Redistribution Committee in OB8 and COB7. In both cases, I objected to the proposal that the Dorset Municipality be transferred to the Division of Lyons. I submitted an alternative for the current proposal in CBO7 and made the following suggestion:

20 *The Dorset Municipality to remain a Division of Bass and that Hadspen, Carrick and Prospect Vale, Blackstone be removed from the Division of Bass and added to the Division of Lyons.*

For clarification in my submissions, CBO7 at para 2, line 3, a word should be  
25 changed from Lyons to Bass. To support this proposal, I wish to reconfirm some points and add some further detail, however, there is an important point that needs addressing. Greater weight appears to be given to a small cohort of contributors, some who have previously made submissions to every state and territory in Australia. When one reads the following from Waddell, OB3,  
30 which says:

*I thank the Redistribution Committee for proposing the boundaries of Bass as either partly or fully proposed by myself, Gordon, McSweeney, West Tamar Council, Mulcair and Hart -*

35 goes on -

*the fact that five individuals all came to the same conclusion in isolation -*

40 and that word is to be underlined -

*shows the proposed boundary changes for Bass are logical.*

It's hard to believe that the conclusions were formed in isolation when the comments from Waddell in CS3 in the objections to the public suggestion stated:

5            *Those I consider my peers, Gordon, McSweeney, Mulcair, Gordon, as noted in Martin's submission, I did send an early draft of my suggestions to both Martin and Mark once I had crunched the numbers.*

10           In regard to community interest, the Redistribution Committee has presumably been selected for their business acumen, mathematical and statistical ability and their general knowledge of the Tasmanian geographical, social and community factors. This would ensure that communities are no worse off in regard to social and economic factors for the maintenance of regional community interests after these statistical requirements of redistribution are  
15           achieved.

20           In reading the redistribution proposal, it is difficult to determine where the community have exercised their local knowledge, as they appear to be relying on submissions from authors, some who do not live in Tasmania. Apart from the numerical requirements of the redistribution process, there are three important criteria and when the Redistribution Committee addressed these points, they made the following statement in their report at page 1442:

25           *The Redistribution Committee also gave due consideration to the factors required -*

which then lists them in brief -

30           *community interests, means of communication, physical features and regards to the boundaries.*

35           The statement of due consideration has been given to community interests and communications must be challenged. This point is also supported by McSweeney in OB1 of the statement. The Committee has failed to provide anywhere within the report any reasoning behind making particular moves outside the numerical requirements. Nowhere in the report is there consideration of the merits of Dorset and Flinders over Meander Valley.

40           In regards to community interests, the argument of the West Tamar Council, S13, in part states:

*It's become apparent, particularly during the 2016 Federal election that Council must represent in both electorates and, as such, it can be difficult for Council to achieve an overall package in the Municipality.*

The current proposal does not recognise the issue from the Meander Valley Council. As the argument for West Tamar has been accepted, surely it must be accepted for the Meander Valley Council and support the proposal for all Meander Municipality to be in Lyons. My proposal is also supported by Gordon, OB2, where he says:

*Maintaining local government areas as a whole is selectively applied, for instance, to West Tamar and Dorset Councils, but not to Meander Council. Whilst existing boundaries are maintained, Denison and Franklin, but significant changes are made without sufficient explanation to parts of Bass and Lyons.*

This possible lack of examination of community interests for the Dorset Municipality by the Redistribution Committee can also be further demonstrated by an examination of Appendix F, which is the Redistribution Committee response to themes contained in suggestions and comments on suggestions in Table N. In this Table, community interest is listed as a reason for making change. In fact, community interest is mentioned 17 times at Table N, however, none refer to the Dorset Municipality. The two times that the Dorset Municipality is mentioned is accompanied by the bland statement, “The Municipality of Dorset be located in the proposed Division of Lyons.”

In Chapter 2 of the report at page 22, para 66, notes that:

*The proposal is also consistent with parts of the 12 suggestions and six comments on suggestions which propose changes to the electorate divisions and boundaries.*

Nowhere in the report is there specific reference as to why three suggestions from the invitation from the public suggestion section to move the southern part of the Division of Bass in to the Division of Lyons and two comments from the comments on public suggestion supporting parts of Meander Valley, currently in the Division of Bass, be transferred to the Division of Lyons. All the above support West Tamar to be in the Division of Bass, along with the Municipality of Dorset.

In my submission, OB8, I provided a number of instances as to why there was virtually no community interest between the Dorset Municipality and the Division of Lyons. This point is also supported by Gordon in OB2, therefore, there must be a query in regard to the statement in the executive summary on page 5 of the report that the Redistribution Committee considers the proposed redistribution of Tasmania will result in electoral divisions which – at number 2 says:

*Keep together and unite existing communities of interest as represented by local government areas.*

5 And it has got a rider there “wherever possible” and of course it’s my belief  
that everything is possible. In regard to communications: in regard to  
communications, I must restate the points that I made in OB8. The means of  
communication and travel within the proposed Division of Lyons is an issue of  
10 great significance and does not appear to have been given sufficient  
consideration by the Redistribution Committee.

The proposed Lyons division will bring 40,914 square kilometres or  
54 per cent of Tasmania. This will be a major obstacle to any Federal member,  
and possibly state members, attempting to fully service the electorate in an  
15 efficient and timely manner. At present, the community in Dorset has access to  
both Federal and state members of parliament, their offices in Launceston.  
This is a significant factor when one considers the situation in Dorset where  
parliamentarians are spread over just half of Tasmania.

20 At present, the state members have their offices in Bridgewater, Sorell, two,  
Longford and one in Launceston. Similarly, the office of the Federal member  
is located in Bridgewater. The lack of communication, knowledge is evident in  
a number of submissions where they are mainly based on statistics and maps,  
but are lacking in a basic knowledge of regional Tasmania.

25 In my submission, OB8, I outlined a hypothetical situation regarding a  
candidate being elected and then the electorate boundary changed. There is,  
however, a recent event that may have similar consequences, assuming the  
state boundaries follow the Federal ones at present. At the recent Tasmanian  
30 Labor Party conference, candidates were selected for various state electorates  
for the state elections due in 2018.

One of those selected for the Division of Bass was Dr Owen Powell, a young  
man who lives in the Municipality of Dorset, just outside Scottsdale.  
35 Dr Powell manages a dairy farm and is active in many aspects of political  
debate. If the current proposal to base the Municipality of Dorset in Lyons, it  
is pretty clear that Dr Powell’s political career may have finished before it  
started or, in the very least, received a major setback.

40 In summary, I am surprised at the regard given to the invitation for suggestion  
submissions in November and December 2016 and their effect on the proposal.  
As noted previously, one author was certainly from the mainland and the  
location of others could not readily be identified. I strongly believe that the  
Redistribution Committee should utilise their knowledge of Tasmania as a

primary source in their decision-making process. I believe that if the current proposal becomes law, it will result in Dorset residents becoming isolated and in some cases feel abandoned by their electoral representatives and this will have a detrimental effect on the current rehabilitation process to overcome the industrial downturns and the higher unemployment of previous times.

It is imperative that the strong lines of communications that the community has built up over some 100 years between the Municipality of Dorset and the Division of Bass should not be destroyed. I, again, request the Redistribution Committee to ensure that the Dorset Municipality remains in the Division of Bass, that Hadspen, Carrick and the Prospect Vale, Blackstone be removed from the Division of Bass and added to the Division of Lyons.

To this, I encourage the Redistribution Committee to utilise the provision of a second redistribution proposal as outlined on page 35, number 141, of their current proposed report. Thank you.

MR COWDROY: Thank you very much, Mr Beattie. We have both your written and your oral submissions to help us and they will all be considered.

MR BEATTIE: Thank you.

MR COWDROY: Thank you for your attendance, Mr Beattie. Mr Howard, Mr Greg Howard? If you could state your full name please, Mr Howard, for the record.

MR HOWARD: Greg Howard. I'm the Mayor of the Dorset Council.

MR COWDROY: Thank you.

MR HOWARD: Thank you, Mr Chairman, for the opportunity to present and to the panel. Much like the two previous speakers, we have a major objection to Dorset being removed from the Bass electorate and transferred into the Lyons electorate. I don't actually think that a case has been made for any change at all to the Bass electoral boundaries or the Lyons electoral boundaries, given that they both fall within the numerical requirements of the Electoral Act, but if one were to be made, we would concede that - as the Mayor of a Council, it could concede that the proposal to include the whole of West Tamar into the Bass electorate would be a reasonable argument, given that to deal with two Federal members as a Mayor or a Councillor and also to have to deal with potentially 10 members of the House of Assembly in the state election, given the state boundaries will follow the Federal boundaries, is a difficult process.

But on that same basis, if you were to include West Tamar into the Bass electorate, I think the same premise should apply to that part of the Meander Valley Council region, which currently sits within Bass, should be transferred into Lyons to alleviate the same problem. So that is really my only  
5 concession on changes to the boundaries, but I still don't concede that a change is absolutely necessary.

MR COWDROY: Yes.

10 MR HOWARD: In terms of Dorset's movement from Bass to Lyons, my Council is united in opposition to that, as are the community. We have done extensive consultation with the community in Dorset and I have not found a single person who agrees with the proposal to move us out of Bass. The  
15 community of interests thing is, I think, a major point. As the previous two speakers have said, all roads from Dorset virtually lead to Launceston or certainly into the Bass district, apart from the Tasman Highway, which goes to St Helens. So pretty much all of our freight, both inward and outward, either come through the Bass electorate. All our cultural ties, all our sporting ties, all our educational ties, our health, all come from the City of Launceston and so  
20 therefore we have a major – a major – attraction between the two areas.

We also in accordance with that, the Dorset community is a major economic driver of the northern and the Launceston economies. So we are a – we produce a very large percentage of – or actually nearly all of the wood product  
25 that goes out through the Bell Bay wharf. We produce a large percentage of the vegetables that are produced in Tasmania, most of which come via Launceston. We produce a large percentage of the milk product, dairy product and also finished livestock.

30 So even though we're an agricultural region and part of Lyons is an agricultural region, we are actually a different form of agriculture in terms of how we operate in that we're an intensive agricultural region as opposed to the broader agricultural regions in most of the Lyons electorate.

35 So our other issue is, of course, around representation. In the past, we have been fortunate enough to have people from the Municipality of Dorset elected to – certainly to the state parliament – and I'm not sure whether we've ever had a Federal member, but we think that for us to be located in Lyons would remove all chance of anyone from the Dorset Municipality being elected to  
40 either the state or the Federal parliament.

The majority of the population of Lyons is going to be located around the Brighton, Sorell, Derwent Valley municipalities and the chance of someone from the Municipality of Dorset being well enough known to gain enough

votes to even sneak into the five at a state level is almost impossible and to be well enough known in the rest of the Lyons electorate to actually gain a seat in Federal Parliament is zero, essentially.

5 As I said, we have in the past been successful in having people from Dorset elected to the state parliament and I still think that is the real reason and I think that on its own is probably a good enough reason that all people in Australia should at least be a chance to be elected to Parliament, if they so wish.

10 The other risk, I think, is that in the current climate, I think a reasonable percentage of the community have become disengaged with politics and I think that's a massive shame and I think that it's not only a right, but it's really a priority for people's involvement that they should be engaged with politics. I know you've only got one vote, but every vote counts and it is important.

15 I'm really worried that should we be transferred from Bass into Lyons that we would actually disengage the Dorset community from the political process because I don't believe that they would have any interest in the Lyons electorate and the access that they would have to the members would be very  
20 minimal and I quote this morning in discussions with the Mayor of Break O'Day, Mick Tucker, that the Federal member has only been to the Break O'Day electorate twice since his election in the last 12 months.

I would suggest that's probably going to be less if he would come to Dorset,  
25 and certainly to Flinders even less than that, and it's probably going to be twice in the three-year period, once to put his signs up before the election and once to take them down after the election. So other than that, I can't see them coming too often to Dorset, simply – even when you're at St Helens, it's another hour and a half to get to Scottsdale and to Bridgewater and then a plane trip and  
30 some to go to Flinders Island.

So I think that our access to both Federal and state parliamentarians, if we're to move, is going to be difficult. It's a short hour trip from Scottsdale to  
35 Bridgewater to Launceston at the moment to see both our Federal and state members. Our Federal member at the moment, Mr Ross Hart, has been to Dorset on more than a dozen occasions in his 12-month period, so – and our previous representative in Andrew Nikolic was there on – well, on a very, very regular basis.

40 So I think that Dorset will be severely disadvantaged should we be moved and, as I said, I can't see where a case has been made for any changes, but the only concessions I would make that if they – if you insist on making one is that all of West Tamar would come in and that part of Meander Valley that is in would be moved back into Lyons and that makes it easier for council and

municipalities. Thank you.

5 MR COWDROY: Thank you, Mr Howard. Your written submissions also will be taken into consideration with your oral submissions and I think your oral submissions have expanded and made much more meaningful the written submissions. So thank you for your attendance.

MR HOWARD: No worries. Thank you.

10 MR COWDROY: Thank you. And the next person who would like to provide us with information is Nigel Burch please. Mr Burch, would you like to have a seat at the table?

15 MR BURCH: Could I just pass that around. It's one of my books.

MR COWDROY: I follow. Thank you. Thank you. Brandy Creek: How Beaconsfield Began by Nigel Burch.

20 MR BURCH: Yes.

MR COWDROY: Thank you.

MR BURCH: Pass it around and I'll get it back later.

25 MR COWDROY: Yes.

MR BURCH: Have a look. I will give you a written copy of what I say.

30 MR COWDROY: Thank you.

35 MR BURCH: So my name is Nigel Burch. I'm a historian. I've written five books on Tasmanian history. That's my history of Beaconsfield, just as an example. If you go to Beaconsfield, you'll see a heritage square in the centre of town and West Tamar Council asked me to be the consultant historian on that project and to select the people who were honoured, to find the images and to write the interpretation panels.

40 I'm now engaged on a series of major biographies of the four most significant Tasmanian premiers prior to the First World War. I'm here today to hopefully show you that Lieutenant Governor Denison is not an appropriate person after whom to name the Hobart electorate.

I understand that you've made a preliminary assessment not to change the name, but I believe it's reasonable to reconsider this in the light of new

information, and I can give you references for everything I say. I should say there's been a revolution in history in the last eight years and it's brought about by the National Libraries Newspaper Digitisation Program and Trove Search Engine.

5

This came together with, and built upon, the digitisation programs at the State Libraries. If you type the name Denison into Trove, restrict it to Tasmania and look at the 10 years from 1847 to 57, you get 10,000 references. It takes me about three months to read that many and I can do it from home. Prior to  
10 Trove, it might have taken an entire working life to go to the libraries, get the source material and laboriously read entire newspapers and other works to find those references.

15 You can now see what Governor Denison was doing on a day-to-day basis. You can reconstruct his work, his social schedule, his friendships, and you can do it in a way that wasn't practicable before Trove. And for this reason, Australian history is changing rapidly. Over the next few years all previous work will be reviewed.

20 The name Denison was given in 1903 and this was a time when alternative names were limited by the fact that other, and more appropriate, people were still alive and often controversial. That's why the original names considered on the creation of the divisions in 1903 were Wilmot, Darwin, Denison, Northcote, Flinders and La Perouse. Of these proposals, only Wilmot was  
25 Tasmanian in any meaningful way and within months these names were amended to Wilmot, Darwin, Denison, Franklin and Bass and three of these five were Lieutenant-Governors.

30 Now, a century later, we have far more flexibility and a wealth of prominent Tasmanians to choose from in considering Federal electorate names and you, yourself, showed that when you changed Wilmot to Lyons. Personally, I don't like changing names because it creates confusion for historians, but in the case of Denison, there's a good reason to do it and we have a number of prominent and distinguished Tasmanians who better deserve recognition and we now  
35 know that Denison was not appropriate.

40 For a start, Denison wasn't a democrat. He was a military man who believed his role was to govern and ours was to obey. He didn't even like Tasmanians. When he was asked by Earl Grey what his views were about creating parliament he replied in 1848 that it was a mistake to assume we were English. "Tasmanians," he said, "were crude, self-indulgent and impressed only by money. Then when one of us got money, the others were filled with jealousy."

If self-government were granted to Tasmania, he recommended the creation of

an upper house to constrain the democracy. His despatch to Earl Grey said:

5                   *There is an essentially democratic spirit which actuates the community  
and it was his with a view to check the development of this spirit of  
preventing its coming into operation that I would suggest the formation  
of an upper chamber.*

He proposed the upper house in order to check the democratic spirit and he  
thought it should be compromised of large landowners who sit for life, much  
10 like the House of Lords. The AEC web site references the Australian  
Dictionary of Biography and the Companion to Tasmanian History and I've  
got handouts of those and they themselves help to show how inappropriate it is  
to continue using Denison's name for an electorate. As the Dictionary of  
Biography points out:

15                   *When Earl Grey decided to begin with just one chamber of parliament,  
Denison gerrymandered it so that wealthy, rural landowners were  
overrepresented in order to, in his words, "Neutralise the radical  
tendencies of the towns."*

20 The naming of a democratic Federal electorate of Denison is therefore ironic,  
with Denison himself not believing in democracy. Naming a Tasmanian  
electorate after him is doubly ironic in that he didn't like Tasmanians and  
severed all connection with us when he left in 1855. Denison appointed mates  
25 to key positions wherever he could, but sometimes appointments were made  
direct from Britain and it's interesting to see what these independent people  
thought of him.

The Auditor-General, Mr Boyes, recorded in his diary that Denison was,  
30 "sneering, captious, arrogant and tyrannical," but of course do we care what an  
Auditor-General thinks? Henry Chapman was Chief Justice of New Zealand  
prior to coming here. Henry Chapman was appointed direct from London as  
our Colonial Secretary, the precursor of what we now call the Premier.  
Denison sacked him and appointed a mate in his place. Henry Chapman went  
35 to Victoria to become Attorney-General and he could have been Premier there,  
but turned down the job.

He described Denison as, "One of the most despotic of all our Governors."  
Denison created problems from the moment he arrived in Hobart and took it  
40 over from the dying Lieutenant-Governor Eardley Wilmot. In the words of the  
Dictionary of Biography:

*He came with preconceived notions about punishment. To him its  
purpose was to deter. Convicts were evildoers and talk of their*

*reform was maudlin sentimentality.*

5 And this led to monstrous injustices. One was his frequent refusal to grant full pardons. One of our favourite sons here in Launceston was John Barrett. He had come here as a convict, but became a pillar of the Wesleyan Church and one of our wealthiest merchants. Barrett's crime was when he was a child and in the company of another child, the other child stole an umbrella, but Barrett got life.

10 He was of exemplary behaviour and as an adult was universally known as Honest John, but Denison wouldn't forgive people like him, yet at the same time, as we found out later, the head of the convict department and some other departmental officers were corrupt. They stole houses from the government while they and Denison were contemptuous of their charges who had stolen a  
15 blanket or a loaf of bread.

20 Denison ruthlessly and steadfastly supported transportation, overriding the wishes of the local population. What no one knew was that Denison was receiving a secret salary from Britain, equal to the salary that we paid him as Lieutenant-Governor. This secret payment was the equivalent today of \$20,000 a week and it was to ensure that transportation continued in this colony. He was told that if transportation ceased, so would his secret payments.

25 Denison finally admitted these payments only as he left Tasmania and this was when he was trying to get the public salary for the next Governor increased and I don't think anyone has known about this until now. The consequence of the payments was that Denison was absolutely ruthless and single minded about transportation continuing and this led him to quite extraordinary actions and  
30 inactions.

35 One involved the deputy head of the convict department John Balfe. Balfe was a violent drunk, but he was Denison's man and it's clear that he did things on Denison's behalf that Denison could not do himself. One of the most disgraceful was the assault and battery of a senior member of the Legislative Council Tom Gregson.

40 Gregson was leaving the Supreme Court when attacked at the door by Balfe, who horsewhipped him brutally. There were so many witnesses, including solicitors and magistrates, that a conviction was never in doubt and a huge fine was imposed, but he should have been gaoled. Now, remember that Balfe was deputy head of a government department. He was in charge of people who'd stolen a blanket or a loaf of bread and been transported for life, but he himself had just been convicted of viciously horsewhipping a senior parliamentarian at

the door of the Supreme Court. So did Denison fire him? No. Nothing was said. His fine was paid by friends within minutes and not a word was said by Denison.

5 No matter how much you'd like to, could you horsewhip a senior politician and get away with it? Well, you could if Denison was your boss and didn't like the politician and this wasn't isolated. This was typical of life under Denison. He ruled by dividing and bullying. It's an extraordinary thing that it appears almost certain he was a regular anonymous letter writer to the government's  
10 tame newspaper *The Hobart Town Advertiser*.

Denison's man John Balfe admitted years later that he was one of the vitriolic anonymous writers of falsified and defamatory material in *The Advertiser* under the pen name Dion, directed against members of parliament and leading  
15 citizens, but it appears that his boss Denison was also guilty. Tom Gregson, the MP who was horsewhipped, was given the original of a highly defamatory letter that appeared in *The Advertiser* and it was in Denison's handwriting; no typewriters in those days.

20 It seems that Denison had at least three nom de plumes, Philalethes, Fair Play and Hear Both Sides and he used all to publish libel and malicious falsehoods. When one particularly nasty allegation was published about the much loved Sir Richard Dry, the Speaker of the House – who was Speaker of the House at the time – the anger was such that the colonial secretary was forced to  
25 specifically deny Denison was the author, but he refused to deny the Governor's authorship of other letters. In Parliament, Mr Gregson asked members what they would think of:

30 *The Chief Justice of this colony scribbling in a newspaper and writing in it to the prejudice of the claimant under an anonymous signature, but the Lieutenant-Governor was capable of that unworthy base and scurrilous conduct –*

he said. His words caused a sensation and were never denied. "I state facts,"  
35 said Mr Gregson in the Legislative Council, "and the Honourable members officer dare not deny them." And they didn't. Denison's conduct finally resulted in a no confidence motion in parliament. The wording of the no confidence motion was:

40 *We conceive it to be our duty, both to your Majesty and the colonists whom we represent, to declare our want of confidence in Sir William Denison and our conviction that during his administration it will be impossible to preserve that harmony and good understanding which should exist between the legislature and the executive.*

The motion was passed by Parliament and forwarded to London. *The Colonial Times* in Hobart delivered sentence on Denison:

5            *The no confidence motion -*

the editor said:

10            *has closed accounts with Sir William Denison and assigned his place in  
the calendar of Governors. We have been stunned with drunken  
eulogies out of doors and disgusted with the eternal toadyism and the  
parasitical flattery of the Attorney-General. Now of the 14 elected  
members, who alone can be taken as indices of public opinion, 12 have  
15            declared the governor not fit to be employed as the superintendent of  
the free people.*

The biggest demonstration ever seen in Hobart to that time was held one evening in August 1851 with thousands of people gathering outside Treasury and columns more coming in from the side streets, led by a band and torch  
20            parade, the people of Hobart marched up Macquarie Street, Liverpool Street and Lansdowne Crescent carrying anti-transportation banners and probably the Anti-Transportation League flag of 1851, which became the Australian flag in 1901.

25            They climbed the rough path to the summit of Knocklofty where a huge pyramid bonfire had been erected and here Denison was burned in effigy by the people of Hobart. As Denison was due home that day from a tour of the north, a group of pro-transportationists, or as the *Examiner* called them, sycophants, orchestrated a welcome home festivity, but the effect of this was  
30            simply to reveal and contrast the overwhelming numbers against transportation.

The Companion of Tasmanian History entry on Denison, which I will give to you, shows a picture of this counter-demonstration, but what the entry missed was the fact that it was a much smaller counter-demonstration to the huge  
35            anti-Denison rally. The picture was published in the pro-government *Advertiser*, which was similar in many ways to the *National Enquirer* in the United States today and the picture was a propaganda exercise.

40            One of the worse things Denison did was to sack and stack the Supreme Court. The Supreme Court had overturned the dog tax Denison introduced. He saw this as interference with his authority. The court then had two judges. He found an immediate pretext to sack one and put a mate into the position. Then he tried to force the Chief Justice, Mr Pedder to take extended leave. There was a huge public outcry led by the city's lawyers. *The Colonial Times* said:

5 *Never since our residents in the colony did we witness so great and such vivid excitement as prevailed throughout the city on Saturday in reference to the public meeting to be held at 2 o'clock in the theatre for the purpose of protesting against the conduct of the Government in its unconstitutional interference with the independence and honesty of the judges.*

10 On this occasion, the chief justice managed to survive, but Denison bided his time. Pedder J was getting old and not long afterwards retired. Then Denison put in his Attorney-General, another mate, into the Chief Justice position and he finally therefore had the Supreme Court stacked. Another deceitful act was the way he continued to mislead the Colonial Office in his despatches. Whenever the colonists in Parliament sent a petition or plea to London through  
15 him, which was most of the time, he would add a confidential cover letter and this gave him the opportunity to comment and make various partisan observations that suited him and were hidden from the public and the Parliament.

20 Sometimes, though, these confidential cover letters became public, embarrassing Denison and drawing a furious response here. As an example, on one occasion, Sir William forwarded a letter to Earl Grey from 101 magistrates urging discontinuance of transportation. It had been examined and certified by a notary of public that the signatures were genuine, as the government had  
25 made unsubstantiated allegations about forged signatures on previous petitions.

It should have been a powerful document expressing the majority view of not just the community, but the most respectable part of it. However, Denison described the letter as purporting to be signed by certain justices and organised  
30 a counter petition from alleged employers supporting transportation, saying it had been sent unsolicited to his private secretary by three anonymous gentlemen of wealth and respectability.

The latter document had never been publicly circulated and never been  
35 publicly examined and it could have been entirely forged for all anyone knew. The names on it weren't revealed, but then Denison backed it saying without foundation that he knew that:

40 *A great number of the land of proprietors and employers of labour hold similar views.*

And so the public and notarised signatures of 101 magistrates were belittled as being of less importance than unnamed and unverified employers. It was later discovered by Parliament that these so-called employers were mates of

Denison's and their families. It was similar when he was forced to forward the no confidence motion passed by Parliament with a vote of 12 of the 14 elected members. He presented it to the Colonial Office with a cover note saying it was a minority opinion.

5

*The Examiner's* headline was 'Dishonest To The Last' and it condemned Denison when they found out. The most flagrant and long lasting example of his misleading of his English paymasters was the way he tried to manipulate the perception of the Anti-Transportation League. One of his letters came to light describing the league's formation:

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*A few itinerant agitators have proceeded from this colony in order to organise an opposition in the adjacent colonies and, if possible, to raise a fund for the purpose of paying themselves and other subordinate agents which they have failed to do from the pockets of people here.*

15

This was grossly defamatory and untrue. The itinerant agitators Denison referred to were, of course, the historian Reverend John West, co-founder of *The Examiner*, and Mr William Weston, a wealthy landed gentleman and later premier. In respect of the outrageous statement that they were in it for money, out of the 3,600 pounds the league raised, all they got or wanted for their efforts were minor expenses. As *The Courier* in Hobart said:

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*The fact is the whole system of despatch arising in the colonies requires a stern and uncompromising revision.*

The Anti-Transportation League was described by Denison in another despatch as beneath contempt, which was an odd description for a group that included the Bishops of Sydney, Newcastle and Adelaide; two speakers of the Legislative Councils and most of the elected members of all the Legislative Councils in all the colonies.

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In the 1851 Tasmanian election, every single member elected was against transportation and 15 of the 16 were also members of the Anti-Transportation League that Denison described to the Colonial Office as beneath contempt. *The Colonial Times* wondered if Denison ever told the truth. They recalled his attempted removal of the Chief Justice and his attacks on the character of the Supreme Court judges:

40

*Has he not always followed the very elegant maxim that he announced some years ago that if you throw plenty of dirt, some of it will stick?*

After Denison's own ministers voted against him, the colonial treasurer

Dr Adam Turnbull, who served under Governors Franklin, Wilmot and Denison, described Denison's misleading of the colonial office:

5                   *He had contradicted every petition and advised the Crown to regard them with scorn and derision, that the votes of his own officers exposed him and tore off from the question every rag of illusion or disguise.*

As Denison's term in office was coming to an end, a petition was drawn up by his supporters to ask for his term to be extended. The Bishop of Tasmania signed it, but then had second thoughts and asked that his signature be erased. It's certain that Denison was cognisant of considerable criticism of him in the Sydney press. *The Sydney Empire*, for example, did not approve of his new appointment as Governor of New South Wales, saying he had the reputation of being a mere gaoler who misrepresented his people and slammed at his opponents while surrounding himself with, "Toadies, flunkeys, flatterers, sycophants and dirty work doers."

No one going to a new job with a reference like that preceding them would be happy. In order to curry popularity prior to leaving, Denison gave away land to virtually every club and society in the colony in his last weeks. The move was certainly successful and resulted in a farewell gift of 2000 pounds being presented to him by his supporters and the recipients of the free land.

Now, that was equal to his annual salary and would be about a million dollars today. Setting aside the question of propriety of taking such a large cash gift, the problem of the land grants he made was that they were illegal under the Land Sales Act and when the new Governor Sir Henry Fox Young arrived, he was a bit caught.

You would expect he would turn a blind eye to Denison's clearly corrupt land gifts, but he didn't. He publicly declared they were illegal and refused to sign the transfers. Given that Denison was technically his superior, it's clear Sir Henry must have been very angry at Denison's conduct.

Now, of course Denison did some good things, too, but he left Tasmania a wasteland of economic depression, wrecked relationships, bitterness and political dysfunction. The only way he merits a divisional name is with an emphasis on the word division. And now we know so much more about him, it really isn't appropriate to continue to have an electorate in his name.

If you were to change the name, then what would you change it to? I see from submissions that the name Clark has been mentioned. I agree the name Clark is appropriate. He was from Hobart. He was a very prominent Tasmanian and Australian and he's particularly appropriate for a Federal electorate as he

largely drafted the Australian constitution. If you wanted alternatives, then there are other obvious candidates, such as Tom Chapman and Sir John Evans, who were both Premiers from Hobart and equal or superior to Clark in their local contribution and prestige, but as I said, Clark is eminently appropriate.

5 Thank you. Sorry it was a long one.

MR COWDROY: Thank you very much, Mr Burch. I must say that was most enlightening and a very, very useful discourse.

10 MR BURCH: I'll give you a handout.

MR COWDROY: Thank you. I'll have your book returned to you, but that was very carefully researched.

15 MR BURCH: I'll give you a copy. Your web site refers to the Australian Dictionary of Biography and the Companion to Tasmanian History. So I've actually printed those off and the Dictionary of Biography, I've underlined the things it says that are very adverse to Denison. So your web site references the Dictionary of Biography, which is itself very critical of Denison. I'll give you  
20 a copy of that.

MR COWDROY: That would be most interesting and we're indebted to you for going to the trouble to bring all these matters to our attention. That was certainly unknown to me. Thank you very much.

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MR BURCH: Thank you. I'm not actually writing a book on it or anything, it was just something fascinating.

MR COWDROY: Yes.

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MR BURCH: Thanks very much.

MR COWDROY: Thank you. We appreciate that.

35 MR .....: There's your book there, Mr Burch.

MR BURCH: Yes, thank you.

40 MR COWDROY: Thank you. Now, I think that concludes those persons who we know have attended here today to inform us. Has anyone else arrived since we commenced? No? All right. Now, I think there's some statements which are to be read into the record as well by two persons who could not be here, but want their views expressed and recorded and taken into consideration and we'll now proceed with that.

MISS TAYLOR: I'm Nicole Taylor, the National Redistributions Manager in the AEC. The first submission I'll read into the record is from Martin Gordon:

5            *Areas of agreement with the community proposals: Braddon in its entirety and the boundaries between Kingborough and Franklin.*

*Areas of disagreement with the community proposals: Clark and Franklin.*

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*I am in agreement with the proponents of changing the name of the Denison division to Clark in honour of Andrew Inglis Clark for his legislative, electoral and constitutional contribution to Tasmania and Australia. I am in agreement with other submitters that the renaming would be appropriate if the Clark division comes into existence.*

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*The current Franklin boundaries mean it is not possible to transit through Franklin without going through Denison. The preponderance of Hobart's population on the west bank of the Derwent means that one division will span the Derwent, but the manner of this spanning can be improved, which is why I propose that the Councils of Hobart City, Huon Valley (indistinct) in their entirety form a sound coherent division. This is compliant with all the criteria except maintaining existing boundaries. I have no issue with the current name of Franklin and as the discussion above indicates, Franklin would still span the Derwent, but would consist of Glenorchy and Clarence Councils except for Richmond. This is a clearer arrangement and means that it is possible to transit Franklin without going through another division.*

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*Bass and Lyons: the existing boundaries split the north coast into three divisions. The proposed boundaries do the same, but expand lines in a way that makes access for electors to their MP much more difficult and moves the north-east of the state and its adjacent islands that nearly reach Victoria from its clear community of interests, economic and transport links from Launceston to the centre and south of Tasmania and the east coast where the connections are much less obvious. The existing boundaries are broadly supported by a range of objectors who similarly oppose the move of the Dorset Council to Lyons. I welcome the inclusion of West Tamar in Bass, in part because I suggested it and it is numerically possible and supported by the Council itself. The exchange of those parts of Meander Council in Bass into Lyons means that entire Councils are in different divisions. The community proposals for Lyons are simply too disruptive and attach the north-east of the state to areas that it has never included for*

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5 reasons consistent with the redistribution criteria. A consistent  
comment of objectors to the movement of Dorset Council is one of  
surprise. My initial response to viewing the map of the proposals  
where this was, there must have been a typographical error made.  
Overall, with the exception of the inclusion of Richmond in Lyons, both  
Bass and Lyons are made up of entire local government areas as  
building blocks, embracing clear community of interests.

10 Conclusion: I would urge the Commissioners to make minor changes  
to their proposals for Bass and Lyons and embrace the larger change  
for Hobart, making Franklin contiguous and honouring  
Andrew Inglis Clark. I wish the committee well in their deliberations.

The second submission I will read is from Jeff Waddell:

15 To the augmented Electoral Commission for Tasmania: even though  
my original submission and other submissions proposed Dorset and  
Flinders municipalities be transferred from Bass to Lyons, which the  
Redistribution Committee for Tasmania adopted and proposed, the  
20 objection raised by the Dorset Council and the historical presence of  
Dorset Council in the Division of Bass are to me sufficient justification  
for an alternative solution to be sought. Therefore, my final proposal  
in relation to the proposed boundary between Bass and Lyons is that  
the Municipalities of Dorset and Flinders are returned to Bass, the  
25 small portion of the Meander Valley Municipality currently in the  
Division of Bass is transferred to Lyons, thereby uniting the  
Municipality of the Meander Valley in its entirety in the Division of  
Lyons.

30 All other changes proposed by the Redistribution Committee for  
Tasmania in relation to Bass and Braddon should be adopted by the  
augmented Electoral Commission for Tasmania as proposed.

35 In relation to Denison and Franklin, I still hold the position that the  
municipalities of Hobart, Huon Valley and Kingborough in their  
entirety can, and should, be united into a single division which should  
be named Denison, though I would not object to this division being  
named Clark, but not Inglis Clark should the augmented Electoral  
Commission consider this appropriate. The Municipalities of Clarence  
40 and Glenorchy in their entirety can, and should, be united into a single  
division which should be named Franklin.

The benefit of the augmented Electoral Commission adopting these  
changes are: all municipalities in the state of Tasmania are contained

5                    *within a single electoral division, a unique, if not unprecedented,  
situation amongst all other Australian states and one worthy of the  
augmented Electoral Commission hanging their hat on. All divisions in  
the state of Tasmania are contiguous in that the elected representative  
of each division does not have to travel through another division to  
travel from one side of their division to the other. Far better  
compliance with section 73(4) and especially 73(4)(a) of the  
Commonwealth Electoral Act 1918, which the augmented Electoral  
Commission is bound to adhere to.*

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*In closing, I wish the augmented Electoral Commission for Tasmania  
well in their deliberations and look forward to the publication of the  
final boundaries.*

15    MR COWDROY: Thank you. That concludes both statements, does it? Yes.  
Well, I think in that case if there's no further oral speakers and there's no  
further written statements to be read on to the record, that will conclude the  
hearing here, the public hearing in Launceston and the augmented Commission  
will go and deliberate and continue our deliberations, taking into consideration  
20    the matters we hear today and tomorrow.

                  Might I say I commend the interest which everyone here has shown in the  
involvement, your involvement, in the process. It is all very valuable to us and  
we will consider what's been said. It may not be possible to implement  
25    everything, but I can assure you that what you have said will not be overlooked  
and it will be considered. Thank you very much for your attendance. Thank  
you. That concludes the hearing.

**MATTER ADJOURNED AT 12.09 PM ACCORDINGLY**