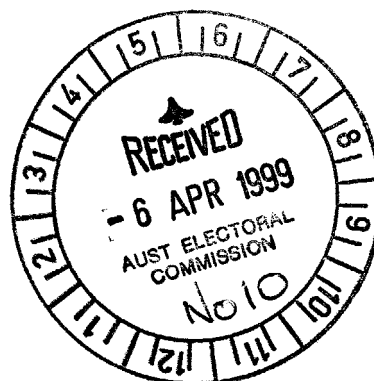




MIKE ELLIOTT MLC
Federal Campaign Director
Australian Democrats



April 6 1999

Redistribution Committee for South Australia
Electoral Commission
9th Floor AMP Building
1 King William Street
ADELAIDE 5000

Dear Sirs

Please find enclosed the Australian Democrats' comments on the public suggestions on the 1999 redistribution of Federal Electoral Boundaries.

Yours sincerely

Mike Elliott MLC
Federal Campaign Director
Australian Democrats

1999 SOUTH AUSTRALIAN HOUSE OF REPRESENTATIVES REDISTRIBUTION

COMMENTS ON THE PUBLIC SUGGESTIONS

AUSTRALIAN DEMOCRATS (S.A. DIVISION) INC.

INTRODUCTION

Following the making of Public Suggestions to the Redistribution Committee for South Australia, the public is now invited to provide Comments on the Suggestions.

There were ten Suggestions made to the current Redistribution Committee. These can be divided into two broad categories; namely, those which dealt particularly with only one electorate or with a small group of electorates, and those which were more general – Statewide.

It is practical to comment on the more specific Suggestions first, because they can inform the commentary on the more general submissions in a manner which is not so easily reversed.

We will then turn to the more general Suggestions and conclude with a summary of alternative proposals to those contained in our own Suggestions, which we would now support.

THE ELECTORATE BASED SUGGESTIONS

Any Electorate based Suggestion potentially suffers from the defect of failing to consider the wider picture. This can mean that a proposal must necessarily be rejected because of the impact of other necessary changes not considered in the Suggestion. Often the error is in treating the subject Electorate as the starting point for the Redistribution. Some of the present Electorate based Suggestions suffer from this or a similar defect; namely the consideration of a group of Electorates in isolation.

With those introductory remarks, we now turn to the individual Suggestions

Suggestion No 1 - The Hon T Worth, MP – Member for Adelaide

This Suggestion suffers from an apparent failure to consider the need to increase elector numbers in Port Adelaide and Hindmarsh, especially as Adelaide is a primary potential source for that increase.

That said, the thrust of this Suggestion is sensible – namely adding to the Electorate of Adelaide from the inner eastern suburbs, particularly Eastwood.

However, we fundamentally disagree with the submission that South Australian State Electoral boundaries should offer a guide to this Committee. In the first place, State boundaries now change after each State election. It is only because this Federal Redistribution is likely to be for one election only, that the submission could have any practical force. Much more significant, however, is the fact that, by virtue of Section 83(1) of the South Australian Constitution Act, the State Electoral Districts Boundaries Commission (“EDBC”, and we will refer to each sitting of the Commission by date) significantly devalues the importance of community of interest and the other Section 66(3)(b) criteria as considerations in its processes. This then means that State Electorates can be poor guides with respect to those criteria.

Suggestion No 2 - Mr Christopher Pyne – Member for Sturt

Mr Pyne's Suggestion suffers from the same deficiency in relation to the needs of Port Adelaide and Hindmarsh as does Ms Worth's. Mr Pyne is also at odds with Ms Worth in relation to the inner eastern suburbs directly to the east of the Victoria Park Racecourse. We prefer Ms Worth's Suggestion in this respect. In this respect, it is our view that Mr Pyne does not cede enough of Sturt to Adelaide, probably because of an inappropriate failure to take into account the likelihood of Adelaide needing to shed elector numbers on the west.

However we agree with the fundamental focus of Mr Pyne's Suggestions in relation to the metropolitan parts of the current Mayo (as, it appears, do the ALP, the Liberals, Ms Pantelios and Mr Virgili), and with the entirety of his reasons for that focus. However, it is our view that he, like others does not go far enough in excising metropolitan Mayo from Mayo.

Suggestion No 3 – The District Council of Loxton Waikerie

As with the similar Submission made by the District Council of Loxton Waikerie to the 1998 EDBC we support the unification proposed. However, it will be apparent that it remains our view that the Riverland ought to be in Barker, and not Wakefield.

Suggestions Nos 4 & 9 – The Messinian Association of SA Inc and The Greek Community Tribune

We accept the Suggestions made by The Messinian Association and The Greek Community Tribune, that there are identifiable ethnic communities in the western suburbs of Adelaide. It should also be noted that there are other identifiable ethnic communities concentrated in particular metropolitan regions. We accept Ms Pantelios' Suggestion in this respect in relation to the Italian community. Equally there is a Vietnamese community in the north-west and no doubt there are other significant ethnic groups elsewhere.

Ethnic issues should only be one factor in "the calculus of communities of interest". Other factors of particular relevance in urban areas include regional shopping, socio-economic data, transport, educational establishments, regional sporting competitions and the like.

The difficulty with these two Suggestions is that they require a northward move of the Hindmarsh/Port Adelaide boundary. We note that this is also proposed in the ALP maps, although the reasoning is not apparent from their written Suggestion. As we oppose any move of Port Adelaide into Salisbury because of the natural division of communities through the Wingfield industrial region, it would appear that this Suggestion cannot be accepted. However we will return to this point later, as Mr Virgili provides a potential solution to the problem.

Suggestion No 6 – Sophie Pantelios

As is apparent from the above, we support Ms Pantelios' Suggestion in many respects. We agree in relation to the metropolitan parts of the current Mayo, and with her reference to the Italian community in that respect. Unfortunately, by treating Adelaide, Mayo and Sturt as one group, and not allowing any significant alteration of those Electorates' boundaries with other Electorates, this Suggestion contains a fundamental flaw, in much the same way as did Ms Worth and Mr Pyne. It is appreciated that all have made an attempt to construct boundaries for the whole State; however each appears to have restricted themselves unjustifiably, particularly on the western boundary of Adelaide.

Further we disagree with the proposal to swap the error of having a metropolitan part of Mayo around Athelstone and Newton for the similar error of having one around Burnside and the inner eastern suburbs south of Magill Road.

Ms Pantelios then proposes various changes to other Electorates using maps, but without providing any written reasoning. As already indicated, we oppose her Port Adelaide, as it moves further north than it already is. The alteration of the Boothby/Kingston boundary roughly accords with our own Suggestions: however those Suggestions are at odds with the well reasoned ALP argument regarding that boundary. We now support the ALP Suggestion in that respect. Finally, the extraordinary isthmuses, contained in Ms Pantelios' Wakefield, are unacceptable from the point of view of Section 66(3)(b)(ii), and give further weight to our Suggestions in relation to Grey and the Yorke Peninsula.

THE GENERAL SUGGESTIONS

It is natural for the political parties to propose redistributed boundaries designed to provide them with some perceived advantage. Despite the existence of, or even the identification by the Redistribution Committee of, such motivations, any Suggestion which is supported by reasoning consistent with s66(3), rather than with bald allegations of compliance therewith, ought to be considered and given due weight. The merits are more important than the motivations.

We note that both the ALP and the Liberal Party have described their electorates in alphabetical order, whereas Mr Virgili and we have described methods of dealing with perceived problems with the current boundaries. We alone did not construct maps. In most cases it is difficult to know what alternative Suggestions might have been made if any particular Suggestion was known to be likely to be rejected.

We turn to the individual Suggestions with all of the above in mind. Our comments will follow the various Suggestions in the order presented by the respective authors.

Suggestion No 5 – The Australian Labor Party (SA Branch)

We agree with the legal conclusions at paras 2.1 - 2.3. From the second paragraph of our Suggestions, it is apparent that we regard the ALP as having put the cart before the horse at para 2.4.. What the Commission has done is to determine that South Australia will lose an Electorate in 2002/3 and therefore bring forward the Projection Time, rather than to bring forward the Projection Time to protect our twelfth Electorate pro tem (this not being possible under The Commonwealth Electoral Act).

We accept the ALP's community of interest arguments relating to Gawler, metropolitan Mayo and the Willunga Basin. Our initial Suggestion in relation to Wakefield was, to an extent, based upon an acceptance of this argument, particularly in terms of our crystal-ball gazing exercise. In fact, the ALP Gawler argument, like our Fleurieu argument, is likely to be extremely strong in 2002/3. In relation to the Willunga Basin, while we agree with the ALP rationale, we would have the transfer being into Mayo rather than to Barker.

We agree with all except the last paragraph of Section 4.0 of the ALP Suggestion. The paragraph is meaningless. How can the "2PP ... be minimised"? If the ALP is referring to variation of the ALP/Lib 2PP figures from the 1998 Election results to the final Redistribution (as we suspect from the failure to analyse Mayo, where the 2CP result was Lib/Dem), then we disagree. The 2PP or 2CP figures are irrelevant to the Committee's considerations. There is no reference to them in the legislation. They are a statistical creature born of the ALP's and the Liberal Party's joint fixation on maintaining power between them. The only relevance of previous voting figures is that they may explain the motivations behind any particular Suggestion.

We are concerned that, with parts of the City of Unley removed from Adelaide at both the eastern and western sides, the rump remaining will be a quite distinct community from the rest of the proposed Electorate.

We cannot support the removal of Murray Bridge from Barker while it retains large areas of the Fleurieu Peninsula, or even increases its coverage of that area (as the ALP proposes). Murray Bridge is the gateway to the South East and is the only real line of communication between the Fleurieu and the South East.

There is much substance in the ALP Suggestion in relation to Bonython, including its reasoning. The ALP's motivation is obvious: move Bonython north and then Adelaide, Hindmarsh, Makin and Port Adelaide all move northwards too, rendering the first three of those significantly more marginal for the Liberal Party. Our view is that this move will necessarily occur in 2002/3, but should not occur now. The transfer of Gawler from Wakefield to Bonython necessitates a transfer from Barker to Wakefield. Murray Bridge and points north is the obvious, indeed the only realistic option. The option works from the point of view of Wakefield: however not so for Barker.

There is also much to recommend the ALP proposal in relation to Boothby. The Belair/Blackwood region is much more suited to Mayo than to a metropolitan Electorate – see generally the evidence of The Hon M J Elliott, MLC, State Parliamentary Leader of The Australian Democrats to the 1998 EDBC in relation to the State Electorate of Davenport. Such a move may not sit as well with Mayo as we have proposed (in terms of numbers, even with further transfers to Wakefield in the north) should Mayo have picked up the Fleurieu, as it does with the ALP Mayo. On the other hand, if our primary submission in relation to Wakefield, Barker and Mayo is not accepted, then the ALP proposal has significant merit in terms of communities of interest, but, more of this region than the ALP proposes should be moved. This might then allow Cross Road and Anzac Highway or the tram line to become the northern boundary of Boothby.

A bigger transfer from Boothby to Mayo will allow flow on effects at the northern end of Mayo, through Sturt and possibly Adelaide into Port Adelaide and Hindmarsh. Such a move would allow the Committee to achieve what the ALP seeks in the north west of the Electorate.

We now agree with the ALP reasoning in relation to the Boothby/Kingston boundary.

We agree entirely with the ALP in relation to Grey, and, in our Suggestion, have provided further reasons for making the switch of the Yorke Peninsula from Wakefield to Grey.

The ALP's reasoning in relation to Hindmarsh is sound. The configuration of the Electorate in the western suburbs of Adelaide depends so much on what occurs in the south (Boothby) and the north-west (Port Adelaide), that almost any proposal in relation to Hindmarsh is likely to have some merit.

The ALP Suggestion appears to move the Port Adelaide/Hindmarsh boundary to the north without explanation. Unless Port Adelaide can move east into the Enfield area, this can only occur if Port Adelaide crosses the Wingfield area, a move which we oppose. In fact, there are now good community of interest reasons to make the easterly move, namely the amalgamation of the Port Adelaide and Enfield Councils.

We agree in general with the ALP's proposals and reasons in relation to Kingston, with the sole exception that all transfers should be to Mayo and not to both Mayo and Barker.

The ALP Suggestion in relation to Makin depends so heavily on the Gawler transfer that our opposition to it is self-evident.

We do not accept the ALP views in relation to the Hills Face Zone areas proposed to be included or retained in Mayo. The Electorate ought to regain and maintain its Hills and peri-metropolitan status.

Our views in relation to the ALP's Suggestions for Port Adelaide should be apparent from the above. Suffice to say that we cannot fathom the acceptance of the logic of not moving Port Adelaide into Salisbury, but then moving into Port Adelaide the market garden region around Virginia.

Subject only to our comments relating to Mayo, we accept the ALP's Suggestions in relation to Sturt.

Our opposition to the ALP's proposal regarding Murray Bridge and Wakefield should be apparent from our above comments relating to Barker and Bonython.

Suggestion No 7 – The Liberal Party of Australia, SA Division

The Suggestions of The Liberal Party suffer from the fundamental defect of an almost complete lack of substance in relation to the s66(3)(b) issues, either by way of evidence or submission. There is simply bald assertion of compliance in the description of each proposed Electorate.

As outlined in our Suggestion, we do not favour the full use of the 3.5% leeway on this occasion. It may be a more acceptable proposition in 2002/3. To that extent we have a fundamental difficulty in accepting the Liberal Suggestion.

The overall flavour of the Liberal Suggestion is of minimal change, no doubt so as to protect its margins and current ascendancy as much as possible.

We do not believe that the Liberal proposal in relation to Adelaide is acceptable. There should be a greater cession to Port Adelaide and a greater transfer in from Sturt. The Liberal proposal in relation to the City of Unley is more acceptable than the ALP proposal.

If our primary submission in relation to Barker is not accepted, then the Liberal proposal is obviously quite reasonable. The Loxton Waikerie Suggestion could still be grafted onto the Liberal Barker without any difficulty.

If our and the ALP's Suggestions relating to Wakefield and Barker are not accepted, the the Liberal Party has the northern boundary of Bonython correct. However, once again we are forced to register our disapproval of a proposal to have Port Adelaide jump Wingfield. This then flows on into the Bonython/Makin equation.

The Liberal proposal for Boothby has such disparate communities that it does not satisfy the s66(3)(b)(i) criterion. The southward move of the southern boundary crosses natural divides, as is demonstrated by the ALP.

Grey needs no comment – our opposition to what we described in our Suggestions as the simple approach, and the reasons therefor are matters of record.

The Liberal proposal in relation to Hindmarsh would be acceptable were it not for the extent to which it relies upon proposals which we oppose in relation to Boothby and Port Adelaide.

Apart from the Hallett Cove transfer (see above re Boothby), we agree with the Liberal Suggestions for Kingston.

As with Hindmarsh, so with Makin. The proposal is acceptable, but what occurs one step removed is not. Again the problem lies with the Port Adelaide/Bonython boundary.

The Mayo to Sturt transfer is not sufficient. Athelstone and other plains areas should also be transferred. This then leaves room for the Boothby to Mayo transfer suggested by the ALP.

Port Adelaide needs little further comment. Surely Port Adelaide should increase its numbers from the adjoining suburbs in the north-west of the Electorate of Adelaide, and not from Bonython.

Sturt also requires little further comment. The transfers from Mayo and to Adelaide are insufficient, almost certainly to protect the Liberal margin in Sturt.

The Liberal Suggestion in relation to Wakefield is our "simple approach" and is consequently opposed. If accepted, it will create a rod for the Committee's back in 2002/3.

Finally Appendix C is somewhat strange. The 1998 EDBC did not accept Ms Jenni Newton's method of allocation of Declaration and postal votes – see the evidence of Mr David Gully, whose methodology was accepted – see in particular his cross examination by Mr P Black for The Australian Democrats. Further, the text of Appendix C does not accurately describe Ms Newton's method, whereas the mathematical example provided is in accordance with it. We maintain our support of Ms Newton's method, but only to the extent that it is necessary. From our comments above, relating to the ALP's citation of 2PP figures, it is apparent that we do not regard such figures as being of any relevance to the deliberations of the Committee.

Suggestion No 10 – M Virgili

There is little in Mr Virgili's introduction with which we would quarrel. We would, however, oppose his encouragement of minimal transfers for the reasons generally outlined in our Suggestion.

Our opposition to Mr Virgili's "Step One" is obvious, as are our reasons.

"Step Two" is a better alternative to the problem of excess elector numbers in Kingston than either the Liberal's or our Suggestion. It is generally in accordance with the ALP Suggestion, which we have adopted.

"Step 3" is opposed for the reasons outlined above in relation to the Liberal Boothby proposal.

"Step 4", the status quo in Hindmarsh, is not supported. We would add to Hindmarsh from Adelaide at the very least. If Port Adelaide can move east then the northern and southern boundaries of Hindmarsh can and should move north as well as the Electorate moving slightly east.

Mr Virgili has provided, in "Step 5", the clue to the overall resolution of a number of problems:-

1. How to avoid Port Adelaide jumping Wingfield;
2. How to make Hindmarsh a seat which includes the suburb of Hindmarsh and is not progressively moving south so as to become Hawker;
3. How to achieve the ALP's preferred northern boundary of Boothby;
4. How to accede to the Messinian Association and Greek Community Tribune requests;
5. How to create Ms Pantelios' Sturt;
6. How to create a more homogeneous Electorate of Adelaide, based on near city suburbs;
and
7. How to draw metropolitan boundaries, which can be readily adjusted in 2002/3 to cope with the vacuum to the north created by the demise of Wakefield.

The answer is to move Port Adelaide east into Adelaide beyond the railway line and have the Electorate significantly based upon the new City Council of Port Adelaide and Enfield. This allows Hindmarsh to move north into some of current Port Adelaide near West Lakes, which allows the Boothby/Hindmarsh boundary to be as per the ALP's ideal. Hindmarsh then contains the vast majority of the Messinian and Greek communities.

Adelaide can then have a northern boundary of Regency Road and can take in most of those eastern suburbs which Ms Pantelios would have transferred from Sturt to Mayo. Sturt can be much as proposed by Ms Pantelios.

Many of the long north-south running boundaries in the suburbs of Adelaide will now be shortened and replaced with longer east-west boundaries. In 2002/3, a northwards movement of these east-west running boundaries is likely to cause less disruption to voters than would occur if the electorates retained their mostly north-south focuses/axes, particularly Adelaide and Sturt.

Should such major metropolitan changes not be acceptable to the Committee then we are left to consider the balance of Mr Virgili's proposal. The rationales behind "Step 6" and "Step 7" are supported. The outcomes of "Step 8" and "Step 9" are similar to the ALP's proposal in relation to Mayo and the Hills Face Zone, which we do not support.

Finally we record that we support neither Ms Pantelios' nor Mr Virgili's Suggestions in relation to electorate names. Firstly, there is already a State Electorate of Playford, which is nowhere near the Hills Face Zone. Secondly, although the late Mr Don Dunstan's contribution to Australian politics was highly significant, including in relation to Electoral reform, his contribution to South Australia was so immense, particularly with respect to Electoral reform, that it would be more fitting to recognise him with the naming of a State Electorate. An opportunity in this respect will occur in 2002 at the latest. We regard it as being generally preferable not to have both State and Federal Electorates with the same names. The State EDBC should be given the first opportunity to honour Mr Dunstan in this way.

CONCLUSION

Having analysed all of the Suggestions we are now firmly of the view that our Suggestions relating to Barker, Bonython, Grey, Makin and Wakefield provide optimum results for the Committee. As our proposals in relation to Barker, Grey, Mayo and Wakefield can be isolated from the metropolitan Electorates, whether they are accepted or not should still allow the Committee to consider the balance of our position in any event. That balance now follows.

Our Suggestion relating to Kingston only requires minor amendment, generally in accordance with the views of the ALP and Ms Pantelios. Further, the ALP proposal in relation to Mayo in the Belair/Blackwood region can be well grafted onto our position. This then leaves Adelaide, Boothby, Hindmarsh, Port Adelaide and Sturt, where our preferred position, including our revised reasoning, is outlined in the above commentary on Mr Virgili's "Step 5"