



**The Federal Redistribution 2006
NEW SOUTH WALES**



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**AUSTRALIAN
LABOR
PARTY**
New South Wales Branch

7th April 2006

Redistribution Committee for New South Wales
Level 4, Roden Cutler House
24 Campbell Street,
Haymarket, NSW 2000

Dear Commissioners,

I attach the comments on suggestion of the Australian Labor Party, (NSW Branch),
for your consideration.

Kind regards,

Mark Arbib
GENERAL SECRETARY

AUSTRALIAN LABOR PARTY (NSW BRANCH)

Comments on suggestions to the Redistribution Committee for New South Wales

Our comments on most suggestions will be made in a separate section of this commentary. However, our primary focus will be to critique the suggestions of the Liberal and National Parties. The Liberal Party's suggestions ignore the importance of LGA boundaries in urban areas and clearly breach (particularly in the country), the Act's objectives concerning the setting of Divisions within a range of 3.5% of the predicted Quota. This has led to bizarre suggestions for the Divisions of Banks and Hughes and resulted in Divisions with communities with little in common throughout the St George /Canterbury/Bankstown/Sutherland/Liverpool/Fairfield/Campbelltown LGA's and others than at present.

One Vote One Value: The Commissioners Responsibilities under Section 66 of the Commonwealth Electoral Act.

We noted in our suggestions that the present boundaries are the most biased against the ALP in the entire history of Australia. We were stating what for us is a major political problem. However, we also expressed our agreement with the requirements of the Act concerning redistributions. Further, we noted that in 1998, the Act had been amended to in effect water down the importance of existing Divisional boundaries. Finally, we advised that, by facing up to the poor community of interest arrangements in notably Macquarie and Hughes, the ALP's suggestions would be justified under S66(3)(b)(i-iv) by producing better boundaries under those community of interest criteria for all the Divisions which would be affected by our proposals.

We do not ask the Commissioners to produce what we would consider fairer boundaries. The Commissioners are required by the Parliament, through the Act to achieve a number of outcomes. Fair boundaries should not be considered provided the Commissioners have discharged their duties. Instead, we ask the Commissioners to test our proposals against their interpretation of how the requirements can best be met of S66 (3) of the Commonwealth Electoral Act.

Here it might be noted we expect that in their comments the Coalition parties will insist (since on community of interests grounds our suggested changes to the boundaries of Macquarie, Hughes and

surrounding Divisions produce Electorates with better community of interest arrangements) that the Commissioners reject our suggestions on the grounds of existing boundaries. Yet the Liberals make drastic changes to Divisional boundaries from the St George area to the country.

Let us remind ourselves of the provisions of 66(3) which are as follows:

66 (3) in making the proposed redistribution, the Redistribution Committee:

(a) shall, as far as practicable, endeavour to ensure that, if the State or Territory were redistributed in accordance with the proposed redistribution, the number of electors enrolled in each Electoral Division in the State or Territory would not, at the projection time determined under section 63A, be less than 96.5% or more than 103.5% of the average divisional enrolment of that State or Territory at that time; and

(b) Subject to paragraph (a), shall give due consideration, in relation to each proposed Electoral Division, to:

- (i) community of interests within the proposed Electoral Division, including economic, social and regional interests;
- (ii) means of communication and travel within the proposed Electoral Division;
- (iv) the physical features and area of the proposed Electoral Division; and
- (v) the boundaries of existing Divisions in the State or Territory;

and subject thereto the quota of electors for the State or Territory shall be the basis for the proposed redistribution, and the Redistribution Committee may adopt a margin of allowance, to be used whenever necessary, but in no case shall the quota be departed from to a greater extent than one-tenth more or one-tenth less.

(3A) When applying subsection (3), the Redistribution Committee must treat the matter in subparagraph (3) (b) (v) as subordinate to the matters in subparagraphs (3) (b) (i), (ii) and (iv).

Similarities between Suggestions

We ask the Commissioners to note that no suggestion received differ to the following “Rules “regarding physical features which have been

applied by every Australian and NSW State Redistribution Committee for more than 30 years.

These might be summarised as follows:

- The western boundary of Blue Mountains is the western boundary of Sydney.
- The Hawkesbury River is the Northern Boundary for Sydney.
- The Harbour and Parramatta River up to Parramatta itself is a natural boundary as is the Georges River to Liverpool (breached only by the Liberal's suggestions)
- The Great Divide is a natural boundary such that:
 - The Central Coast/Hunter/North Coast ebbs and flows through the Hunter.
 - The Greater Sydney Metropolitan Area ebbs and flows through the Southern Highlands.
 - Cronulla/ Illawarra/South Coast ebbs and traditionally flows through the Illawarra Highway to Moss Vale.

There are some other similarities. For example all the major Parties suggest that Gwydir gain Muswellbrook from the Division of Hunter.

So with so many similarities between the parties and others with the building blocks they use, why so much divergence? In part it's because the Coalition seek against all precedent and contrary to the objective of the Act to suggest Divisions in an entire region all drifting away from the average Divisional enrolment at the future time. In part it's due to Liberals disregard of Local Government considerations and it's also in part due to the amazing proposal concerning Hughes and Banks which fail every conceivable test when community of interest arrangements of the present boundaries for Hughes are set against what the Liberals propose.

As a result, Hume would, under the Coalition, continue to be a hybrid Highlands/rural Division when the alternative is a purely rural seat (our Riverina) and a Division based on Camden and Wollondilly LGA's.

Also, if consolidating Divisions to contain on average fewer LGA's is a reasonable objective then the Coalitions suggestions fail nearly everywhere.

We will cover in detail by region the suggestions made. At this point we would like to outline what we think are the major flaws in the Coalition's suggestions.

COALITION PARTIES SUGGESTIONS: BREACHES OF S66 (3) of the Commonwealth Electoral Act (The “Community of Interest” criteria)

The Coalition suggests an artificial bias in favour of inland country Divisions.

The ALP regards the Commissioners as having the entitlement of setting individual Divisions within the 3.5% range of the future quota according to how they think they can best discharge their duties. But the Coalition parties placed all six inland Divisions at the minus end of the future quota.

The Coalition is suggesting malapportionment with rural Divisions having fewer electors than all others.

The requirement that Divisions be set within a range of 3.5% of the quota at the median time between redistributions was enacted in 1984. It followed the recommendation contained in the First Report of the Joint Select Committee on Electoral Reform issued in September, 1983. The recommendation was as follows (p86):

4.35 ‘the Act should clearly state that the major consideration should be the aim, where practicable, that all electoral divisions approximate equal enrolment at the median or mid point time between redistributions. The Committee recommends the amendment of section 19 accordingly’

The Ministers second reading speech stated that the amendment later passed was giving effect to the above recommendation.

The Commissioners have no more right to consider the Coalitions suggested malapportionment between Divisions than say a request by the ALP for fairer boundaries.

Let’s now look at past distributions and where Commissioners set rural Divisions and what has been proposed in 2006. For several decades these Divisions have had significantly less growth in electors than the State average. All projections tell us that the trend will continue. Hence, it makes sense to set the average number of electors higher than the State

average at the commencement of the Redistribution in order to be at the State average three and a half years after its completion. This is what every past Commission has done.

1984 (7 Divisions) collectively set at 12.3% higher at the commencement and projected to be exactly at the average at the future time.

1991 (7 Divisions) collectively set at 14.29% at the beginning and predicted to be -3.97% at the future time.

1999 (6 Divisions) collectively set at 16.03% higher at the beginning and -9.13% at the mid point.

For 2006 the Coalition suggests that the Commissioners set these Divisions collectively at -1.14% at the beginning and -13.3% at the mid point. (The ALP has +17.57% at the beginning and 5.25% at the mid point.)

Coalition rejection of the importance of Local Government Boundaries in urban areas.

In marked contrast to previous submissions, the Liberals have not appreciated the value of and the sense in using Local Government boundaries.

Let's start in the East of Sydney. Presently, the suburbs of Randwick and Clovelly are split between the Divisions of Wentworth and Kingsford Smith. The sensible thing to do which the ALP suggests would be to place Randwick whole in Kingsford Smith and Clovelly all in Wentworth. The Liberal's adopt our suggestion regarding Clovelly but then split parts of the City of Sydney LGA into both Wentworth and Kingsford Smith.

On the North Shore they fail take advantage of existing LGA boundaries and of the opportunity of reducing the number of LGA's in some Electorates (eg Bennelong and Parramatta) but then also unnecessarily split more LGA's. The suggestion that North Sydney LGA be split is particularly farcical.

We deal in more detail later on the changes suggested in the remainder of Sydney starting with Banks.

The transfer of 21664 electors from Banks to Hughes will result in 135,053 electors being displaced from their current electorates in the Divisions of Banks, Barton and Watson. This is made up as follows:

21664 from Banks to Hughes

29820 from Barton to Banks

36427 from Watson to Barton

47142 from Blaxland to Watson

135053 Totals Displaced

From 1922-33 and 1934-48 the area proposed to be transferred to Hughes was in the electorate of Reid. Since the creation of the electorate of Banks in 1949 the area has always been part of Banks. The Georges River has never been breached in the way suggested by the Liberal submission since 1922.

The community of interest for this area to remain in Banks is overwhelming.

All netball teams in the relevant area play in the Bankstown competition. (East Hills, Panania RSL, Picnic Point Pumas, Revesby Workers, St. Christopher's and St. Lukes.)

The same is true of other sports like Cricket, Rugby League and Soccer. There is no connection with the other side of the River.

All buses in the relevant area go to Bankstown not Liverpool. Shopping if it is not done locally is done at Bankstown.

The Georges River is the boundary for the State seat of East Hills and the local government area of Bankstown.

Under the proposal the electorate office of the Member for Banks would be transferred into Hughes.

It is absurd to absorb the proposed area into Hughes on the basis that "East Hills, Panania and Revesby are the three preceding railway stations before Holsworthy (currently in Hughes) when travelling west from the city." The Georges River is a great divide and most commuters travel the opposite way into the City for work and pleasure.

Transferring 29820 electors from Barton to Banks brings in electors that have never been in the seat of Banks since it was created in 1949. This is to compensate for the unwarranted transfer of electors to Hughes. The railway line has been the boundary between Banks and Barton from 1949-67 and from 1993-2005. The Liberal submission is misleading when it talks of reuniting the suburbs of Oatley, Mortdale and Penshurst in one federal seat, as was the case prior to the 1992 redistribution. Parts of those suburbs were actually in the seat of Barton, but the Commission correctly adjusted the boundary back to the railway line. Banks has never crossed the railway line in its history.

Then we look at Barton. It's a Division made up of all of Kogarah LGA and most of Rockdale LGA. The Liberals now suggest that the Division adds to it parts of the LGA's of Hurstville and Canterbury, which would make it a 4 LGA Division. Watson would also contain an additional LGA (Bankstown) as would Banks (Kogarah).

The justification made is extremely weak and often incorrect. For example, the Liberals suggest recent man made lines such as Toll Roads, but ignore the fact that with walkways and turnoffs the communities affected have not been split.

The treatment of the Sutherland and Wollongong Divisions by the Liberals split Sutherland LGA between three Divisions instead of the present two. The Liberal's solution to the current position where the Division of Hughes contains parts with little in common is to produce a Hughes with three sections with nothing in common. Further south, the Liberals eschew the opportunity of drawing Gilmore as a purely coastal Division and give it one more LGA than it needs to have.

In the Western and South Western suburbs, the same pattern is repeated. No attempt is made to draw a Division purely containing Fairfield LGA or a Division made up only of electors from Liverpool or a Division more based on Campbelltown. There has been no effort to consolidate LGA's into fewer Divisions than at present. (EG On current boundaries Liverpool LGA is spread between four Divisions. We make this two. The Liberals split Liverpool LGA between five Divisions including Lindsay which gains part of Wollondilly LGA which is also needlessly split.

The Liberals are really suggesting that the Commissioners discard the time honoured practice of following LGA boundaries where reasonable. It is as if unless the boundary is also a physical feature then it should be ignored. Yet common sense would dictate that Local Government

boundaries--- which tend to last much longer than Divisional boundaries are also boundaries within which its citizen's share interests not the least of which are Local Government matters.

MR ANDREN'S SUGGESTIONS

The suggestions made by the MP for Calare, Mr Andren contain several good ideas (such as his treatment of New England) but also have several shortcomings. For instance we agree that Gwydir regain Dubbo, but we argue that where goes Dubbo should also go Narromine. Mr Andren has tended to stick as much as possible to the idea of keeping where ever possible existing boundaries together. As a result he doesn't try to improve the communities of interest within the boundaries of his own Division (admittedly, it's difficult for a rural MP to say to people that he'd rather represent another community). Given that the numerical requirements of the Act can produce outcomes which can be, according to the community of interest criteria, less than optimal it always makes sense to examine whether some of these outcomes can be rectified at a future redistribution.

INNER SYDNEY

The MP for Sydney has provided a separate submission supporting the retention of Lord Howe Island in her electorate with which we agree.

We have earlier shown that in this region the effect of the Liberals suggestions which would be to add an LGA to a Division, and never to try and contain LGA's into fewer Divisions.

NORTH COAST-CENTRAL COAST

There is no need to change the boundary between Richmond and Page. The knock on effect of the suggestion of moving electors from Lennox Head from Richmond to Page is to force further south an unnecessary split of Taree LGA which is now and should remain entirely in Lyne.

In 1991 the Commissioners took Dungog LGA from Hunter and placed it in the new Division of Paterson on the grounds that that the Commissioners thought that Dungog related better with Maitland in Paterson than with Singleton in Hunter. In 1999 Maitland went back into Hunter. Instead of transferring Dungog from Paterson, the Liberals split Thornton from Woodberry when these towns plus Beresfield should be kept together. The Division of Newcastle also gains a new LGA (Maitland).

The Liberals as well as the ALP make similar suggestions that the Commissioners unsplit the suburb of Charlestown and place it in Shortland. Whilst all parties suggest that Terrigal should be united and placed into either Dobell or Robertson, the Liberals then fail to unite Gorokan and San Remo/ Charmhaven which are currently divided between Shortland and Dobell. They also propose a third split of communities within these Divisions by splitting Noraville from Toukley.