

Australian Electoral Commission

2008 Redistribution of the Northern Territory into Electoral Divisions

Commonwealth Electoral Act 1918
Section 75

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Part 2 Enclosures

Redistribution Statistics; Public Suggestions to the Redistribution Committee; Comment on Public Suggestions; Report – 2008 Proposed Redistribution of the Northern Territory into Electoral Divisions; PDF map of Electoral Divisions.	CD
Map showing the boundaries of the electoral divisions for the Northern Territory as determined by the augmented Electoral Commission.	Paper map (1 sheet)

PART 1

Redistribution of the Northern Territory into Electoral Divisions

19 September 2008

Commonwealth Electoral Act 1918
Sections 73 and 74

1.1 DETERMINATION MADE BY THE AUGMENTED ELECTORAL COMMISSION FOR THE NORTHERN TERRITORY

Pursuant to section 73 of the *Commonwealth Electoral Act 1918*, the augmented Electoral Commission for the Northern Territory hereby determines that the boundaries and names of the electoral divisions into which the Northern Territory is to be distributed are as shown on the map certified by the members of the augmented Electoral Commission for the Northern Territory and lodged in file number 08/1148 at the National Office of the Australian Electoral Commission in Canberra.

The augmented Electoral Commission for the Northern Territory reached this determination on the basis that it determined the boundaries and names of the electoral divisions in the Northern Territory should be as proposed by the Redistribution Committee for the Northern Territory in its Report published on 20 June 2008, without alteration.

J C S Burchett QC
Chairperson
augmented Electoral Commission
for the Northern Territory

1.2 REASONS FOR THE DETERMINATION MADE BY THE AUGMENTED ELECTORAL COMMISSION FOR THE NORTHERN TERRITORY

Representation of the Northern Territory in the House of Representatives

1. On 17 November 2005 the Electoral Commissioner made a determination of state and territory representation entitlements under section 48(1) of the *Commonwealth Electoral Act 1918* (the Electoral Act). Under the determination, the Northern Territory is entitled to 2 members of the House of Representatives.

Direction for a redistribution of Northern Territory electoral divisions

2. Section 59(1) of the Electoral Act provides that a redistribution shall commence whenever the Australian Electoral Commission (the Electoral Commission) so directs by notice published in the Commonwealth Government Gazette (the Gazette).

3. In accordance with section 59(2) of the Electoral Act, a direction to commence shall be made if a period of seven years after the day on which the state or territory was last redistributed into electoral divisions has expired. The direction must be made within 30 days after the expiration of the seven year period.

4. The last federal redistribution of the Northern Territory was determined on 21 December 2000. Consequently, on 16 January 2008 the Electoral Commission directed by notice published in the Gazette (S10 on Wednesday 16 January 2008) that a redistribution was to commence in the Northern Territory.

5. At the end of 16 January 2008, the date determined by the Electoral Commission for the redistribution to begin, the number of electors enrolled in the Northern Territory was 119 359.

6. Redistribution statistics which show the electoral enrolment figures as at 16 January 2008 were made available on the Australian Electoral Commission website. In addition, copies were available upon request at the Darwin office of the Australian Electoral Commission. The statistics were given at the following levels:
   - Census Collection District (CCD)
   - Statistical Local Area (SLA)
   - Electoral Division
   - Territory.

Quota

7. Under section 65(2) of the Electoral Act, the Electoral Commissioner determined that the quota of electors for the Northern Territory was 59 680 (119 359 divided by 2 members). The permitted range of the margin of allowance of 10% below and above the quota would be 53 712 to 65 648 as at 16 January 2008. (Table 1) The Electoral Act does not permit any greater variation from the quota to be provided for in a redistribution.

Appointment of the Redistribution Committee for the Northern Territory

8. In accordance with section 60 of the Electoral Act, the Electoral Commission appointed the Redistribution Committee for the Northern Territory on 9 April 2008. The Redistribution Committee (the Committee) comprised the following members:

Electoral Commissioner	Mr Ian Campbell
Acting Australian Electoral Officer for the Northern Territory	Mr Wayne Harlock
Surveyor-General for the Northern Territory	Mr Garry West
Auditor-General for the Northern Territory	Mr Frank McGuiness

Redistribution Committee's proposed redistribution

9. All preconditions having been met, the Committee made a proposed redistribution of the Northern Territory under section 66 of the Electoral Act, stating its reasons in writing; caused the notice required by section 68(1)(c) of the Electoral Act to be published in the Gazette; and took the other steps required by section 68.

Objections and comments

10. No objections, and therefore no comments on objections, were received in relation to the proposed redistribution of the Northern Territory.

Augmented Electoral Commission

11. By section 70(1) of the Electoral Act there is established for the purposes of any such redistribution an augmented Electoral Commission for the relevant state or territory. By virtue of section 70(2) the members of the augmented Electoral Commission for the Northern Territory (augmented Commission) are the Chairperson of the Electoral Commission (Hon James Burchett QC); the member of the Electoral Commission other than the Electoral Commissioner and the Chairperson (Mr Brian Pink); and the occupants of the positions previously mentioned who constituted the Committee.

Public inquiry

12. A public inquiry was not conducted as no objections were received.

The statutory mandate of the augmented Electoral Commission

13. By section 73 of the Electoral Act, it is the augmented Electoral Commission for the Northern Territory which must determine, by notice published in the Gazette, the names and boundaries of the electoral divisions into which the Territory is to be distributed. But that task must be performed in accordance with the requirements of section 73(4) and (4A), which provide:

> "*(4) In making the determination, the augmented Electoral Commission:*
>
> *(a) shall, as far as practicable, endeavour to ensure that the number of electors enrolled in each Electoral Division in the State or Territory will 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 Electoral Division, to:*
>
> *(i) community of interests within the Electoral Division, including economic, social and regional interests;*
>
> *(ii) means of communication and travel within the Electoral Division;*
>
> *(iv) the physical features and area of the 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 redistribution, and the augmented Electoral Commission 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.*
>
> *(4A) When applying subsection (4), the augmented Electoral Commission must treat the matter in subparagraph (4)(b)(v) as subordinate to the matters in subparagraphs (4)(b)(i), (ii) and (iv).*"

14. These statutory requirements are expressed in an hierarchical order which puts, "as far as practicable", the "endeavour to ensure" a division will fall within the projected enrolment range first; the considerations of "community of interests within [a division] including economic, social and regional interests", "means of communication and travel within [a division]", and "the physical features and area of [a division]" second; and "the boundaries of existing divisions" third – while stating that, subject to these matters, "the quota of electors for the state … shall be the basis for the proposed redistribution" and that "the augmented Electoral Commission may adopt a margin of allowance" not departing from the quota further than by one-tenth more or less.

15. The purpose of paragraph 4(a) is suggested by its history, over the period of which it has undergone some transformation since the *Commonwealth Electoral Legislation Amendment Act 1983* stipulated that boundaries were to be drawn, as far as practicable, to achieve equal numbers of electors in each of a state's electorates three-and-a-half years after a redistribution. By 1984 "it was observed that the three-and-a-half year rule had in some areas forced the adoption, on purely numerical grounds, of boundaries which took little account of perceived community of interest"[1]. Therefore, in 1987, the rule was relaxed to permit a measure of tolerance to plus or minus two percent from average projected enrolment. Subsequently the Joint Standing Committee on Electoral Matters (JSCEM) concluded that "the numerical criteria do not allow 'due consideration', in the words of the Act, to be given to the qualitative factors. Rather, the political parties and others attempting to frame electoral boundaries essentially find themselves engaged in a mathematical modelling exercise. In order to relax the enrolment requirements to that extent necessary to allow a realistic degree of flexibility the Committee recommends … that subsections 66(3)(a) and 73(4)(a) of the Electoral Act be amended, so as to extend the variation from average divisional enrolment allowed three-and-half years after a redistribution from two to 3.5 percent."[2] The JSCEM also, in the same report, refers to its recommended amendment as one that "would maintain substantial restrictions on malapportionment [and] would allow other legitimate policy objectives to be more effectively met".

16. It was pursuant to this recommendation that the amendment was made by which paragraph (a) came to take its present form. The terms of the recommendation, and the discussion which preceded it, make clear the purpose of paragraph (a), as it now stands, and how it was intended to interact with the other criteria set out in the subparagraphs of paragraph (b), to which "due consideration" must be given. The augmented Electoral Commission has made its redistribution on this basis.

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1 Report of the Joint Standing Committee on Electoral Matters on *The Effectiveness and Appropriateness of the Redistribution Provisions of Parts III and IV of the Commonwealth Electoral Act 1918* (December 1995) Section 4.3

2 Ibid. Section 4.11

Consideration of the Redistribution Committee's proposal

17. On 20 June 2008, the Redistribution Committee for the Northern Territory proposed:

- no change to the existing land boundaries for the Division of Solomon and the Division of Lingiari; and
- extending the water boundaries around the Division of Solomon to substantially align with the Darwin, Palmerston and Litchfield Municipal boundaries.

18. The augmented Commission considered the views presented in the public suggestions and comment on the suggestions, and the reasons and conclusions for the Redistribution Committee's proposal as detailed in the Committee's report: "2008 Proposed Redistribution of the Northern Territory into Electoral Divisions".

19. The augmented Commission noted that the existing federal electoral boundaries meet the numerical requirements of section 73(4) of the Electoral Act in that the elector enrolment is within 10% of the quota (2.54%) and within 3.5% of the average divisional enrolment at the projection time (0.58%). Table 2 refers.

20. It also took into account the Redistribution Committee's finding (with which it agreed) that the current boundaries reflect the broad community of interests of the urban Darwin/Palmerston-focused Division of Solomon and the predominantly rurally based Division of Lingiari, at this time. The other criteria in section 73(4)(b) point in the same direction.

21. Having considered the findings of the Redistribution Committee as reflected in its report, and the legislative requirements of the Electoral Act, the augmented Electoral Commission formed the view that the best solution for the Northern Territory was to leave the current land boundaries unchanged, while making the adjustment to the water boundaries which the Committee proposed.

22. Therefore, the augmented Commission unanimously adopted the proposal of the Redistribution Committee without alteration, as being in its opinion the correct determination to be made, reflecting a proper balance of the relevant factors, and no error in the boundaries so fixed or valid reason to take a different view having been suggested or appearing.

Determination made by the augmented Electoral Commission for the Northern Territory

23. For the foregoing reasons stated under section 74 of the Electoral Act, the augmented Commission made the determination, the terms of which are set out above, by notice published in the Gazette on the 19th day of September 2008. The augmented Commission issued on 19 September 2008 a public announcement in compliance with section 72(10) and (12) of the Electoral Act.

24. As its proposed redistribution did not differ from the Redistribution Committee's proposal, there was no occasion for the augmented Commission to issue the invitation for further objections or to hold the inquiry as referred to in section 72(12)(d) and (13) of the Electoral Act.

James Burchett	Ian Campbell	Brian Pink	Iain Loganathan	Garry West	Frank McGuiness
Chairperson	Member	Member	Member	Member	Member

Augmented Electoral Commission for the Northern Territory
19 September 2008

1.3 STATISTICAL SUMMARY

STATISTICAL SUMMARY AND GENERAL DESCRIPTION OF THE MANNER IN WHICH EACH PROPOSED DIVISION HAS BEEN CONSTITUTED

Table 1: Determination of the Quota and Enrolment Projections

DETERMINATION OF QUOTA	
Number of divisions into which the Northern Territory is to be distributed	2
Number of electors in the Northern Territory at 16 January 2008	119 359
Quota for the Northern Territory	59 680
Permissible maximum number of electors (+10%) in a division	65 648
Permissible minimum number of electors (-10%) in a division	53 712
ENROLMENT PROJECTIONS AT 16 JUNE 2012	
Projected number of electors in the Northern Territory at 16 June 2012	130 149
Average enrolment for the Northern Territory projected at 16 June 2012	65 075
103.5% of average enrolment projected at 16 June 2012	67 353
96.5% of average enrolment projected at 16 June 2012	62 797

Table 2: Summary of Divisions

Division	**Actual Enrolment 16 Jan 2008**	**Variance Group % (Average)**	**Projected Enrolment 16 June 2012**	**Variance % (Projected)**	**Approximate Area (sq km)**
Lingiari	61 196	2.54	65 453	0.58	1 352 034
Solomon	58 163	-2.54	64 696	-0.58	337
Northern Territory	**119 359**		**130 149**		**1 352 371**
Average	59 680		65 075		

Table 3: Summary of Movement of Electors between Divisions

Number of electors remaining in their existing division	119 359
Number of electors transferred to another division	0

1.4 DESCRIPTION OF THE METHOD USED TO CALCULATE THE AREA OF ELECTORAL DIVISIONS

The area of electoral divisions in the Northern Territory has been calculated by aggregating the area of:

- all land-based CCDs;
- any parts of land-based CCDs; and
- any lakes, ponds, rivers, creeks, wetlands or marshes not already included in land-based CCDs, that are wholly contained within the divisional boundary of each electoral division.

Areas are calculated on the geocentric datum of Australia (GDA94) spheroid using the AEC Electoral Boundary Mapping System (EBMS), developed within the proprietary "MapInfo Professional" software package.

1.5 GENERAL DESCRIPTION OF EACH ELECTORAL DIVISION

The tables on the following pages set out how each electoral division is constituted and arranged under SLAs. Each SLA comprises a number of CCDs. The CCDs which applied at the 2006 Census of Population and Housing have been used.

Division 1: - Lingiari

How Constituted	Actual Enrolment 16-Jan-08	Projected Enrolment 16-Jun-12
From existing Division of Lingiari SLAs of -		
Alice Springs (T) - Charles	3 010	3 004
Alice Springs (T) - Heavitree	1 397	1 506
Alice Springs (T) - Larapinta	4 762	4 746
Alice Springs (T) - Ross	4 390	4 463
Alice Springs (T) - Stuart	998	1 022
Alpurrurulam (CGC)	286	290
Angurugu (CGC)	533	588
Anmatjere (CGC)	685	836
Arltarlpilta (CGC)	151	141
Belyuen	137	138
Binjari	133	136
Borroloola	463	530
Coomalie	557	652
Cox Peninsula	221	223
Cox Finniss	264	261
Daguragu	381	402
Daly	557	593
East Arnhem - Balance	4 169	4 863
Elliott District (CGC)	235	223
Elsey	496	709
Groote Eylandt	857	849
Gulf	439	430
Hanson	665	644
Jabiru (T)	599	631
Jilkminggan (CGC)	164	164
Katherine (T)	4 489	4 515
Kunbarllanjnja (CGC)	610	660

How Constituted	Actual Enrolment 16-Jan-08	Projected Enrolment 16-Jun-12
From existing Division of Lingiari SLAs of -		
Lajamanu (CGC)	462	493
Litchfield (S) – Pt A	59	67
Litchfield (S) – Pt B	9 195	10 335
Ltyentye Purte (CGC)	321	361
Marngarr (CGC)	156	152
Mataranka (CGC)	127	124
Nauiyu Nambiyu (CGC)	291	290
Nhulunbuy	2 041	2 264
Numbulwar Numburindi (CGC)	495	534
Nyirranggulung Mardrulk Ngadberre (CGC)	653	624
Palmerston (C) Balance	0	0
Petermann-Simpson	1 134	1 188
Pine Creek	216	215
Sandover	1 331	1 557
South Alligator	350	329
Tableland	283	280
Tanami	1 572	1 500
Tapatjatjaka (CGC)	151	147
Tennant Creek (T)	1 696	1 832
Tennant Creek Balance	783	774
Territory of Christmas Island	562	553
Territory of Cocos (Keeling) Islands	392	389
Thamarrurr (CGC)	1 164	1 433
Timber Creek (CGC)	142	130
Tiwi Islands (CGC)	1 537	1 589
Victoria	391	395
Walangeri Ngumpinku (CGC)	258	310
Wallace Rockhole (CGC)	72	71
Watiyawanu (CGC)	152	147
West Arnhem	2 020	2 374
Yuendumu (CGC)	555	627
Yugul Mangi (CGC)	987	1 150
Total for Division of Lingiari	**61 196**	**65 453**

Division 2: - Solomon

How Constituted	Actual Enrolment 16-Jan-08	Projected Enrolment 16-Jun-12
From existing Division of Solomon SLAs of -		
Alawa	1 335	1 399
Anula	1 563	1 583
Bakewell	1 798	1 953
Bayview-Woolner	1 298	2 126
Brinkin	669	654
City – Inner	1 673	2 048
Coconut Grove	1 687	1 982
Driver	1 590	1 634
Durack	1 647	1 951
East Arm	9	9
Fannie Bay	1 689	1 705
Gray	1 787	1 826
Gunn-Palmerston City	1 427	1 835
Jingili	1 152	1 165
Karama	2 834	2 937
Larrakeyah	2 078	2 176
Leanyer	3 122	3 172
Lee Point-Leanyer Swamp	65	58
Litchfield (S) – Pt A	1 222	1 152
Litchfield – Pt B	0	0
Ludmilla	1 155	1 169
Malak	1 950	1 976
Marrara	954	952
Millner	1 617	1 611
Moil	1 310	1 344
Moulden	1 736	1 835
Nakara	1 236	1 251
Narrows	393	536
Nightcliff	2 314	2 351
Palmerston (C) Balance	1 994	4 496
Parap	1 216	1 311
Rapid Creek	1 995	2 012

How Constituted	Actual Enrolment 16-Jan-08	Projected Enrolment 16-Jun-12
From existing Division of Solomon SLAs of -		
Stuart Park	2 289	2 743
The Gardens	390	525
Tiwi	1 499	1 603
Wagaman	1 264	1 285
Wanguri	1 257	1 296
Winnellie	178	178
Woodroffe	1 935	2 018
Wulagi	1 619	1 657
City – Remainder	1 217	1 182
Total for Division of Solomon	**58 163**	**64 696**