



THE FEDERAL
REDISTRIBUTION
QUEENSLAND

Objection Number 5

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13 pages

Comments on the

Queensland Redistribution

Committee's proposal

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Jeff Waddell



Introduction

To the Augmented Electoral Commission for Queensland

As the author of one of the 18 submissions provided by private individuals at the outset of this process, I appreciate the opportunity to provide some analysis and comment on both the proposed boundary changes and the report of the Redistribution Committee for Queensland.

First of all, I'm not sure whether I should be honoured or offended by being specifically identified on P66 of the Committee's report, and again on P74, as a current non-resident of Queensland.

The three other individuals listed on those pages, in addition to myself; have been regular, independent contributors to Electoral Redistributions not only at Commonwealth level, but also at State and Territory level for some years. With 4 ½ years' worth of contributions behind me; I am the least experienced contributor of the quartet identified on Pages 66 & 74 by the Redistribution Committee.

All four of us contribute to Electoral Redistributions not because we have to, but because we're dedicated and **passionate** about both the process and the outcome.

If it was ever decided to create a specialised, dedicated Electoral Redistribution team, to execute electoral Redistributions at both Commonwealth and State/Territory level; all four of us would be there in a heart-beat.

Why the Redistribution Committee for Queensland felt the need to make exceptional mention of our names is a mystery to us all. Certainly, it's unprecedented in any other Commonwealth, State or Territory Redistribution that I have contributed to.

The State or Territory of residence of any private contributor should be irrelevant. From my perspective, it almost feels like we're being discriminated against.

I would have hoped – given the Redistribution Committee for Queensland has our contact details – it may have engaged with us **BEFORE** it decided to separate us from the other submissions.

I trust that the Redistribution Committee's intention was not to diminish the value of submissions we lodged – but I can't be sure.

On the Redistribution Committee's report

So that's it, is it?

Am I to understand that it took from the close of the Comments on Suggestions on the 2nd of June until the publication of the report on the 29th of September – a period of 118 full calendar days – for the Redistribution Committee to propose to amend the boundaries of just 18 (60%) of the 30 Divisions to which Queensland is entitled and to transfer just 33,604 electors (1.09%) to different Divisions?

Obviously, my interpretation of how Sections 66 (3) and (3A) of The Commonwealth Electoral Act (The Act) are to be applied is very different from that of the Redistribution Committee's interpretation.

It's also disappointing that the Redistribution Committee considered, but decided not to adopt, the alternative of basing Electoral Divisions in the major cities on the east coast to the north of Fraser Island. I thought all of the submissions that advocated for such a change did so eloquently and complied with Sections 66(3) and (3A) of The Act.

Adopting those proposed changes could have also allowed the suggestions from the residents of Moore Park Beach to be honoured, placing them in the same Division as the City of Bundaberg.



My take on the Redistribution Committee's response to suggestions, proposing significant, but logical changes, to Divisional boundaries in regional Queensland.

I guess we'll have to wait for the next Redistribution (potentially triggered by a reduction to 29 in the number of Divisions to which Queensland is entitled to) before we propose a change of this magnitude again.

The number of unchanged Divisions in the Redistribution Committee's proposal also set off alarm bells for me. Is the Redistribution Committee suggesting that in the ensuing 8 years since the 2009 redistribution was finalised that there have been no changes to economic, social and regional communities of interest? No changes to means of communication and travel? No changes to area and physical features of 12 Divisions in the space of those 8 years? None whatsoever?

Sorry, but I don't buy that proposition. Especially when the Division of Wright is included in that unchanged 12.

Memories of the 2014-5 NSW Redistribution and that Redistribution Committee's **existing boundaries first** approach came to mind. Significant numbers of unchanged boundaries and Divisional boundaries drawn to provide an advantage to one side of politics over the other. Was history repeating itself?

I decided to review the Committee's report and find whether my hunch was supported by other statements made in the Redistribution Committee's proposal.

Points of note from the report

From Page 5:

Boundaries of proposed electoral divisions

The Redistribution Committee was required to alter electoral division boundaries as 11 of the 30 electoral divisions fell outside the range for the permissible maximum and minimum number of projected electors as at Monday 27 September 2021.

The Redistribution Committee sought to redraw the boundaries such that **existing** communities of interest, means of communication and travel, and physical features and areas of the existing electoral divisions were recognised, while meeting the numerical requirements imposed on the Redistribution Committee by the Electoral Act.

In reading the first paragraph above, I find nothing to allay my suspicion that the Redistribution Committee has approached this Redistribution from an **existing boundaries first** perspective. Otherwise, it would not start from the position that "*11 of the 30 electoral divisions fell outside the range for the permissible maximum and minimum number of projected electors as at Monday 27 September 2021.*"

How many Divisions were within or not within the *permissible maximum and minimum number of projected electors as at Monday 27 September 2021* is totally irrelevant.

The Redistribution (in fact, all Commonwealth Redistributions) should start with 2 sets of numbers which the Redistribution Committee details on pages 10 and 11 of its report:

- Current enrolment quota and permissible range...
- Projected enrolment quota and permissible range...

It then becomes a process of identifying a starting point and constructing a Divisional boundary which complies to the numerical requirements above, and best meets Section 66 (3)(b)(i) – (iv) of The Act.

If this aligns with Section 66 (3)(b)(v) of The Act so be it; but that option should **only** be taken into consideration **after** the application of any changes to Section 66 (3)(b)(i) – (iv) since the conclusion of the last Redistribution have been considered.

An unchanged Divisional boundary from the previous Redistribution should be the exception, not the ideal.

By not approaching the Redistribution from this perspective, the Redistribution Committee cannot objectively factor in any changes to *communities of interest, means of communication and travel, and physical features and areas of the existing electoral divisions*; which may have occurred in the interval between the conclusion of the 2009 Redistribution and the commencement of the Redistribution Committee's deliberation period in June 2017.

It can also be concluded that, by taking the approach of *existing boundaries first*; I believe Redistribution Committee's ability to objectively consider alternative proposals have been compromised.

Also, by adding the word **existing** as highlighted in the above extract of the Committee's report; the Redistribution Committee has applied **their interpretation** of Section 66 (3)(b) of The Act and **not** Section 66 (3)(b)(i) – (iv) **as it is written**. In the process, the Redistribution Committee has effectively changed the meaning of how Section 66 (3)(b)(i) – (iv) is to be applied.

(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

Note the absence of the word **existing** in Section 66 (3)(a) and Section 66 (3) (b)(i) – (iv) of The Act as shown above.

(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).

To define Divisional boundaries based on '*existing communities of interest, means of communication and travel, and physical features and areas of the existing electoral divisions*' can be interpreted as applying these requirements at equal weight with Section 66 (3)(b)(v).

This clearly **contradicts** Section 66 (3A) which states that existing boundaries are subordinate and the *Redistribution Committee must* treat Section 66 (3)(b)(v) *as subordinate*.

This is **exactly** what I highlighted this to the Redistribution Committee in pages 7-9 of my original submission.

The **existing boundaries first** mindset continues throughout the Redistribution Committee's proposal as the example on Page 20 of the Redistribution Committee's report reinforces. Case-in-point being paragraph 61 (image below): "*As a consequence of ensuring all of Queensland's 30 electoral divisions meet the numerical requirements of the Electoral Act, the Redistribution Committee needed to alter the boundaries of additional electoral divisions.*"

Wrong approach! The Act clearly states numerical compliance first; community of interest second, means of communication and travel third, physical features and area fourth, **existing boundaries last**.

58. Six divisions have a projected enrolment above 103.5 per cent of the projected enrolment quota of 110,124 electors at the projection time of Monday 27 September 2021:
- the Division of Brisbane – 115,380 projected electors
 - the Division of Fadden – 114,465 projected electors
 - the Division of Fairfax – 115,329 projected electors
 - the Division of Griffith – 115,269 projected electors
 - the Division of Leichhardt – 118,266 projected electors
 - the Division of Lilley – 114,595 projected electors
59. Five divisions have a projected enrolment below 96.5 per cent of the projected enrolment quota of 110,124 electors at the projection time of Monday 27 September 2021:
- the Division of Capricornia – 105,394 projected electors
 - the Division of Fisher – 104,427 projected electors
 - the Division of Hinkler – 105,850 projected electors
 - the Division of Moreton – 105,279 projected electors
 - the Division of Oxley – 104,943 projected electors
60. As a consequence of these electoral divisions being outside the numerical requirements of the Electoral Act, the Redistribution Committee was required to alter the boundaries of electoral divisions to meet the numerical requirements of the Electoral Act.
61. Figures D, E and F show that not all of the 11 electoral divisions requiring alteration by the Redistribution Committee are adjacent to each other. As a consequence of ensuring all of Queensland's 30 electoral divisions meet the numerical requirements of the Electoral Act, the Redistribution Committee needed to alter the boundaries of additional electoral divisions.

From Page 6:

Elector movements

Overall, 33,604 electors enrolled in Queensland (or 1.09 per cent of electors enrolled in Queensland on Friday 6 January 2017) will change their federal electoral division as a result of the proposed redistribution.

As has been the case for other Redistributions in other States, it appears the Redistribution Committee for Queensland are also highlighting as some sort of measure of success of their proposal, the relatively few electors that they are proposing to transfer between Divisions.

Much of pages 8 and 9 of my original submission addressed this false measurement of the success or otherwise of a Redistribution proposal.

From Page 25:

My comments inserted in black font

67. The Redistribution Committee acknowledged and tested the ideas advanced in suggestions and comments on suggestions to unify regional cities. The Redistribution Committee found that differences in elector density across the state prevent this approach from being implemented. I don't recall reading anything about elector density in Section 66 of The Act! Therefore this is an invalid argument. *Attempts to centre electoral divisions on regional cities could be achieved numerically for some electoral divisions, however due to variances in regional city elector numbers, adverse impacts occurred with other electoral divisions in a way that could not adequately satisfy the considerations outlined in paragraph 66(3)(b) of the Electoral Act, particularly the communities of interest principle.* Does the Redistribution Committee conclude that the approach put forward by a number of submissions is a worse alternative, compared to the current situation? As it stands, greater urban Cairns, Townsville (currently parts of 3 electoral Divisions within the Municipality), Mackay, Rockhampton, and to a lesser extent Bundaberg divided between Divisions. How well does the current situation comply with 66(3)(b)?!

68. Inherently, the movement of sufficient numbers of electors in rural and regional parts of the state requires a significant alteration to the geographic size of electoral divisions in comparison to the movement of the same amount of electors in a highly populated area. This is due to the disparity in population density, and consequently elector density across the state, whereby some regions (such as the majority of Cape York and western Queensland) have little or no electors in comparison to the highly populated major coastal and metropolitan areas. As such, the Redistribution Committee has adopted an approach by which minimal alterations to electoral division boundaries are proposed. This argument has no basis in the legislation.

From Page 30:

Again, my comments inserted in black font

Redistribution Committee's approach to formulating proposed electoral division boundaries

81. The Redistribution Committee's strategy for formulating the proposed electoral division boundaries was based on, and conforms to, the requirements of the Electoral Act.

82. In complying with the requirements of the Electoral Act, the Redistribution Committee sought to apply the following guiding principles in developing the boundaries of the proposed electoral divisions:

- *align to existing administrative boundaries, such as locality and local government area boundaries, to the extent possible* Really!? Had the Redistribution Committee adopted my proposal the number of LGA's divided between Divisions would be a net 4 less than what currently exists and what has been proposed.
- *use natural features as boundaries, to the extent possible.* See my analysis of part of the existing and proposed to be unchanged boundary between Brisbane and Ryan, below.
- *avoid electoral divisions crossing the Brisbane River, where possible.* Yet the Redistribution Committee's proposal crosses the Brisbane River where my proposal showed this was not necessary.
- *provide strong boundaries, to the extent possible.* Yet the boundary between Herbert and Dawson through the localities of Douglas and Mount Stuart which is described on the AEC's 2009 Divisional Boundary map as a "SERIES OF LINES" remains unchanged.
- *keep electoral divisions contiguous, to the extent possible.* A fair call given my proposed version of Fisher. But by keeping the Division of Wright unchanged the Redistribution Committee does not have the high moral ground on this principle. What a pity the Queensland Committee didn't do the Tasmanian Redistribution. Many of us argued for a contiguous Division of Franklin and were shot down!
- *utilise the range of the numerical requirements, to the extent possible*
- *avoid splitting SA1s, to the extent possible.*
- *minimise the movement of electors, to the extent possible.* I am absolutely gob-smacked that the Redistribution Committee adopted this principle after the points made in pages 7-9 of my original submission. Again, this principle has no basis in the legislation.

From Page 31:

Again, my comments inserted in black font

89. Following the modelling and analysis of submissions, the Redistribution Committee formed the opinion that attempts to unify regional cities in a single electoral division could not be achieved at this time. A combination of factors such as the variances in elector density, growth rates, and distribution of electors throughout Queensland results in significant electoral division boundary changes which would cause disruption to established communities of interest across most of regional and rural Queensland if this approach were adopted. Established communities of interest? Like the Division of Wright with no road-based connection between the electors from the Lockyer Valley Regional and the rest of the Division?

Perhaps the Redistribution Committee can remind us all again, what economic, social and regional communities of interest the electors of Gatton and Helidon share with the electors of Worongary, Mudgeeraba and parts of Nerang?

The Division of Wright - which the Redistribution committee – in its "wisdom" - chose not to alter even though I had pointed out that it currently does not meet 66(3)(b) in my original submission? *For these reasons the Redistribution Committee has proposed boundary alterations that maintain the established communities of interest as reflected by the current electoral division boundaries.* Remembering that these communities of interest have only been in place since 2009.

From Page 32:

A disappointing aspect of the Redistribution Committee's 'Proposed redistribution of Queensland – by electoral division' commencing from Page 32 is that the analysis of Divisions is detailed in Division Name Alpha sequence, not in the sequence in which they were assessed.

Example of a boundary change that *should* have been proposed

Whether it's referred to as "Continuous improvement"; "Dotting the i's and crossing the t's" or "Doing the one-percenters"; a level of due diligence needs to encompass every electoral boundary – whether retained from the previous Redistribution or a newly proposed boundary.

Below, I present my only proposed change to the boundaries proposed by the Redistribution Committee along the Brisbane – Ryan Divisional boundary.

As per the image from Google Maps on the next page, the existing and proposed- to-be-retained boundary (in blue) isolates around 3 dozen properties on the western side of Yoku and Otonga Roads in Ashgrove placing them in the Division of Ryan.

I propose the Augmented Electoral Commission amend this boundary to instead follow Breakfast Creek in an anti-clockwise direction until it passes under the Gresham St Bridge, then briefly south on Gresham St and turning eastwards along Waterworks Rd aligning with the existing boundary at the top of Coopers Camp Road (in black).

This change transfers just 85 current and 87 projected electors from Ryan to Brisbane but more importantly unites both sides of these residential streets in the same Division.

This boundary change also aligns with one of the Redistribution Committee's principles by changing the existing boundary from a road to a watercourse:

- *use natural features as boundaries, to the extent possible.*



Image 1 – alternative boundary between Brisbane and Ryan within the locality of Ashgrove

The fact that such a simple – and what I would consider logical - boundary change was not identified or suggested by the Redistribution Committee further reinforces my suspicions of an *existing boundaries first* approach.

'Existing boundaries first' maintains the political imbalance

Another aspect highlighted in my original submission is that the existing boundaries marginally favour the ALP in the event of a 50-50 2PP State-wide vote. In such a situation, the ALP could expect to win not less than 16 of 30 seats in Queensland at the next federal election.

Antony Green was quick off the mark to assess the political impact of the Redistribution Committee's proposed boundaries. The only change to any marginal electorate he noted was a small increase in the LNP 2PP margin in Dickson. Nevertheless, on a 50-50 2PP State-wide vote, this Division would still be won by the ALP.

By choosing to predominantly maintain the existing boundaries, the Redistribution Committee for Queensland is effectively supporting the continuation of this electoral imbalance.

Submissions from individuals and LGA's declined

Perhaps I'm a bit of an ideological dinosaur, but I always believed – and still do – that a democracy is the government of the people, by the people, for the people.

However, in more recent times it feels a bit more like government of the people, by the political class for the political class and their mates. Somewhere along the line ordinary people were excluded.

In this Redistribution, nine of the initial 25 Submissions (or 36%) received by the Commission related to the single-issue transfer of Moore Park Beach from Flynn to Hinkler. Seven of those 9 submissions were made in a private capacity; the eighth from the Moore Park Beach Community Association and the ninth from local councillor, Jason Bartels.

Yet the Redistribution Committee chose not to act on that 36% of the submissions it received – basically saying it was all “too hard” and responded to those nine submissions in the paragraph below.

187. The Redistribution Committee took into consideration the requests from residents of Moore Park Beach to be included in the Division of Hinkler, however all attempts to accommodate this request resulted in significant geographical alterations to multiple surrounding electoral divisions. Realigning the Division of Hinkler to include the northern areas of Bundaberg would cause major disruptions to existing communities of interest and means of communication and travel in surrounding electoral divisions, particularly in the more rural and regional areas. The Redistribution Committee therefore considered it unviable to carry out this proposed alteration.

As I stated in the closing part of my original submission; *“The success or otherwise of a Redistribution, should be measured by the number of suggestions it incorporates, the number of objections it addresses, whether the clarity of boundaries has improved and whether the number of LGA's divided between Electoral Divisions has reduced.”*

Alternatively, the changes to the Capricornia – Dawson and Griffith – Moreton boundaries proposed by the Redistribution Committee are identical to that proposed by the ALP. The Griffith – Moreton boundary change is also identical to that proposed by the LNP. The Leichhardt – Kennedy boundary proposed by both the ALP and Bob Katter (KAP) is also strikingly similar to that proposed by the Redistribution Committee.

Similarly, proposed changes to the Blair – Ryan and Hinkler – Wide Bay boundaries proposed by the Redistribution Committee are identical to that proposed by The Greens.

Finally, the Fadden – Moncrieff boundary proposed by the Redistribution Committee is identical to that proposed by The Pirate Party.

Based on what's been presented above; it's not too hard to come to the conclusion that submissions lodged by political parties appear to carry more weight than submissions lodged by private individuals.

Summary of Objection

My objection to the boundaries proposed by the Redistribution Committee for Queensland (excluding the Divisions of Bowman and Rankin) is that they have been compiled in a manner that does not comply with Sections 66 (3) and (3A) of The Act.

I believe I have presented enough evidence above to conclude that – at least to some extent – an **existing boundaries first** approach was taken by the Redistribution Committee for Queensland, directly in violation of Section 66 (3A) of The Act.

All Divisional boundaries proposed using the **existing boundaries first** approach are therefore ineligible to be considered as legitimate boundaries.

The Augmented Electoral Commission should therefore reject all boundaries contrived using the **existing boundaries first** approach and re-draw Divisional boundaries as instructed by Sections 66 (3) and (3A) of The Act.

But when two-thirds of the membership of the Augmented Electoral Commission comprises the Redistribution Committee for Queensland which proposed these boundaries in the first place – I have no faith whatsoever that my objection is going to be given any credence.

Final comments

From my perspective, the Redistribution Committee for Queensland's proposal is an opportunity lost.

It was an opportunity to re-draw Divisional boundaries that better met Sections 66 (3) and (3A) of The Act than the current boundaries – especially the Divisions of Kennedy and Wright!

It was an opportunity to unite, in as few Divisions as possible, the cities of Cairns, Townsville, Mackay, Rockhampton, Gladstone and Bundaberg and their surrounding areas.

It was also an opportunity to unite a greater number of regional LGA's into single Divisions than was ultimately proposed by the Redistribution Committee for Queensland.

I've been contributing to Electoral Redistributions long enough to know that the Augmented Electoral Commission for Queensland will not re-draw the boundaries of the Divisions which divide the built-up areas of greater urban Cairns, Townsville, Mackay and Rockhampton.

It won't even matter if the Augmented Electoral Commission for Queensland receives hundreds of objections to the proposed boundaries from electors in those cities.

What a pity Section 60 of The Commonwealth Electoral Act defines who can be a member of a Redistribution Committee and who can't. It makes for a very exclusive club.

As I wrote in the closing comments of my original submission; to make an omelette, you need to break some eggs.

This time around - for the Electoral Divisions in rural and regional Queensland at least - no-one from the Redistribution Committee for Queensland dared to break the eggs.

But the Augmented Electoral Commission for Queensland is on notice.

If I am still contributing to Electoral Redistributions at the commencement of the next Redistribution for Queensland – whenever that may be - I will again propose that the provincial centres on the east coast to the north of Fraser Island are the places on which to **start** obtaining the numbers required to fulfil a Divisional Enrolment Quota.

This battle might be lost, but the war goes on.

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