

REFERENDUMS IN TASMANIA

BACKGROUND

Tasmanians have been asked to vote or have been given the opportunity to indicate an opinion on State matters only three times since statehood: in 1916 on the question of hotel closing hours; in 1968 on the question of the issue of a casino licence for Wrest Point Hotel in Hobart; and in 1981 on the question of dam construction and future power options for the State.

CONSTITUTIONAL POSITION

Whilst they may occur at local government level, no formal requirement to hold referendums exists in Tasmania. Tasmania's *Constitution Act 1934* (94/1934) may be amended by a simple majority of parliamentarians voting in favour of a Bill to enact any changes. The only special vote necessary is for any change to the four-year term of the House of Assembly, which requires the approval of a two-thirds majority of the Assembly members before alteration (Section 41A).

The referendum provisions in the different States and the Commonwealth vary according to their individual constitutional requirements.

Local government elector polls are provided for under sections 60 and 60A of the *Local Government Act 1994* and may cover any issues within the jurisdiction of the local council, however the results are not binding on the council.

THE REFERENDUM PROCESS

In 1993 the Liberal Government announced that to overcome some uncertainty in the method of holding statewide referendums it would bring in legislation that would control them. The *Referendum Procedures Act* (34/1994) sets out the rules for the conduct of such referendums. These provisions include:

- Minimum 21 day campaign and maximum of 51-60 days before voting, or in tandem with election writ.
- Maximum of 2,000 word arguments authorised by a majority of MPs for and against each proposal; these must be brought to the 'notice of voters'.
- Valid votes must have the words 'Yes' or 'No' for each proposal on the ballot-paper.
- Conclusive results announced and published by the Chief Electoral Officer.
- House of Assembly electoral rolls to be used to record voters.
- Voting is compulsory.

REFERENDUMS IN TASMANIA

LIQUOR REFERENDUM 1916

Polling Day: 25 March 1916
Subject: Hotel Closing Hours (Options: 6, 7, 8, 9, 10 or 11 p.m.)
Summary: 42,713 or 58.7% for 6 p.m.

OPTION	BASS	DARWIN [#]	DENISON	FRANKLIN	WILMOT [#]	TOTAL
6 p.m.	8,713	7,425	10,309	8,627	7,639	42,713
7 p.m.	54	63	77	153	80	427
8 p.m.	186	217	165	356	169	1,093
9 p.m.	379	384	246	558	304	1,871
10 p.m.	5,923	4,966	5,817	5,099	4,348	26,153
11 p.m.	137	94	103	163	63	560
Total Valid Vote	15,392	13,149	16,717	14,956	12,603	72,817
Informal Vote	1,040	1,202	1,285	1,445	1,132	6,104
Grand Total	6,432	14,351	18,002	16,401	13,735	78,921

Turnout: 73.53% (before compulsory voting in 1928).
Source: Parliamentary Paper No 33/1916-1917
[#] Darwin became Braddon in 1954; Wilmot became Lyons in 1984.

CASINO REFERENDUM 1968

Polling Day: Saturday 14 December 1968
Subject: Casino Licence for Wrest Point Hotel, Hobart.
Summary: **Yes:** 96,839 (53%); **No:** 85,862 (47%)

SEAT	ENROLLED	TOTAL VALID VOTE	YES	YES %	NO	NO %
Bass	40,472	34,989	16,622	47.51	18,367	52.49
Braddon	42,420	37,189	18,453	49.62	18,736	50.38
Denison	43,529	38,814	22,407	57.73	16,407	42.27
Franklin	38,248	34,838	20,856	59.87	13,982	40.13
Wilmot*	41,475	36,871	18,501	50.18	18,370	49.82
State Total	206,144	182,701	96,839	53.00	85,862	47.00

Turnout: 92.67%
Informal: 8,339
Source: Parliamentary Paper No 3/1970
 * Wilmot became Lyons in 1984.

REFERENDUMS IN TASMANIA

POWER REFERENDUM 1981

Polling Day: Saturday 12 December 1981
Subject: Construction of a hydro-electricity dam
Summary:

Gordon River above its junction with Olga River:	20,184
Gordon River below its junction with Franklin River:	119,875
Informal Votes (Ballot Papers containing 'No Dams' etc):	114,060

The very high number of informal votes is striking and was largely the result of a strong conservationist campaign against any dam at all. The Electoral Office originally ignored 23,839 votes with 'No Dams' on them but further legal opinion recommended that they be recounted. The results are presented below, but note that they had no impact on the State Government and it was an Australian High Court ruling in 1983 that halted the construction of the dam.

Table One: Informal vote not included.

Seat	Enrolled	Gordon above Olga	Gordon below Franklin
Bass	55,584	4,392 (16.58%)	22,095 (83.42%)
Braddon	53,938	4,175 (13.73%)	26,241 (86.27%)
Denison	54,887	3,515 (14.14%)	21,335 (85.86%)
Franklin	56,568	3,820 (13.76%)	23,934 (86.24%)
Wilmot*	55,189	4,282 (14.02%)	26,270 (85.98%)
State Total	276,166	20,184	119,875

Table Two: Including 23,839 papers classified as informal ('No Dams' etc).

Seat	Enrolled	Gordon above Olga	Gordon below Franklin
Bass	55,584	5,261 (17.17%)	25,379 (82.83%)
Braddon	53,938	5,057 (14.37%)	30,131 (85.63%)
Denison	54,887	4,364 (14.96%)	24,800 (85.04%)
Franklin	56,568	4,952 (14.91%)	28,271 (85.09%)
Wilmot*	55,189	5,210 (14.60%)	30,473 (85.40%)
State Total	276,166	24,844	139,054

* Wilmot became Lyons in 1984.

These first two tables may appear complicated but they become more so when every paper bearing the words 'No Dams' is considered. The Electoral Office sought to clarify matters by issuing the following:

Summary of Voting:

Particulars of Count	Number of Votes	Percentage
Total Vote	254,119	100.00
First Option		
Gordon above Olga	20,184	7.94
Gordon below Franklin	119,875	47.17
Informal Vote (including 23,839 disallowed)	114,060	44.89
Second Option		
Gordon above Olga	24,844	9.78
Gordon below Franklin	139,054	54.72
Informal Vote	90,221	35.50
NB: Total Ballot Papers endorsed 'No Dams' from all sources	84,514	33.25

Turnout: 92.01%

Source: Parliamentary Paper No 63/1982