

## **PRIVATE MEMBERS BILL**

**Revised Second Reading Speech 3<sup>rd</sup> April 2017**

**(Additional paragraphs shown in italics for ease of identification Page 4 and Page 7.)**

## **LEGISLATIVE COUNCIL ELECTORAL BOUNDARIES AMENDMENT ACT 2017**

**Second Reading Speech --**

**Greg Hall MLC (Ind, Western Tiers)**

**Mr President**

**There are aspects of the legislation under which this House operates that are complex.**

**The Legislative Council Boundaries Act 1995 is one of them.**

**As I said when I introduced the first version of this Bill, it served Tasmania reasonably well for the redistributions of 1998 and 2007-08.**

**That cannot be said of the 2016-17 Redistribution, based on the drastic changes, particularly to divisions in the North of the state, in the Initial**

Redistribution Proposal published by the  
Redistribution Committee.

The provisions of this Act, which was amended in 1998 to enable the reduction in the number of Members from 19 to 15, was no doubt based on the best information and advice available at the time.

In a nutshell, it requires the Electoral Commissioner to look at the number and location of enrolled electors every 4½ years to ensure that all divisions are close to the average number of enrolled electors.

Redistributions are conducted every 9 years regardless of variations in enrolled elector numbers.

And, every 9 years the Redistribution Committee is required to make boundary adjustments to ensure the number of enrolled electors in each division are all within 10 per cent of the average 4½ years after the redistribution.

To achieve this difficult, but necessary, goal the Redistribution Committee uses Population Projections provided by the Australian Bureau of

Statistics.

Population Projections are updated regularly by the ABS in a process the ABS itself says is based on “*emerging methodologies*”.

Every five years, the ABS is able to ‘refresh’ its Population Projections with new data collected in the Australian Census.

However, it can take up to a year for the ABS to manipulate its Census data into the regional Population Projections that are applied to Electoral Rolls.

Until 2016-17, redistributions under the Legislative Council Boundaries Act 1995 were reasonably close to the availability of fresh Census data.

That is not the case with the 2016-17 Redistribution process.

It has relied on Population Projections based on data from the 2011 Australian Census, albeit updated by the ABS using its *emerging methodologies*.

*Mr. President*

*The Electoral Commissioner has told us that they use updated Electoral Roll. But that only tells them how many enrolled electors there are in each division at present.*

*Thousands of new voters, young people, will come onto the Electoral Rolls over the 4½ and 9 year review periods.*

*Comparing current Electoral Rolls with past Electoral Rolls will identify past changes but predicting what may happen over the next 4 ½ or 9 years is still guess work.*

*In its response to my submission to the Initial Redistribution Proposal, the Tribunal said that:*

*“ABS population estimates as at 30 June 2015 were used to form the basis for the projections in its report. These were the latest figures available from the ABS to align with the time-frame of the redistribution.*

*The ABS considers that these population data are fit for the purpose of preparing the projected estimated resident population for the Legislative Council electoral boundary areas.”*

*That data is still based on the 2011 Australian Census and up-to-date Census data has to provide a better basis for predicting population changes.*

But the fact is that 5 year-old data is being used to predict enrolled elector numbers and their location in Tasmania in 4½ years time. That's a period of nearly 10 years.

On the existing legislation the next three redistributions for this House will be based on old Census data.

The 2025 redistribution will be relying on data from the 2021 Census, the 2034 redistribution on the 2031 Census and the 2043 redistribution on the 2041 Census.

There is good news, however, but I not sure how many of the present Members will be around to see it.

The redistribution scheduled for 2052 should have fresh Population Projections from the 2051 Census!

So, if we do not make any changes, the next three

redistributions will have to use Population Projections that are based on Census data between 2 and 4 years old to predict enrolled elector numbers 4 ½ years ahead.

Synchronising the requirements of the Act with Population Projections based on the latest available Census data must provide the Redistribution Committee with a better basis for its determinations.

It will identify population movements in a much more timely manner.

And it should result in less disruptive redistributions and less confusion for voters.

The key amendments in my Bill simply change the wording of “4 ½ years” and “9 years” in the Act to “5 years” and “10 years” to make this change.

It is very important to note than none of the changes to the timing of redistributions proposed in this Bill will now apply to the current redistribution process.

Mr.President

The other change being proposed however will affect the current redistribution.

That is the Amendment that changes the date when redistributions become effective.

This Bill will change the “Effective date of redistributions”, that is when they come into force.

The change is from 1 July following the final redistribution determination to 1 January following the final redistribution determination.

*Legislative Council electoral boundary reviews should not occur during the Legislative Council election period, from 1 January to election day in May.*

*It is confusing to voters and an impediment to Members and candidates trying to talk to voters.*

*We currently have the ludicrous situation where the Member and candidates in at least one division face the prospect of having half the voters disappear from July 1 next year.*

*The Redistribution Tribunal described this as a 'unique' situation, but there is currently nothing to stop this happening again in the future .*

*This amendment would ensure that new electoral boundaries become active before campaigning starts and avoid electoral boundary reviews in the future occurring during the election period.*

*As the current review won't become effective until the next LC elections (in 2018) this provision needs to apply to the current review.*

This would synchronise the introduction of redistributions with the start of the election period for Legislative Council elections which accords with the advice of the electoral commissioner.

That advice is further supported by the reluctance of the federal electoral commission to conduct redistribution exercises in the period pre-ceding a federal election.

In the case of the Leg Co that would be a period between January and May so the public consultation



phase of every re-distribution should only occur between June and December.

Mr.President - This is a sensible change.

For the current redistribution it would make it fair for Members and candidates in affected divisions, and provide time for voters to be properly advised of the changes.

It also makes sense for future redistributions.

As I said when speaking to my earlier Bill, the Legislative Council Boundaries Act 1995 was introduced to enshrine the One Vote One Value principle for this House.

The Act was framed to remove the influence, or the perception of influence, by elected Members, political parties and other interested persons in the redistribution process.

I understand that this would appear to be the preferred situation to many people.

But the fact is that the current process isn't without its outside influences.

It is totally in the hands of bureaucrats and no matter how well intentioned they bring with them their own preferences and biases.

That is simply human nature.

It certainly isn't the case in the 2016-17 Redistribution process.

Using electoral rolls that have Population Projections based on 5-year-old Census data to predict enrolled electors in 4 or 5 years time means that assumptions have to be made.

In the 2016-17 Redistribution process it has been "assumed" that the population drift in Tasmania, identified in the 2011 Census, will continue until 2021 and beyond.

Who knows if this will be the case?

Population Projections based on data from the 2016 Census would certainly have helped reduce the doubts and concerns of many in the North of the State about the drastic changes in the 2016-2017 Initial Redistribution Proposal.

Synchronising redistribution years with Census years will remove one of the most important variables in this process and this Bill will achieve that goal.

Whereas the effect of the Bill before you is simple and I feel a reasonable option to improve this process.

I therefore encourage Members to consider these minor but important changes.

And therefore support this Bill.