



PO Box 280 Woden ACT 2606; e-mail: president@wvcc.org.au

Committee Secretary
Select Committee on Amendments to the Electoral Act
Legislative Assembly for the ACT

Email: committees@parliament.act.gov.au

Dear Secretary

Inquiry into Amendments to the Electoral Act 1992

The Woden Valley Community Council (WVCC) appreciates the opportunity to provide comment on the Inquiry into Amendments to the Electoral Act 1992.

Introduction

The WVCC supports an increase in the number of members of the Legislative Assembly (MLA) that would allow members to serve their constituents better and have the potential of improving governance structures.

However, in our view, improving the representation of ACT citizens not only requires changes to the ACT *Electoral Act 1992* but also a review and amendments to the *Proportional Representation (Hare-Clark) Entrenchment Act 1994*.

Review Size of ACT Legislative Assembly and Electoral Boundaries

The terms of reference for the *Review into the size of the ACT Legislative Assembly*, conducted in 2012-13, specified that the Expert Reference Group should consider any limitations placed on changes to the size of the Assembly by the *Proportional Representation (Hare-Clark) Entrenchment Act 1994*.

Further, the Expert Reference Group assumed that:

- there will be no change to the role or establishment of the ACT Legislative Assembly or to the nature of the ACT's self-government model;
- there will continue to be at least 5 Members elected in each electorate;
- an odd number of members of the Legislative Assembly shall be elected from each electorate.

A long standing concern of the WVCC has been the electoral bifurcation of Woden whereby Woden is currently split across the electorates of Molonglo and Brindabella. The WVCC has found that this has resulted in, with a few exceptions, inadequate representation by elected members of the Assembly.

As such we believe that the terms of reference of the review, and the assumptions that were made, has meant that this issue has not been adequately addressed.

The limitations of the current legislation are such that while the ACT electoral Boundary Redistribution Committee is able to produce a 'statistically' adequate outcome, it hampers their ability to "duly consider the community of interests within each proposed electorate, including economic, social and regional interests" that is also required under the legislation.

While the WVCC supports an increase in the number of Assembly members and increasing the number of electorates that will improve upon the current arrangement, we would suggest that further changes are required to enable the electorate boundaries to be aligned with the geographic boundaries of the towns of Canberra.

Both the WVCC, and many other community groups and citizens, have raised concerns with the towns of Canberra being split across different electorates, through submissions to previous redistribution of electoral boundary reviews. Without a change to the electoral system itself, this issue will remain unresolved.

Local Representation

An increase in the number of MLAs and the size of the ministry will not in themselves ensure better governance, accountability and responsiveness of elected representatives.

A difficulty with the ACT system of government is that the Assembly is responsible for both municipal and state functions. The centralisation of responsibility for municipal functions has meant that, in some respects, services are not provided equally for all ACT citizens or not prioritised to meet the needs of local communities. Without a system of local government, the ACT government has limited capacity to have meaningful engagement with the

community on local issues that directly affect them. WVCC contends there is a need for consideration to be given to some form of improved local governance.

Implementation of Changes

WVCC considers it important for ACT citizens to have direct input in determining the ACT's system of government for the future. It should not be left just to the political parties or elected representatives to determine how Canberrans govern themselves.

We note that the legislation allows changes to the Assembly size through a 2/3 majority of Assembly members. We would however, call on the Assembly to put any proposed changes to a referendum, to be passed by a majority of electors, as allowed for by the *Proportional Representation (Hare-Clark) Entrenchment Act 1994*. That is, there should be a direct democratic process to amend the democratic arrangements of the ACT.

While the WVCC considers an increase to the size of the Assembly and the number of electorates is long overdue, we believe that the opportunity should be taken to address the unresolved electoral issues of local representation and electorate boundaries in the ACT.

The WVCC would be happy to discuss the issues we have raised with the Committee.

Yours sincerely

Dr Jenny Stewart
President
Woden Valley Community Council
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