



Legislative Assembly for the
Australian Capital Territory

Standing Committee on the Integrity
Commission and Statutory Office
Holders

Submission Cover Sheet

Inquiry into the operation of the 2024 ACT Election and Electoral Act 1992

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Increasing the ACT Legislative Assembly size

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This submission to the Inquiry into the operations of the 2024 ACT Election and Electoral Act 1992 calls for a reconsideration of the size of the Legislative Assembly, recommending an increase from 25 to 35 members.

It highlights the ACT's disproportionate representation compared with other jurisdictions. The ACT currently has only 6.3 representatives per 100,000 people, far below the Northern Territory, with 71.7, and Tasmania, with 57. Increasing the Assembly to 50 members would raise the ACT's representation to 11.6 per 100,000 people — comparable to Queensland, New South Wales, and Victoria. At a minimum, expanding the Assembly to 35 members would provide a fairer level of representation, strengthen local governance, and better reflect the ACT's population growth.

For these reasons, this submission recommends that the Inquiry's final report include a discussion of Assembly expansion, recognising that the question of size is overdue for reconsideration and directly relevant to the effective representation of ACT residents.

1 Preamble

The author acknowledges that it is not explicitly within the purview of the Inquiry into the operations of the 2024 ACT Election and Electoral Act 1992 to recommend changes to the number of elected officials in the ACT Assembly. However, the Inquiry's terms of reference include the broad item (6) *any other relevant matter*, which could reasonably encompass consideration of whether 25 seats was the appropriate number for the 2024 ACT election and whether an increase should be recommended for future elections.

This matter also relates to (2)(e) *expanding the voter franchise*, as an increased Assembly ensures that voters are not effectively disenfranchised by inadequate representation. It also relates to (2)(d) *increasing voter turnout and participation*, as a substantial change in the structure of elections is likely to stimulate interest, and a larger Assembly

provides more opportunities for voters to actively, or even incidentally, engage with their representatives.

Concerning the Electoral Act 1992, the 25-member Assembly is currently entrenched in **Part 4 Electorates**:

34 Multimember electorates

- (1) The ACT must be divided into 5 electorates.
- (2) Five members of the Legislative Assembly must be elected from each electorate.

This wording would need to be amended to permit an increase in Assembly size. The mechanism to do so is provided under the **Proportional Representation (Hare-Clark) Entrenchment Act 1994**, which requires that the entrenched electoral system must, at a general election, satisfy the following:

- (a) an odd number of members of the Legislative Assembly shall be elected from each electorate
- (b) at least 5 members of the Legislative Assembly shall be elected from each electorate

Any changes to this Act, and by extension the Electoral Act 1992, require a two-thirds majority vote of the Assembly.

For these reasons, the author submits this report to the Inquiry.

2 Introduction

This report provides reasons why a 35-member ACT Legislative Assembly is appropriate for the next election, and why it should already have been implemented for the 2024 election. It does not examine the distribution of members under different configurations (for example, 7 electorates with 5 members each versus 5 electorates with 7 members each), nor does it speculate on the impact on political parties, as predicting election outcomes is best left to commentators and analysts. Instead, this submission focuses on the population-based case for an increased Assembly.

Expanding the Assembly to 35 members was first discussed in 2002 [1] and recommended in 2014 when the Assembly increased from 17 to 25 members. That review proposed that a 35-member Assembly be implemented by 2020, or by 2024 at the latest [2]. The 2014 discussion paper, delivered to the Chief Minister on 31 March 2013, included the following recommendations:

- “... as the population of the ACT passes 400,000 ... the size of the Assembly should be 35 members”
- the Expert Reference Group recommended increasing the Assembly to 35 members in 2024

As of 2025, the ACT population is 483,800. This population threshold has been exceeded, yet the Assembly has not been increased. This alone should be a sufficient reason for this

Inquiry to recommend an expansion and to seek an explanation from the Chief Minister as to why the 2014 recommendation was not implemented.

3 Disparity

The 2014 discussion paper is not the only reason why an increase is overdue. The ACT is underrepresented compared to every other state and territory when all levels of government (local, state/territory, and federal) are considered.

Table 1 sets out the number of representatives across jurisdictions as of 30 June 2024. It shows that the ACT has the lowest representation in Australia, at only 6.3 representatives per 100,000 people. By contrast, the Northern Territory, with similar federal representation and the same-sized Legislative Assembly, has approximately 154 local representatives, lifting its representation to 71.7 per 100,000 people. The difference in land size justifies this difference, but this justification should not extend to limiting the ACT.

Table 1: Number of representatives at the federal, state/territory, and local levels compared to the total population as of 30 June 2024. Data sourced from the Electoral Council of Australia and New Zealand [3], with additional references in the final column.

State/ Territory	Federal		State/Territory		Local	Population ¹ 30 June 2024	Reps per 100,000 pop.	Ref.
NSW	47	12	93	42	1255	8,484,400	17.1	[4]
VIC	39	12	88	40	618	6,981,400	11.4	[5]
QLD	30	12	93		578	5,586,300	12.8	
SA	10	12	47	22	700	1,878,000	42.1	[6]
WA	15	12	59	36	1200	2,965,200	44.6	
TAS	5	12	35	15	263	575,400	57.0	[7]
NT	2	2	25		154	255,100	71.7	[8]
ACT	3	2	25			474,100	6.3	

¹ Population from ABS.gov [9].

If the Assembly were increased to 50 members, the representation ratio would rise to 11.6 per 100,000, aligning the ACT with Victoria, Queensland, and New South Wales (highlighted in teal). While doubling the Assembly may be politically unrealistic, an increase to 35 members would still represent a significant improvement, even though the ACT would remain the least represented jurisdiction by population.

When compared with Tasmania and the Northern Territory (highlighted in magenta), both of which have populations comparable to the ACT, the disparity is stark: each has roughly ten times the representation of the ACT. Tasmania increased its state lower house from 25 to 35 seats in 2022 — a reform the ACT should also have undertaken, consistent with the 2014 recommendations.

Given that the ACT Assembly performs both territory and local government functions, this underrepresentation has real implications for effective governance. It is not just a matter of numbers, but of ensuring democratic accountability and responsiveness.

Despite this, momentum for change has been lacking. As highlighted in an ABC analysis by Monte Bovill [10], public and political appetite for expanding the Assembly remains limited. The Chief Minister is quoted as saying:

“There are no plans to increase the size of the Assembly . . . At some point in the future, perhaps when Canberra’s population has well exceeded half a million people, there may well be a debate about whether more Assembly members are required . . . I need to be clear, there will be no moves to increase the size of the Assembly in this parliamentary term.”

This Inquiry provides an opportunity to challenge that position. A clear recommendation to plan for Assembly expansion would ensure that debate occurs now and that reforms are implemented in this parliamentary term.

4 Conclusion

This report has demonstrated that the ACT Legislative Assembly should be increased to 35 members. This would enhance local governance and representation for ACT residents. While it would not bring the ACT to parity with the least represented states, it would represent a fair and reasonable compromise, consistent with the recommendations of the 2014 discussion paper.

References

- [1] Standing Committee on Legal Affairs, “The appropriateness of the size of the legislative assembly for the act and options for changing the number of members, electorates and any other related matter,” 2002.
- [2] Select Committee on Amendments to the Electoral Act 1992, “Discussion paper,” 2014.
- [3] Electoral Council of Australia and New Zealand, “Electoral systems of australia’s parliaments and local governments,” 2022.
- [4] Office of Local Government, “At a glance,” 2024.
- [5] Municipal Association of Victoria, “Local government facts,” 2024.
- [6] Local Government Association of SA, “Make a difference, nominate for concil,” 148 Frome Street, Adelaide SA 5000, 2022.
- [7] Tasmanian Electoral Commission, “Voting systems in tasmania - a summary,” 2024.

- [8] Local Government Association of the Northern Territory (LGANT), “Closing the gap review,” *Submission 59*.
- [9] Australian Bureau of Statistics, “National, state and territory population,” 2024/06.
- [10] M. Bouvill, “When compared with tasmania, the act seems to have very few politicians. but the idea of increasing that number remains unpopular,” *The Australian Broadcasting Corporation*.