

## **Submission by the Gungahlin Community Council to the Inquiry into Amendments to the Electoral Act 1992.**

### **Comments on Recommendations made by the Commission**

**Recommendation 1.** The Commission recommends that the Electoral Act be amended to remove internet commentary by persons acting in a private capacity from the authorisation requirements. **(No comment)**

**Recommendation 2.** The Commission recommends that clause 7(3)(c)(i) and (ii) of Schedule 4 of the Electoral Act be amended to delete the word “all” to ensure that the scrutiny rules follow accepted Hare-Clark procedures. **(No comment)**

**Recommendation 3.** The Commission recommends that the requirement for reporting of gifts received of \$1000 or more within 7 days of their receipt during the expenditure period (from 1 January in an election year until polling day from 2016) be re-examined by the Assembly. **GCC recommends that the reporting timeframe for these gifts be consistent with the reporting timeframe for quarterly Business Activity Statements (BAS) - 28 February, 28 April, 28 July and 28 October provided this last date is within a one month period from polling day.**

**Recommendation 4.** The Commission recommends that the requirement for a federal election account be re-examined by the Assembly with a view to improving the workability of section 205I(4) of the Electoral Act. **(No comment)**

**Recommendation 5.** The Commission recommends that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Assembly. **GCC contends that a Party account is sufficient.**

**Recommendation 6.** The Commission recommends that either section 222(1) be amended to cap anonymous donations at \$250, instead of \$1,000, or section 216 be amended to raise the threshold for small anonymous gifts from \$250 to \$1,000. **GCC agrees with the recommendation to raise the threshold for anonymous gifts to \$1,000.**

**Recommendation 7.** The Commission recommends that use of the phrase “small anonymous donations” be removed from the Electoral Act and replaced with the phrase “anonymous donations”. **GCC agrees.**

**Recommendation 8.** The Commission recommends that section 205I(4) of the Electoral Act be amended to provide that it does not require anonymous donations to be paid into a federal election account. **GCC contends that a Party account is sufficient.**

**Recommendation 9.** The Commission recommends that the reference to section 220 in the definition of “disclosure day” in relation to third-party campaigners in section 201(2)(c) of the Electoral Act be removed. **No comment.**

**Recommendation 10.** The Commission recommends that the definition of third-party campaigner in section 198 of the Electoral Act be amended to replace the reference to “more than \$1,000” with “\$1,000 or more”. **No comment.**

**Recommendation 11.** The Commission recommends that the definition of third-party campaigner in section 198 of the Electoral Act be amended to exclude from the definition government agencies from any Australian government. **No comment.**

**Recommendation 12.** The Commission recommends that section 203 of the Electoral Act be amended to make it clear that only one reporting agent can be appointed at any one time for the same entity, and that the appointment of an agent automatically cancels the appointment of any previously appointed agent. **No comment.**

**Recommendation 13.** The Commission recommends that the Electoral Act be amended to make reporting agents, where appointed, responsible for the lodgement of all disclosure returns by parties, MLAs and candidates. **No comment.**

**Recommendation 14.** The Commission recommends that section 215G(1)(b) of the Electoral Act be amended to replace “local election” with “local government election”. **GCC recommends the inclusion of the term ‘Territory’ to avoid confusion with the 3<sup>rd</sup> tier of Local Governments that exist in the States.**

**Recommendation 15.** The Commission recommends that the penalty notice fine for failing to vote at ACT Legislative Assembly elections should be increased. **GCC recommends that the penalty notice fine should be increased to a level equivalent at least with a parking infringement but be less than the lower range of traffic infringements. Enrolled voters have opportunities for pre-poll, postal or absentee voting and can exercise the discretion to privately render an invalid vote.**

## **REDISTRIBUTION OF ELECTORAL BOUNDARIES**

### **GUNGAHLIN COMMUNITY COUNCIL (GCC) VISION**

- *GCC seeks adherence to the original concept of self-contained satellite centres serviced by all necessary amenities minimising the need for residents to travel to other centres for work, shopping, services & entertainment.*
- *Gungahlin seeks redress to the lack of services & amenities necessary to cater effectively for the current, and growing, population.*
- *Gungahlin needs representation from candidates who live in the area or in nearby suburbs (within the two current relevant electorates) to have a better affinity in understanding the issues facing local residents & businesses.*

Involvement in the Combined Community Councils and awareness of the issues affecting the seven Community Councils in the ACT has reinforced the fact that Gungahlin faces significantly different issues to those that are generally common to ‘older’ areas of

Canberra. Weston Creek, with the emerging large-scale development in Molonglo, will undoubtedly follow a similar path in years to come. To a lesser degree residents of West Belconnen will also experience infrastructure deficit issues; however the Belconnen Town Centre is well established with a wide variety of commercial and employment opportunities.

### **Why Gungahlin Needs Its Own Electorate.**

At present Gungahlin, as part of the largest electorate (Molonglo), shares its electoral representation with a significant number of well-developed areas, some parts of a small number of which are now undergoing change and re-development. Most, if not all, of these 'developed' areas have access to or are in close proximity to a full range of entertainment, employment, recreation and service amenities and facilities. Gungahlin does not! Many older suburbs in the current large electorate are undergoing redevelopment issues whereas Gungahlin has not reached that stage.

Gungahlin is still the prime growth area in the ACT.

- It has a broad and growing range of residents from different ethnic backgrounds.
- It is the new 'nappy valley' of Canberra!
- It has significant numbers of youth and younger children – there are 18 separate school entities in the district.
- It has a growing proportion of older people.
- At least five suburbs are still under development.
- Another two are at or nearing commencement stage.
- There is little employment in the Town Centre.
- The Leisure Centre construction is only now about to open.
- There are no cinemas or entertainment facilities for youth in the district as yet despite plans for a cinema complex only at informal announcement stage...
- Critical roads are scheduled for duplication to handle the expected growth of the local population but project funding has not been verified.

Development in the Gungahlin Town Centre has for many years seemed to progress slowly. GCC and the Gungahlin community get tempted with notification of development interest opportunities but await commencement of project work & finally see project completion after typical periods of waiting extending to 5-10 years. Yet developments in the airport precinct, Tuggeranong, Civic and Belconnen take much shorter timeframes to go through a similar process.

- The Leisure Centre took at least 5 years & several iterations before a satisfactory solution was reached. A cinema complex has been on the wish list for even longer but no formal announcement will be made until July 2014.

GCC has identified local employment opportunities as a key requirement to stimulate additional commercial development in the Town Centre. The building of an office block to

house 500-600 ACT public servants but at least one more office block of a similar or larger size is essential to foster broader commercial development.

Focus seems to be placed on improving roads to channel Gungahlin residents outside the district to service the bulk of their employment, entertainment, shopping & lifestyle needs.

The recent economic stimulus package will result in an earlier start to the development of more residential sites resulting in a significantly increased population base without the full range of services & facilities needed by a satellite region (that should ideally be largely self-sustaining).

GCC believes that:

- Electoral boundaries need to be reconfigured to reflect current needs of Gungahlin residents and the continuing rapid growth. The current Electorate footprint, being a combination of Gungahlin with areas of the Inner South and Weston Creek, is not considered to reflect the interests of Gungahlin residents.
- The option for an expanded Legislative Assembly comprising five electorates provides an opportunity for one electorate which includes the whole Gungahlin region encompassing a discrete critical mass of population with a common set of needs and interests.

GCC made suggestions in 2011 regarding the redistribution of electoral boundaries for the ACT. We were disappointed with the outcome, believing that the committee defaulted to the "least change" approach - as it did with the previous review - the problem being that approach failed to fix the problem of specific representation in a lasting manner. Changes were still required less than a year later to recognise the specific needs of Gungahlin residents. The incremental approach does not account for the ongoing rapid population growth in the northern suburbs of Canberra.

The GCC prefers a model for the ACT to have additional MLAs, some of which should specifically represent Gungahlin residents. GCC notes that not one 'true local' candidate was elected in the 2012 round. Residents can therefore feel somewhat disenfranchised with that result!

Output from our electorate modelling software indicated that five electorates of five MLAs each (with quotas of approximately 11,000 electors) can be easily achieved. These electorates can align closely to established communities of interest: Belconnen, Inner North and Central Canberra, Gungahlin, Weston/Woden, and Tuggeranong. An added advantage is that each likely new electorate would be geographically defined, thus giving elected members far better opportunity to closely engage with the community they represent. We sought a solution that aligned communities of interest as closely as possible, while preserving a small negative variance where growth will be greatest over the next 8 years.

GCC supports criterion regarding electoral boundaries being weighted in favour of community interests, including economic, social and regional interests, means of communication and travel, and physical features and area-specific needs.

Gungahlin, as a rapidly growing 'newish' area, is currently split between two electorates with a range of community interests represented by both older & new communities at critical points in their respective development.

The 'older' areas of Gungahlin suffered for many years from lack of essential amenities, including lack of adequate telecommunications (broadband), adequate road access, commercial facilities & employment opportunities. The rapidly expanding newer areas of Gungahlin are also experiencing the ramifications of 'catch-up' planning & provision of facilities & amenities commensurate with the needs of the growing population. Most of Gungahlin is faced with 'growth pains' – some residential, some amenities/services and most transport related.

It is difficult to find synergies between the needs of Gungahlin, Inner North, Central Canberra and South Canberra constituents of the Molonglo electorate.

GCC notes that the growth in Gungahlin has been accompanied by increasing connections between Gungahlin and Belconnen as:

- Many Gungahlin residents have made use of schools, medical facilities, employment opportunities, shopping and commercial areas in the adjacent district of Belconnen.
- The development of the Gungahlin Drive Extension and the heavy usage of other roads linking Gungahlin and Belconnen have facilitated these connections.
- The location of the new Northside Hospital in Bruce will extend those links.
- Students at the University of Canberra are locating in Gungahlin.

Naturally Gungahlin would prefer to have its own complete suite of services and amenities commensurate with the current and growing population.

It is believed that most Gungahlin residents would support the move from a very broad electorate to a more localised area (to combine Gungahlin and parts of Belconnen together in the one electorate) as it would create an area with vastly more similarities between affected Gungahlin & Belconnen residents rather than maintaining an electorate comprising some residents of Central Canberra, South Canberra and Weston Creek – the last three having many interests far removed from most synergies with Gungahlin residents.

A current problem is that the Gungahlin district by is not large enough to create a 5-Member electorate in its own right, thus 'making it necessary' to include other adjacent areas (of Belconnen) to make up the numbers to bring the electorate to within +/- 5% of the quota at the time of next election.

The preferred option of GCC would be to include the suburbs of Giralang, Kaleen and McKellar (plus perhaps Evatt) as the other suburbs which could be combined with Belconnen and Gungahlin to constitute a new 5-Member electorate.

The Turner Residents Association stated “that the suburbs of Turner, O’Connor and Lyneham should NOT be part of a larger Ginninderra electorate as Turner, O’Connor and Lyneham have much stronger links with central Canberra than with the newer suburbs to the north and should remain within the electorate of Molonglo.”

The GCC is concerned about the ‘requirement’ to comply (too rigidly from our perspective) with variance limits to electorate quotas. As at 31 March 2011 the electorate of Molonglo was 2.7% over quota & Ginninderra was 0.6% below quota.

The Gungahlin area continues to grow at a significant rate. The suburbs of Bonner, Casey, Crace, Forde, Franklin, Gungahlin and Harrison had projected growth rates of enrolled persons in excess of 10% up to October 2012. In Belconnen the suburbs of Belconnen Town Centre, Bruce, Dunlop and Macgregor had growth projections over 10%. Only Braddon, City & Phillip in the Molonglo electorate had growth rates (from a reasonable base) over 10%.

Residents of Gungahlin feel that they have, and continue to, suffered from ‘catch-up’ remedial action in relation to many services facilities, services & amenities that they require. More growth is inevitable in Gungahlin as the new suburbs of Moncrieff, Throsby, Jacka, Taylor & Kenny are developed & populated.

There is a need to apply pro-active policies in addressing the needs of residents in growing areas in the ACT. Gungahlin suburbs will continue to grow well after the close-off date for electorate numbers & a significant surplus situation could well occur within a short time afterwards, again placing the residents of that electorate at a representational disadvantage (under current terminology). Net growth in Gungahlin & Belconnen should significantly surpass that in Central & South Canberra so there is a need to anticipate this process.

Gungahlin residents in particular would prefer to see evidence of forward planning in relation to many of the issues they currently face. An electorate model that recognises the ramifications of rapid growth and an appropriate level of representation (both in terms of numbers of politicians & regional focus) should meet with a high degree of satisfaction.

GCC submits that there is merit in adopting a unified approach to resolving the electorate issues facing the key growth areas in the ACT.

However GCC’s prime interest is in gaining specific and appropriate representation for the Gungahlin community and that translates into a discrete electorate (maybe named Gungahlin, Gungaderra or Mulanggari) eventually being established. Furthermore the GCC wants the establishment of local electorate offices or a shared office for the Gungahlin electorate so that residents could develop a closer relationship with their respective elected members of the Legislative Assembly.

## Electoral Boundaries

GCC has a preference for the boundaries for the five electorates being based primarily on geographic boundaries.

We prefer to avoid splitting districts but note the approach taken to the “one vote, one value” provisions in the Electoral Act, which stipulate that enrolments in each electorate must be within +/-5% of the average at the time of the next election.

GCC acknowledges that if the ACT was divided into 5 equal sized electorates it would be inevitable that at least the districts of Belconnen and Tuggeranong would have to be split with a number of voters being transferred to adjoining electorates in 2016. This is because these districts each contain more than 1/5 of the ACT’s enrolled population.

Based on this, GCC makes the following suggestions.

GCC clearly wants Gungahlin to be incorporated, as far as possible, into one entity. However Gungahlin has a connection with Belconnen and both districts will grow with the development of Lawson and West Belconnen (Belconnen) as well as the earlier documented suburbs of Gungahlin (Moncrieff, Throsby, Jacka, Taylor & Kenny).

GCC broadly supports the views expressed by the Weston Creek Community Council, based on 2011 Census figures, but notes that there is a need to factor in growth in the Gungahlin district to develop a more realistic model for the 2016 election.

Number of electors in each District

| <b>District</b> | <b>Electors at 2012</b> |
|-----------------|-------------------------|
| Belconnen       | 65943                   |
| Gungahlin       | 30744                   |
| Inner North     | 29758                   |
| Inner South     | 23491                   |
| Weston Creek    | 16815                   |
| Woden           | 24637                   |
| Tuggeranong     | 64862                   |
| <b>Total</b>    | <b>256,250</b>          |

Based on the total voting population in 2012 of 256,250, a quota of 51250 applies for each electorate. If the variation of +/- 5% as allowed in the Electoral Act is applied, the number of voters in any one electorate varies between 48687 and 53813.



With the prime aim of electoral boundaries conforming as close as possible to geographical boundaries, plus keeping the number of voters in each electorate within quota as a secondary aim, the Gungahlin Community Council supports in principle the establishment of the following five electorates as recommended by Weston Creek Community Council:

1. **Tuggeranong** - 64862. *Would have to be split, achieved best by moving Kambah (11101), to make 53761. This is within quota and provides one electorate of 5 MLAs.*
2. **Woden/Weston Creek Molonglo** – 24637 (Woden) plus 16815 (Weston Creek) gives 41452. *By adding Kambah, which adjoins Weston Creek and Woden (11101 voters), gives 52553 in total, which is within quota for one electorate of 5 MLAs.*
3. **Belconnen** – 65943. *Would have to be split, which would be achieved best by moving voters in the eastern/northern suburbs of Belconnen, adjacent to Gungahlin, into the Gungahlin electorate. This can be achieved by moving Kaleen (5380), Giralang (2425), McKellar (2161), Evatt (3865) and Spence (1836), for a total of 15617 voters into Gungahlin electorate. This would bring Belconnen to 50326, which is within quota for one electorate of 5 MLAs.*
4. **Gungahlin** – 30744. *Needs 17943 more electors to bring it to a minimum quota. 15617 would come from Belconnen, and Lyneham, with 3451 electors, would also move to Gungahlin electorate. All of these suburbs adjoin Gungahlin, so geographically it is as close to “best fit” as can be. Gungahlin would then be 49812, and within quota for one electorate of 5 MLAs.*
5. **Inner North and Inner South** – 29758 (Inner North) plus 23491 (Inner South) makes 53249, which is within quota, but this would have to be reduced by moving Lyneham [3451] into Gungahlin electorate, in order to bring Gungahlin within quota. This would leave the Inner North and Inner South at 49798, which is still within quota for one electorate of 5 MLAs.

GCC notes that the Weston Creek Community Council understands that the population numbers used above will change with Gungahlin likely to have around 40,000 and the new Molonglo district expected to have a few thousand people living there by 2016.

It is also likely there will be increases in the Inner North and Inner South as population density increases. There are also moves to increase density in and near the Town Centres in Woden, Tuggeranong and Belconnen. What difference these changes in population will make will no doubt be the focus of a new inquiry into electoral redistribution in the ACT prior to the 2016 ACT Legislative Assembly Election.

GCC considers that the above proposal can form a useful template for such an inquiry in 2015 and provide a sound basis for the proposed five electorate model.



**Population Data:** Gungahlin statistics from the 2011 Census.

Population 47,303    Males 23,346 (49.4%) Female 23,957 (50.6%)    Median age 31  
Children aged 0-14 made up 24.6% of the population, people aged over 65 made up 4.7% of the population.

#### **POPULATION CHANGE (since 2011 Census)**

Australia's estimated resident population (ERP) reached 23.1 million at 30 June 2013, increasing by 407,000 people (1.8%) since 30 June 2012. All states and territories experienced population growth between 2012 and 2013. Victoria had the greatest growth (up by 106,800 people), followed by New South Wales (103,200) and Queensland (88,600).

Western Australia grew fastest, increasing by 3.3%, followed by the Northern Territory (2.1%), Queensland and Victoria (both 1.9%). The remaining states and territories grew below the Australian rate: the Australian Capital Territory by 1.7%, New South Wales by 1.4%, South Australia by 0.9%, and Tasmania by 0.2%.

Population growth tended to be most prominent in outer suburbs, inner cities, urban infill areas and along the coast. Areas that declined include regional areas and long-established suburbs within capital cities.

#### **POPULATION CHANGE BY SA2, Australia - 2012-13 STATE AND TERRITORY HIGHLIGHTS**

**Australian Capital Territory:** The combined population of the Australian Capital Territory's northern SA3s increased by 6,100 people in the year to 2013, while the southern SA3s grew by 230.

- The SA3 with the largest growth in the Australian Capital Territory was Gungahlin, increasing by 4,300 people.

Outer suburban areas in the smaller capital cities also had some of the strongest growth in their states or territories. In the Australian Capital Territory, the northern fringe suburbs of Bonner (up by 1,200 people), Casey (830) and Harrison (700) had the largest growth.

#### **SA3s WITH LARGEST AND FASTEST POPULATION GROWTH IN 2012-2013**

|                        |                              | ERP AT 30 JUNE |        | CHANGE      |     |
|------------------------|------------------------------|----------------|--------|-------------|-----|
|                        |                              | 2012r          | 2013p  | 2012r-2013p |     |
| National rank & SA3(a) | GCCSA                        | no.            | no.    | no.         | %   |
| 17 Gungahlin           | Australian Capital Territory | 52 800         | 57 051 | 4 251       | 8.1 |

Based on the 2011 figures a Gungahlin population of 47303 includes 30,744 voters – 65% of residents. Applying this percentage to the growth (of 4300) in 2012-13 gives an increase in the voting population of Gungahlin of almost 2800 to about 33,540. This does not include any increase that occurred during the period between Census date in 2011 and end-June 2012.

The suburbs of Franklin and Harrison are experienced significant growth along the Flemington Road corridor with development action now in progress on most sites between Wells Station Drive and the outer limits of the Town Centre. Most of these developments are medium density so population increases will be far higher than stand-alone residential developments.

Significant development is also taking place in Crace, Casey and Ngunnawal with large numbers of stand-alone and multi-tenanted premises being constructed. Commencement is underway for additional residential development in Moncrieff with infrastructure projects for further expansion being brought forward under the ACT Government's economic stimulus measures.

The above table reveals that a growth rate of 8.1% was achieved in the 2012-2013 period.

Applying a similar growth rate provides the following population and voter numbers for Gungahlin:

| <b>Year</b> | <b>Population</b> | <b>Voters</b> |
|-------------|-------------------|---------------|
| 2013        | 57051             | 37085         |
| 2014        | 61672             | 40087         |
| 2015        | 66667             | 43334         |
| 2016        | 72068             | 46844         |

It is therefore most likely that the Gungahlin district will achieve voter numbers in excess of 46,000 by the time of the next election in 2016. This has to be taken into consideration when defining a possible new 5-member electorate to comprise all of Gungahlin plus some nearby suburbs that may 'need to be borrowed' for the next election.

ABS growth figures for the ACT in 2012-2013 were 1.7%. If a similar rate was applied to the voting population the number of voters in the ACT would reach 274,125 by 2016 thus providing a quota per elected member (based on 25 members) of 10.965 (say 11,000). This translates into a voting population per 5-member electorate of 54,825 (or 55,000) to align with the mid-point of the quota requirements.

These numbers, factoring in the expected growth rates in the Gungahlin district, would require about 9,000 voters to be 'imported' from nearby areas – far fewer than the number

predicted on the basis of 2012 figures. Again based on 2012 figures, the quota required for Gungahlin could be met by transferring voters from Giralang, Kaleen and McKellar. These three suburbs are north of a defined 'barrier' – Ginninderra Drive - and are closest in proximity to the Gungahlin district.

GCC offers for consideration names for each of these electorates:

Tuggeranong – retain Brindabella

Woden/Weston/Molonglo – retain Molonglo

Belconnen – retain Ginninderra

Gungahlin – call it Gungaderra (creek, homestead), or Mulanggari.

Inner North/Inner South – name Inner Canberra, or Ngambri

### **Size of Future Assemblies**

The GCC is not in favour of the proposal to increase the number of elected members in the ACT Legislative Assembly to 35 for the 2020 election. If approved, the increase from 17 to 25 members for the next (2016) election is considered sufficient for at least two election cycles and therefore a second increase should not be examined until 2024 when population levels are commensurate with a need for a far greater number of elected representatives.

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