



**THE FEDERAL
REDISTRIBUTION
NORTHERN TERRITORY**

Objection 4

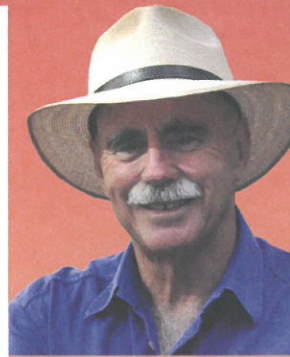
Australian Labor Party NT Branch

15 pages



The Hon Warren Snowdon MP

Federal Member for Lingiari



7 October 2016

Augmented Electoral Commission
Australia Electoral Commission

Re: Submission by The Australian Labor Party

Please accept the following submission for consideration by the Augmented Electoral Commission for the Northern Territory.

Yours sincerely

Warren Snowdon MHR
Member for Lingiari

Alice Springs:
PO Box 4007
Alice Springs NT 0871
Tel: (08) 8952 9696
Fax: (08) 8952 5922

Coolalinga:
PO Box 270
Coolalinga NT 0839
Tel: (08) 8983 3129
Fax: (08) 8983 3012

Parliament House:
House of Representatives
PO Box 6021
Canberra ACT 2600
Tel: (02) 6277 4081
Fax: (02) 6277 2088

Proposed Redistribution of the Northern Territory into Electoral Divisions

Submission on the *Report of the Redistribution Committee for the Northern Territory*

Australian Labor Party NT Branch

7 October 2016

Federal Redistribution Committee
President Syd Stirling
Secretary Kent Rowe
The Hon. Warren Snowden MP
Senator Malarndirri McCarthy
Luke Gosling OAM MP



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About this submission

*This submission is provided to the Redistribution Committee for the Northern Territory by the **Australian Labor Party NT.***

The submission supports retaining both names of the electoral divisions in the Northern Territory.

The submission provides comments on the proposal to alter the boundaries of both the electoral divisions in the Northern Territory for consideration by the augmented Electoral Commission to modify or adjust the boundaries through the objection and comments on objections process (and inquiry process, if required).

*This submission has been prepared mindful of the statutory requirement priorities to be considered and recommends **no change** or **minimal change** to the current boundaries of both electorates.*

The minimal change be, the inclusion of the entire local government area of the Litchfield Council in the electorate of Lingjari as proposed in the draft changes to the boundaries with the areas of Palmerston North and Palmerston South to remain in the electorate of Solomon.

This change to the draft redistribution would provide completeness aligning local government boundaries with the boundaries of the Federal Divisions of the Northern Territory.

Statutory Considerations

Numerical Requirements

The Electoral Act imposes two strict numerical requirements on the Redistribution Committee. These requirements have primacy over other statutory considerations.

The two requirements are:

- 1 All proposed electoral divisions are required to be not more than plus 10 per cent, or less than minus 10 per cent, of the current enrolment quota. At the end of Thursday 15 October 2015, the day on which the redistribution commenced, 129 571 electors were enrolled in the Northern Territory. The current enrolment quota was therefore 64 786. As the Electoral Act requires electoral divisions to be within plus or minus 10 per cent of this quota, the Redistribution Committee was required to construct electoral divisions which contain between 58 308 and 71 264 electors. At that time the enrolments in Lingiari were 61,872.
- 2 All proposed electoral divisions are also required to be not more than plus 3.5 per cent, or less than minus 3.5 per cent, of the projected enrolment quota at the projection time of Friday 7 August 2020. As the number of electors projected to be enrolled in the Northern Territory at this time is 141 376, and the projected enrolment quota is 70 688, the Redistribution Committee was required to construct electoral divisions which are projected to contain between 68 214 and 73 162 electors on Friday 7 August 2020.

Enrolment in the Northern Territory

This submission challenges the reliability of the AEC estimates of the projected enrolled voters in the Northern Territory at the time of 7 August 2020. The submission challenges the projected enrolled voters in both the electorates of Solomon and Lingiari.

The Redistribution Committee report at paragraphs 48 and 49 states the following:

*48. Table E shows that while both current electoral divisions are expected to grow in the period from Thursday 15 October 2015 to Friday 7 August 2020, **the Division of Solomon is expected to grow at a faster rate than the Division of Lingiari. This aligns***

with the trends in population growth in the Northern Territory as discussed previously.

49. Faster growth in the Division of Solomon is also consistent with enrolment trends in recent years. Figure C illustrates that not only are more electors enrolled in the Division of Solomon, but enrolment has grown steadily in the Division of Solomon while it has been decreasing in the Division of Lingiari.^[1]

Paragraphs 48 and 49 include a number of contestable statements with respect to enrolment and population growth across the two Northern Territory electorates for the following reasons.

Under-enrolments

Paragraph 48 states that '*the Division of Solomon is expected to grow at a faster rate than the Division of Lingiari.*' This statement does not take into account the high levels of under-enrolment that exist throughout the Northern Territory.

Under-enrolment disproportionately affects the Division of Lingiari due to the large Aboriginal and Torres Strait Islander population in the electorate.

The National Australian Audit Office has reported that 42% of all Indigenous persons are not enrolled to vote. In the Division of Lingiari, 42.7% of people are Aboriginal or Torres Strait Islander. Comparatively, the Division of Solomon has an Aboriginal and Torres Strait Islander population of 9.6%.^[2]

In addition, the Division of Lingiari has lower median age than the Division of Solomon (31.4 compared to 32.2). The Australian National Audit Office has reported that '*young people have a strong correlation with low enrolment and low turnout.*'^[3] As such, the Division of Lingiari will have been affected by additional levels of under-enrolment due to this trend.

On this basis, given both the now accepted under enrolment of Aboriginal Territorians the figures used as at 15 October 2015 reflect this under enrolment. In addition then, any estimates of future enrolments used to

^[1] Proposed Redistribution of the Northern Territory into electoral divisions, June 2016, p. 18.

^[2] ABS 2011 Census data

^[3] Australian National Audit Office report, 2015-16 p. 21.

calculate the projected enrolment quota as per Section 66 of the Electoral Act can be expected to reflect this under enrolment

Rate of growth

The statement in paragraph 48 that *'the Division of Solomon is expected to grow at a faster rate than the Division of Lingiari'* is worthy of further enquiry when considered with the data in Table A.

Table A: projected & actual growth of current electoral divisions in the Northern Territory

Current electoral division	Enrolment as at Thursday 15 October 2015	Enrolment as at Tuesday 27 September 2016	Percentage growth between 2015 and 2016	Projected enrolment as at Friday 7 August 2020	Percentage growth between 2015 and 2020
Lingiari	61 872	66 438	7.38%	67 024	8.33%
Solomon	67 699	70 955	4.81%	74 352	9.83%
Total	129 571	137 393	6.04%	141 376	9.11%

Enrolment figures as at Tuesday 27 September 2016 highlight that since Thursday 15 October 2015, there has been a 7.38% increase in enrolments in the Division of Lingiari compared to a 4.81% increase in enrolments in the Division of Solomon (see Table A above).

The higher rate of growth of enrolments in the Division of Lingiari (between October 2015 and September 2016) can largely be attributed to the increase in enrolment activity that occurred at both the Federal election in July 2016 and the Northern Territory election in September 2016.

These figures support the submission that under-enrolment is an endemic issue throughout Lingiari. Whilst under-enrolment is periodically addressed when elections take place, more needs to be done to address the issue on an ongoing basis.

This submission notes that the AEC has taken steps to partner with other Agencies to further address the acknowledged under enrolments on an ongoing basis.

Further extraordinary opportunities to significantly address under enrolment in the Northern Territory will occur in August 2017 when Local Government elections are held across the Northern Territory. At that time polling teams have the opportunity to be in all communities across the

Territory in both the electorates of Solomon and Lingiari updating enrolled addresses and capturing recent 18 year olds and others new to the roll.

The same will be true at the next Federal election which will be undertaken by the end of 2019.

If these events and the ongoing measures undertaken by the AEC and presumably the NTEC have a similar impact on enrolments to those since October 2015, then it is apparent the projected enrolment figures for Lingiari for August 2020 are a significant under estimate of the enrolments that could otherwise be expected.

This submission's Table A also challenges the Redistribution Committee report conclusions from the graph displayed as Figure C.^[4] The report claims that '*Figure C illustrates that not only are more electors enrolled in the Division of Solomon, but enrolment has grown steadily in the Division of Solomon while it has been decreasing in the Division of Lingiari.*' Whilst it is accurate that more electors are currently enrolled in the Division of Solomon and enrolment has grown steadily in that electorate, it is inaccurate to conclude that enrolment has been decreasing in the Division of Lingiari – highlighted in Table A.

The Committee Report analysis of Figure C, has failed to recognise the cyclical nature of enrolment trends in Lingiari. Figure C is not indicative of a long-term trend but rather a cycle in enrolments that occurs in sync with the electoral cycle as well as other extraordinary events. This cycle is not indicative of population trends but rather by enrolment activity that can be largely dictated by the AEC and other relevant organisations.

As highlighted in Figure C, enrolment in Lingiari peaked in November 2013 whilst steadily decreasing thereafter. Similar trends can be deduced by Figure A, which indicates a series of peaks in enrolment in the months following a federal election: 9 October 2004, 24 November 2007, 21 August 2010, 7 September 2013. More recently, this can be seen in the AEC figures highlighting that enrolments in the Division of Lingiari steadily decreased to 61 872 in October 2015 before peaking to 66 438^[5] following the Federal election (2 July 2016) and the Northern Territory election (27 August 2016).

^[4] Proposed Redistribution of the Northern Territory into electoral divisions, June 2016, p. 18.

^[5] Update provided by the AEC Darwin Enrolment in Lingiari 28 September 2016

Figure A: Enrolment in the Divisions of Lingiari & Solomon, 30 June 2004 to 27 September 2016

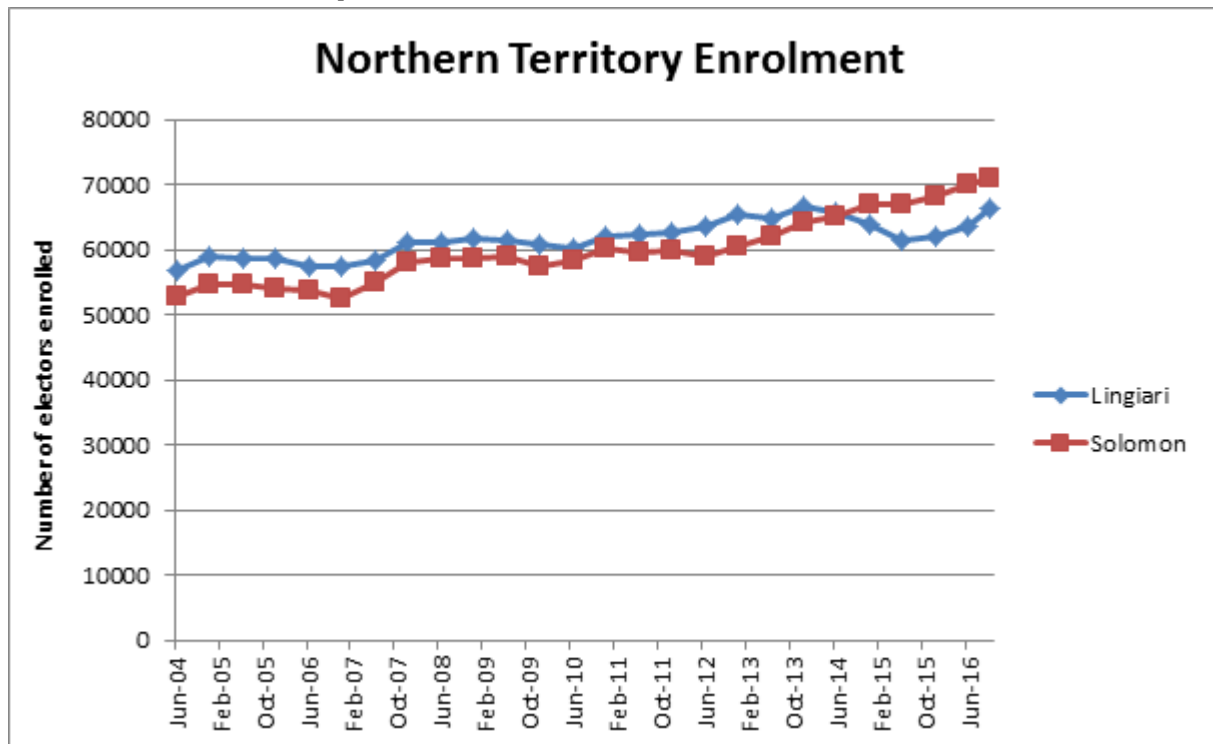


Figure A demonstrates that enrolment in Lingiari spiked in September 2013 whilst steadily decreasing thereafter. This submission posits that this table is not indicative of a long-term trend but rather a natural cycle in enrolments for Lingiari that occurs in sync with the electoral cycle. This is further demonstrated by the fact that Lingiari enrolments had slumped to less than 62,000 in December 2015.

Population

ABS data reveals that from the period 2013 to 2015, the total adult population (people over the age of 18) decreased by -0.94% in the Division of Lingiari and increased by 2.49% in the Division of Solomon.

The decline in enrolments in Lingiari over 2014 and 2015, can largely be attributed to a loss of population from Nhulunbuy and surrounds of 2400 over the period June 2013 and June 2015 (ABS). This decline was largely the direct result of the decision to close the bauxite refinery at Gove, an event that could not have been calculated for in the previous redistribution of the Territory in September 2008.

In this context it is worth asking whether the Redistribution Committee has considered the potential impact on the enrolment figures for both Solomon and Lingiari of the completion of the Inpex construction project over the next over the next couple of years. Currently Inpex has around

8,200 workers, of whom around 4,000 live locally, predominantly in the Solomon electorate. It is expected that there will be a progressive decline in the workforce, until at the operation stage when the project is expected to employ around 800 people.

This data is contrary to the AEC's conclusion that the expectedly faster rate of growth in the Division of Solomon *'aligns with the trends in population growth in the Northern Territory.'*

Communities of Interest

Introduction

Nearly all Federal electorates are of different sizes.

With respect to communities of interest the Redistribution Committee made the following statements that are worthy of consideration:

*66. Within the limits imposed by the numerical criteria and the other considerations, **the Redistribution Committee acknowledged that it is also highly desirable that electoral boundaries be readily recognisable.** Local government area boundaries, locality and suburb boundaries, main roads, waterways and other linear features able to be used as boundaries guided the Redistribution Committee where appropriate.*

*69. **Those making suggestions argued for the maintenance and/or strengthening of community of interest,** the provision of clear and strong boundaries based on recognisable features and consideration of the means of communication and travel within the proposed electoral divisions.*

*71. ...The Redistribution Committee choose to minimise the number of electors to be moved by transferring parts of the Litchfield Municipality and parts of the Palmerston Municipality from the Division of Solomon to the proposed Division of Lingiari. **This approach enables the entirety of the Litchfield Municipality to be united in the proposed Division of Lingiari instead of being split across two electoral divisions,** as occurs with the current electoral divisions. The Redistribution Committee notes **the eastern side of the Palmerston Municipality is a growth area, with the suburbs located in this area sharing a strong relationship with the towns of Howard Springs and Virginia...***

Historically, since the inception of two federal electoral divisions in the Northern Territory, the boundary between the two divisions was drawn to factor in key considerations such as geography, community history, community interests and minority representation that need to be taken into account to ensure that our Parliament effectively represents the diversity of our social fabric.

In the 2000 redistribution that led to the creation of the two Seats of Lingiari and Solomon, the final report of the redistribution committee noted:

However, community of interest links between people living within the Darwin area (including Palmerston) are very strong and obvious. People in that area have close and continual social contact, their children attend the same schools, they shop at the same shopping centres, they belong to the same sporting and social bodies, and engage in a variety of communal activities. In the augmented Commission's view, it was impossible to deny that there is a greater community of interest between people living in the Darwin (including Palmerston) area than there is between people living in Darwin and other people residing in areas remote from Darwin. Plainly, there are important community of interest links between people living in the urban areas of Darwin and Palmerston and people living in more remote areas. However, by and large, these links are not as numerous or as close as the links between people who have made their homes in the Darwin and Palmerston areas. *(2000 Redistribution of the Northern Territory into two electoral divisions - Final Report - Part 1 paragraph 17)*

This submission strongly supports the view expressed in the year 2000 Final Report, but still current today, that there is a greater community of interest between people living in the Darwin (including Palmerston) area than there is between people living in Darwin and other people residing in areas remote from Darwin.

The current electoral boundary for the Division of Lingiari has characterised the electorate as being predominantly rural/remote in nature. The Division of Lingiari covers an area of 1,348,157.94 km² (98.98% of the Northern Territory) whilst the Division of Solomon covers an area of 190.61 km² (0.02% of the Northern Territory). Besides the key population centres of Alice Springs, Tennant Creek and Katherine, the Division of Lingiari is comprised of over 200 remote communities the majority of which are Aboriginal communities.

In addition, the Division of Lingiari has the unique responsibility for representing the Territory of Cocos (Keeling) Islands and the Territory of Christmas Island.

The Division of Lingiari is undoubtedly rural/remote in nature and this is a key factor for enabling effective representation of shared community interests in Parliament.

Conversely, the Division of Solomon has been strongly characterised by the fact that it encompasses the entirety of metropolitan Darwin and Palmerston. It is almost entirely concentrated urban development, with small residential blocks and high density unit development. The boundary that surrounds the Darwin/Palmerston area and divides the two electorates is fundamental to establishing the parameters of the Northern Territory's communities of interest.

This submission contests the view of the Redistribution Committee that the ***eastern side of the Palmerston Municipality is a growth area, with the suburbs located in this area sharing a strong relationship with the towns of Howard Springs and Virginia.*** The view of this submission is that Howard Springs and Virginia are not towns, being characterised by large rural living blocks, and do not share a strong relationship with the developing residential suburbs on the eastern side of the Palmerston Municipality.

The residents of the rural area have consistently voiced their opposition to the sub division of their rural properties. They have a distinct and definite view that they don't want to be like the existing Darwin and Palmerston suburbs. They share very different lifestyles and expectations about those lifestyles and where they live.

The developing commercial estates and shopping precincts in the Rural area mean that there is little need for residents to access services in Palmerston. There high quality schools and medical services available in the rural area. Significantly the new hospital being built in the region is squarely in the electorate of Lingiari, in the Litchfield shire.

The recreational and social activities for the resident of the rural area are centred around rural living. The economic drivers of the rural area are significantly different from those of the Palmerston suburbs either new or old. While many drive along the Stuart Highway, bypassing Palmerston to work in the Darwin CBD and elsewhere, there is a very productive local economy centred on rural industry. There are significant, large and productive farming and agricultural enterprises including horticulture and aquaculture in the rural area. These enterprises not only provide sustainable ongoing employment opportunities but attract service industries that are locally based.

This is very different to economic, recreational and social activities which prevail in Palmerston or the suburbs that the Redistribution Committee has proposed including in the new Lingiari. This submission submits that there is nothing to support the assertion that the Palmerston suburbs share a community of interests with the residents of the Darwin Rural area or any other part of the existing Lingiari electorate.

In this context it is worth considering the broader demographic features of the electorates of Lingiari and Solomon. Most importantly and obviously Lingiari has the largest Aboriginal population of any Federal electorate (see above) and significantly larger than the Solomon. These electors have a community of interests across the electorate and have needs that are very different from the broader population.

This submission submits the legitimacy of the argument that the whole of the Litchfield Council area should be included in the Lingiari electorate. There is clearly a community of interest and the Stuart Highway provides an accepted and obvious boundary between the Lingiari and Solomon electorates.

This submission notes, that if there is an acceptance of a significant underestimate of the enrolments anticipated by the Redistribution Committee and the likelihood that the rate of increase in enrolments will be higher in Lingiari than for Solomon then the enrolments in August 2020 should be well within the 3.5% tolerance.

Alignment of Boundaries for Federal Electorates with Northern Territory Legislative Assembly Electorates

In addition, consideration needs to be given to the impact of a redistribution on effective representation within the Northern Territory electorates (Appendix 1). The draft proposal splits areas of the Northern Territory Legislative Assembly (NTLA) electorates of Spillett, Drysdale and Brennan between the Federal seats Solomon and Lingiari. Previously NTLA boundaries were aligned to be in either Solomon or Lingiari, not have elements in both. It could hardly be argued that those voters shifted from Solomon into Lingiari in this instance would have more in common and share a greater community of interest with the residents of the rural area than with other Palmerston residents.

Conclusion

This submission considers the impact of under enrolment as a factor impacting on the *Numerical Requirements* that are the fundamental

consideration in the Redistribution process. The fact that the Redistribution timeline has straddled either side of a Federal Election, 2 July 2016 and a Northern Territory Election, 27 August 2016, events which resulted in significant spikes in enrolments, especially in Lingiari cast doubt on the reliability of the enrolment projections to obtain the projected enrolment quota at the projected time of Friday 7 August 2020.

Reconsideration of the enrolment projections should be undertaken, especially as events capturing significant current unenrolled voters will occur at the NT Local Government election in August 2017 and the likelihood of a Federal election prior to 7 August 2020.

The spikes in enrolment during an election period indicate that when resources are available and unenrolled voters are alerted to an enrolling event such as an election that the critical issue of under enrolment can be addressed. This submission noted The National Australian Audit Office report that 42% of all Indigenous persons are not enrolled to vote and in the Division of Lingiari, 42.7% of people are Aboriginal or Torres Strait Islander. Comparatively, the Division of Solomon has an Aboriginal and Torres Strait Islander population of 9.6%.^[6]

The issue of under enrolment is worthy of further enquiry and consideration by the augmented Electoral Commission in the development and final determination of the redistribution.

There is in our view no substance to the proposal by the Redistribution Committee that suburbs of Palmerston be included in Lingiari. There is no basis of a shared community of interests with other voters in Lingiari, whether or not they live in the Darwin Rural area.

This submission recommends the augmented Electoral Commission maintain the current boundaries or make a minimal change to include the entire Litchfield Council area in the electorate of Lingiari.

^[6] ABS 2011 Census data

APPENDIX 1

6 October 2016

NT Redistribution Secretariat
Locked Bag 4007
Canberra ACT 2601

RE: Northern Territory (NT) federal redistribution

To whom it may concern,

We write with respect to the proposed Northern Territory (NT) federal redistribution released by the Australian Electoral Commission on Friday 9 September 2016.

The AEC's proposal made a recommendation to transfer from the Division of Solomon to the Division of Lingiari *"part of the Palmerston Municipality, specifically the suburbs of Farrar, Johnston, Mitchell, Yarrowonga and Zuccoli."*

The suburb of Farrar is within the NT electoral Division of Brennan and the suburb of Yarrowonga is within the NT electoral Division of Drysdale.

If the AEC's proposed redistribution was implemented it would effectively "split" the federal representation of the aforementioned suburbs in our respective electorates. The suburbs of Farrar and Yarrowonga would be in the federal Division of Lingiari whilst the remainder of suburbs in our electorates would be in the federal Division of Solomon.

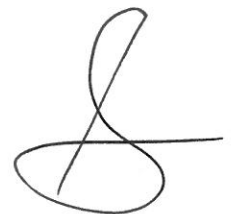
As a consequence, there would be a level of confusion and miscommunication amongst constituents in these suburbs. The "split" in federal representation would disempower the clear community of interest in the Palmerston Municipality and its ability to seek representation on common issues of interest.

It is our submission that the AEC should not transfer the proposed sections of the Palmerston Municipality from the Division of Solomon to the Division of Lingiari. If this were to occur it would weaken the community of interest within the Palmerston Municipality and affect its ability to seek effective representation at the federal level.

Yours sincerely,



Eva Lawler MLA
Member for Drysdale



Tony Sievers MLA
Member for Brennan