

## Characteristics of Electorates in the Territories

- 6.1 Following the determination of State and Territory entitlements to seats in the House of Representatives, an electoral redistribution takes place in those States and Territories that have gained or lost seats. The provisions governing the redistribution of electoral divisions are contained in part IV of the Electoral Act.
- 6.2 An electoral redistribution seeks to ensure that each division in a State or Territory provides equal representation in the House of Representatives. This is achieved by redrawing electoral boundaries to ensure that, as far as practicable, each division within a State or Territory has approximately the same number of electors.
- 6.3 Section 29 of the Constitution states that a division shall not be formed out of parts of different States. Accordingly, while this section ensures approximate equality in the number of electors per electorate *within* each State and Territory, it does not ensure such equality of voter numbers per electorate *between* States and Territories. As discussed in chapter two (see paragraph 2.5), the High Court, in the case of *McKinlay v Commonwealth (1975)*, confirmed that electorates across Australia are not required to have equal numbers of electors or people.

## Numerical size of Territory divisions

- 6.4 One of the primary concerns expressed in submissions to the Committee was the number of electors in electorates within the ACT and the NT compared to electorates in the States.<sup>1</sup> It was argued that the numerical size of Territory electorates fluctuates more readily than those in the States and by comparison, the Territories are likely to have relatively small or relatively large numbers of electors per electorate than the States. The loss of one House of Representatives seat will, in the case of the NT, result in its representation entitlement being halved. In the Territories, losing one seat can result in electorates with the largest number of people enrolled to vote in any division within Australia.
- 6.5 To determine the electoral size of divisions within a State or Territory, an average divisional enrolment – or enrolment quota - is calculated. This quota is the average number of people enrolled to vote in each division, and is calculated by dividing the number of enrolled voters in that State or Territory by the number of House of Representatives seats to which the State or Territory is entitled.<sup>2</sup>
- 6.6 Section 58 of the Electoral Act requires the Electoral Commissioner to determine each month the number of enrolled electors in each division, each State and Territory's average divisional enrolment, and the extent to which the number of electors enrolled in a division deviates from the relevant State or Territory's average divisional enrolment. The results of these calculations are published monthly in the *Commonwealth Gazette*.
- 6.7 The average divisional enrolment for each State and Territory as at 29 August 2003 is detailed below in table 6.1. These averages were calculated on the basis of the February 2003 determination of representation entitlements for each State and Territory in the 41st Parliament.

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1 See submissions: # 7 from Dr Miko Kirschbaum, #9 from the Australian Democrats (NT Branch), #14 from Mr David Tollner MP, #15 from the Australian Labor Party (NT Branch), #17 from the Australian Democrats (ACT Division), #18 from Mr Alan Hatfield, #19 from the NT Government, #22 from the Hon Warren Snowdon MP, and #26 from the Australian Labor Party (ACT Branch).

2 For more information about the redistribution process see Australian Electoral Commission Factsheet: *Redistributions*; 9 July 2002.

Table 6.1. Average Divisional Enrolment for States and Territories as at 29 August 2003.

State/Territory	No. Divisions	No. Enrolled	Average Divisional Enrolment
New South Wales	50	4,278,069	85,561
Victoria	37	3,249,789	87,832
Queensland	27	2,372,345	87,864
<i>Qld (current Parliament)</i>	26	2,372,345	91,244
Western Australia	15	1,198,653	79,910
South Australia	12	1,047,976	87,331
<i>SA (current Parliament)</i>	13	1,047,976	80,614
Tasmania	5	332,798	66,559
Australian Capital Territory	2	219,346	109,673
Northern Territory	1	110,066	110,066
<i>NT (current Parliament)</i>	2	110,066	55,033
Australia (next Parliament)	149	12,809,042	85,967

Source: Australian Electoral Commission, *Enrolment Statistics as at 29 August 2003*, ([www.aec.gov.au/\\_content/what/enrolment/stats.htm](http://www.aec.gov.au/_content/what/enrolment/stats.htm), accessed 29 September 2003).

- 6.8 The national average divisional enrolment in the next Parliament based on August 2003 enrolment figures would be 85,967 voters.
- 6.9 Table 6.1 shows that the average divisional enrolment within each State and Territory ranges from 66,559 people in Tasmania to 110,066 people in the NT. The division with the least number of voters is Lyons in Tasmania with 63,985 people,<sup>3</sup> while the division with the most people enrolled to vote is Fraser in the ACT with 112,299 people.
- 6.10 From the table, it can also be seen that at the next election, the ACT and the NT will each have divisions comprised of approximately 110,000 voters as a result of the February 2003 determination.
- 6.11 Table 6.2 shows the average divisional enrolment as at each determination of State and Territory entitlements from 1984 onwards.<sup>4</sup> The figures listed for each State and Territory are the average

3 Tasmania is guaranteed a minimum of five House of Representatives seats as an original State. On a population basis it would be entitled to four seats. Accordingly, it is not surprising that its average divisional enrolment would be relatively low, and that it would have the division with the least number of voters.

4 For average divisional enrolment figures prior to 1984 see submission #27 from the Australian Electoral Commission, Attachment A.

divisional enrolments at the time of the determination; that is prior to the effect of the results of the determination.

**Table 6.2. Average divisional enrolment at determinations of State and Territory entitlements since 1984 and at 29 August 2003**

Date	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
29/08/03*	85,561	87,832	87,864	79,910	87,331	66,559	109,673	110,066
19/03/03	85,399	88,042	87,099	80,304	86,933	66,066	109,439	54,551
09/12/99	83,314	85,844	83,042	84,323	86,202	65,847	106,600	108,512
28/02/97	79,588	81,366	80,413	79,871	83,598	64,902	68,353	101,600
04/03/94	76,460	75,759	79,282	74,100	84,121	64,707	95,419	92,642
01/03/91	72,982	74,524	77,634	69,818	76,066	63,033	90,238	84,880
30/06/88	69,802	68,667	69,863	70,349	71,835	59,972	81,556	74,808
27/02/84	76,990	76,655	78,667	73,385	80,133	57,062	73,647	64,939

Source: Submission #12 from the Australian Electoral Commission, Attachment A

\*Shows the average divisional enrolment for the 41<sup>st</sup> Parliament based on August 2003 enrolment figures (see table 6.1).

6.12 For the NT and the ACT, the table shows the change from relatively large to relatively small divisional populations as a result of the gain or loss of one seat over successive Parliaments. As a result of the 1997 determination, the ACT went from three to two House of Representatives seats. This resulted in a change to the average divisional enrolment from 68,353 voters to 106,600 voters. Similarly, as a result of the 1999 determination the NT, went from one seat to two, and as a result of the 2003 determination, is set to go from two seats to one at the next election. The average divisional enrolment went from one division of 108,512 voters prior to 1999, to two divisions of 54,551 voters after the 1999 determination, and (notionally) back to one division of 110,066 following the February 2003 determination.

6.13 This is significantly different to the changes in average divisional enrolment experienced by the States. As appears from table 6.2, changes in the entitlements of States usually result in a change of less than 5,000 voters to the average divisional enrolment. For the Territories, however, the average size of divisions may be doubled or halved because of the relatively small populations of these areas and the correspondingly small number of electorates those populations are divided into.

## Population projections

- 6.14 In tabling his Private Member's Bill, Mr David Tollner MP told the House of Representatives that his Bill is intended to account for a "statistical glitch" in the population estimates for the NT. The Member for Solomon said:

population projections show that this is a temporary condition – by 2005 the Territory will again have the numbers to qualify for two seats.

This amendment to the act is no more than a bridging device that will carry the Territory across the momentary statistical glitch that threatens to disadvantage the occupants of 1,346,000 square kilometres of the mainland.<sup>5</sup>

- 6.15 In addition to Mr Tollner's assertion in the House of Representatives, a number of submissions to the inquiry, particularly those by people or bodies from the NT, also suggested that the population of the NT will increase and again entitle it to two House of Representatives seats at the election after next. The most common reason cited for this is that population growth is expected to follow a number of economic developments such as the Timor Sea gas project, the Alice Springs-Darwin railway, and the expansion of mining projects on the Gove Peninsula.<sup>6</sup> In addition, it was also submitted that the NT will experience a substantial increase in the numbers of young people who will enrol to vote over the next few years.<sup>7</sup>
- 6.16 These arguments about the expected increase in the NT's population raise the issue of population projections. The ABS produces population projections every two to three years and notes they are not forecasts but rather projections of what the population might be in the future if a number of assumptions about fertility, mortality and overseas and interstate migration, etc, were to prevail over the projected period. Generally, high, medium and low population

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5 Mr David Tollner MP, *House of Representatives Official Hansard*, No. 9, 2003, Monday, 16 June 2003, p 16361.

6 See submissions: #10 from from the Hon Grant Tambling, #15 from the NT Branch of the Australian Labor Party, #19 from the NT Government, and #22 from the Hon Warren Snowdon MP. Also see Hansard transcript of public hearing, Friday 29 August 2003, Darwin.

7 See submission #3 from the Country Liberal Party (Parliamentary Wing) and #10 from the Hon Grant Tambling.

projections are formulated to show the different population growth outcomes if a range of different assumptions were to hold.<sup>8</sup>

- 6.17 However, the relevant issue in determining State and Territory entitlements in the House of Representatives is not whether the population of a State or Territory increases or decreases. The significant issue in determining these entitlements is the State or Territory's population growth relative to the population growth of Australia.
- 6.18 Some submissions to the inquiry cited population projections included in a Parliamentary library research paper<sup>9</sup> to support claims that the NT's population is expected to entitle it to two House of Representatives seats in the near future.<sup>10</sup> This paper shows that based on ABS population projections, in 2005, the NT is expected to have 1.5509 quotas.
- 6.19 The projections included in the Parliamentary research paper are based on 1999 population figures that were released in August 2000. In regard to these projections, the ABS told the Committee:
- Those population projections were made a couple of years ago. The ABS is in the process now of compiling new population projections for the NT and for each of the States and the ACT.<sup>11</sup>
- 6.20 Since then, the ABS has produced more recent ERP figures. These figures suggest that the 1999 population projections cited in the Parliamentary library research paper were optimistic, and that the NT's proportion of the Australian population has actually been declining over recent years.<sup>12</sup> The ABS notes:
- the NT population has declined slightly in 4 of the last 5 quarters leading to a 0.1% decline in the population for the

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8 See submission #6 from the Australian Bureau of Statistics and the Hansard transcript of public hearing, Thursday 18 September 2003, p 6.

9 *A Fair Deal for Territory Voters?* Research Note, No 27, 18 March 2003, Department of the Parliamentary Library.

10 See submissions: #3 from the Country Liberal Party (Parliamentary Wing), #5 from Mrs De-Anne Kelly MP, and #22 from the Hon Warren Snowdon MP.

11 Hansard transcript of public hearing, Monday 18 August 2003, Canberra p 11.

12 See submission #6 from the Australian Bureau of Statistics, p 13-15. Also see Hansard transcript of public hearing, 18 August 2003, Canberra, p 11-12 for further discussions about projections.

year ending 30 December 2002. By comparison, the national population growth rate was 1.3% for the same period.<sup>13</sup>

- 6.21 In September 2003, the ABS released its latest population projections.<sup>14</sup> On the basis of these projections, the ABS claims that it is unlikely that the NT's population will grow at a faster rate than the population of the rest of Australia. Ms Susan Linacre, Deputy Australian Statistician, said:

Looking at the medium projection is probably the conservative way of looking at it. On that basis you would not be predicting that the population growth rate in the Northern Territory was going to be greater than that for the rest of Australia, on those projections.<sup>15</sup>

- 6.22 Recently, the ABS also released its population estimates for the March 2003 quarter. According to the Australian Statistician, Mr Dennis Trewin, these figures show that the NT's population in March 2003 would not have entitled it to two House of Representatives seats. Mr Trewin explains that the March 2003 quarter figures:

show that the Northern Territory is a bit further away from two seats than they were at September quarter 2002...

According to our estimates, their population has declined slightly over the six months since the end of September quarter 2002, whereas Australia as a whole has been growing, so their proportion of the Australian population has shrunk... Over about a four- or five- year period their internal migration has been gradually declining.<sup>16</sup>

- 6.23 The NT's population for the September 2002 quarter was estimated to be 197,700 people.<sup>17</sup> By the March 2003 quarter, however, the population of the NT was estimated to have declined to 197,100 people.<sup>18</sup> As noted above, what is significant is not whether the NT's

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13 Submission #6 from the Australian Bureau of Statistics, p 14 (sourced from ABS, Catalogue No. 3239.0.55.001, Population, Australian States and Territories - Electronic delivery).

14 Population Projections, Australia, 2002-2101, ABS Catalogue no. 3222.0. These projections are also included in the ABS's supplementary submission to the inquiry: submission #25 from the Australian Bureau of Statistics, paragraphs 30 - 32.

15 Hansard transcript of public hearing, 18 September 2003, Canberra, p 6.

16 Hansard transcript of public hearing, 18 September 2003, Canberra, p 14.

17 Australian Bureau of Statistics, Catalogue No. 3101.0, Australian Demographic Statistics, 20 March, 2003.

18 Australian Bureau of Statistics, Catalogue No. 3101.0, Australian Demographic Statistics, 18 September 2003.

population has increased or decreased, but its population growth relative to the population growth of the rest of Australia. The NT's population recorded negative population growth (-0.2%), while the populations of all the States and the ACT experienced growth during the year ending March 2003.

## Geographic size of the Territory divisions

- 6.24 The geographic size of Australia's electorates ranges from 26 square kilometres to over 2,000,000 square kilometres. Currently, the largest electorate by area in Australia is Kalgoorlie in WA (2,295,354 sq km), followed by Lingiari in the NT (1,347,849 sq km) and Grey in SA (897,822 sq km). The smallest electorates in Australia by area are all in NSW - Wentworth (26 sq km), Grayndler (29 sq km) and Watson (33 sq km).<sup>19</sup>
- 6.25 As a single electorate, the NT would cover approximately 1,348,175 square kilometres, including the Cocos (Keeling) and Christmas Islands, and would replace the electorate of Lingiari (which is to be abolished pursuant to the 2003 determination) as the second largest in Australia behind Kalgoorlie. Many submissions to the inquiry, including those from the current NT Members of the federal Parliament, raised the geographic size of the NT as an issue in support of increasing the minimum representation of the NT to two House of Representatives Members.<sup>20</sup> In particular, Mr Warren Snowdon MP, Member for Lingiari, who spent 12 years as the only Member for the NT, made the following comment:

Servicing an electorate of this size is extremely difficult. A single NT electorate would include both a capital city and some of the most remote parts of Australia. The NT includes a vast range of socioeconomic groups and the highest proportion of indigenous Australian voters (at least 29 per cent) in the country.<sup>21</sup>

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19 Australian Electoral Commission, Electoral Divisions by Area, [www.aec.gov.au/content/who/profiles/divisions\\_by\\_area.htm](http://www.aec.gov.au/content/who/profiles/divisions_by_area.htm). Accessed 30/09/03.

20 See submissions: #4 from the Hon John Anderson MP, #5 from Mrs De-Anne Kelly MP, #9 from the NT Branch of the Australian Democrats, #11 from the National Party of Australia, #14 from Mr David Tollner MP, #15 from the NT Branch of the Australian Labor Party, #19 from the NT Government, and #22 from the Hon Warren Snowdon MP.

21 Submission #22 from the Hon Warren Snowdon MP, p 9.



- 6.26 Similarly, Mr David Tollner MP, Member for Solomon was reported as having commented that it seems “ridiculous” that an area covering one-fifth of the Australian land mass, with a population of 200,000 people, should only have one House of Representatives Member.<sup>22</sup> Other points raised in submissions to the inquiry in regard to the geographic size of the NT included that:
- the NT spans four different time zones;
  - the NT is made up of remote, regional and urban communities – it is challenging for one Member to service such a vast and diverse electorate; and
  - it is difficult for constituents to access their local Member.<sup>23</sup>
- 6.27 The geographic size of the ACT was not raised as an issue in submissions to the inquiry.

## Distinctiveness of the Territories

- 6.28 In addition to issues associated with the NT’s population estimates and projections as well as its geographic size, a number of submissions to the inquiry also sought to highlight other unique characteristics of the NT and ACT as grounds for granting each jurisdiction a minimum of two House of Representatives seats. Most of these issues, again, were only raised in reference to the NT.
- 6.29 All submissions from people in the NT supported an increase in the minimum representation for the jurisdiction from one to two seats in the House of Representatives. In these submissions, a range of social, economic, administrative and health-related arguments were advanced for retaining the second NT seat. Some of these included that:
- the allocation of two seats to the NT will not affect the number of seats allocated to the States, nor will it increase the current size of the House of Representatives;

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22 Out for the Count, *About the House Magazine*, May-June 2003, p 18.

23 See submissions: #4 from the Hon John Anderson MP, #5 from Mrs De-Anne Kelly MP, #9 from the NT Branch of the Australian Democrats, #11 from the National Party of Australia, #14 from Mr David Tollner MP, #15 from the NT Branch of the Australian Labor Party, #19 from the NT Government, and #22 from the Hon Warren Snowdon MP.

- it is undemocratic to halve the representation of the NT based on a deficit of a few hundred voters;
- the Territories are currently guaranteed a minimum of two representatives each in the Senate;
- it is difficult for one Member to adequately represent all the different peoples and communities within the NT;
- servicing a geographically large electorate adversely affects the health and wellbeing of the elected Member;
- on a per capita basis the NT contributes three times the export earnings of the States;
- oscillating between one and two House of Representatives seats is confusing to the electorate, alienates voters, creates work for the Electoral Commission, is an expense for the taxpayer, and contributes to instability of Territory representation; and
- the NT functions very much like a State and is treated like a State for federal purposes, however, it does not have the guaranteed minimum of five House of Representatives seats granted to the States.<sup>24</sup>

6.30 The Committee notes that each electorate in Australia has unique characteristics and challenges and representation in the House of Representatives is not based on social and economic factors.

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24 See submissions: #3 from the Country Liberal Party (Parliamentary Wing), #4 from the Hon John Anderson MP, #5 from Mrs De-Anne Kelly MP, #9 from the NT Branch of the Australian Democrats, #11 from the National Party of Australia, #14 from Mr David Tollner MP, #15 from the NT Branch of the Australian Labor Party, #19 from the NT Government, #21 from Mr Phillip Grice, and #22 from the Hon Warren Snowdon MP.