

~~Mr SPEAKER: Order, members. One moment. The member for Sunnybank has the call and then I will call the member for Clayfield. Member for Sunnybank.~~

~~Mr Seeney: It was a public meeting Monday morning. Don't you remember?~~

~~Mr NICHOLLS: To the point of order, Mr Speaker: clearly the member for Sunnybank does not have a matter of privilege because he has not been able to say anything for about a minute now and he has not been able to either look at his mobile phone, his tablet or get guidance from anyone else. There is no matter of privilege, Mr Speaker.~~

~~Honourable members interjected.~~

~~Mr SPEAKER: Order, members! Member for Sunnybank.~~

~~Mr RUSSO: Mr Speaker, the matters that the member for Callide has raised in this House are currently matters that are before the committee and therefore should not be raised in this House in the manner that the~~

~~Mr SPEAKER: Member for Sunnybank, I would invite you to write to me about these matters and I will consider these matters. Thank you.~~

~~Mr Seeney: You're referring to a public meeting on Monday.~~

~~Mr SPEAKER: Member for Callide, if you want to write to me as well, I invite you to write to me about these matters and I will also consider your submission. If any other member wants to write to me, I will consider your submissions as well!~~

~~Honourable members interjected.~~

~~Mr SPEAKER: No, no finger pointing, member for Callide.~~

~~Mr Seeney: What about the police minister?~~

~~Mr SPEAKER: I know it is budget week and we still have another couple of days to go. We might now proceed to private members' bills and I call~~

~~Mr Seeney: You can see why you need a new chair for the PCCC!~~

~~Mr SPEAKER: Member for Callide, you have had a good go. I would ask you to~~

~~Mr Seeney interjected.~~

~~Mr SPEAKER: Order, members!~~

~~Mr Seeney: He's a great chair!~~

~~Mr SPEAKER: Member for Callide, please!~~

## ELECTORAL (REDISTRIBUTION COMMISSION) AND ANOTHER ACT AMENDMENT BILL

### <Introduction

 **Mr WALKER** (Mansfield—LNP) (4.16 pm): <I present a bill for an act to amend the Constitution of Queensland 2001 and the Electoral Act 1992 >for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Electoral (Redistribution Commission) and Another Act Amendment Bill 2015.

*Tabled paper:* Electoral (Redistribution Commission) and Another Act Amendment Bill 2015, explanatory notes.

I am privileged to present the Electoral (Redistribution Commission) and Another Act Amendment Bill 2015—the first piece of genuine electoral reform legislation to be presented to this parliament. This bill is designed to bring about three principal changes to the method in which the boundaries of electoral districts are redistributed. Firstly, it is proposed to increase the size of the Queensland Redistribution Commission from three members to five members. Secondly, it is proposed that that commission be invested with the power to determine the number of electoral districts in the Legislative Assembly subject to a maximum increase of five additional districts. Thirdly, it is proposed that the commission can amend the additional large district number—currently defined in section 45(2) of the Electoral Act as two per cent—up to four per cent.

Queensland needs a contemporary Electoral Act that meets the challenges of a rapidly changing society and accommodates the reasonable expectations of its citizens. With an electoral redistribution due to commence early next year in accordance with section 38 of the Electoral Act, it is imperative

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that any reforms be introduced and debated as soon as possible. The Queensland Redistribution Commission consists of three members: a judge or former judge of a Commonwealth, state or territory court as chairman; the chief executive of a department or its equivalent; and the Electoral Commissioner. As it is proposed the commission be given the power to determine an increase in the number of electoral districts, it is proposed to increase the commission by two members. This will achieve two objectives. Firstly, it will broaden the skill base of the commission to ensure that the issues demanding examination during any discussion of an increase in the number of districts will be subject to additional expert scrutiny.

Secondly, it will extend membership beyond those who are, or have been, dependent on the government of the day for their appointment to their substantive positions. This will allow greater community involvement and bring to bear the influence of other formal qualifications or practical experiences.

For these reasons it is proposed that the new members must have qualifications or experience in one or more of demography, statistics or regional and town planning. While those skilled in law or public administration have a valid contribution to make, others with different, but complementary, skills or experience have much to offer a process that has become central to the operation of our electoral system. These particular skills are central to an understanding of the patterns of population movement throughout the state and the potential impacts of those movements. A new commission so constituted would bring a degree of intellectual rigour to the redistribution process that would have obvious benefits for the people of Queensland.

I note with interest that Dr Paul Williams of Griffith University also called for an increase in the size of the commission in an article in the *Courier-Mail* of 16 June this year. He wrote—

The first reform should be a broadening of the Redistribution Commission itself from its current three members. A wider representation beyond the Electoral Commissioner, a judge and a senior public servant would give the Commission fresh eyes.

It is further proposed that, in the interests of transparency, the appointments of all commissioners, with the exception of the Electoral Commissioner, who has already undergone a separate appointment process, be subject to the approval of the leaders of all recognised parties represented in the Legislative Assembly. This extends existing arrangements whereby the appointments are only subject to consultation. This additional provision will greatly increase community confidence in the bipartisan nature of the entire redistribution process. The broadening of the commission's membership would bring a significant element of professionalism to that body's work.

The second significant reform relates to the number of electoral districts in the Legislative Assembly. Two issues arise in relation to this. Firstly, is there a need to increase the number of districts and, secondly, if so, what mechanism should be adopted to bring this about? The number of electoral districts stands at 89. In 1972, the size of the Legislative Assembly was increased from 78 to 82. A further increase to 89 was effected in the redistribution preceding the 1986 election. A review of the enrolments and number of seats in each mainland state parliament indicates that Queensland has a relatively high number of electors per member of parliament.

Figures earlier this year reveal that, at 33,430 electors per member, Queensland has the second highest ratio, exceeded only by New South Wales at 34,339. The other three states range from 29,736 electors down to 14,868 per member. In addition, of course, Queensland is the only state without an upper house. At the same time the growth in enrolments in Queensland in recent decades has far outpaced the increase in the number of electoral districts in the Legislative Assembly. Since the size of the House was increased in 1986, the average number of electors in each district has virtually doubled—17,565 electors to 33,521, an increase of just over 90 per cent as at 31 May. It is also instructive to note that, at the time of the 1986 election, the average enrolment in each district was virtually the same as at the election in 1983 despite the addition of seven districts. The increase in the size of the Assembly simply accounted for the increase in enrolments and made no allowances for increases in the future.

These statistics point to a need, at a minimum, to examine whether an increase in the number of electoral districts is justified. Both Dr Williams in his *Courier-Mail* article and the Clerk of the Parliament, Mr Laurie, in his paper, *Size matters—the problem of proportionally shrinking parliaments*, presented at the Presiding Officers and Clerks Conference in July 2008, argue for an increase to occur. Indeed, Mr Laurie has argued that this is more than a mere mathematical question but suggested that a larger parliament would result in a more effective, more representative legislature. Mr Laurie's proposal in 2008 was for the addition of some 10 seats to this House.

It should also be noted that the Electoral and Administrative Review Commission—or EARC—recommended in November 1990, at recommendation 7.64, that a periodic review of the number of members of parliament be undertaken by an independent electoral authority every seven years. The second issue relates to the manner in which any increase in electoral district numbers is determined and gives effect to this recommendation by EARC. This bill proposes that the Redistribution Commission, in its enlarged form, be given the power, within certain limits, to determine the number of districts. In the interests of transparency, it is submitted that neither the parliament nor the executive have the final say in this matter. This represents a significant change from current law but signals a significant depoliticisation of the process of fixing the number of electoral districts.

It is proposed that the commission be permitted to increase the number of electoral districts by up to five and within the prescribed range of 89 to 94 at the time a redistribution occurs. Such an increase would only follow proper examination by the commission. It is for this reason that it is proposed to insert a 30-day period for public submissions followed by a 30-day period for consideration by the commission of this issue before the formal redistribution process commences.

The third significant part of this bill concerns the treatment of electoral districts in the more remote northern and western parts of Queensland. The Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct—the Fitzgerald inquiry—reported in 1989 at page 370 that a review should be conducted into electoral arrangements, including the justification for retaining the then zonal system. Consequently, current arrangements, outlined in section 45 of the act, owe their genesis to the work of EARC into the electoral system. EARC's report recommended, amongst other things, the abolition of the then existing four-zonal electoral system and its replacement by a system based on a single quota with a particular concession applying to districts over 100,000 square kilometres in area. In justifying its recommendation, the report stated at paragraph 10.148—

Deviation from the principle of equal suffrage may be justified on the basis that it contributes to good government. If on the material available to it, the Commission is persuaded that a strict application of equal suffrage will prejudice the quality of representation in certain areas of the State then the Commission would have to give serious consideration to recommending some form of weightage to ensure the quality of representation is not prejudiced.

EARC pointed out that the issue was not simply one of a member of parliament being able to communicate with his or her electors but those electors having direct personal access to their representative. EARC quoted with approval the submission by the Queensland Council of Civil Liberties at paragraph 10.168—

The strongest case for representation for remote areas is the difficulty for the representative to adequately service a small population spread over a vast area. This presents problems for such a representative both as a trustee for the people's interest and their delegate in the assembly.

Acknowledging the benefit of additional facilities and technology, EARC reported at paragraph 10.191—

The application of equal suffrage throughout Queensland will prejudice the quality and effectiveness of representation in the most sparsely populated areas of the State.

To overcome this inequality, EARC proposed that a 10 per cent variation from a statewide quota apply but that, in the case of districts greater than 100,000 square kilometres in area, the enrolment be the sum of the number of electors and a number equalling two per cent of the area of the proposed district expressed in square kilometres.

Contemporary problems for those living in these particular areas are as challenging as those that applied 25 years ago and these still cannot be overcome simply by additional facilities and technology. It could also be argued that the absolute and relative decline in the population in remote regions places even greater pressure on the people living in these areas to have their voices heard. This problem is greater than that identified in 1990. Should the existing provision not be amended, it is likely that significant increases in area will apply across the five districts concerned in an effort to increase enrolments. The likelihood of the district of Mount Isa, for example, having to cover the vast bulk of Western Queensland cannot be discounted. The continuing decline in the population in the north and west aggravates the problems identified by EARC.

To overcome these, the bill proposes granting the Redistribution Commission the power to increase the 'additional large district number' from two per cent to up to four per cent. This measure reaffirms the commission's primacy in matters relating to the state's electoral system and limits the power of both parliament and the executive. Just as EARC was given significant authority 25 years ago, it is acknowledged that the commission should enjoy a similar position in 2015 and beyond.

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This bill is designed to increase the transparency and fairness of the electoral process. It covers sections of the act that have received little attention over the past quarter of a century and which, after the passing of a quarter of a century, are crying out for modernisation and renewal.

There is an urgent need to update these provisions to account for changing circumstances. To delay any longer invites the calling into question of this important part of the electoral process. This finely balanced parliament is, I believe, the best environment in which to consider parliamentary reform. The provisions of this bill will need to survive review by a bipartisan committee, then will need to pass through this House where no single party holds sway. If passed, the members of the Redistribution Commission will need to be acceptable to all parties represented here and, once appointed, they will carry out their tasks independent of political influence - in my view, a process in which the people of Queensland can have the utmost confidence. The bill represents important steps in improving accountability in Queensland's political arena. I commend the bill to the House.

### First Reading

**Mr WALKER** (Mansfield—LNP) (4.30 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### Referral to the Legal Affairs and Community Safety Committee

**Mr SPEAKER:** In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

### Portfolio Committee, Reporting Date

 **Mr WALKER** (Mansfield—LNP), by leave, without notice: I move—

That—

1. Under the provisions of standing order 136, the Legal Affairs and Community Safety Committee report to the House on the Electoral (Redistribution Commission) and Another Act Amendment Bill 2015 by 11 September 2015; and
2. That so much of the standing and sessional orders be suspended to ensure all remaining stages of the Electoral (Redistribution Commission) and Another Act Amendment Bill 2015 be completed by 5 pm on 29 October 2015. >

Question put—That the motion be agreed to.

Motion agreed to.

## ~~MINISTERIAL STATEMENT~~

### ~~◀ Defined Benefit Scheme~~

 ~~**Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships) (4.32 pm), by leave: Returning to the member for Maroochydore's question earlier that related to the defined benefit scheme in terms of employer contributions and what the end date may be, as I said during question time, I think there has been enough misinformation about this issue across the chamber and I wanted to make sure that I gave an accurate response to her question. I will always endeavour to ensure the accuracy of my response. In response, I am advised that the vast majority of current members of the defined benefit scheme are expected to have retired by 2035, which is consistent with what we have said. However, the scheme will continue until the retirement of the last of the current members of the scheme. That is going to be determined when the last person retires.~~

~~**Mr Stevens:** It could go to.~~

~~**Mr PITT:** Yes. To answer the member's question further, what we know is that the longer the scheme is running the easier it is to fund it because there is a defined number of people in the scheme and it is a defined benefit scheme. I again reassure the broader Public Service, particularly the 50,000 members of the defined benefit scheme, that their entitlements are safe. There is no concern from anyone in this government in terms of any of the advice from the State Actuary. I should also add that the State Actuary has indicated that he conducts an interim review on an annual basis. So whilst we do~~